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S E N A T E  
State of Florida  
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**Journal**  
**of the**  
**S E N A T E**  
**State of Florida**



**CONTINUATION OF**  
**FORTY-FIFTH REGULAR SESSION**  
**UNDER THE CONSTITUTION AS REVISED IN 1968**  
**MARCH 5 THROUGH MAY 3, 2013**



# Journal of the Senate

Number 19—Regular Session

Monday, April 29, 2013

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## CALL TO ORDER

The Senate was called to order by President Gaetz at 12:00 p.m. A quorum present—38:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

Excused: Senator Altman

## PRAYER

The following prayer was offered by Pastor Brant Copeland, First Presbyterian Church, Tallahassee:

God of justice and mercy, we thank you for the freedoms we enjoy and for the high calling to public service.

Look with favor, we pray, on the Florida Senate as it enters the final week of the legislative session. Give the Senators cool heads and discerning spirits, and keep before them constantly the needs of the least of your children. Inspire us all, we pray, to do justice, to love mercy, and to walk humbly with you, striving to meet your best hopes for us and giving glory to you alone.

In your holy name, we pray. Amen.

## PLEDGE

Senate Pages Royce Lowery of Havana; Shelbi McCall of Mayo; and Sarah Stanley of Inverness led the Senate in the pledge of allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Benjamin Abinales of St. Petersburg, sponsored by Senator Brandes, as doctor of the day. Dr. Abinales specializes in Internal Medicine.

## RECONSIDERATION OF BILL

On motion by Senator Brandes, the Senate reconsidered the vote by which—

**CS for CS for SB 1150**—A bill to be entitled An act relating to governmental accountability; creating s. 119.0701, F.S.; providing definitions; providing that each public agency contract for services must meet specified requirements; requiring the public agency to enforce contract provisions if a contractor does not comply with a public records request; amending s. 119.12, F.S.; specifying what constitutes reasonable costs of enforcement in a civil action against an agency to enforce ch. 119, F.S.; amending s. 215.971, F.S.; requiring agreements funded with state or federal financial assistance to include additional provisions; authorizing the Chief Financial Officer to audit agreements before execution and providing requirements for such audits; requiring state agencies to designate a grants manager for each agreement and providing requirements and procedures for managers; requiring the Chief Financial Officer to perform audits of executed agreements and to discuss such audits with agency officials; requiring the agency head to respond to the audit; reordering and amending s. 215.985, F.S.; revising provisions relating to the Chief Financial Officer's intergovernmental contract tracking system under the Transparency Florida Act; requiring state agencies to post certain information in the tracking system and to update that information; requiring that exempt and confidential information be redacted from contracts and procurement documents posted on the system; authorizing the Chief Financial Officer to make available to the public the information posted on the system through a secure website; providing an exception; authorizing the Department of Financial to adopt rules; repealing s. 216.0111, F.S., relating to a requirement that state agencies report certain contract information to the Department of Financial Services and transferring that requirement to s. 215.985, F.S.; amending s. 287.012, F.S.; providing and revising definitions; amending s. 287.042, F.S.; revising powers, duties, and functions of the Department of Management Services; eliminating a duty of the department to maintain a vendor list; authorizing the department to lead or enter into joint agreements with governmental entities for the purchase of commodities or contractual services that can be used by multiple agencies; amending s. 287.057, F.S.; providing that contracts awarded pursuant to an invitation to bid shall be awarded to the responsible and responsive vendor that submits the lowest responsive bid; revising exceptions to the requirement that the purchase of specified commodities or contractual services be made only as a result of receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies; revising contractual services and commodities that are not subject to competitive solicitation requirements by virtue of being available only from a single source; providing that a contract for commodities or contractual services may be awarded without competition if the recipient of funds is established during the appropriations process; revising provisions relating to extension of a contract for commodities or contractual services; authorizing an agency to negotiate better pricing upon renewal of a contract; providing training requirements for contract managers responsible for contracts in excess of a specified threshold amount; providing contract manager certification for contract managers responsible for contracts in excess of a specified threshold amount; providing that the department is responsible for establishing and disseminating the requirements for certification of a contract manager; providing that training will be conducted jointly by the Department of Management Services and the De-

partment of Financial Services; providing training guidelines and requirements; requiring the department, in consultation with the Chief Financial Officer to maintain a program for online procurement of commodities and contractual services; amending s. 287.0571, F.S.; revising nonapplicability of a business case to outsource; amending s. 287.058, F.S.; defining the term “performance measure”; revising references within provisions relating to purchase orders used in lieu of written agreements for classes of contractual services; revising terminology; authorizing the Chief Financial Officer to audit contracts before execution and providing requirements for such audits; creating s. 287.136, F.S.; requiring the Chief Financial Officer to perform audits of executed contract documents and to discuss such audits with the agency officials; requiring the agency head to respond to the audit; amending s. 287.076, F.S.; providing that Project Management Professionals training for personnel involved in managing outsourcings and negotiations is subject to annual appropriations; amending ss. 16.0155, 283.33, 394.457, 402.7305, 409.9132, 427.0135, 445.024, 627.311, 627.351, 765.5155, and 893.055, F.S.; conforming cross-references; providing effective dates.

—as amended passed April 26.

Pending further consideration of **CS for CS for SB 1150** as amended, on motion by Senator Brandes, by two-thirds vote **CS for CS for HB 1309** was withdrawn from the Committees on Governmental Oversight and Accountability; and Appropriations.

On motion by Senator Brandes, by two-thirds vote—

**CS for CS for HB 1309**—A bill to be entitled An act relating to the procurement of commodities and contractual services; amending s. 215.971, F.S.; providing additional information that must be included in an agency agreement that provides state financial assistance to a recipient or subrecipient; requiring each state agency to designate an employee to function as a grant manager for purposes of the agreement; requiring training for certain grant managers; requiring the Chief Financial Officer to establish and disseminate uniform procedures for grant management; requiring the grant manager to report certain information; requiring the Chief Financial Officer to perform audits of executed grant agreements; amending s. 215.985, F.S.; requiring the Chief Financial Officer to establish and maintain a secure contract tracking system; providing requirements for the system; requiring state agencies to post certain information on the contract tracking system within a specified timeframe; specifying information that must be posted on the contract tracking system; providing that records posted on the system may not contain confidential or exempt information; requiring state agencies to redact confidential or exempt information prior to posting records on the system; providing a process for a party to the contract to request redaction of confidential or exempt information; providing notice requirements; providing that posting of information on the contract tracking system does not supersede the duty of a state agency to respond to a public record request; providing that a subpoena for certain contract information must be served on the state agency that is party to the contract; authorizing the Chief Financial Officer to adopt rules; defining the term “state agency”; authorizing the judicial branch, Department of Legal Affairs, Department of Agriculture and Consumer Services, and Department of Financial Services to elect to comply with the posting requirements; amending s. 287.012, F.S.; providing and revising definitions; amending s. 287.042, F.S.; revising powers, duties, and functions of the Department of Management Services; eliminating a duty of the department to maintain a vendor list; providing an additional circumstance under which the department may proceed with a competitive solicitation or contract award process of a term contract as an alternative to the stay of such process pursuant to a formal written protest under the Administrative Procedure Act; authorizing the department to lead or enter into joint agreements with governmental entities for the purchase of commodities or contractual services that can be used by multiple agencies; amending s. 287.056, F.S.; eliminating provisions requiring certain inclusions in agency agreements; amending s. 287.057, F.S.; providing that contracts awarded pursuant to an invitation to bid shall be awarded to the responsible and responsive vendor that submits the lowest responsive bid; revising exceptions to the requirement that the purchase of specified commodities or contractual services be made only as a result of receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies; revising contractual services and commodities that are not subject to competitive solicitation requirements by virtue of being available only from a single source; providing that a contract for commodities or contractual services may be awarded without competition if the recipient of funds is estab-

lished during the appropriations process; revising provisions relating to extension of a contract for commodities or contractual services; authorizing an agency to negotiate better pricing upon renewal of a contract; providing training requirements for contract managers responsible for contracts in excess of a specified threshold amount; providing contract manager certification for contract managers responsible for contracts in excess of a specified threshold amount; providing that the Department of Management Services is responsible for establishing and disseminating the requirements for certification of a contract manager; providing that training will be conducted jointly by the Department of Management Services and the Department of Financial Services; providing training guidelines and requirements; requiring the department, in consultation with the Chief Financial Officer to maintain a program for online procurement of commodities and contractual services; amending s. 287.0571, F.S.; revising nonapplicability of a business case to outsource; amending s. 287.058, F.S.; defining the term “performance measure”; revising references within provisions relating to purchase orders used in lieu of written agreements for classes of contractual services; revising terminology; amending s. 287.076, F.S.; providing that Project Management Professionals training for personnel involved in managing outsourcings and negotiations is subject to annual appropriations; creating s. 287.136, F.S.; requiring the Chief Financial Officer to perform audits of executed contracts; creating reporting requirements; amending ss. 16.0155, 283.33, 394.457, 402.7305, 409.9132, 427.0135, 445.024, 627.311, 627.351, 765.5155, and 893.055, F.S.; conforming cross-references; requiring the Department of Management Services, in consultation with the Chief Financial Officer, to prepare and submit a report to the Governor and Legislature relating to the eradication of human trafficking, slavery, and exploitive labor from supply chains for tangible goods offered for sale to the state; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1150** as amended and read the second time by title.

Senator Benacquisto moved the following amendment which was adopted:

**Amendment 1 (872490) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 119.0701, Florida Statutes, is created to read:

*119.0701 Contracts; public records.—*

*(1) For purposes of this section, the term:*

*(a) “Contractor” means an individual, partnership, corporation, or business entity that enters into a contract for services with a public agency and is acting on behalf of the public agency as provided under s. 119.011(2).*

*(b) “Public agency” means a state, county, district, authority, or municipal officer, or department, division, board, bureau, commission, or other separate unit of government created or established by law.*

*(2) In addition to other contract requirements provided by law, each public agency contract for services must include a provision that requires the contractor and its subcontractors to comply with public records laws, specifically to:*

*(a) Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the service.*

*(b) Provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.*

*(c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.*

*(d) Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency.*

(3) *If a contractor or its subcontractor does not comply with a public records request, the public agency shall enforce the contract provisions in accordance with the contract.*

Section 2. Section 119.12, Florida Statutes, is amended to read:

119.12 *Attorney's fees.*—If a civil action is filed against an agency to enforce the provisions of this chapter and if the court determines that such agency unlawfully refused to permit a public record to be inspected or copied, the court shall assess and award, against the agency responsible, the reasonable costs of enforcement. *The reasonable costs of enforcement include, but are not limited to, including reasonable attorney attorneys' fees, including those reasonable attorney fees incurred in litigating entitlement to and the determination or quantification of attorney fees for the underlying matter.*

Section 3. Section 215.971, Florida Statutes, is amended to read:

215.971 *Agreements funded with federal or ~~and~~ state assistance.*—

(1) ~~For~~ An agency agreement that provides state financial assistance to a recipient or subrecipient, as those terms are defined in s. 215.97, or that provides federal financial assistance to a subrecipient, as defined by applicable United States Office of Management and Budget circulars, ~~must the agreement shall~~ include all of the following:

(a)(1) A provision specifying a scope of work that clearly establishes the tasks that the recipient or subrecipient is required to perform; ~~and~~

(b)(2) A provision dividing the agreement into quantifiable units of deliverables that must be received and accepted in writing by the agency before payment. Each deliverable must be directly related to the scope of work and ~~must~~ specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.

(c) A provision specifying the financial consequences that apply if the recipient or subrecipient fails to perform the minimum level of service required by the agreement. The provision can be excluded from the agreement only if financial consequences are prohibited by the federal agency awarding the grant. Funds refunded to a state agency from a recipient or subrecipient for failure to perform as required under the agreement may be expended only in direct support of the program from which the agreement originated.

(d) A provision specifying that a recipient or subrecipient of federal or state financial assistance may expend funds only for allowable costs resulting from obligations incurred during the specified agreement period.

(e) A provision specifying that any balance of unobligated funds which has been advanced or paid must be refunded to the state agency.

(f) A provision specifying that any funds paid in excess of the amount to which the recipient or subrecipient is entitled under the terms and conditions of the agreement must be refunded to the state agency.

(g) Any additional information required pursuant to s. 215.97.

(2) The Chief Financial Officer may audit an agreement funded with state or federal assistance before the execution of such agreement in accordance with rules adopted by the Department of Financial Services. The audit must ensure that applicable laws have been met; that the agreement document contains a clear statement of work, quantifiable and measurable deliverables, performance measures, financial consequences for nonperformance, and clear terms and conditions that protect the interests of the state; and that the associated costs of the agreement are not unreasonable or inappropriate. The audit must ensure that all contracting laws have been met and that documentation is available to support the agreement. An agreement that does not comply with this section may be returned to the submitting agency for revision.

(a) The Chief Financial Officer may establish dollar thresholds and other criteria for determining which agreements will be audited before execution. The Chief Financial Officer may revise such thresholds and other criteria for an agency or unit of an agency as he or she deems appropriate.

(b) The Chief Financial Officer shall have up to 10 business days after receipt of the proposed grant agreement to make a final determination of

any deficiencies in the agreement and shall provide the agency with information regarding any deficiencies at the conclusion of the review. The Chief Financial Officer and the agency entering into the agreement may agree to a longer review period.

(c) This subsection does not apply to the Board of Governors, a state university, or a facility engaged in research using state or federal funds until July 1, 2015.

(3) For each agreement funded with federal or state financial assistance, the state agency shall designate an employee to function as a grant manager who shall be responsible for enforcing performance of the agreement's terms and conditions and who shall serve as a liaison with the recipient or subrecipient.

(a) Each grant manager responsible for agreements in excess of \$100,000 annually must complete the training and become a certified contract manager as provided under s. 287.057(14).

(b) The Chief Financial Officer shall establish and disseminate uniform procedures for grant management pursuant to s. 17.03(3) to ensure that services have been rendered in accordance with agreement terms before the agency processes an invoice for payment. The procedures must include, but need not be limited to, procedures for monitoring and documenting recipient or subrecipient performance, reviewing and documenting all deliverables for which payment is requested by the recipient or subrecipient, and providing written certification by the grant manager of the agency's receipt of goods and services.

(c) The grant manager shall reconcile and verify all funds received against all funds expended during the grant agreement period and produce a final reconciliation report. The final report must identify any funds paid in excess of the expenditures incurred by the recipient or subrecipient.

(4) The Chief Financial Officer shall perform audits of the executed state and federal grant agreement documents and grant manager's records in order to ensure that adequate internal controls are in place for complying with the terms and conditions of such agreements and for validation and receipt of goods and services.

(a) At the conclusion of the audit, the Chief Financial Officer's designee shall discuss the audit and potential findings with the official whose office is subject to audit. The final audit report shall be submitted to the agency head.

(b) Within 30 days after the receipt of the final audit report, the agency head shall submit to the Chief Financial Officer or designee, his or her written statement of explanation or rebuttal concerning findings requiring corrective action, including corrective action to be taken to preclude a recurrence.

Section 4. Subsection (2) of section 215.985, Florida Statutes, is re-ordered and amended and subsection (16) of that section is amended, to read:

215.985 *Transparency in government spending.*—

(2) As used in this section, the term:

(c)(a) "Governmental entity" means any state, regional, county, municipal, special district, or other political subdivision whether executive, judicial, or legislative, including, but not limited to, any department, division, bureau, commission, authority, district, or agency thereof, or any public school, Florida College System institution, state university, or associated board.

(d)(b) "Website" means a site on the Internet which is easily accessible to the public at no cost and does not require the user to provide any information.

(a)(c) "Committee" means the Legislative Auditing Committee created in s. 11.40.

(b) "Contract" means any written agreement or purchase order issued for the purchase of goods or services and any written agreements for the receipt of federal or state financial assistance.

(16) The Chief Financial Officer shall *establish and maintain a secure, shared state contract tracking* ~~provide public access to a state contract management system.~~

(a) Within 30 calendar days after executing a contract, each state agency as defined in s. 216.011(1) shall post all of the following ~~that provides~~ information and documentation relating to that contract on the contract tracking system, as required by rule: ~~contracts procured by governmental entities.~~

1. The names of the contracting entities.
2. The procurement method.
3. The contract beginning and end dates.
4. The nature or type of the commodities or services purchased.
5. Applicable contract unit prices and deliverables.
6. Total compensation to be paid or received under the contract.
7. All payments made to the contractor to date.
8. Applicable contract performance measures.
9. The justification for not using competitive solicitation to procure the contract, including citation to any statutory exemption or exception from competitive solicitation, if applicable.
10. Electronic copies of the contract and procurement documents that have been redacted to conceal exempt or confidential information.
11. Any other information required by the Chief Financial Officer.

~~(a) The data collected in the system must include, but need not be limited to, the contracting agency; the procurement method; the contract beginning and ending dates; the type of commodity or service; the purpose of the commodity or service; the compensation to be paid; compliance information, such as performance metrics for the service or commodity; contract violations; the number of extensions or renewals; and the statutory authority for providing the service.~~

(b) The affected state governmental agency shall update the information described in paragraph (a) in the contract tracking system within 30 calendar days after a major modification or amendment ~~change to an existing contract or the execution of a new contract, agency procurement staff of the affected state governmental entity shall update the necessary information in the state contract management system.~~ A major modification or amendment ~~change to a contract~~ includes, but is not limited to, a renewal, termination, or extension of the contract, or an amendment to the contract as determined by the Chief Financial Officer.

(c) Each state agency identified in paragraph (a) shall redact, as defined in s. 119.011, exempt or confidential information from the contract or procurement documents before posting an electronic copy on the contract tracking system.

1. If a state agency becomes aware that an electronic copy of a contract or procurement document that it posted has not been properly redacted, the state agency must immediately notify the Chief Financial Officer so that the contract or procurement document may be removed. Within 7 business days, the state agency shall provide the Chief Financial Officer with a properly redacted copy for posting.

2. If a party to a contract, or authorized representative, discovers that an electronic copy of a contract or procurement document on the system has not been properly redacted, the party or representative may request the state agency that posted the document to redact the exempt or confidential information. Upon receipt of a request in compliance with this subparagraph, the state agency that posted the document shall redact the exempt or confidential information.

a. Such request must be in writing and delivered by mail, facsimile, or electronic transmission or in person to the state agency that posted the information. The request must identify the specific document, the page numbers that include the exempt or confidential information, the information that is exempt or confidential, and the relevant statutory ex-

emption. A fee may not be charged for a redaction made pursuant to such request.

b. If necessary, a party to the contract may petition the circuit court for an order directing compliance with this paragraph.

3. The Chief Financial Officer, the Department of Financial Services, or any officer, employee, or contractor thereof, is not responsible for redacting exempt or confidential information from an electronic copy of a contract or procurement document posted by another state agency on the system and is not liable for the failure of the state agency to redact the exempt or confidential information. The Chief Financial Officer may notify the posting state agency if a document posted on the tracking system contains exempt or confidential information.

(d) Pursuant to ss. 119.01 and 119.07, the Chief Financial Officer may make information posted on the contract tracking system available for viewing and download by the public through a secure website. Unless otherwise provided by law, information retrieved electronically pursuant to this paragraph is not admissible in court as an authenticated document.

1. The Chief Financial Officer may regulate and prohibit the posting of records that could facilitate identity theft or fraud, such as signatures; compromise or reveal an agency investigation; reveal the identity of undercover personnel; reveal proprietary confidential business information or trade secrets; reveal an individual's medical information; or reveal any other record or information that the Chief Financial Officer believes may jeopardize the health, safety, or welfare of the public. However, such prohibition does not supersede the duty of a state agency to provide a copy of a public record upon request. The Chief Financial Officer shall use appropriate Internet security measures to ensure that no person has the ability to alter or modify records available on the website.

2. Records made available on the website, including electronic copies of contracts or procurement documents, may not reveal information made exempt or confidential by law. Notice of the right of an affected party to request redaction of exempt or confidential information pursuant to paragraph (c) must be displayed on the website.

(e) The posting of information on the contract tracking system or the provision of contract information on a website for public viewing and downloading does not supersede the duty of a state agency to respond to a public record request for such information or to a subpoena for such information.

1. A request for a copy of a contract or procurement document or a certified copy of a contract or procurement document must be made to the state agency that is party to the contract. Such request may not be made to the Chief Financial Officer or the Department of Financial Services or any officer, employee, or contractor thereof unless the Chief Financial Officer or department is a party to the contract.

2. A subpoena for a copy of a contract or procurement document or certified copy of a contract or procurement document must be served on the state agency that is a party to the contract and that maintains the original documents. The Chief Financial Officer or the Department of Financial Services or any officer, employee, or contractor thereof may not be served a subpoena for those records unless the Chief Financial Officer or the department is a party to the contract.

(f) The requirement under paragraphs (a) and (b) that each agency post information and documentation relating to contracts on the tracking system does not apply to any record that could reveal attorney work product or strategy.

(g) The Chief Financial Officer may adopt rules to administer this subsection.

Section 5. Section 216.0111, Florida Statutes, is repealed.

Section 6. Subsections (4) through (28) of section 287.012, Florida Statutes, are amended to read:

287.012 Definitions.—As used in this part, the term:

(4) "Best value" means the highest overall value to the state based on ~~objective~~ factors that include, but are not limited to, price, quality, design, and workmanship.

(5) “Commodity” means any of the various supplies, materials, goods, merchandise, food, equipment, information technology, and other personal property, including a mobile home, trailer, or other portable structure ~~that has with floor space of less than 5,000 square feet of floor space~~, purchased, leased, or otherwise contracted for by the state and its agencies. ~~The term “Commodity” also includes interest on deferred-payment commodity contracts approved pursuant to s. 287.063 entered into by an agency for the purchase of other commodities. However, commodities purchased for resale are excluded from this definition. Printing of publications shall be considered a commodity if procured when let upon contract pursuant to s. 283.33, whether purchased for resale or not.~~

(6) “Competitive solicitation” means the process of requesting and receiving two or more sealed bids, proposals, or replies submitted by responsive vendors in accordance with the terms of a competitive process, regardless of the method of procurement.

(7) “Contractor” means a person who contracts to sell commodities or contractual services to an agency.

(8) “Contractual service” means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors, and such services may include, but are not limited to, evaluations; consultations; maintenance; accounting; security; management systems; management consulting; educational training programs; research and development studies or reports on the findings of consultants engaged thereunder; and professional, technical, and social services. ~~The term “Contractual service” does not include a any contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of a any facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to chapter 255 and rules adopted thereunder.~~

(9) “Department” means the Department of Management Services.

(10) “Electronic posting” or “electronically post” means the noticing of solicitations, agency decisions or intended decisions, or other matters relating to procurement on a centralized Internet website designated by the department for this purpose, *and in the manner and form required under s. 120.57(3)(a).*

(11) “Eligible user” means any person or entity authorized by the department pursuant to rule to purchase from state term contracts or to use the online procurement system.

(12) “Exceptional purchase” means any purchase of commodities or contractual services excepted by law or rule from the requirements for competitive solicitation, including, but not limited to, purchases from a single source; purchases upon receipt of less than two responsive bids, proposals, or replies; purchases made by an agency, after receiving approval from the department, from a contract procured, pursuant to s. 287.057(1), or by another agency; and purchases made without advertisement in the manner required ~~under by~~ s. 287.042(3)(b).

(13) “Extension” means an increase in the time allowed for the contract period ~~due to circumstances which, without fault of either party, make performance impracticable or impossible, or which prevent a new contract from being executed, with or without a proportional increase in the total dollar amount, with any increase to be based on the method and rate previously established in the contract.~~

(14) “Governmental entity” means a political subdivision or agency of this state or of any state of the United States, including, but not limited to, state government, county, municipality, school district, nonprofit public university or college, single-purpose or multipurpose special district, single-purpose or multipurpose public authority, metropolitan or consolidated government, separate legal entity or administrative entity, or any agency of the Federal Government.

(15)(14) “Information technology” has the same meaning as provided ~~ascribed~~ in s. 282.0041.

(16)(15) “Invitation to bid” means a written or electronically posted solicitation for competitive sealed bids.

(17)(16) “Invitation to negotiate” means a written or electronically posted solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or contractual services.

(18)(17) “Minority business enterprise” has the same meaning as ~~provided ascribed~~ in s. 288.703.

(19)(18) “Office” means the Office of Supplier Diversity of the Department of Management Services.

(20)(19) “Outsource” means the process of contracting with a vendor to provide a service as defined in s. 216.011(1)(f), in whole or in part, or an activity as defined in s. 216.011(1)(rr), while a state agency retains the responsibility and accountability for the service or activity and there is a transfer of management responsibility for the delivery of resources and the performance of those resources.

(21)(20) “Renewal” means contracting with the same contractor for an additional contract period after the initial contract period, only if pursuant to contract terms specifically providing for such renewal.

(22)(21) “Request for information” means a written or electronically posted request made by an agency to vendors for information concerning commodities or contractual services. Responses to these requests are not offers and may not be accepted by the agency to form a binding contract.

(23)(22) “Request for proposals” means a written or electronically posted solicitation for competitive sealed proposals.

(24)(23) “Request for a quote” means an oral, *electronic*, or written request for written pricing or services information from a state term contract vendor for commodities or contractual services available on a state term contract from that vendor.

(25)(24) “Responsible vendor” means a vendor who has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance.

(26)(25) “Responsive bid,” “responsive proposal,” or “responsive reply” means a bid, or proposal, or reply submitted by a responsive and responsible vendor ~~which that~~ conforms in all material respects to the solicitation.

(27)(26) “Responsive vendor” means a vendor that has submitted a bid, proposal, or reply that conforms in all material respects to the solicitation.

(28)(27) “State term contract” means a term contract that is competitively procured by the department pursuant to s. 287.057 and that is used by agencies and eligible users pursuant to s. 287.056.

(29)(28) “Term contract” means an indefinite quantity contract to furnish commodities or contractual services during a defined period.

Section 7. Paragraph (a) of subsection (1), paragraph (b) of subsection (2), and subsections (8) and (15) of section 287.042, Florida Statutes, are amended to read:

287.042 Powers, duties, and functions.—The department shall have the following powers, duties, and functions:

(1)(a) To canvass all sources of supply, ~~establish and maintain a vendor list~~, and contract for the purchase, lease, or acquisition, including purchase by installment sales or lease-purchase contracts which may provide for the payment of interest on unpaid portions of the purchase price, of all commodities and contractual services required by any agency under this chapter. Any contract providing for deferred payments and the payment of interest ~~is shall be~~ subject to specific rules adopted by the department.

(2)

(b) As an alternative to any provision in s. 120.57(3)(c), the department may proceed with the competitive solicitation or contract award process of a term contract when the Secretary of *Management Services* ~~the department~~ or his or her designee sets forth in writing particular facts and circumstances ~~that which~~ demonstrate that the delay incident to staying the solicitation or contract award process would be detri-

mental to the interests of the state. After the award of a contract resulting from a competitive solicitation in which a timely protest was received and in which the state did not prevail, the contract may be canceled and reawarded.

(8) To provide any commodity and contractual service purchasing rules to the Chief Financial Officer and all agencies *electronically* or through ~~an electronic medium or~~ other means. Agencies may not approve ~~an any~~ account or request any payment of ~~an any~~ account for the purchase of any commodity or the procurement of any contractual service covered by a purchasing or contractual service rule except as authorized therein. The department shall furnish copies of rules adopted by the department to any county, municipality, or other local public agency requesting them.

(15) To ~~lead or enter into joint agreements with governmental entities agencies, as defined in s. 163.3164, for the purpose of pooling funds~~ for the purchase of commodities or contractual services ~~information technology~~ that can be used by multiple agencies.

(a) Each agency that has been appropriated or has existing funds for such purchase, shall, upon contract award by the department, transfer ~~its their~~ portion of the funds into the department's Operating Trust Fund for payment by the department. The funds shall be transferred by the Executive Office of the Governor pursuant to the agency budget amendment request provisions ~~under in~~ chapter 216.

(b) Agencies that sign the joint agreements are financially obligated for their portion of the agreed-upon funds. If an agency becomes more than 90 days delinquent in paying the funds, the department shall certify to the Chief Financial Officer the amount due, and the Chief Financial Officer shall transfer the amount due to the Operating Trust Fund of the department from any of the agency's available funds. The Chief Financial Officer shall report these transfers and the reasons for the transfers to the Executive Office of the Governor and the legislative appropriations committees.

Section 8. Paragraph (a) of subsection (1) and subsections (3), (10), (12), (13), (16), and (22) of section 287.057, Florida Statutes, are amended to read:

287.057 Procurement of commodities or contractual services.—

(1) The competitive solicitation processes authorized in this section shall be used for procurement of commodities or contractual services in excess of the threshold amount provided for CATEGORY TWO in s. 287.017. Any competitive solicitation shall be made available simultaneously to all vendors, must include the time and date for the receipt of bids, proposals, or replies and of the public opening, and must include all contractual terms and conditions applicable to the procurement, including the criteria to be used in determining acceptability and relative merit of the bid, proposal, or reply.

(a) Invitation to bid.—The invitation to bid shall be used when the agency is capable of specifically defining the scope of work for which a contractual service is required or when the agency is capable of establishing precise specifications defining the actual commodity or group of commodities required.

1. All invitations to bid must include:

a. A detailed description of the commodities or contractual services sought; and

b. If the agency contemplates renewal of the contract, a statement to that effect.

2. Bids submitted in response to an invitation to bid in which the agency contemplates renewal of the contract must include the price for each year for which the contract may be renewed.

3. Evaluation of bids ~~must shall~~ include consideration of the total cost for each year of the contract, including renewal years, as submitted by the vendor.

4. *The contract shall be awarded to the responsible and responsive vendor who submits the lowest responsive bid.*

(3) ~~If When~~ the purchase price of commodities or contractual services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO, ~~no~~ purchase of commodities or contractual services may *not* be made without receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies unless:

(a) The agency head determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the state requires emergency action. After the agency head ~~signs makes~~ such a written determination, the agency may proceed with the procurement of commodities or contractual services necessitated by the immediate danger, without receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies. However, ~~the such~~ emergency procurement shall be made by obtaining pricing information from at least two prospective vendors, which must be retained in the contract file, unless the agency determines in writing that the time required to obtain pricing information will increase the immediate danger to the public health, safety, or welfare or other substantial loss to the state. The agency shall furnish copies of all written determinations ~~certified under oath~~ and any other documents relating to the emergency action to the department. A copy of the ~~written~~ statement shall be furnished to the Chief Financial Officer with the voucher authorizing payment. The individual purchase of personal clothing, shelter, or supplies which are needed on an emergency basis to avoid institutionalization or placement in a more restrictive setting is an emergency for the purposes of this paragraph, and the filing with the department of such statement is not required in such circumstances. In the case of the emergency purchase of insurance, the period of coverage of such insurance ~~may shall~~ not exceed ~~a period of~~ 30 days, and all such emergency purchases shall be reported to the department.

(b) The purchase is made by an agency from a state term contract procured, pursuant to this section, by the department or by an agency, after receiving approval from the department, from a contract procured, pursuant to subsection (1), by another agency.

(c) Commodities or contractual services available only from a single source may be excepted from the competitive-solicitation requirements. ~~If When~~ an agency believes that commodities or contractual services are available only from a single source, the agency shall electronically post a description of the commodities or contractual services sought for ~~a period of~~ at least 7 business days. The description must include a request that prospective vendors provide information regarding their ability to supply the commodities or contractual services described. If it is determined in writing by the agency, after reviewing any information received from prospective vendors; that the commodities or contractual services are available only from a single source, the agency shall:

~~1. provide notice of its intended decision to enter a single-source purchase contract in the manner specified in s. 120.57(3), if the amount of the contract does not exceed the threshold amount provided in s. 287.017 for CATEGORY FOUR.~~

~~2. Request approval from the department for the single source purchase, if the amount of the contract exceeds the threshold amount provided in s. 287.017 for CATEGORY FOUR. The agency shall initiate its request for approval in a form prescribed by the department, which request may be electronically transmitted. The failure of the department to approve or disapprove the agency's request for approval within 21 days after receiving such request shall constitute prior approval of the department. If the department approves the agency's request, the agency shall provide notice of its intended decision to enter a single-source contract in the manner specified in s. 120.57(2).~~

~~(d) When it is in the best interest of the state, the secretary of the department or his or her designee may authorize the Support Program to purchase insurance by negotiation, but such purchase shall be made only under conditions most favorable to the public interest.~~

~~(d)(e)~~ Prescriptive assistive devices for the purpose of medical, developmental, or vocational rehabilitation of clients are excepted from competitive-solicitation requirements and shall be procured pursuant to an established fee schedule or by any other method ~~that which~~ ensures the best price for the state, taking into consideration the needs of the client. Prescriptive assistive devices include, but are not limited to, prosthetics, orthotics, and wheelchairs. For purchases made pursuant to this paragraph, state agencies shall annually file with the department a description of the purchases and methods of procurement.



(e)(f) The following contractual services and commodities are not subject to the competitive-solicitation requirements of this section:

1. Artistic services. ~~As used in~~ For the purposes of this subsection, the term "artistic services" does not include advertising or typesetting. As used in this subparagraph, the term "advertising" means the making of a representation in any form in connection with a trade, business, craft, or profession in order to promote the supply of commodities or services by the person promoting the commodities or contractual services.

2. Academic program reviews if the fee for such services does not exceed \$50,000.

3. Lectures by individuals.

4. Legal services, including attorney, paralegal, expert witness, appraisal, or mediator services.

5. ~~a.~~ Health services involving examination, diagnosis, treatment, prevention, medical consultation, or administration. *The term also includes,*

~~b. Beginning January 1, 2011, health services, including,~~ but is not limited to, substance abuse and mental health services; involving examination, diagnosis, treatment, prevention, or medical consultation *if;* ~~when~~ such services are offered to eligible individuals participating in a specific program that qualifies multiple providers and uses a standard payment methodology. Reimbursement of administrative costs for providers of services purchased in this manner ~~are~~ *shall* also be exempt. For purposes of this ~~subparagraph~~ *sub-subparagraph*, the term "providers" means health professionals *and;* health facilities, or organizations that deliver or arrange for the delivery of health services.

6. Services provided to persons with mental or physical disabilities by not-for-profit corporations ~~that which~~ have obtained exemptions under ~~the provisions of~~ s. 501(c)(3) of the United States Internal Revenue Code or when such services are governed by the ~~provisions of~~ Office of Management and Budget Circular A-122. However, in acquiring such services, the agency shall consider the ability of the vendor, past performance, willingness to meet time requirements, and price.

7. Medicaid services delivered to an eligible Medicaid recipient unless the agency is directed otherwise in law.

8. Family placement services.

9. Prevention services related to mental health, including drug abuse prevention programs, child abuse prevention programs, and shelters for runaways, operated by not-for-profit corporations. However, in acquiring such services, the agency shall consider the ability of the vendor, past performance, willingness to meet time requirements, and price.

10. Training and education services provided to injured employees pursuant to s. 440.491(6).

11. Contracts entered into pursuant to s. 337.11.

12. Services or commodities provided by governmental ~~entities~~ *agencies*.

13. Statewide public service announcement programs provided by a Florida statewide nonprofit corporation under s. 501(c)(6) of the Internal Revenue Code ~~which have,~~ with a guaranteed documented match of at least \$3 to \$1.

(f)(g) Continuing education events or programs that are offered to the general public and for which fees have been collected ~~which~~ *that* pay all expenses associated with the event or program are exempt from requirements for competitive solicitation.

(10) A contract for commodities or contractual services may be awarded without competition if state or federal law prescribes with whom the agency must contract or if the rate of payment ~~or the recipient of the funds~~ is established during the appropriations process.

(12) Extension of a contract for ~~commodities or~~ contractual services ~~must~~ *shall* be in writing for a period not to exceed 6 months and ~~is~~ *shall* be subject to the same terms and conditions set forth in the initial con-

tract ~~and any written amendments signed by the parties~~. There ~~may~~ *shall* be only one extension of a contract unless the failure to meet the criteria set forth in the contract for completion of the contract is due to events beyond the control of the contractor.

(13) Contracts for commodities or contractual services may be renewed for a period that may not exceed 3 years or the term of the original contract, whichever ~~period~~ is longer. Renewal of a contract for commodities or contractual services ~~must~~ *shall* be in writing and ~~is~~ *shall* be subject to the same terms and conditions set forth in the initial contract ~~and any written amendments signed by the parties~~. If the commodity or contractual service is purchased as a result of the solicitation of bids, proposals, or replies, the price of the commodity or contractual service to be renewed ~~must~~ *shall* be specified in the bid, proposal, or reply, ~~except that an agency may negotiate lower pricing~~. A renewal contract may not include any compensation for costs associated with the renewal. Renewals ~~are~~ *shall* be contingent upon satisfactory performance evaluations by the agency and subject to the availability of funds. Exceptional purchase contracts pursuant to paragraphs (3)(a) and (c) may not be renewed. With the exception of subsection (10) ~~(12)~~, if a contract amendment results in a longer contract term or increased payments, a state agency may not renew or amend a contract for the outsourcing of a service or activity that has an original term value exceeding ~~the sum of~~ \$10 million before submitting a written report concerning contract performance to the Governor, the President of the Senate, and the Speaker of the House of Representatives at least 90 days before execution of the renewal or amendment.

(16)(a) For a contract in excess of the threshold amount provided in s. 287.017 for CATEGORY FOUR, the agency head shall appoint:

1. ~~(a)~~ At least three persons to evaluate proposals and replies who collectively have experience and knowledge in the program areas and service requirements for which commodities or contractual services are sought.

2. ~~(b)~~ At least three persons to conduct negotiations during a competitive sealed reply procurement who collectively have experience and knowledge in negotiating contracts, contract procurement, and the program areas and service requirements for which commodities or contractual services are sought.

(b) ~~If~~ *When* the value of a contract is in excess of \$1 million in any fiscal year, at least one of the persons conducting negotiations must be certified as a contract negotiator based upon ~~department rules adopted by the Department of Management Services~~ in order to ensure that certified contract negotiators are knowledgeable about effective negotiation strategies, capable of successfully implementing those strategies, and involved appropriately in the procurement process. At a minimum, the rules must address the qualifications required for certification, the method of certification, and the procedure for involving the certified negotiator. If the value of a contract is in excess of \$10 million in any fiscal year, at least one of the persons conducting negotiations must be a Project Management Professional, as certified by the Project Management Institute.

(22) The department, in consultation with the ~~Chief Financial Officer~~ *Agency for Enterprise Information Technology and the Comptroller*, shall ~~maintain~~ *develop* a program for online procurement of commodities and contractual services. To enable the state to promote open competition and ~~to~~ leverage its buying power, agencies shall participate in the online procurement program, and eligible users may participate in the program. Only vendors prequalified as meeting mandatory requirements and qualifications criteria may participate in online procurement.

(a) The department, ~~in consultation with the agency~~, may contract for equipment and services necessary to develop and implement online procurement.

(b) The department, ~~in consultation with the agency~~, shall adopt rules, ~~pursuant to ss. 120.536(1) and 120.54~~, to administer the program for online procurement. The rules ~~must~~ *shall* include, but not be limited to:

1. Determining the requirements and qualification criteria for pre-qualifying vendors.

2. Establishing the procedures for conducting online procurement.

3. Establishing the criteria for eligible commodities and contractual services.

4. Establishing the procedures for providing access to online procurement.

5. Determining the criteria warranting any exceptions to participation in the online procurement program.

(c) The department may impose and shall collect all fees for the use of the online procurement systems.

1. The fees may be imposed on an individual transaction basis or as a fixed percentage of the cost savings generated. At a minimum, the fees must be set in an amount sufficient to cover the projected costs of the services, including administrative and project service costs in accordance with the policies of the department.

2. If the department contracts with a provider for online procurement, the department, pursuant to appropriation, shall compensate the provider from the fees after the department has satisfied all ongoing costs. The provider shall report transaction data to the department each month so that the department may determine the amount due and payable to the department from each vendor.

3. All fees that are due and payable to the state on a transactional basis or as a fixed percentage of the cost savings generated are subject to s. 215.31 and must be remitted within 40 days after receipt of payment for which the fees are due. For fees that are not remitted within 40 days, the vendor shall pay interest at the rate established under s. 55.03(1) on the unpaid balance from the expiration of the 40-day period until the fees are remitted.

4. All fees and surcharges collected under this paragraph shall be deposited in the Operating Trust Fund as provided by law.

Section 9. Effective December 1, 2014, subsection (14) of section 287.057, Florida Statutes, is amended to read:

287.057 Procurement of commodities or contractual services.—

(14) For each contractual services contract, the agency shall designate an employee to function as contract manager who ~~is shall be~~ responsible for enforcing performance of the contract terms and conditions and serve as a liaison with the contractor.

(a) Each contract manager who is responsible for contracts in excess of the threshold amount for CATEGORY TWO must, *at a minimum, complete attend* training conducted by the Chief Financial Officer for accountability in contracts and grant management. The Chief Financial Officer shall establish and disseminate uniform procedures pursuant to s. 17.03(3) to ensure that contractual services have been rendered in accordance with the contract terms before the agency processes the invoice for payment. The procedures ~~must shall~~ include, but need not be limited to, procedures for monitoring and documenting contractor performance, reviewing and documenting all deliverables for which payment is requested by vendors, and providing written certification by contract managers of the agency's receipt of goods and services.

(b) *Each contract manager who is responsible for contracts in excess of \$100,000 annually must complete training in contract management and become a certified contract manager. The department is responsible for establishing and disseminating the requirements for certification which include completing the training conducted by the Chief Financial Officer for accountability in contracts and grant management. Training and certification must be coordinated by the department, and the training must be conducted jointly by the department and the Department of Financial Services. Training must promote best practices and procedures related to negotiating, managing, and ensuring accountability in agency contracts and grant agreements, which must include the use of case studies based upon previous audits, contracts, and grant agreements. All agency contract managers must become certified within 24 months after establishment of the training and certification requirements by the department and the Department of Financial Services.*

Section 10. Paragraph (a) of subsection (3) of section 287.0571, Florida Statutes, is amended to read:

287.0571 Business case to outsource; applicability.—

(3) This section does not apply to:

(a) A procurement of commodities and contractual services listed in s. 287.057(3)(d) and (e) ~~287.057(3)(e), (f), and (g)~~ and (21).

Section 11. Subsections (1), (2), and (5) of section 287.058, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

287.058 Contract document.—

(1) Every procurement of contractual services in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO, except for the providing of health and mental health services or drugs in the examination, diagnosis, or treatment of sick or injured state employees or the providing of other benefits as required by ~~the provisions of~~ chapter 440, shall be evidenced by a written agreement embodying all provisions and conditions of the procurement of such services, which shall, where applicable, include, but not be limited to, a provision:

(a) That bills for fees or other compensation for services or expenses be submitted in detail sufficient for a proper preaudit and postaudit thereof.

(b) That bills for any travel expenses be submitted in accordance with s. 112.061. A state agency may establish rates lower than the maximum provided in s. 112.061.

(c) Allowing unilateral cancellation by the agency for refusal by the contractor to allow public access to all documents, papers, letters, or other material made or received by the contractor in conjunction with the contract, unless the records are exempt from s. 24(a) of Art. I of the State Constitution and s. 119.07(1).

(d) Specifying a scope of work that clearly establishes all tasks the contractor is required to perform.

(e) Dividing the contract into quantifiable, measurable, and verifiable units of deliverables that must be received and accepted in writing by the contract manager before payment. Each deliverable must be directly related to the scope of work and specify *a performance measure. As used in this paragraph, the term "performance measure" means the required minimum acceptable level of service to be performed and criteria for evaluating the successful completion of each deliverable.*

(f) Specifying the criteria and the final date by which such criteria must be met for completion of the contract.

(g) Specifying that the contract may be renewed for a period that may not exceed 3 years or the term of the original contract, whichever ~~period~~ is longer, specifying the renewal price for the contractual service as set forth in the bid, proposal, or reply, specifying that costs for the renewal may not be charged, and specifying that renewals ~~are shall be~~ contingent upon satisfactory performance evaluations by the agency and subject to the availability of funds. Exceptional purchase contracts pursuant to s. 287.057(3)(a) and (c) may not be renewed.

(h) Specifying the financial consequences that the agency must apply if the contractor fails to perform in accordance with the contract.

(i) Addressing the property rights of any intellectual property related to the contract and the specific rights of the state regarding the intellectual property if the contractor fails to provide the services or is no longer providing services.

In lieu of a written agreement, the ~~agency department~~ may authorize the use of a purchase order for classes of contractual services; if the provisions of paragraphs (a)-(i) are included in the purchase order or solicitation. The purchase order must include, but need not be limited to, an adequate description of the services, the contract period, and the method of payment. In lieu of printing the provisions of paragraphs (a)-(c) and (g) ~~(a)-(i)~~ in the contract document or purchase order, agencies may incorporate the requirements of paragraphs (a)-(c) and (g) ~~(a)-(i)~~ by reference.

(2) The written agreement shall be signed by the agency head *or designee* and the contractor ~~before~~ *prior to* the rendering of any contractual service the value of which is in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO, except in the case of a valid

emergency as certified by the agency head. The ~~written statement certification~~ of an emergency ~~must~~ shall be prepared within 30 days after the contractor begins rendering the service and ~~must~~ shall state the particular facts and circumstances which precluded the execution of the written agreement ~~before~~ prior to the rendering of the service. If the agency fails to have the contract signed by the agency head or designee and the contractor ~~before~~ prior to rendering the contractual service, and if an emergency does not exist, the agency head shall, ~~within no later than~~ 30 days after the contractor begins rendering the service, certify the specific conditions and circumstances to the department as well as describe actions taken to prevent recurrence of such noncompliance. The agency head may delegate the ~~written statement certification~~ only to other senior management agency personnel. A copy of the ~~written statement certification~~ shall be furnished to the Chief Financial Officer with the voucher authorizing payment. The department shall report repeated instances of noncompliance by an agency to the Auditor General. ~~Nothing in~~ This subsection ~~does not~~ shall be deemed to authorize additional compensation prohibited under ~~by~~ s. 215.425. The procurement of contractual services ~~may~~ shall not be divided so as to avoid the provisions of this section.

(5) Unless otherwise provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, the Chief Financial Officer may waive the requirements of this section for services which are included in s. 287.057(3)(e) ~~287.057(3)(f)~~.

(7) *The Chief Financial Officer may audit a contract subject to this chapter before the execution of such contract in accordance with rules adopted by the Department of Financial Services. The audit must ensure that applicable laws have been met; that the contract document contains a clear statement of work, quantifiable and measurable deliverables, performance measures, financial consequences for nonperformance, and clear terms and conditions that protect the interests of the state; and that the associated costs of the contract are not unreasonable or inappropriate. The audit must ensure that all contracting laws have been met and that documentation is available to support the contract. A contract that does not comply with this section may be returned to the submitting agency for revision.*

(a) *The Chief Financial Officer may establish dollar thresholds and other criteria for sampling the contracts that are to be audited before execution. The Chief Financial Officer may revise such thresholds and other criteria for an agency or unit of an agency as deemed appropriate.*

(b) *The Chief Financial Officer shall make a final determination of any deficiencies in the contract within 10 business days after receipt of the proposed contract and shall include information regarding the deficiencies in the audit report provided to the agency entering into the contract. The Chief Financial Officer and the agency entering into the contract may agree to a longer review period.*

Section 12. Section 287.136, Florida Statutes, is created to read:

*287.136 Audit of executed contract documents.—The Chief Financial Officer shall perform audits of an executed contract documents and contract manager's records to ensure that adequate internal controls are in place for complying with the terms and conditions of the contract and for the validation and receipt of goods and services.*

(1) *At the conclusion of the audit, the Chief Financial Officer's designee shall discuss the audit and potential findings with the official whose office is subject to audit. The final audit report shall be submitted to the agency head.*

(2) *Within 30 days after the receipt of the final audit report, the agency head shall submit to the Chief Financial Officer or designee, his or her written statement of explanation or rebuttal concerning findings requiring corrective action, including corrective action to be taken to preclude a recurrence.*

Section 13. Section 287.076, Florida Statutes, is amended to read:

*287.076 Project Management Professionals training for personnel involved in managing outsourcing and negotiations; funding.—The department of Management Services may implement a program to train state agency employees who are involved in managing outsourcing as Project Management Professionals, as certified by the Project Management Institute. For the 2006-2007 fiscal year, the sum of \$500,000 in*

~~recurring funds from the General Revenue Fund is appropriated to the Department of Management Services to implement this program. Subject to annual appropriations, the department of Management Services, in consultation with entities subject to this part act, shall identify personnel to participate in this training based on requested need and ensure that each agency is represented. The department of Management Services may remit payment for this training on behalf of all participating personnel.~~

Section 14. Subsection (3) of section 16.0155, Florida Statutes, is amended to read:

16.0155 Contingency fee agreements.—

(3) *Notwithstanding the exemption provided in s. 287.057(3)(e), if the Attorney General makes the determination described in subsection (2), he or she notwithstanding the exemption provided in s. 287.057(3)(f), the Attorney General shall request proposals from private attorneys to represent the department on a contingency-fee basis, unless the Attorney General determines in writing that requesting proposals is not feasible under the circumstances. The written determination does not constitute a final agency action subject to review pursuant to ss. 120.569 and 120.57. For purposes of this subsection only, the department is exempt from the requirements of s. 120.57(3), and neither the request for proposals nor the contract award is subject to challenge pursuant to ss. 120.569 and 120.57.*

Section 15. Subsection (1) of section 283.33, Florida Statutes, is amended to read:

283.33 Printing of publications; lowest bidder awards.—

(1) Publications may be printed and prepared in-house, by another agency or the Legislature, or purchased on bid, whichever is more economical and practicable as determined by the agency. An agency may contract for binding separately when more economical or practicable, whether or not the remainder of the printing is done in-house. A vendor may subcontract for binding and still be considered a responsible vendor as defined in s. 287.012, ~~notwithstanding s. 287.012(24).~~

Section 16. Subsection (3) of section 394.457, Florida Statutes, is amended to read:

394.457 Operation and administration.—

(3) **POWER TO CONTRACT.**—The department may contract to provide, and be provided with, services and facilities in order to carry out its responsibilities under this part with the following agencies: public and private hospitals; receiving and treatment facilities; clinics; laboratories; departments, divisions, and other units of state government; the state colleges and universities; the community colleges; private colleges and universities; counties, municipalities, and any other governmental unit, including facilities of the United States Government; and any other public or private entity which provides or needs facilities or services. Baker Act funds for community inpatient, crisis stabilization, short-term residential treatment, and screening services must be allocated to each county pursuant to the department's funding allocation methodology. Notwithstanding s. 287.057(3)(e) ~~the provisions of s. 287.057(3)(f)~~, contracts for community-based Baker Act services for inpatient, crisis stabilization, short-term residential treatment, and screening provided under this part, other than those with other units of government, to be provided for the department must be awarded using competitive sealed bids ~~if when~~ the county commission of the county receiving the services makes a request to the department's district office by January 15 of the contracting year. The district ~~may~~ shall not enter into a competitively bid contract under this provision if such action will result in increases of state or local expenditures for Baker Act services within the district. Contracts for these Baker Act services using competitive sealed bids ~~are will be~~ effective for 3 years. The department shall adopt rules establishing minimum standards for such contracted services and facilities and shall make periodic audits and inspections to assure that the contracted services are provided and meet the standards of the department.

Section 17. Paragraph (a) of subsection (2) of section 402.7305, Florida Statutes, is amended to read:

402.7305 Department of Children and Family Services; procurement of contractual services; contract management.—

(2) PROCUREMENT OF COMMODITIES AND CONTRACTUAL SERVICES.—

(a) Notwithstanding s. 287.057(3)(e)12. ~~287.057(3)(f)12, if whenever~~ the department intends to contract with a public postsecondary institution to provide a service, the department must allow all public postsecondary institutions in this state that are accredited by the Southern Association of Colleges and Schools to bid on the contract. Thereafter, notwithstanding any other provision of law ~~to the contrary~~, if a public postsecondary institution intends to subcontract for any service awarded in the contract, the subcontracted service must be procured by competitive procedures.

Section 18. Section 409.9132, Florida Statutes, is amended to read:

409.9132 Pilot project to monitor home health services.—The Agency for Health Care Administration shall expand the home health agency monitoring pilot project in Miami-Dade County on a statewide basis effective July 1, 2012, except in counties in which the program ~~is will not~~ be cost-effective, as determined by the agency. The agency shall contract with a vendor to verify the utilization and delivery of home health services and provide an electronic billing interface for home health services. The contract must require the creation of a program to submit claims electronically for the delivery of home health services. The program must verify telephonically visits for the delivery of home health services using voice biometrics. The agency may seek amendments to the Medicaid state plan and waivers of federal laws, as necessary, to implement or expand the pilot project. Notwithstanding s. 287.057(3)(e) ~~287.057(3)(f)~~, the agency must award the contract through the competitive solicitation process and may use the current contract to expand the home health agency monitoring pilot project to include additional counties as authorized under this section.

Section 19. Subsection (3) of section 427.0135, Florida Statutes, is amended to read:

427.0135 Purchasing agencies; duties and responsibilities.—Each purchasing agency, in carrying out the policies and procedures of the commission, shall:

(3) Not procure transportation disadvantaged services without initially negotiating with the commission, as provided in s. 287.057(3)(e)12. ~~287.057(3)(f)12~~, or unless otherwise authorized by statute. If the purchasing agency, after consultation with the commission, determines that it cannot reach mutually acceptable contract terms with the commission, the purchasing agency may contract for the same transportation services provided in a more cost-effective manner and of comparable or higher quality and standards. The Medicaid agency shall implement this subsection in a manner consistent with s. 409.908(18) and as otherwise limited or directed by the General Appropriations Act.

Section 20. Paragraph (c) of subsection (5) of section 445.024, Florida Statutes, is amended to read:

445.024 Work requirements.—

(5) USE OF CONTRACTS.—Regional workforce boards shall provide work activities, training, and other services, as appropriate, through contracts. In contracting for work activities, training, or services, the following applies:

(c) Notwithstanding the exemption from the competitive sealed bid requirements provided in s. 287.057(3)(e) ~~287.057(3)(f)~~ for certain contractual services, each contract awarded under this chapter must be awarded on the basis of a competitive sealed bid, except for a contract with a governmental entity as determined by the regional workforce board.

Section 21. Paragraph (c) of subsection (5) of section 627.311, Florida Statutes, is amended to read:

627.311 Joint underwriters and joint reinsurers; public records and public meetings exemptions.—

(5)

(c) The operation of the plan shall be governed by a plan of operation that is prepared at the direction of the board of governors and approved by order of the office. The plan is subject to continuous review by the office. The office may, by order, withdraw approval of all or part of a plan if the office determines that conditions have changed since approval was granted and that the purposes of the plan require changes in the plan. The plan of operation ~~must shall~~:

1. Authorize the board to engage in the activities necessary to implement this subsection, including, but not limited to, borrowing money.

2. Develop criteria for eligibility for coverage by the plan, including, but not limited to, documented rejection by at least two insurers which reasonably assures that insureds covered under the plan are unable to acquire coverage in the voluntary market.

3. Require notice from the agent to the insured at the time of the application for coverage that the application is for coverage with the plan and that coverage may be available through an insurer, group self-insurers' fund, commercial self-insurance fund, or assessable mutual insurer through another agent at a lower cost.

4. Establish programs to encourage insurers to provide coverage to applicants of the plan in the voluntary market and to insureds of the plan, including, but not limited to:

a. Establishing procedures for an insurer to use in notifying the plan of the insurer's desire to provide coverage to applicants to the plan or existing insureds of the plan and in describing the types of risks in which the insurer is interested. The description of the desired risks must be on a form developed by the plan.

b. Developing forms and procedures that provide an insurer with the information necessary to determine whether the insurer wants to write particular applicants to the plan or insureds of the plan.

c. Developing procedures for notice to the plan and the applicant to the plan or insured of the plan that an insurer will insure the applicant or the insured of the plan, and notice of the cost of the coverage offered; and developing procedures for the selection of an insuring entity by the applicant or insured of the plan.

d. Provide for a market-assistance plan to assist in the placement of employers. All applications for coverage in the plan received 45 days before the effective date for coverage shall be processed through the market-assistance plan. A market-assistance plan specifically designed to serve the needs of small, good policyholders as defined by the board must be reviewed and updated periodically.

5. Provide for policy and claims services to the insureds of the plan of the nature and quality provided for insureds in the voluntary market.

6. Provide for the review of applications for coverage with the plan for reasonableness and accuracy, using any available historic information regarding the insured.

7. Provide for procedures for auditing insureds of the plan which are based on reasonable business judgment and are designed to maximize the likelihood that the plan will collect the appropriate premiums.

8. Authorize the plan to terminate the coverage of and refuse future coverage for any insured that submits a fraudulent application to the plan or provides fraudulent or grossly erroneous records to the plan or to any service provider of the plan in conjunction with the activities of the plan.

9. Establish service standards for agents who submit business to the plan.

10. Establish criteria and procedures to prohibit any agent who does not adhere to the established service standards from placing business with the plan or receiving, directly or indirectly, any commissions for business placed with the plan.

11. Provide for the establishment of reasonable safety programs for all insureds in the plan. All insureds of the plan must participate in the safety program.

12. Authorize the plan to terminate the coverage of and refuse future coverage to any insured who fails to pay premiums or surcharges when due; who, at the time of application, is delinquent in payments of workers' compensation or employer's liability insurance premiums or surcharges owed to an insurer, group self-insurers' fund, commercial self-insurance fund, or assessable mutual insurer licensed to write such coverage in this state; or who refuses to substantially comply with any safety programs recommended by the plan.

13. Authorize the board of governors to provide the goods and services required by the plan through staff employed by the plan, through reasonably compensated service providers who contract with the plan to provide services as specified by the board of governors, or through a combination of employees and service providers.

a. Purchases that equal or exceed \$2,500 but are less than or equal to \$25,000, shall be made by receipt of written quotes, telephone quotes, or informal bids, ~~if whenever~~ practical. The procurement of goods or services valued over \$25,000 is subject to competitive solicitation, except in situations in which the goods or services are provided by a sole source or are deemed an emergency purchase, or the services are exempted from competitive-solicitation requirements under s. 287.057(3)(e) ~~287.057(3)(f)~~. Justification for the sole-sourcing or emergency procurement must be documented. Contracts for goods or services valued at or over \$100,000 are subject to board approval.

b. The board shall determine whether it is more cost-effective and in the best interests of the plan to use legal services provided by in-house attorneys employed by the plan rather than contracting with outside counsel. In making such determination, the board shall document its findings and shall consider the expertise needed; whether time commitments exceed in-house staff resources; whether local representation is needed; the travel, lodging, and other costs associated with in-house representation; and such other factors that the board determines are relevant.

14. Provide for service standards for service providers, methods of determining adherence to those service standards, incentives and disincentives for service, and procedures for terminating contracts for service providers that fail to adhere to service standards.

15. Provide procedures for selecting service providers and standards for qualification as a service provider that reasonably assure that any service provider selected will continue to operate as an ongoing concern and is capable of providing the specified services in the manner required.

16. Provide for reasonable accounting and data-reporting practices.

17. Provide for annual review of costs associated with the administration and servicing of the policies issued by the plan to determine alternatives by which costs can be reduced.

18. Authorize the acquisition of such excess insurance or reinsurance as is consistent with the purposes of the plan.

19. Provide for an annual report to the office on a date specified by the office and containing such information as the office reasonably requires.

20. Establish multiple rating plans for various classifications of risk which reflect risk of loss, hazard grade, actual losses, size of premium, and compliance with loss control. At least one of such plans must be a preferred-rating plan to accommodate small-premium policyholders with good experience as defined in sub-subparagraph 22.a.

21. Establish agent commission schedules.

22. For employers otherwise eligible for coverage under the plan, establish three tiers of employers meeting the criteria and subject to the rate limitations specified in this subparagraph.

a. Tier One.—

(I) Criteria; rated employers.—An employer that has an experience modification rating shall be included in Tier One if the employer meets all of the following:

(A) The experience modification is below 1.00.

(B) The employer had no lost-time claims subsequent to the applicable experience modification rating period.

(C) The total of the employer's medical-only claims subsequent to the applicable experience modification rating period did not exceed 20 percent of premium.

(II) Criteria; non-rated employers.—An employer that does not have an experience modification rating shall be included in Tier One if the employer meets all of the following:

(A) The employer had no lost-time claims for the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan.

(B) The total of the employer's medical-only claims for the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan did not exceed 20 percent of premium.

(C) The employer has secured workers' compensation coverage for the entire 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan.

(D) The employer is able to provide the plan with a loss history generated by the employer's prior workers' compensation insurer, except if the employer is not able to produce a loss history due to the insolvency of an insurer, the receiver shall provide to the plan, upon the request of the employer or the employer's agent, a copy of the employer's loss history from the records of the insolvent insurer if the loss history is contained in records of the insurer which are in the possession of the receiver. If the receiver is unable to produce the loss history, the employer may, in lieu of the loss history, submit an affidavit from the employer and the employer's insurance agent setting forth the loss history.

(E) The employer is not a new business.

(III) Premiums.—The premiums for Tier One insureds shall be set at a premium level 25 percent above the comparable voluntary market premiums until the plan has sufficient experience as determined by the board to establish an actuarially sound rate for Tier One, at which point the board shall, subject to paragraph (e), adjust the rates, if necessary, to produce actuarially sound rates, provided such rate adjustment shall not take effect prior to January 1, 2007.

b. Tier Two.—

(I) Criteria; rated employers.—An employer that has an experience modification rating shall be included in Tier Two if the employer meets all of the following:

(A) The experience modification is equal to or greater than 1.00 but not greater than 1.10.

(B) The employer had no lost-time claims subsequent to the applicable experience modification rating period.

(C) The total of the employer's medical-only claims subsequent to the applicable experience modification rating period did not exceed 20 percent of premium.

(II) Criteria; non-rated employers.—An employer that does not have any experience modification rating shall be included in Tier Two if the employer is a new business. An employer shall be included in Tier Two if the employer has less than 3 years of loss experience in the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan and the employer meets all of the following:

(A) The employer had no lost-time claims for the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan.

(B) The total of the employer's medical-only claims for the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan did not exceed 20 percent of premium.

(C) The employer is able to provide the plan with a loss history generated by the workers' compensation insurer that provided coverage for the portion or portions of such period during which the employer had secured workers' compensation coverage, except if the employer is not able to produce a loss history due to the insolvency of an insurer, the receiver shall provide to the plan, upon the request of the employer or the employer's agent, a copy of the employer's loss history from the records of the insolvent insurer if the loss history is contained in records of the insurer which are in the possession of the receiver. If the receiver is unable to produce the loss history, the employer may, in lieu of the loss history, submit an affidavit from the employer and the employer's insurance agent setting forth the loss history.

(III) Premiums.—The premiums for Tier Two insureds shall be set at a rate level 50 percent above the comparable voluntary market premiums until the plan has sufficient experience as determined by the board to establish an actuarially sound rate for Tier Two, at which point the board shall, subject to paragraph (e), adjust the rates, if necessary, to produce actuarially sound rates, provided such rate adjustment shall not take effect prior to January 1, 2007.

c. Tier Three.—

(I) Eligibility.—An employer shall be included in Tier Three if the employer does not meet the criteria for Tier One or Tier Two.

(II) Rates.—The board shall establish, subject to paragraph (e), and the plan shall charge, actuarially sound rates for Tier Three insureds.

23. For Tier One or Tier Two employers which employ no nonexempt employees or which report payroll which is less than the minimum wage hourly rate for one full-time employee for 1 year at 40 hours per week, the plan shall establish actuarially sound premiums, provided, however, that the premiums may not exceed \$2,500. These premiums shall be in addition to the fee specified in subparagraph 26. When the plan establishes actuarially sound rates for all employers in Tier One and Tier Two, the premiums for employers referred to in this paragraph are no longer subject to the \$2,500 cap.

24. Provide for a depopulation program to reduce the number of insureds in the plan. If an employer insured through the plan is offered coverage from a voluntary market carrier:

- a. During the first 30 days of coverage under the plan;
- b. Before a policy is issued under the plan;
- c. By issuance of a policy upon expiration or cancellation of the policy under the plan; or
- d. By assumption of the plan's obligation with respect to an in-force policy,

that employer is no longer eligible for coverage through the plan. The premium for risks assumed by the voluntary market carrier must be no greater than the premium the insured would have paid under the plan, and shall be adjusted upon renewal to reflect changes in the plan rates and the tier for which the insured would qualify as of the time of renewal. The insured may be charged such premiums only for the first 3 years of coverage in the voluntary market. A premium under this subparagraph is deemed approved and is not an excess premium for purposes of s. 627.171.

25. Require that policies issued and applications must include a notice that the policy could be replaced by a policy issued from a voluntary market carrier and that, if an offer of coverage is obtained from a voluntary market carrier, the policyholder is no longer eligible for coverage through the plan. The notice must also specify that acceptance of coverage under the plan creates a conclusive presumption that the applicant or policyholder is aware of this potential.

26. Require that each application for coverage and each renewal premium be accompanied by a nonrefundable fee of \$475 to cover costs of administration and fraud prevention. The board may, with the prior approval of the office, increase the amount of the fee pursuant to a rate filing to reflect increased costs of administration and fraud prevention. The fee is not subject to commission and is fully earned upon commencement of coverage.

Section 22. Paragraph (e) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(e) Purchases that equal or exceed \$2,500, but are less than \$25,000, shall be made by receipt of written quotes, written record of telephone quotes, or informal bids, ~~if whenever~~ practical. The procurement of goods or services valued at or over \$25,000 ~~is shall be~~ subject to competitive solicitation, except in situations where the goods or services are provided by a sole source or are deemed an emergency purchase; the services are exempted from competitive solicitation requirements under s. 287.057(3)(e) ~~287.057(3)(f)~~; or the procurement of services is subject to s. 627.3513. Justification for the sole-sourcing or emergency procurement must be documented. Contracts for goods or services valued at or over \$100,000 are subject to approval by the board.

Section 23. Subsection (2) of section 765.5155, Florida Statutes, is amended to read:

765.5155 Donor registry; education program.—

(2) The agency and the department shall jointly contract for the operation of a donor registry and education program. The contractor shall be procured by competitive solicitation pursuant to chapter 287, notwithstanding ~~an any~~ exemption under ~~in~~ s. 287.057(3)(e) ~~287.057(3)(f)~~. When awarding the contract, priority shall be given to existing nonprofit groups that are based within the state, have expertise working with procurement organizations, have expertise in conducting statewide organ and tissue donor public education campaigns, and represent the needs of the organ and tissue donation community in the state.

Section 24. Subsection (10) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(10) All costs incurred by the department in administering the prescription drug monitoring program shall be funded through federal grants or private funding applied for or received by the state. The department may not commit funds for the monitoring program without ensuring funding is available. The prescription drug monitoring program and the implementation thereof are contingent upon receipt of the nonstate funding. The department and state government shall cooperate with the direct-support organization established pursuant to subsection (11) in seeking federal grant funds, other nonstate grant funds, gifts, donations, or other private moneys for the department ~~if so long as~~ the costs of doing so are not considered material. Nonmaterial costs for this purpose include, but are not limited to, the costs of mailing and personnel assigned to research or apply for a grant. Notwithstanding the exemptions to competitive-solicitation requirements under s. 287.057(3)(e) ~~287.057(3)(f)~~, the department shall comply with the competitive-solicitation requirements under s. 287.057 for the procurement of any goods or services required by this section. Funds provided, directly or indirectly, by prescription drug manufacturers may not be used to implement the program.

Section 25. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to governmental accountability; creating s. 119.0701, F.S.; providing definitions; providing that each public agency contract for services must meet specified requirements; requiring the public agency to enforce contract provisions if a contractor does not comply with a public records request; amending s. 119.12, F.S.; specifying what constitutes reasonable costs of enforcement in a civil action against an agency to enforce ch. 119, F.S.; amending s. 215.971, F.S.; requiring agreements funded with state or federal financial assistance to include additional provisions; authorizing the Chief Financial Officer to audit agreements before execution and providing requirements for such audits; requiring state agencies to designate a grants manager for each agreement and providing requirements and procedures for managers; requiring the Chief Financial Officer to perform audits of executed

agreements and to discuss such audits with agency officials; requiring the agency head to respond to the audit; reordering and amending s. 215.985, F.S.; revising provisions relating to the Chief Financial Officer's intergovernmental contract tracking system under the Transparency Florida Act; requiring state agencies to post certain information in the tracking system and to update that information; requiring that exempt and confidential information be redacted from contracts and procurement documents posted on the system; authorizing the Chief Financial Officer to make available to the public the information posted on the system through a secure website; providing an exception; authorizing the Department of Financial Services to adopt rules; repealing s. 216.0111, F.S., relating to a requirement that state agencies report certain contract information to the Department of Financial Services and transferring that requirement to s. 215.985, F.S.; amending s. 287.012, F.S.; providing and revising definitions; amending s. 287.042, F.S.; revising powers, duties, and functions of the Department of Management Services; eliminating a duty of the department to maintain a vendor list; authorizing the department to lead or enter into joint agreements with governmental entities for the purchase of commodities or contractual services that can be used by multiple agencies; amending s. 287.057, F.S.; providing that contracts awarded pursuant to an invitation to bid shall be awarded to the responsible and responsive vendor that submits the lowest responsive bid; revising exceptions to the requirement that the purchase of specified commodities or contractual services be made only as a result of receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies; revising contractual services and commodities that are not subject to competitive solicitation requirements by virtue of being available only from a single source; providing that a contract for commodities or contractual services may be awarded without competition if the recipient of funds is established during the appropriations process; revising provisions relating to extension of a contract for commodities or contractual services; authorizing an agency to negotiate better pricing upon renewal of a contract; providing training requirements for contract managers responsible for contracts in excess of a specified threshold amount; providing contract manager certification for contract managers responsible for contracts in excess of a specified threshold amount; providing that the department is responsible for establishing and disseminating the requirements for certification of a contract manager; providing that training will be conducted jointly by the Department of Management Services and the Department of Financial Services; providing training guidelines and requirements; requiring the department, in consultation with the Chief Financial Officer to maintain a program for online procurement of commodities and contractual services; amending s. 287.0571, F.S.; revising nonapplicability of a business case to outsource; amending s. 287.058, F.S.; defining the term "performance measure"; revising references within provisions relating to purchase orders used in lieu of written agreements for classes of contractual services; revising terminology; authorizing the Chief Financial Officer to audit contracts before execution and providing requirements for such audits; creating s. 287.136, F.S.; requiring the Chief Financial Officer to perform audits of executed contract documents and to discuss such audits with the agency officials; requiring the agency head to respond to the audit; amending s. 287.076, F.S.; providing that Project Management Professionals training for personnel involved in managing outsourcings and negotiations is subject to annual appropriations; amending ss. 16.0155, 283.33, 394.457, 402.7305, 409.9132, 427.0135, 445.024, 627.311, 627.351, 765.5155, and 893.055, F.S.; conforming cross-references; providing effective dates.

On motion by Senator Brandes, by two-thirds vote **CS for CS for HB 1309** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz de la Portilla	Latvala
Abruzzo	Evers	Legg
Bean	Flores	Montford
Benacquisto	Galvano	Negron
Bradley	Garcia	Richter
Brandes	Gardiner	Ring
Braynon	Gibson	Sachs
Bullard	Grimsley	Simmons
Clemens	Hays	Simpson
Dean	Hukill	Smith
Detert	Joyner	Sobel

Soto  
Stargel

Thompson  
Thrasher

Nays—None

Vote after roll call:

Yea—Margolis

## BILLS ON THIRD READING

Consideration of **CS for HB 7065** was deferred.

**CS for CS for SB 1664**—A bill to be entitled An act relating to education; amending s. 1004.04, F.S.; revising legislative intent; revising the requirements of State Board of Education rule for uniform core curricula for state-approved teacher preparation programs; revising the process for initial approval of state-approved teacher preparation programs; revising the requirements for continued approval of state-approved teacher preparation programs; requiring the State Board of Education to adopt rules for continued approval of teacher preparation programs; requiring the Commissioner of Education to determine the continued approval of each program; providing requirements for a report that certain public and private institutions prepare regarding their teacher preparation programs; requiring the Department of Education to report to the Governor, the Legislature, the State Board of Education, the Board of Governors, the Commissioner of Education, each Florida postsecondary teacher preparation program, each district school superintendent, and the public the results of each approved program's annual progress and the current approval status of each program; revising the requirements for preservice field experience; amending s. 1004.85, F.S.; revising the definition of the term "educator preparation institute"; authorizing a qualified private provider to seek approval to offer a competency-based certification program; revising the criteria for approval of preparation programs; requiring the department to approve a certification program under certain circumstances; revising the requirements for program participants; revising the criteria for continued approval of programs; revising the requirements for personnel that participate in field experiences; providing requirements for measuring student performance in instructional personnel and school administrator performance evaluations; providing requirements for the performance evaluation of personnel for purposes of the performance salary schedule; amending s. 1008.22, F.S.; requiring each school district to establish and approve testing schedules for district-mandated assessments and publish the schedules on its website; requiring reporting of the schedules to the Department of Education; amending s. 1012.05, F.S.; conforming provisions to changes made by the act; amending s. 1012.32, F.S.; conforming cross-references and conforming provisions to changes made by the act; amending s. 1012.55, F.S.; requiring the State Board of Education to adopt rules that allow an individual who meets specified criteria to be eligible for a temporary certificate in education leadership; amending s. 1012.56, F.S.; authorizing the State Board of Education to adopt rules that allow for the acceptance of college course credits recommended by the American Council for Education; authorizing a school district to provide a professional development certification program; specifying the components of the program; revising requirements for demonstrating mastery of professional education competence; requiring the Commissioner of Education to determine the continued approval of the programs; requiring the Department of Education to provide a review procedure for an applicant who fails a certification examination; requiring the applicant to bear the actual cost in order for the department to provide an examination review; amending s. 1012.585, F.S.; conforming a cross-reference; amending s. 1012.71, F.S.; renaming the Florida Teachers Lead Program as the Florida Teachers Classroom Supply Assistance Program; providing that the calculation of funds for each teacher includes local contributions; requiring that a teacher's proportionate share of funds be provided by any means determined appropriate, including a debit card; providing requirements for the debit card; authorizing the Department of Education and the district school boards to enter into public-private partnerships; deleting provisions relating to a pilot program established for the 2009-2010 fiscal year; amending s. 1012.98, F.S.; authorizing rather than requiring each school principal to establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans; providing an effective date.

—as amended April 25 was read the third time by title.

On motion by Senator Legg, **CS for CS for SB 1664** as amended was passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Simmons
Braynon	Grimsley	Simpson
Dean	Hays	Sobel
Detert	Hukill	Soto
Diaz de la Portilla	Legg	Stargel
Evers	Margolis	Thrasher
Flores	Montford	

Nays—6

Bullard	Joyner	Smith
Clemens	Sachs	Thompson

Vote after roll call:

Yea to Nay—Braynon

Vote preference:

May 1, 2013: Nay—Abruzzo

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Consideration of **CS for CS for HB 617**, **CS for CS for HB 57**, **CS for CS for SB 770**, and **CS for CS for HB 635** was deferred.

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**CS for CS for HB 7083**—A bill to be entitled An act relating to the death penalty; providing a short title; amending s. 27.5304, F.S.; requiring funds used to compensate court-appointed attorneys who represent a person convicted and sentenced to death in clemency proceedings to be paid by the Justice Administrative Commission rather than the Department of Corrections; amending s. 27.701(2), F.S.; repealing a pilot project using registry attorneys to provide capital collateral counsel services in the northern region of the Capital Collateral Regional Counsel; amending s. 27.702, F.S.; removing language requiring the capital collateral regional counsel to only file postconviction actions authorized by statute; amending s. 27.703, F.S.; prohibiting the capital collateral regional counsel and replacement regional counsel from accepting an appointment or taking an action that creates an actual conflict of interest; describing actual conflict of interest; amending s. 27.704, F.S.; requiring attorneys who contract with the capital collateral regional counsel to meet certain criteria; creating s. 27.7045, F.S.; prohibiting an attorney from representing a person charged with a capital offense in specified proceedings for 5 years if in two separate instances a court, in a capital postconviction proceeding, determined that the attorney provided constitutionally deficient representation and relief was granted; amending s. 27.7081, F.S.; providing definitions; establishing procedures for public records production in postconviction capital cases proceedings; amending s. 27.710, F.S.; requiring private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to contract with the Justice Administrative Commission rather than the Chief Financial Officer; specifying that the Justice Administrative Commission is the contract manager; requiring the Justice Administrative Commission to approve uniform contract forms and procedures; amending s. 27.711, F.S.; replacing references to the “Chief Financial Officer” with “Justice Administrative Commission” for purposes of paying private registry attorneys appointed by the court to represent persons in postconviction capital proceedings; permitting private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to represent no more than ten, rather than five, defendants in capital postconviction litigation at any one time; amending s. 922.095, F.S.; requiring persons convicted and sentenced to death to pursue all possible collateral remedies in state court in accordance with the Florida Rules of Criminal Procedure rather than in accordance with statute; amending s. 922.052, F.S.; requiring the sheriff to send the record of a person’s conviction and death sentence to the clerk

of the Florida Supreme Court; requiring the clerk of the Florida Supreme Court to inform the Governor in writing certifying that a person convicted and sentenced to death meets certain criteria; requiring the Governor to issue a warrant within 30 days of receiving the clerk’s letter of certification in all cases where the executive clemency process has concluded directing the warden to execute the sentence within 180 days; authorizing the Governor to sign a warrant of execution if the clerk of the Florida Supreme Court does not comply; amending s. 924.055, F.S.; removing obsolete language requiring capital postconviction motions to be filed in accordance with statute; requiring capital postconviction motions to be filed in accordance with the Florida Rules of Criminal Procedure; amending s. 924.056, F.S.; requiring the Supreme Court to annually report certain information regarding capital postconviction cases to the Legislature; requiring courts to report specified findings of ineffective assistance of counsel to The Florida Bar; amending s. 924.057, F.S.; providing legislative intent regarding postconviction proceedings in capital cases; repealing ss. 924.058, 924.059, and 924.395, F.S., relating to postconviction capital case proceedings; providing severability; providing an appropriation; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **CS for CS for HB 7083** was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Flores	Negron
Bean	Galvano	Richter
Benacquisto	Gardiner	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Clemens	Hukill	Soto
Dean	Latvala	Stargel
Detert	Lee	Thrasher
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—10

Braynon	Joyner	Sobel
Bullard	Montford	Thompson
Garcia	Ring	
Gibson	Sachs	

Vote preference:

May 1, 2013: Nay—Abruzzo

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Consideration of **CS for SB 1108** was deferred.

## SPECIAL ORDER CALENDAR

Consideration of **CS for CS for CS for SB 306**, **CS for CS for SB 1392**, **CS for CS for SB 904**, **CS for CS for SB 1628**, and **CS for CS for SB 1458** was deferred.

**CS for SB 262**—A bill to be entitled An act relating to the delivery of insurance policies; amending s. 627.421, F.S.; providing that an insurance policy may be delivered by electronic means; specifying the types of policies that can be delivered electronically; requiring that a paper copy of the policy be provided upon request; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 262**, on motion by Senator Smith, by two-thirds vote **CS for HB 157** was withdrawn from the Committees on Banking and Insurance; Commerce and Tourism; and Rules.

On motion by Senator Smith—



**CS for HB 157**—A bill to be entitled An act relating to delivery of insurance policies; amending s. 627.421, F.S.; authorizing an insurer to electronically transmit an insurance policy to the insured or other person entitled to receive the policy; providing an exception to electronic transmission for specified policies; providing requirements for electronic transmission of a policy; requiring that a paper copy of the policy be provided upon request of the insured or other person entitled to receive the policy; providing an effective date.

—a companion measure, was substituted for **CS for SB 262** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 157** was placed on the calendar of Bills on Third Reading.

**CS for SB 378**—A bill to be entitled An act relating to manufactured and mobile homes; amending s. 627.351, F.S.; requiring the Citizens Property Insurance Corporation to provide coverage for mobile homes and related structures; amending s. 723.06115, F.S.; specifying the procedure for requesting and obtaining funds from the Florida Mobile Home Relocation Trust Fund to pay for the operational costs of the Florida Mobile Home Relocation Corporation and the relocation costs of mobile home owners; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 378**, on motion by Senator Bean, by two-thirds vote **CS for CS for CS for HB 573** was withdrawn from the Committees on Banking and Insurance; Regulated Industries; Appropriations; and Rules.

On motion by Senator Bean—

**CS for CS for CS for HB 573**—A bill to be entitled An act relating to manufactured and mobile homes; amending s. 627.351, F.S.; requiring the Citizens Property Insurance Corporation to provide coverage for mobile homes and manufactured homes and related structures for a specified minimum insured value; amending s. 723.06115, F.S.; specifying the procedure for requesting and obtaining funds from the Florida Mobile Home Relocation Trust Fund to pay for the operational costs of the Florida Mobile Home Relocation Corporation and the relocation costs of mobile home owners; providing an effective date.

—a companion measure, was substituted for **CS for SB 378** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 573** was placed on the calendar of Bills on Third Reading.

## MOTION

On motion by Senator Thrasher, the rules were waived and by two-thirds vote **CS for SB 626** was placed on the Special Order Calendar and taken up instant.

On motion by Senator Bullard, by unanimous consent—

**CS for SB 626**—A bill to be entitled An act relating to bullying in the public school system; providing a short title; amending s. 1006.147, F.S.; prohibiting cyberbullying in schools and during school-related activities; expanding the circumstances under which bullying or harassment of any student or employee of a public K-12 institution is prohibited; revising the definition of the term “bullying” to include emotional pain or discomfort; defining the term “cyberbullying”; revising the definition of the term “harassment”; requiring each school district to incorporate a prohibition on cyberbullying into its policy on bullying and harassment; requiring that such policy mandate that computers without web-filtering software or computers with web-filtering software disabled be used when investigating complaints of cyberbullying; requiring that school district policies prohibiting bullying, cyberbullying, and harassment address how to identify and respond to behavior that leads to such conduct; requiring that the model policy of the Department of Education include a prohibition on cyberbullying by a certain date and that such policy be included in the code of student conduct; updating fiscal years regarding the distribution of safe school funds; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for SB 626**, on motion by Senator Bullard, by two-thirds vote **CS for CS for HB 609** was withdrawn from the Committees on Education; Judiciary; and Rules.

On motion by Senator Bullard, the rules were waived and—

**CS for CS for HB 609**—A bill to be entitled An act relating to bullying in the public school system; amending s. 1006.147, F.S.; revising provisions prohibiting bullying or harassment of a student or school employee through the use of computer-related activities; prohibiting bullying or harassment through the use of data or computer software that is accessed at a nonschool-related location or activity if certain conditions are met; providing that bullying includes cyberbullying; defining the terms “cyberbullying” and “within the scope of a public K-12 educational institution”; requiring the use of computers without web-filtering software or computers with web-filtering software that is disabled when investigating complaints of cyberbullying; requiring that each school district include in its districtwide policy instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action; providing an effective date.

—a companion measure, was substituted for **CS for SB 626** and read the second time by title.

On motion by Senator Bullard, by two-thirds vote **CS for CS for HB 609** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Galvano	Richter
Abruzzo	Garcia	Ring
Bean	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	
Flores	Negron	

Nays—None

Vote after roll call:

Yea—Benacquisto

Consideration of **CS for CS for SB 1384** was deferred.

**CS for SB 304**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 741.313, F.S., relating to an exemption from public record requirements for certain information submitted to an agency by an agency employee who is a victim of domestic violence or sexual violence; making clarifying changes; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 304**, on motion by Senator Evers, by two-thirds vote **HB 7079** was withdrawn from the Committees on Governmental Oversight and Accountability; and Rules.

On motion by Senator Evers—

**HB 7079**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 741.313, F.S., relating to an exemption from public records requirements for certain information contained in records documenting an act of domestic violence or sexual violence which are submitted to an agency by an agency em-

ployee; removing the scheduled repeal of the exemption; providing an effective date.

—a companion measure, was substituted for **CS for SB 304** and read the second time by title.

Pursuant to Rule 4.19, **HB 7079** was placed on the calendar of Bills on Third Reading.

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**CS for CS for SB 594**—A bill to be entitled An act relating to health care accreditation; amending ss. 154.11, 394.741, 397.403, 400.925, 400.9935, 402.7306, 408.05, 430.80, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; conforming provisions to the revised definition of the term “accrediting organizations” in s. 395.002, F.S., as amended by s. 4, ch. 2012-66, Laws of Florida, for purposes of hospital licensing and regulation by the Agency for Health Care Administration; amending s. 395.3038, F.S.; deleting an obsolete provision relating to a requirement that the agency provide certain notice relating to stroke centers to hospitals; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 594**, on motion by Senator Bean, by two-thirds vote **CS for HB 1071** was withdrawn from the Committees on Health Policy; Banking and Insurance; and Rules.

On motion by Senator Bean—

**CS for HB 1071**—A bill to be entitled An act relating to health care accrediting organizations; amending ss. 154.11, 394.741, 397.403, 400.925, 400.9935, 402.7306, 408.05, 430.80, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; conforming provisions to the revised definition of the term “accrediting organizations” in s. 395.002, F.S., as amended by s. 4, ch. 2012-66, Laws of Florida, for purposes of hospital licensing and regulation by the Agency for Health Care Administration; amending s. 395.3038, F.S.; deleting an obsolete provision relating to a requirement that the agency provide certain notice relating to stroke centers to hospitals; conforming provisions to changes made by the act; amending s. 486.102, F.S.; specifying accrediting agencies for physical therapist assistant programs; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 594** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1071** was placed on the calendar of Bills on Third Reading.

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Consideration of **CS for CS for SB 984**, **SB 1864**, **CS for SB 1868**, and **SB 1680** was deferred.

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**CS for CS for SB 582**—A bill to be entitled An act relating to manufacturing development; creating s. 163.325, F.S.; providing a short title; establishing the Manufacturing Competitiveness Act; creating s. 163.3251, F.S.; providing definitions; creating s. 163.3252, F.S.; authorizing local governments to establish a local manufacturing development program that provides for master development approval for certain sites; providing specific time periods for action by local governments; requiring the Department of Economic Opportunity to develop a model ordinance containing specified information and provisions; requiring a local manufacturing development program ordinance to include certain information; providing certain restrictions on the termination of a local manufacturing development program; creating s. 163.3253, F.S.; requiring the department, in cooperation with participating agencies, to establish a manufacturing development coordinated approval process for certain manufacturers; requiring participating agencies to coordinate and review applications for certain manufacturers; requiring participating agencies to coordinate and review applications for certain state development approvals; requiring the department to convene a meeting when requested by a certain manufacturer; requiring participating agencies to attend meetings convened by the department; specifying that the department is not required to mediate between the participating agencies and a manufacturer; providing that the department may not be a party to certain proceedings involving state development approvals; requiring

that the coordinated approval process have no effect on the department’s economic development incentive approval process; providing for requests for additional information and specifying time periods; requiring participating agencies to take final action on applications within a certain time period; requiring the department to facilitate the resolution of certain applications; providing for approval by default; providing for applicability with respect to permit applications governed by federally delegated or approved permitting programs; authorizing the department to adopt rules; creating s. 288.111, F.S.; requiring the department to develop materials that identify local manufacturing development programs; requiring Enterprise Florida, Inc., and authorizing other state agencies, to distribute such material; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 582**, on motion by Senator Galvano, by two-thirds vote **CS for HB 357** was withdrawn from the Committees on Commerce and Tourism; Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

On motion by Senator Galvano—

**CS for HB 357**—A bill to be entitled An act relating to manufacturing development; creating s. 163.325, F.S.; providing a short title; establishing the Manufacturing Competitiveness Act; creating s. 163.3251, F.S.; providing definitions; creating s. 163.3252, F.S.; authorizing local governments to establish a local manufacturing development program that provides for master development approval for certain sites; providing specific time periods for action by local governments; requiring the Department of Economic Opportunity to develop a model ordinance containing specified information and provisions; requiring a local manufacturing development program ordinance to include certain information; providing certain restrictions on the termination of a local manufacturing development program; creating s. 163.3253, F.S.; requiring the department, in cooperation with participating agencies, to establish a manufacturing development coordinated approval process for certain manufacturers; requiring participating agencies to coordinate and review applications for certain state development approvals; requiring the department to convene a meeting when requested by a certain manufacturer; requiring participating agencies to attend meetings convened by the department; specifying that the department is not required, but is authorized, to mediate between the participating agencies and a manufacturer; providing that the department shall not be party to certain proceedings; requiring that the coordinated approval process have no effect on the department’s approval of economic development incentives; providing for requests for additional information and specifying time periods; requiring participating agencies to take final action on applications within a certain time period; requiring the department to facilitate the resolution of certain applications; providing for approval by default; providing for applicability with respect to permit applications governed by federally delegated or approved permitting programs; authorizing the department to adopt rules; creating s. 288.111, F.S.; requiring the department to develop materials that identify local manufacturing development programs; requiring Enterprise Florida, Inc., and authorizing other state agencies, to distribute such material; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 582** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 357** was placed on the calendar of Bills on Third Reading.

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**CS for CS for SB 984**—A bill to be entitled An act relating to public records; creating s. 377.24075, F.S.; creating an exemption from public records requirements for certain information provided in an application for a natural gas storage facility permit to inject and recover gas into and from a natural gas storage reservoir; defining the term “proprietary business information”; providing exceptions to the exemption; providing for future review and repeal of the public records exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 984**, on motion by Senator Richter, by two-thirds vote **CS for CS for HB 1085** was withdrawn from the Committees on Environmental Preservation and Conservation; Governmental Oversight and Accountability; and Rules.

On motion by Senator Richter—

**CS for CS for HB 1085**—A bill to be entitled An act relating to public records; creating s. 377.24075, F.S.; creating an exemption from public records requirements for proprietary business information provided in an application for a natural gas storage facility permit to inject and recover gas into and from a natural gas storage reservoir; defining the term “proprietary business information”; authorizing disclosure of such information under specified conditions; providing for future review and repeal of the public records exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for CS for SB 984** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1085** was placed on the calendar of Bills on Third Reading.

On motion by Senator Richter, by unanimous consent—

**CS for CS for CS for SB 958**—A bill to be entitled An act relating to underground natural gas storage; providing a short title; amending s. 211.02, F.S.; narrowing the use of the term “oil”; amending s. 211.025, F.S.; narrowing the scope of the gas production tax to apply only to native gas; amending s. 376.301, F.S.; conforming a cross-reference; amending s. 377.06, F.S.; declaring underground natural gas storage to be in the public interest; amending s. 377.18, F.S.; clarifying common sources of oil and gas; amending s. 377.19, F.S.; modifying and providing definitions; amending s. 377.21, F.S.; extending the jurisdiction of the Division of Resource Management of the Department of Environmental Protection; amending s. 377.22, F.S.; expanding the scope of the department’s rules and orders; amending s. 377.24, F.S.; providing for the notice and permitting of storage in and recovery from natural gas storage reservoirs; creating s. 377.2407, F.S.; establishing a natural gas storage facility permit application process; specifying requirements for an application, including fees; amending s. 377.241, F.S.; providing criteria that the division must consider in issuing permits; amending s. 377.242, F.S.; granting authority to the department to issue permits to establish natural gas storage facilities; creating s. 377.2431, F.S.; establishing conditions and procedures for granting natural gas storage facility permits; prohibiting the issuance of permits for facilities located in specified areas; creating s. 377.2432, F.S.; providing for the protection of water supplies at natural gas storage facilities; providing that an operator is presumed responsible for pollution of an underground water supply under certain circumstances; creating s. 377.2433, F.S.; providing for the protection of natural gas storage facilities through requirement of notice, compliance with certain standards, and a right of entry to monitor activities; creating s. 377.2434, F.S.; providing that property rights to injected natural gas are with the injector or the injector’s heirs, successors, or assigns; providing for compensation to the owner of the stratum and the owner of the surface for use of or damage to the surface or substratum; amending s. 377.25, F.S.; limiting the scope of certain drilling unit requirements; amending s. 377.28, F.S.; modifying situations in which the department is required to issue an order requiring unit operation; amending s. 377.30, F.S.; providing that limitations on the amount of oil or gas taken do not apply to nonnative gas recovered from a permitted natural gas storage facility; amending s. 377.34, F.S.; providing for legal action against a person who appears to be violating a rule that relates to the storage or recovery of natural gas; amending s. 377.37, F.S.; expanding penalties to reach persons who violate the terms of a permit relating to storage of gas in a natural gas storage facility; amending s. 377.371, F.S.; providing that a person storing gas in a natural gas storage facility may not pollute or otherwise damage certain areas and that a person who pollutes water by storing natural gas is liable for cleanup or other costs incurred by the state; amending s. 403.973, F.S.; allowing expedited permitting for natural gas storage facilities permitted under ch. 377, F.S., and certain projects to construct interstate natural gas pipelines; providing that natural gas storage facilities are subject to certain requirements; directing the department to adopt certain rules before issuing permits for natural gas storage facilities; providing an effective date.

—was taken up out of order and read the second time by title.

Pending further consideration of **CS for CS for CS for SB 958**, on motion by Senator Richter, by two-thirds vote **CS for CS for CS for HB 1083** was withdrawn from the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; and Appropriations.

On motion by Senator Richter—

**CS for CS for CS for HB 1083**—A bill to be entitled An act relating to underground natural gas storage; providing a short title; amending s. 211.02, F.S.; narrowing the use of the term “oil”; amending s. 211.025, F.S.; narrowing the scope of the gas production tax to apply only to native gas; amending s. 376.301, F.S.; conforming a cross-reference; amending s. 377.06, F.S.; declaring underground natural gas storage to be in the public interest; amending s. 377.18, F.S.; clarifying common sources of oil and gas; amending s. 377.19, F.S.; modifying and providing definitions; amending s. 377.21, F.S.; extending the jurisdiction of the Division of Resource Management of the Department of Environmental Protection; amending s. 377.22, F.S.; expanding the scope of the department’s rules and orders; amending s. 377.24, F.S.; providing for the notice and permitting of storage in and recovery from natural gas storage reservoirs; creating s. 377.2407, F.S.; establishing a natural gas storage facility permit application process; specifying requirements for an application, including fees; amending s. 377.241, F.S.; providing criteria that the division must consider in issuing permits; amending s. 377.242, F.S.; granting authority to the department to issue permits to establish natural gas storage facilities; creating s. 377.2431, F.S.; establishing conditions and procedures for granting natural gas storage facility permits; prohibiting the issuance of permits for facilities located in specified areas; creating s. 377.2432, F.S.; providing for the protection of water supplies at natural gas storage facilities; providing that an operator is presumed responsible for pollution of an underground water supply under certain circumstances; creating s. 377.2433, F.S.; providing for the protection of natural gas storage facilities through requirement of notice, compliance with certain standards, and a right of entry to monitor activities; creating s. 377.2434, F.S.; providing that property rights to injected natural gas are with the injector or the injector’s heirs, successors, or assigns; providing for compensation to the owner of the stratum and the owner of the surface for use of or damage to the surface or substratum; amending s. 377.25, F.S.; limiting the scope of certain drilling unit requirements; amending s. 377.28, F.S.; modifying situations in which the department is required to issue an order requiring unit operation; amending s. 377.30, F.S.; providing that limitations on the amount of oil or gas taken do not apply to nonnative gas recovered from a permitted natural gas storage facility; amending s. 377.34, F.S.; providing for legal action against a person who appears to be violating a rule that relates to the storage or recovery of natural gas; amending s. 377.37, F.S.; expanding penalties to reach persons who violate the terms of a permit relating to storage of gas in a natural gas storage facility; amending s. 377.371, F.S.; providing that a person storing gas in a natural gas storage facility may not pollute or otherwise damage certain areas and that a person who pollutes water by storing natural gas is liable for cleanup or other costs incurred by the state; amending s. 403.973, F.S.; allowing expedited permitting for natural gas storage facilities permitted under ch. 377, F.S., and certain projects to construct interstate natural gas pipelines; providing that natural gas storage facilities are subject to certain requirements; directing the department to adopt certain rules before issuing permits for natural gas storage facilities; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 958** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 1083** was placed on the calendar of Bills on Third Reading.

**CS for SB 1868**—A bill to be entitled An act relating to public records; creating s. 560.312, F.S.; providing an exemption from public records requirements for payment instrument transaction information held by the Office of Financial Regulation; providing for specified access to such information; authorizing the office to enter into information-sharing agreements and provide access to information contained in the database to certain governmental agencies; requiring a department or agency that receives confidential information to maintain the confidentiality of the information, except as otherwise required by court order; providing for

future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1868**, on motion by Senator Bean, by two-thirds vote **CS for HB 7135** was withdrawn from the Committees on Governmental Oversight and Accountability; and Rules.

On motion by Senator Bean—

**CS for HB 7135**—A bill to be entitled An act relating to public records; creating s. 560.312, F.S.; providing an exemption from public records requirements for payment instrument transaction information held by the Office of Financial Regulation; providing for specified access to such information; authorizing the office to enter into information-sharing agreements and provide access to information contained in the database to certain governmental agencies; requiring a department or agency that receives confidential information to maintain the confidentiality of the information, except as otherwise required by court order; providing for future review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 1868** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 7135** was placed on the calendar of Bills on Third Reading.

**SB 1864**—A bill to be entitled An act relating to ratification of rules implementing total maximum daily loads for impaired water bodies; ratifying specified rules of the Department of Environmental Protection for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any of the specified thresholds for likely adverse impact or increase in regulatory costs; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1864**, on motion by Senator Dean, by two-thirds vote **HB 7157** was withdrawn from the Committee on Rules.

On motion by Senator Dean—

**HB 7157**—A bill to be entitled An act relating to ratification of rules implementing total maximum daily loads for impaired water bodies; ratifying specified rules of the Department of Environmental Protection for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any of specified thresholds for likely adverse impact or increase in regulatory costs; providing an effective date.

—a companion measure, was substituted for **SB 1864** and read the second time by title.

Pursuant to Rule 4.19, **HB 7157** was placed on the calendar of Bills on Third Reading.

**CS for CS for CS for SB 500**—A bill to be entitled An act relating to massage practice; amending s. 480.033, F.S.; revising the definition of the term “board-approved massage school”; amending s. 480.043, F.S.; requiring an application to be denied upon specified findings; amending s. 480.046, F.S., adding additional grounds for denial of a license; amending s. 480.047, F.S.; revising penalties; creating s. 480.0475, F.S.; prohibiting the operation of a massage establishment during specified times; providing exceptions; prohibiting the use of a massage establishment as a principal domicile unless the establishment is zoned for residential use under a local ordinance; providing criminal penalties; amending s. 480.052, F.S., authorizing a county or municipality to waive the restriction on operating hours of a massage establishment in certain instances; amending s. 823.05, F.S.; declaring that a massage establishment operating in violation of specified statutes is a nuisance that may be abated or enjoined; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 500**, on motion by Senator Clemens, by two-thirds vote **CS for CS for CS for HB 7005** was withdrawn from the Committees on Regulated Industries; Community Affairs; Health Policy; and Appropriations.

On motion by Senator Clemens—

**CS for CS for CS for HB 7005**—A bill to be entitled An act relating to massage establishments; amending s. 480.033, F.S.; revising the definition of the term “board-approved massage school”; amending s. 480.046, F.S.; providing additional grounds for the denial of a license or disciplinary action; amending s. 480.047, F.S.; revising penalties; creating s. 480.0475, F.S.; prohibiting the operation of a massage establishment during specified times; providing exceptions; prohibiting the use of a massage establishment as a principal domicile unless the establishment is zoned for residential use under a local ordinance; providing penalties; amending s. 823.05, F.S.; declaring that a massage establishment operating in violation of specified statutes is a nuisance that may be abated or enjoined; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 500** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 7005** was placed on the calendar of Bills on Third Reading.

**CS for SB 1000**—A bill to be entitled An act relating to the purchase of firearms by mentally ill persons; amending s. 790.065, F.S.; providing conditions under which a person who has been voluntarily admitted to a mental institution for treatment and has undergone an involuntary examination under the Baker Act may be prohibited from purchasing a firearm; providing requirements for the examining physician; providing for judicial review of certain findings; providing specified notice requirements; providing form and contents of notice; providing requirements with respect to the filing of specified records with the court and presentation of such records to a judge or magistrate; providing lawful authority of a judge or magistrate to review specified records and order such records be submitted to the Department of Law Enforcement; providing a timeframe for submission of records to the department upon order by a judge or magistrate; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1000**, on motion by Senator Gibson, by two-thirds vote **CS for CS for HB 1355** was withdrawn from the Committees on Criminal Justice; Judiciary; and Rules.

On motion by Senator Gibson—

**CS for CS for HB 1355**—A bill to be entitled An act relating to the purchase of firearms by mentally ill persons; amending s. 790.065, F.S.; providing conditions under which a person who has been voluntarily admitted to a mental institution for treatment and has undergone an involuntary examination under the Baker Act may be prohibited from purchasing a firearm; providing requirements for the examining physician; providing for judicial review of certain findings; providing specified notice requirements; providing form and contents of notice; providing requirements with respect to the filing of specified records with the court and presentation of such records to a judge or magistrate; providing lawful authority of a judge or magistrate to review specified records and order that such records be submitted to the Department of Law Enforcement; providing a timeframe for submission of records to the department upon order by a judge or magistrate; providing an effective date.

—a companion measure, was substituted for **CS for SB 1000** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1355** was placed on the calendar of Bills on Third Reading.

**SB 924**—A bill to be entitled An act relating to dentists; amending s. 627.6474, F.S.; prohibiting a contract between a health insurer and a dentist from requiring the dentist to provide services at a fee set by the insurer under certain circumstances; providing that covered services are those services listed as a benefit that the insured is entitled to receive

under a contract; prohibiting an insurer from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting a health insurer from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 636.035, F.S.; prohibiting a contract between a prepaid limited health service organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a prepaid limited health service organization is entitled to receive under a contract; prohibiting a prepaid limited health service organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the prepaid limited health service organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 641.315, F.S.; prohibiting a contract between a health maintenance organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a health maintenance organization is entitled to receive under a contract; prohibiting a health maintenance organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the health maintenance organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; providing for application of the act; providing an effective date.

—was read the second time by title. On motion by Senator Latvala, by two-thirds vote **SB 924** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	
Galvano	Negron	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

Vote preference:

May 1, 2013: Yea—Abruzzo

**CS for CS for SB 836**—A bill to be entitled An act relating to insurer solvency; creating s. 624.085, F.S.; providing definitions applicable to the Florida Insurance Code; amending s. 624.4085, F.S.; revising a definition; providing additional calculations for determining whether an insurer has a company action level event; revising provisions relating to mandatory control level events; amending s. 624.424, F.S.; requiring an insurer's annual statement to include an actuarial opinion summary; providing criteria for such summary; providing an exception for life and health insurers; updating provisions; amending s. 625.121, F.S.; protecting material supporting an insurer's annual actuarial opinion from subpoena, discovery, or admissibility in a civil action; amending s. 628.461, F.S.; revising the amount of outstanding voting securities of a domestic stock insurer or a controlling company that a person is prohibited from acquiring unless certain requirements have been met; deleting a provision authorizing an insurer to file a disclaimer of affiliation and control in lieu of a letter notifying the Office of Insurance Regulation of the Financial Services Commission of the acquisition of the voting

securities of a domestic stock company under certain circumstances; requiring the statement notifying the office to include additional information; conforming a provision to changes made by the act; providing that control is presumed to exist under certain conditions; specifying how control may be rebutted and how a controlling interest may be divested; deleting definitions; amending s. 628.801, F.S.; requiring an insurer to file annually by a specified date a registration statement; revising the requirements and standards for the rules establishing the information and statement form for the registration; requiring an insurer to file an annual enterprise risk report; authorizing the office to conduct examinations to determine the financial condition of registrants; providing that failure to file a registration or report is a violation of the section; providing additional grounds, requirements, and conditions with respect to a waiver from the registration requirements; amending s. 628.803, F.S.; providing for sanctions for persons who violate s. 628.461, F.S., relating to the acquisition of controlling stock; creating s. 628.805, F.S.; authorizing the office to participate in supervisory colleges; authorizing the office to assess fees on insurers for participation; amending ss. 636.045 and 641.225, F.S.; applying certain statutes related to solvency to prepaid limited health service organizations and health maintenance organizations; amending s. 641.255, F.S.; providing for applicability of specified provisions to a health maintenance organization that is a member of a holding company; providing contingent effective dates.

—was read the second time by title. On motion by Senator Simmons, by two-thirds vote **CS for CS for SB 836** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

**CS for CS for SB 844**—A bill to be entitled An act relating to Medicaid; amending s. 409.907, F.S.; adding an additional provision relating to a change in principal that must be included in a Medicaid provider agreement with the Agency for Health Care Administration; adding the definitions of the terms “administrative fines” and “outstanding overpayment”; revising provisions relating to the agency's onsite inspection responsibilities; revising provisions relating to who is subject to background screening; authorizing the agency to enroll a provider who is licensed in this state and provides diagnostic services through telecommunications technology; amending s. 409.910, F.S.; revising provisions relating to responsibility for Medicaid payments in settlement proceedings; providing procedures for a recipient to contest the amount payable to the agency; amending s. 409.913, F.S.; revising provisions specifying grounds for terminating a provider from the program, for seeking certain remedies for violations, and for imposing certain sanctions; providing a limitation on the information the agency may consider when making a determination of overpayment; specifying the type of records a provider must present to contest an overpayment; deleting the requirement that the agency place payments withheld from a provider in a suspended account and revising when a provider must reimburse overpayments; revising venue requirements; adding provisions relating to the payment of fines; amending s. 409.920, F.S.; clarifying provisions relating to immunity from liability for persons who provide information about Medicaid fraud; amending s. 624.351, F.S.; providing for the expiration of the Medicaid and Public Assistance Fraud Strike Force; amending s. 624.352, F.S.; providing for the expiration of provisions relating to “Strike Force” agreements; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 844**, on motion by Senator Grimsley, by two-thirds vote **CS for CS for HB 939** was withdrawn from the Committees on Health Policy; Banking and Insurance; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Grimsley—

**CS for CS for HB 939**—A bill to be entitled An act relating to Medicaid recoveries; amending s. 409.907, F.S.; adding an additional provision relating to a change in principal that must be included in a Medicaid provider agreement with the Agency for Health Care Administration; defining the terms “administrative fines” and “outstanding overpayment”; revising provisions relating to the agency’s onsite inspection responsibilities; revising provisions relating to who is subject to background screening; authorizing the agency to enroll a provider who is licensed in this state and provides diagnostic services through telecommunications technology; amending s. 409.910, F.S.; revising provisions relating to settlements of Medicaid claims against third parties; providing procedures for a Medicaid recipient to contest the amount of recovered medical expense damages; providing for certain reports to be admissible as evidence to substantiate the agency’s claim; providing for venue; providing conditions regarding attorney fees and costs; amending s. 409.913, F.S.; revising provisions specifying grounds for terminating a provider from the program, for seeking certain remedies for violations, and for imposing certain sanctions; providing a limitation on the information the agency may consider when making a determination of overpayment; specifying the type of records a provider must present to contest an overpayment; clarifying a provision regarding accrued interest on certain payments withheld from a provider; deleting the requirement that the agency place payments withheld from a provider in a suspended account and revising when a provider must reimburse overpayments; revising venue requirements; adding provisions relating to the payment of fines; amending s. 409.920, F.S.; clarifying provisions relating to immunity from liability for persons who provide information about Medicaid fraud; amending s. 624.351, F.S.; revising membership requirements for the Medicaid and Public Assistance Fraud Strike Force within the Department of Financial Services; providing for future review and repeal; amending s. 624.352, F.S., relating to interagency agreements to detect and deter Medicaid and public assistance fraud; providing for future review and repeal; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 844** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 939** was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 732**—A bill to be entitled An act relating to pharmacy; amending s. 465.019, F.S.; permitting a Class II institutional pharmacy formulary to include biologics, biosimilars, and biosimilar interchangeable; creating s. 465.0252, F.S.; providing definitions; providing requirements for a pharmacist to dispense a substitute biological product that is determined to be biosimilar to and interchangeable for the prescribed biological product; providing notification requirements for a pharmacist in a Class II or Modified Class II institutional pharmacy; requiring the Board of Pharmacy to maintain a current list of interchangeable biosimilar products; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 732**, on motion by Senator Grimsley, by two-thirds vote **CS for CS for HB 365** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Grimsley—

**CS for CS for HB 365**—A bill to be entitled An act relating to pharmacy; amending s. 465.019, F.S.; permitting a class II institutional pharmacy formulary to include biologics, biosimilars, and biosimilar interchangeable; creating s. 465.0252, F.S.; providing definitions; providing requirements for a pharmacist to dispense a substitute biological product that is determined to be biosimilar to and interchangeable for the prescribed biological product; providing notification requirements for a pharmacist in a class II or modified class II institutional pharmacy;

requiring the Board of Pharmacy to maintain a current list of interchangeable biosimilar products; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 732** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 365** was placed on the calendar of Bills on Third Reading.

**CS for SB 662**—A bill to be entitled An act relating to workers’ compensation; amending s. 440.13, F.S.; revising requirements for determining the amount of a reimbursement for repackaged or relabeled prescription medication; providing an exception; prohibiting a dispensing manufacturer from possession of a medicinal drug until certain persons are paid; providing an effective date.

—was read the second time by title. On motion by Senator Hays, by two-thirds vote **CS for SB 662** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

**CS for SB 370**—A bill to be entitled An act relating to disposition of human remains; amending s. 382.002, F.S.; revising definitions for purposes of the Florida Vital Statistics Act; amending s. 382.006, F.S.; authorizing the Department of Health to issue burial-transit permits; amending s. 382.008, F.S.; revising procedures for the registration of certificates of death or fetal death and the medical certification of causes of death; providing a definition; amending s. 382.011, F.S.; extending the time by which certain deaths must be referred to the medical examiner for investigation; creating s. 406.49, F.S.; providing definitions; amending s. 406.50, F.S.; revising procedures for the reporting and disposition of unclaimed remains; prohibiting certain uses or dispositions of the remains of deceased persons whose identities are not known; limiting the liability of licensed funeral directors who authorize the embalming of unclaimed remains under certain circumstances; amending s. 406.51, F.S.; requiring that local governmental contracts for the final disposition of unclaimed remains comply with certain federal regulations; amending s. 406.52, F.S.; revising procedures for the anatomical board’s retention of human remains before their use; providing for claims by, and the release of human remains to, legally authorized persons after payment of certain expenses; authorizing county ordinances or resolutions for the final disposition of the unclaimed remains of indigent persons; limiting the liability of certain licensed persons for cremating or burying human remains under certain circumstances; amending s. 406.53, F.S.; revising exceptions from requirements for notice to the anatomical board of the death of indigent persons; deleting a requirement that the Department of Health assess fees for the burial of certain bodies; amending ss. 406.55, 406.56, and 406.57, F.S.; conforming provisions; amending s. 406.58, F.S.; requiring audits of the financial records of the anatomical board; conforming provisions; amending s. 406.59, F.S.; conforming provisions; amending s. 406.60, F.S.; authorizing certain facilities to dispose of human remains by cremation; amending s. 406.61, F.S.; revising provisions prohibiting the selling or buying of human remains or the transmitting or conveying of such remains outside the state; providing penalties; excepting accredited nontransplant anatomical donation organizations from requirements for the notification of and approval from the anatomical board for the conveyance of human remains for

specified purposes; requiring that nontransplant anatomical donation organizations be accredited by a certain date; requiring that human remains received by the anatomical board be accompanied by a burial-transit permit; requiring approval by the medical examiner and consent of certain persons before the dissection, segmentation, or disarticulation of such remains; prohibiting the offer of any monetary inducement or other valuable consideration in exchange for human remains; providing a definition; deleting an expired provision; conforming provisions; amending s. 497.005, F.S.; revising a definition for purposes of the Florida Funeral, Cemetery, and Consumer Services Act; amending s. 497.382, F.S.; revising certain reporting requirements for funeral establishments, direct disposal establishments, cinerator facilities, and centralized embalming facilities; amending s. 497.607, F.S.; providing requirements for the disposal of unclaimed cremated remains by funeral or direct disposal establishments; limiting the liability of funeral or direct disposal establishments and veterans' service organizations related to the release of information required to determine the eligibility for interment in a national cemetery of the unclaimed cremated remains of a veteran; providing definitions; amending s. 765.513, F.S.; revising the list of donees who may accept anatomical gifts and the purposes for which such a gift may be used; repealing s. 406.54, F.S., relating to claims of bodies after delivery to the anatomical board; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 370**, on motion by Senator Sachs, by two-thirds vote **CS for HB 171** was withdrawn from the Committees on Regulated Industries; Health Policy; Judiciary; and Appropriations.

On motion by Senator Sachs—

**CS for HB 171**—A bill to be entitled An act relating to disposition of human remains; amending s. 382.002, F.S.; revising definitions for purposes of the Florida Vital Statistics Act; amending s. 382.006, F.S.; authorizing the Department of Health to issue burial-transit permits; amending s. 382.008, F.S.; revising procedures for the registration of certificates of death or fetal death and the medical certification of causes of death; providing a definition; amending s. 382.011, F.S.; extending the time by which certain deaths must be referred to the medical examiner for investigation; creating s. 406.49, F.S.; providing definitions; amending s. 406.50, F.S.; revising procedures for the reporting and disposition of unclaimed remains; prohibiting certain uses or dispositions of the remains of deceased persons whose identities are not known; limiting the liability of licensed funeral directors who authorize the embalming of unclaimed remains under certain circumstances; amending s. 406.51, F.S.; requiring that local governmental contracts for the final disposition of unclaimed remains comply with certain federal regulations; amending s. 406.52, F.S.; revising procedures for the anatomical board's retention of human remains before their use; providing for claims by, and the release of human remains to, legally authorized persons after payment of certain expenses; authorizing county ordinances or resolutions for the final disposition of the unclaimed remains of indigent persons; limiting the liability of certain licensed persons for cremating or burying human remains under certain circumstances; amending s. 406.53, F.S.; revising exceptions from requirements for notice to the anatomical board of the death of indigent persons; deleting a requirement that the Department of Health assess fees for the burial of certain bodies; amending ss. 406.55, 406.56, and 406.57, F.S.; conforming provisions; amending s. 406.58, F.S.; requiring audits of the financial records of the anatomical board; conforming provisions; amending s. 406.59, F.S.; conforming provisions; amending s. 406.60, F.S.; authorizing certain facilities to dispose of human remains by cremation; amending s. 406.61, F.S.; revising provisions prohibiting the selling or buying of human remains or the transmitting or conveying of such remains outside the state; providing penalties; excepting accredited nontransplant anatomical donation organizations from requirements for the notification of and approval from the anatomical board for the conveyance of human remains for specified purposes; requiring that nontransplant anatomical donation organizations be accredited by a certain date; requiring that human remains received by the anatomical board be accompanied by a burial-transit permit; requiring approval by the medical examiner and consent of certain persons before the dissection, segmentation, or disarticulation of such remains; prohibiting the offer of any monetary inducement or other valuable consideration in exchange for human remains; providing a definition; deleting an expired provision; conforming provisions; amending s. 497.005, F.S.; revising a definition for purposes of the

Florida Funeral, Cemetery, and Consumer Services Act; amending s. 497.382, F.S.; revising certain reporting requirements for funeral establishments, direct disposal establishments, cinerator facilities, and centralized embalming facilities; amending s. 497.607, F.S.; providing requirements for the disposal of unclaimed cremated remains by funeral or direct disposal establishments; limiting the liability of funeral or direct disposal establishments and veterans' service organizations related to the release of information required to determine the eligibility for interment in a national cemetery of the unclaimed cremated remains of a veteran; providing definitions; amending s. 765.513, F.S.; revising the list of donees who may accept anatomical gifts and the purposes for which such a gift may be used; repealing s. 406.54, F.S., relating to claims of bodies after delivery to the anatomical board; providing an effective date.

—a companion measure, was substituted for **CS for SB 370** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 171** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 966** and **CS for SB 916** was deferred.

**CS for SB 1026**—A bill to be entitled An act relating to tax deeds; amending s. 197.502, F.S.; authorizing the tax collector to charge for reimbursement of the costs for providing online tax deed application services; providing that an applicant's use of such online application services is optional under certain circumstances; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1026**, on motion by Senator Thrasher, by two-thirds vote **CS for HB 837** was withdrawn from the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

On motion by Senator Thrasher—

**CS for HB 837**—A bill to be entitled An act relating to tax deeds; amending s. 197.502, F.S.; authorizing the tax collector to charge for reimbursement of the costs for providing online tax deed application services; providing that an applicant's use of such online application services is optional under certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for SB 1026** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 837** was placed on the calendar of Bills on Third Reading.

**CS for CS for CS for SB 1192**—A bill to be entitled An act relating to the provision of health care with controlled substances; amending s. 456.44, F.S.; limiting the application of requirements for prescribing controlled substances; requiring a physician to consult the prescription drug monitoring program database before prescribing certain controlled substances; authorizing the Board of Medicine and the Board of Osteopathic Medicine to adopt a penalty for failure to consult the database; exempting nursing home residents and certain physicians from requirements regarding prescriptions of controlled substances; amending s. 465.003, F.S.; defining a term; conforming a cross-reference; creating s. 465.0065, F.S.; providing notice requirements for inspection of a pharmacy; amending s. 465.016, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; amending s. 465.022, F.S.; conforming a cross-reference; requiring a pharmacy permittee to commence operations within 180 days after permit issuance or show good cause why operations were not commenced; requiring the Board of Pharmacy to establish rules; requiring a pharmacy permittee to be supervised by a prescription department manager or consultant pharmacist of record; amending s. 465.023, F.S.; providing additional grounds for disciplinary action; conforming a cross-reference; creating s. 465.1902, F.S.; providing that the regulation of pharmacies and pharmacists is preempted to the state; providing that a local ordinance, rule,



or regulation may not be enacted or remain in effect which regulates or attempts to regulate pharmacies or pharmacists in subject matters regulated under ch. 465, F.S.; amending s. 893.055, F.S.; deleting obsolete provisions; requiring a designated agent under the supervision of a health care practitioner to have access to information in the prescription drug monitoring program's database; deleting a provision that prohibits funds from prescription drug manufacturers to be used to implement the prescription drug monitoring program; authorizing the prescription drug monitoring program to be funded by state funds; revising the sources of money which are inappropriate for the direct-support organization of the prescription drug monitoring program to receive; amending s. 893.0551, F.S.; requiring the Department of Health to disclose certain confidential and exempt information to a designated agent of a health care practitioner or pharmacist under certain circumstances; creating s. 893.0552, F.S.; providing that regulation of the licensure, activity, and operation of pain-management clinics is preempted to the state under certain circumstances; authorizing a local government or political subdivision of the state to enact certain ordinances regarding local business taxes and land development; amending ss. 409.9201, 458.331, 459.015, 465.014, 465.015, 465.0156, 465.0197, 465.1901, 499.003, and 893.02, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Senator Grimsley moved the following amendment which was adopted:

**Amendment 1 (692876) (with title amendment)**—Delete lines 542-577 and insert: *the licensure, standards of practice, and operation of pain-management clinics as defined in ss. 458.3265 and 459.0137 in the following circumstances:*

(a) *The clinic is wholly owned and operated by a physician who performs interventional pain procedures of the type routinely billed using surgical codes, who has never been suspended or revoked for prescribing a controlled substance in Schedule II or Schedule III of s. 893.03 and drugs containing Alprazolam in excessive or inappropriate quantities that are not in the best interest of a patient, and who:*

1. *Has completed a fellowship in pain medicine which is approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association;*

2. *Is board-certified in pain medicine by the American Board of Pain Medicine, board-certified by the American Board of Interventional Pain Physicians; or*

3. *Has a board certification or subcertification in pain management or pain medicine by a specialty board approved by the American Board of Medical Specialties or the American Osteopathic Association.*

(b) *The clinic is wholly owned and operated by a physician-multi-specialty practice if one or more board-eligible or board-certified medical specialists has one of the qualifications specified in subparagraph (a)1., subparagraph (a)2., or subparagraph (a)3., performs interventional pain procedures of the type routinely billed using surgical codes, and has never been suspended or revoked for prescribing a controlled substance in Schedule II or Schedule III of s. 893.03 and drugs containing Alprazolam in excessive or inappropriate quantities that are not in the best interest of a patient.*

(2) *Notwithstanding subsection (1), the preemption does not prohibit a local government or political subdivision from enacting an ordinance regarding local business taxes adopted pursuant to chapter 205, any other local levy, charge, or fee applied to businesses currently authorized by general law or the Florida Constitution, and land use development regulations adopted pursuant to chapter 163. A pain-management clinic in which the regulation of its licensure, standards of practice, and operation*

And the title is amended as follows:

Delete lines 52-56 and insert: standards of practice, and operation of pain-management clinics is preempted to the state under certain circumstances; authorizing a local government or political subdivision to enact certain ordinances;

On motion by Senator Grimsley, by two-thirds vote **CS for CS for CS for SB 1192** as amended was read the third time by title, passed, or-

dered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Sobel
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Lee	Thrasher
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

**CS for SB 1350**—A bill to be entitled An act relating to criminal penalties; amending s. 775.082, F.S.; providing criminal sentences applicable to a person who was under the age of 18 years at the time the offense was committed; requiring that a judge consider certain factors before determining if life imprisonment is an appropriate sentence; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Garcia moved the following amendment:

**Amendment 1 (638138) (with title amendment)**—Between lines 126 and 127 insert:

Section 2. *A person who is sentenced under this section for a crime he or she committed when he or she was under the age of 18 is entitled to a review of his or her sentence as follows:*

(1) *A person sentenced to life in prison without parole, life in prison, or a term of 50 years or greater shall have his or her sentence reviewed after 25 years. The sentencing court shall retain original jurisdiction for the duration of the sentence for this purpose. The Department of Corrections shall notify juvenile offenders who are committed to the department of their eligibility to participate in a resentencing hearing 18 months prior to the beginning of their 25th year of incarceration. The juvenile offender may apply to the court of original jurisdiction requesting that a resentencing hearing be held.*

(a) *An offender is entitled to be represented by counsel, and the court shall appoint a public defender to represent the offender if the offender cannot afford an attorney.*

(b) *The court shall hold a resentencing hearing to determine whether the offender's sentence should be modified. The resentencing court shall consider all of the following:*

1. *Whether the offender demonstrates maturity and rehabilitation.*

2. *Whether the offender remains at the same level of risk to society as he or she did at the time of the initial sentencing.*

3. *The opinion of the victim or the victim's next of kin. The absence of the victim or the victim's next of kin from the resentencing hearing may not be a factor in the court's determination under this section. If the victim or the victim's next of kin chooses not to participate in the hearing, the court may consider previous statements made by the victim or the victim's next of kin during the trial or initial sentencing phase.*

4. *Whether the offender was a relatively minor participant in the criminal offense or acted under extreme duress or the domination of another person.*



5. Whether the offender has shown sincere and sustained remorse for the criminal offense.

6. Whether the offender's age, maturity, and psychological development at the time of the offense affected his or her behavior.

7. Whether the offender has successfully obtained a general educational development certificate or completed another educational, technical, work, vocational, or self-rehabilitation program, if such a program is available.

8. Whether the offender was a victim of sexual, physical, or emotional abuse before he or she committed the offense.

9. The results of any mental health assessment, risk assessment, or evaluation of the offender as to rehabilitation.

(c) If the court determines at the resentencing hearing that the offender has been rehabilitated and is reasonably believed to be fit to reenter society based on these factors, a term of probation of at least 5 years shall be imposed. If the court determines that the offender has not demonstrated rehabilitation and is not fit to reenter society based on these factors, the court shall issue an order in writing stating the reasons the sentence is not being modified.

(d) An offender who is not resentenced under this subsection at the initial resentencing is eligible for up to three additional sentencing reviews. A minimum of 5 years must pass before the individual is eligible for the sentencing review. An offender sentenced to a term of years less than life may not petition the court for a review of his or her sentence if he or she is in the last 5 years of his or her sentence.

(2) If the person convicted is sentenced to a term of years greater than 25 years but less than 50 years, the person shall be entitled to a single review hearing at the midpoint of his or her sentence. The person shall be subject to the resentencing guidelines set forth in paragraph (b). If the judge at the resentencing hearing determines that the original sentence is appropriate, no other reviews shall be granted.

(3) This section is retroactive to the extent necessary to comply with the ruling of the United States Supreme Court in *Miller v. Alabama*, 567 U.S. \_\_\_\_, No. 10-9646 (2012) and *Graham v. Florida*, 560 U.S. \_\_\_\_, No. 08-7412 (2010).

And the title is amended as follows:

Delete line 7 and insert: imprisonment is an appropriate sentence; providing for review of certain sentences of offenders who were under the age of 18 at the time of the offense; providing requirements and procedures for such reviews; providing an

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Garcia moved the following amendment to **Amendment 1 (638138)** which was adopted:

**Amendment 1A (195100)**—Delete line 5 and insert:

Section 2. A person who is sentenced for

**Amendment 1 (638138)** as amended was adopted.

The vote was:

Yeas—19

Abruzzo	Evers	Ring
Brandes	Flores	Sachs
Braynon	Garcia	Smith
Bullard	Gibson	Sobel
Clemens	Joyner	Thompson
Detert	Margolis	
Diaz de la Portilla	Montford	

Nays—18

Mr. President	Bean	Benacquisto
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Bradley	Hays	Simmons
Dean	Hukill	Simpson
Galvano	Legg	Soto
Gardiner	Negron	Stargel
Grimsley	Richter	Thrasher

On motion by Senator Bradley, further consideration of **CS for SB 1350** as amended was deferred.

**CS for SB 1844**—A bill to be entitled An act relating to the Health Choice Plus Program; amending s. 408.910, F.S.; conforming provisions to changes made by the act; providing that the Florida Insurance Code is not applicable in certain circumstances; creating s. 408.9105, F.S.; creating the Health Choice Plus Program; providing legislative intent; providing requirements of the program; providing definitions; providing eligibility requirements; providing for enrollment in the program; providing requirements and procedures for the deposit and use of funds in a health benefits account; providing that the marketplace is encouraged to use existing community programs and partnerships to deliver services and to include traditional safety net providers for the delivery of services to enrollees; requiring Florida Health Choices, Inc., to establish a refund process; authorizing the corporation to accept funds from various sources to deposit into health benefits accounts, subsidize the costs of coverage, and administer and support the program; requiring the corporation to manage the health benefits accounts and provide the marketplace of options which an enrollee in the program may use; providing for payment for achieving healthy living performance goals; requiring the program to post on its website a list of optional healthy living performance goals and to establish a procedure for documentation, achievement, and payment regarding the healthy living performance goals; providing that coverage under the program is not an entitlement; prohibiting a cause of action against certain entities under certain circumstances; requiring the corporation to submit to the Governor and the Legislature information about the program in its annual report and an evaluation of the effectiveness of the program; providing for a program review and repeal date; providing an appropriation; providing an effective date.

—was read the second time by title.

Senator Bean moved the following amendment:

**Amendment 1 (671936) (with title amendment)**—Delete lines 126-429.

And the title is amended as follows:

Delete lines 2-38 and insert: An act relating to the Florida Health Choices Program; amending s. 408.910, F.S.; revising eligibility requirements for the Florida Health Choices Program; revising the enrollment period for the initial selection of products and services for individual participants in the program; providing that the Florida Insurance Code is not applicable in certain circumstances; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Negron moved the following substitute amendment which was adopted:

**Amendment 2 (790728) (with title amendment)**—Delete lines 126-429 and insert:

Section 2. For the 2013-2014 fiscal year, the sum of \$900,000 in nonrecurring general revenue is appropriated to the Agency for Health Care Administration to fund the general administration and operations of the Florida Health Choices Program.

And the title is amended as follows:

Delete lines 2-38 and insert: An act relating to the Florida Health Choices Program; amending s. 408.910, F.S.; revising eligibility requirements for the Florida Health Choices Program; revising the enrollment period for the initial selection of products and services for individual participants in the program; providing that the Florida Insurance Code is not applicable in certain circumstances; providing an appropriation; providing an effective date.

On motion by Senator Bean, by two-thirds vote **CS for SB 1844** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Legg	Stargel
Diaz de la Portilla	Margolis	Thompson

Nays—None

Vote after roll call:

Yea—Thrasher

On motion by Senator Bradley, the Senate resumed consideration of—

**CS for SB 1350**—A bill to be entitled An act relating to criminal penalties; amending s. 775.082, F.S.; providing criminal sentences applicable to a person who was under the age of 18 years at the time the offense was committed; requiring that a judge consider certain factors before determining if life imprisonment is an appropriate sentence; providing an effective date.

—which was previously considered and amended this day.

On motion by Senator Abruzzo, the Senate reconsidered the vote by which **Amendment 1 (638138)** as amended was adopted.

**Amendment 1 (638138)** as amended was adopted.

The vote was

Yeas—20

Brandes	Flores	Ring
Braynon	Garcia	Sachs
Bullard	Gibson	Smith
Clemens	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Margolis	Thompson
Evers	Montford	

Nays—19

Mr. President	Gardiner	Richter
Abruzzo	Grimsley	Simmons
Bean	Hays	Simpson
Benacquisto	Hukill	Stargel
Bradley	Lee	Thrasher
Dean	Legg	
Galvano	Negron	

Pursuant to Rule 4.19, **CS for SB 1350** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

## COMMUNICATION

The Honorable Don Gaetz  
President, The Florida Senate

Dear Mr. President:

In compliance with Article III, Section 19(d), State Constitution, and Joint Rule 2, the Budget Conference Committee Report on SB 1500 was electronically furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet.

The Conference Committee Report on SB 1500 was made available April 29, 2013 at 1:37 p.m., EDT.

Respectfully Submitted,  
*Debbie Brown*  
Secretary of the Senate

## SPECIAL GUESTS

The President introduced the following guests: former First Lady of the House of Representatives, Jean Thrasher, and future First Lady of the Senate, Camille Gardiner.

Senator Thrasher recognized his daughter, Julie Weinberg, son-in-law Mark Weinberg, and three of his grandchildren, Mason, Maddox, and Merritt.

Senator Gardiner recognized his children, Andrew, Joanna Lynn, and Kathryn.

## BILLS ON THIRD READING

**CS for SB 1108**—A bill to be entitled An act relating to exceptional student education; amending s. 1002.20, F.S.; prohibiting certain actions with respect to parent meetings with school district personnel; providing requirements for meetings relating to exceptional student education and related services; amending s. 1002.33, F.S.; providing requirements for the reimbursement of federal funds to charter schools; amending s. 1002.41, F.S.; requiring a school district to provide exceptional student education-related services to certain home education program students; requiring reporting and funding through the Florida Education Finance Program; amending s. 1003.57, F.S.; requiring a school district to use specified terms to describe the instructional setting for certain exceptional students; defining the term “inclusion” for purposes of exceptional student instruction; providing for determination of eligibility as an exceptional student; requiring certain assessments to facilitate inclusive educational practices for exceptional students; requiring a district school board to provide parents with information regarding the funding the school district receives for exceptional student education; requiring the school district to provide the information at the initial meeting of a student’s individual education plan team; creating s. 1003.5715, F.S.; requiring the use of parental consent forms for specified actions in a student’s individual education plan; providing requirements for the consent forms; providing requirements for changes in a student’s individual education plan; requiring the State Board of Education to adopt rules; creating s. 1003.572, F.S.; defining the term “private instructional personnel”; encouraging the collaboration of public and private instructional personnel and providing requirements therefor; amending s. 1003.58, F.S.; conforming a cross-reference; creating s. 1008.212, F.S.; providing definitions; providing that a student with a disability be granted an extraordinary exemption from the administration of certain assessments under certain circumstances; providing that certain disabilities or the receipt of services through a homebound or hospitalized program is not an adequate criterion for the granting of an extraordinary exemption; authorizing a written request for an extraordinary exemption; providing requirements for the request; providing a procedure for granting or denying an extraordinary exemption; providing a procedure for appealing a denial of an extraordinary exemption; requiring the Commissioner of Education to annually submit by a specified date to the Governor and the Legislature a report and regularly inform district testing and special education administrators of the procedures regarding extraordinary exemptions; requiring the State Board of Education to adopt rules; creating s. 1008.3415, F.S.; requiring an exceptional student education center to choose to receive a school grade or school improvement rating; excluding student assessment data from the calculation of a home school’s grade under certain circumstances; requiring the State Board of Education to adopt rules; amending s. 1012.585, F.S.; providing requirements for renewal of a professional certificate relating to teach-

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ing students with disabilities; authorizing the State Board of Education to adopt rules; providing an effective date.

—as amended April 26 was read the third time by title.

Senator Gardiner moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (964862) (with title amendment)**—Delete lines 148-160.

And the title is amended as follows:

Delete lines 9-13 and insert: charter schools;

On motion by Senators Gardiner and Thrasher, **CS for SB 1108** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

## CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **CS for SB 1108**.

## SPECIAL ORDER CALENDAR

### SENATOR SMITH PRESIDING

Consideration of **CS for CS for SB 1352** and **CS for CS for SB 1388** was deferred.

**CS for SB 1318**—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public record requirements for a complaint of misconduct filed with an agency against an agency employee and all information obtained pursuant to an investigation of the complaint by the agency; providing for limited duration of the exemption; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1318**, on motion by Senator Soto, by two-thirds vote **CS for HB 1075** was withdrawn from the Committees on Ethics and Elections; Governmental Oversight and Accountability; and Rules.

On motion by Senator Soto—

**CS for HB 1075**—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public record requirements for a complaint of misconduct filed with an agency against an agency employee and all information obtained pursuant to an investigation of the complaint by the agency; providing for limited duration of the exemption; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—a companion measure, was substituted for **CS for SB 1318** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1075** was placed on the calendar of Bills on Third Reading.

**CS for SB 1884**—A bill to be entitled An act relating to county Medicaid contributions; amending s. 409.915, F.S.; specifying the total contribution for the year and specifying the method for determining the amount in the following years; revising the method for calculating each county's contribution; providing tables for calculating county contributions; requiring the Agency for Health Care Administration to annually report the status of county billings to the Legislature; authorizing the Department of Revenue to withhold county distributions for failure to remit Medicaid contributions; deleting provisions specifying the care and services that counties must participate in, obsolete bond provisions, and a process for refund requests; specifying the method for calculating each county's contribution for the 2013-2014 fiscal year; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Grimsley moved the following amendment which was adopted:

**Amendment 1 (148516) (with title amendment)**—Delete lines 34-366 and insert:

(2)(a) *For the 2013-2014 state fiscal year through the 2019-2020 state fiscal year, the total amount of the counties' annual contribution is \$269.6 million. For each fiscal year thereafter, the annual amount shall be adjusted by the percentage change in the state Medicaid expenditures as determined by the Social Services Estimating Conference.*

(b) *By March 15, 2020, and each year thereafter, the Social Services Estimating Conference shall determine the percentage change in state Medicaid expenditures by comparing expenditures for the 2 most recent completed state fiscal years.*

(3)(a)1. *The amount of each county's annual contribution is equal to the product of the amount determined under subsection (2) multiplied by the sum of the percentages calculated in sub-subparagraphs a. and b.:*

a. *The enrollment weight provided in subparagraph 2. is multiplied by a fraction, the numerator of which is the number of the county's Medicaid enrollees as of March 1 of each year, and the denominator of which is the number of all counties' Medicaid enrollees as of March 1 of each year. The agency shall calculate this amount for each county and provide the information to the Department of Revenue by May 15 of each year.*

b. *The payment weight provided in subparagraph 2. is multiplied by the percentage share of payments provided in subparagraph 3. for each county.*

2. *The weights for each fiscal year are equal to:*

### WEIGHTS

FISCAL YEAR	ENROLLMENT	PAYMENT
2013-14	0%	100%
2014-15	0%	100%
2015-16	20%	80%
2016-17	40%	60%
2017-18	60%	40%
2018-19	80%	20%
2019-20+	100%	0%

3. *The percentage share of payments for each county is:*

COUNTY	SHARE OF PAYMENTS
Alachua	1.278%
Baker	0.116%
Bay	0.607%
Bradford	0.179%

COUNTY	SHARE OF PAYMENTS
Brevard	2.471%
Broward	9.226%
Calhoun	0.084%
Charlotte	0.578%
Citrus	0.663%
Clay	0.635%
Collier	1.160%
Columbia	0.557%
Dade (Miami-Dade)	18.850%
Desoto	0.167%
Dixie	0.098%
Duval	5.336%
Escambia	1.614%
Flagler	0.397%
Franklin	0.091%
Gadsden	0.239%
Gilchrist	0.078%
Glades	0.055%
Gulf	0.076%
Hamilton	0.075%
Hardee	0.110%
Hendry	0.163%
Hernando	0.862%
Highlands	0.468%
Hillsborough	6.952%
Holmes	0.101%
Indian River	0.397%
Jackson	0.218%
Jefferson	0.083%
Lafayette	0.014%
Lake	1.525%
Lee	2.511%
Leon	0.929%
Levy	0.256%
Liberty	0.050%
Madison	0.086%
Manatee	1.622%
Marion	1.629%
Martin	0.352%
Monroe	0.262%
Nassau	0.240%
Okaloosa	0.566%
Okeechobee	0.235%
Orange	6.680%
Osceola	1.613%
Palm Beach	5.898%
Pasco	2.391%
Pinellas	6.644%
Polk	3.642%
Putnam	0.417%
Saint Johns	0.459%
Saint Lucie	1.154%
Santa Rosa	0.462%
Sarasota	1.230%
Seminole	1.739%
Sumter	0.218%
Suwannee	0.252%
Taylor	0.103%
Union	0.075%
Volusia	2.298%
Wakulla	0.103%
Walton	0.229%
Washington	0.114%

(b)1. The Legislature intends to replace the county percentage share provided in subparagraph (a)3. with percentage shares based upon each county's proportion of the total statewide amount of county billings made under this section from April 1, 2012, through March 31, 2013, for which the state ultimately receives payment.

2. By February 1 of each year and continuing until a certification is made under sub-subparagraph b., the agency shall report to the President of the Senate and the Speaker of the House of Representatives the status of the county billings made under this section from April 1, 2012, through March 31, 2013, by county, including:

a. The amounts billed to each county which remain unpaid, if any; and

b. A certification from the agency of a final accounting of the amount of funds received by the state from such billings, by county, upon the expiration of all appeal rights that counties may have to contest such billings.

3. By March 15 of the state fiscal year in which the state receives the certification provided for in sub-subparagraph (b)2.b., the Social Services Estimating Conference shall calculate each county's percentage share of the total statewide amount of county billings made under this section from April 1, 2012, through March 31, 2013, for which the state ultimately receives payment.

4. Beginning in the state fiscal year following the receipt by the state of the certification provided in sub-subparagraph (b)2.b., each county's percentage share under subparagraph (a)3. shall be replaced by the percentage calculated under subparagraph (b)3.

5. If the court invalidates the replacement of each county's share as provided in this paragraph, the county share set forth in subparagraph (a)3. shall continue to apply.

(4) By June 1 of each year, the Department of Revenue shall notify each county of its required annual contribution. Each county shall pay its contribution, by check or electronic transfer, in equal monthly installments to the department by the 5th day of each month. If a county fails to remit the payment by the 5th day of the month, the department shall reduce the monthly distribution of that county pursuant to s. 218.61 and, if necessary, by the amount of the monthly installment pursuant to s. 218.26. The payments and the amounts by which the distributions are reduced shall be transferred to the General Revenue Fund.

(1) Each county shall participate in the following items of care and service:

(a) For both health maintenance members and fee for service beneficiaries, payments for inpatient hospitalization in excess of 10 days, but not in excess of 45 days, with the exception of pregnant women and children whose income is in excess of the federal poverty level and who do not participate in the Medicaid medically needy program, and for adult lung transplant services.

(b) For both health maintenance members and fee for service beneficiaries, payments for nursing home or intermediate facilities care in excess of \$170 per month, with the exception of skilled nursing care for children under age 21.

(2) A county's participation must be 35 percent of the total cost, or the applicable discounted cost paid by the state for Medicaid recipients enrolled in health maintenance organizations or prepaid health plans, of providing the items listed in subsection (1), except that the payments for items listed in paragraph (1)(b) may not exceed \$55 per month per person.

(3) Each county shall set aside sufficient funds to pay for items of care and service provided to the county's eligible recipients for which county contributions are required, regardless of where in the state the care or service is rendered.

(4) Each county shall contribute its pro rata share of the total county participation based upon statements rendered by the agency. The agency shall render such statements monthly based on each county's eligible recipients. For purposes of this section, each county's eligible recipients shall be determined by the recipient's address information contained in the federally approved Medicaid eligibility system within the Department of Children and Family Services. A county may use the process developed under subsection (10) to request a refund if it determines that the statement rendered by the agency contains errors.

(5) In any county in which a special taxing district or authority is located which benefits will benefit from the Medicaid program medical assistance programs covered by this section, the board of county commissioners may divide the county's financial responsibility for this purpose proportionately, and each such district or authority must furnish its share to the board of county commissioners in time for the board to comply with subsection (4) (3). Any appeal of the proration made by the board of county commissioners must be made to the Department of Fi-

financial Services, which shall ~~then~~ set the proportionate share for of each party.

~~(6) Counties are exempt from contributing toward the cost of new exemptions on inpatient ceilings for statutory teaching hospitals, specialty hospitals, and community hospital education program hospitals that came into effect July 1, 2000, and for special Medicaid payments that came into effect on or after July 1, 2000.~~

(6)(7)(a) By August 1, 2012, the agency shall certify to each county the amount of such county's billings from November 1, 2001, through April 30, 2012, which remain unpaid. A county may contest the amount certified by filing a petition under the applicable provisions of chapter 120 on or before September 1, 2012. This procedure is the exclusive method to challenge the amount certified. In order to successfully challenge the amount certified, a county must show, by a preponderance of the evidence, that a recipient was not an eligible recipient of that county or that the amount certified was otherwise in error.

(b) By September 15, 2012, the agency shall certify to the Department of Revenue:

1. For each county that files a petition on or before September 1, 2012, the amount certified under paragraph (a); and

2. For each county that does not file a petition on or before September 1, 2012, an amount equal to 85 percent of the amount certified under paragraph (a).

(c) The filing of a petition under paragraph (a) ~~does shall~~ not stay or stop the Department of Revenue from reducing distributions in accordance with paragraph (b) and subsection (7) (8). If a county that files a petition under paragraph (a) is able to demonstrate that the amount certified should be reduced, the agency shall notify the Department of Revenue of the amount of the reduction. The Department of Revenue shall adjust all future monthly distribution reductions under subsection (7) (8) in a manner that results in the remaining total distribution reduction being applied in equal monthly amounts.

(7)(8)(a) Beginning with the October 2012 distribution, the Department of Revenue shall reduce each county's distributions pursuant to s. 218.26 by one thirty-sixth of the amount certified by the agency under subsection (6) (7) for that county, minus any amount required under paragraph (b). Beginning with the October 2013 distribution, the Department of Revenue shall reduce each county's distributions pursuant to s. 218.26 by one forty-eighth of two-thirds of the amount certified by the agency under subsection (6) (7) for that county, minus any amount required under paragraph (b). However, the amount of the reduction may not exceed 50 percent of each county's distribution. If, after 60 months, the reductions for any county do not equal the total amount initially certified by the agency, the Department of Revenue shall continue to reduce such county's distribution by up to 50 percent until the total amount certified is reached. The amounts by which the distributions are reduced shall be transferred to the General Revenue Fund.

(b) As an assurance to holders of bonds issued before the effective date of this act to which distributions made pursuant to s. 218.26 are pledged, or bonds issued to refund such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an affected county, that any reduction in amounts distributed pursuant to paragraph (a) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this paragraph, the Department of Revenue must notify the agency of the amount of the decrease and the agency must send a bill for payment of such amount to the affected county.

~~(9)(a) Beginning May 1, 2012, and each month thereafter, the agency shall certify to the Department of Revenue by the 7th day of each month the amount of the monthly statement rendered to each county pursuant to subsection (4). Beginning with the May 2012 distribution, the De-~~

~~partment of Revenue shall reduce each county's monthly distribution pursuant to s. 218.61 by the amount certified by the agency minus any amount required under paragraph (b). The amounts by which the distributions are reduced shall be transferred to the General Revenue Fund.~~

(b) As an assurance to holders of bonds issued before the effective date of this act to which distributions made pursuant to s. 218.61 are pledged, or bonds issued to refund such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an affected county, that any reduction in amounts distributed pursuant to paragraph (a) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this paragraph, the Department of Revenue must notify the agency of the amount of the decrease and the agency must send a bill for payment of such amount to the affected county.

(10) The agency, in consultation with the Department of Revenue and the Florida Association of Counties, shall develop a process for refund requests which:

(a) ~~Allows counties to submit to the agency written requests for refunds of any amounts by which the distributions were reduced as provided in subsection (9) and which set forth the reasons for the refund requests.~~

(b) ~~Requires the agency to make a determination as to whether a refund request is appropriate and should be approved, in which case the agency shall certify the amount of the refund to the department.~~

(c) ~~Requires the department to issue the refund for the certified amount to the county from the General Revenue Fund. The Department of Revenue may issue the refund in the form of a credit against reductions to be applied to subsequent monthly distributions.~~

(8)(11) Beginning in the 2013-2014 fiscal year and each year thereafter through the 2020-2021 fiscal year, the Chief Financial Officer shall transfer from the General Revenue Fund to the Lawton Chiles Endowment Fund an amount equal to the amounts transferred to the General Revenue Fund in the previous fiscal year pursuant to subsections (4) and (7) subsections (8) and (9), reduced by the amount of refunds paid pursuant to subsection (10), which are in excess of the official estimate for medical hospital fees for such previous fiscal year adopted by the Revenue Estimating Conference on January 12, 2012, as reflected in the conference's workpapers. By July 20 of each year, the Office of Economic and Demographic Research shall certify the amount to be transferred to the Chief Financial Officer. Such transfers must be made before July 31 of each year until the total transfers for all years equal \$350 million. ~~If in the event that~~ such transfers do not total \$350 million by July 1, 2021, the Legislature shall provide for the transfer of amounts necessary to total \$350 million. The Office of Economic and Demographic Research shall publish the official estimates reflected in the conference's workpapers on its website.

(9)(12) The agency may adopt rules to administer this section.

Section 2. *The Agency for Health Care Administration shall provide a data report to the Florida Association of Counties which includes such information as may be necessary for a comprehensive evaluation of the cost and utilization of health services by Medicaid enrollees in each county by service type. The data report shall be provided at least annually at the request of the association. Copies of the data report shall also be provided to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The agency shall provide other information and assistance requested by the association in order to assess the impact on counties of the changes to the methodology for determining county contributions to Medicaid made by this act and to evaluate the impact of various Medicaid policies, including the use of diagnosis-related groups on the reimbursement of hospital inpatient services and the im-*

*plementation of statewide managed care, including managed long-term care. This section is repealed December 31, 2015.*

And the title is amended as follows:

Delete lines 4-15 and insert: contribution for certain years and specifying the method for determining the amount in the following years; revising the method for calculating each county's contribution; providing tables for calculating county contributions; requiring the Agency for Health Care Administration to annually report the status of county billings to the Legislature; authorizing the Department of Revenue to withhold county distributions for failure to remit Medicaid contributions; deleting provisions specifying the care and services that counties must participate in, obsolete bond provisions, and a process for refund requests; requiring the agency to provide a report to the Florida Association of Counties and the Legislature on the impact on counties of the changes to the methodology for determining county Medicaid contributions and other factors;

On motion by Senator Grimsley, by two-thirds vote **CS for SB 1884** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

#### Yeas—31

Abruzzo	Grimsley	Ring
Bean	Hays	Sachs
Benacquisto	Hukill	Simpson
Bradley	Joyner	Smith
Brandes	Latvala	Sobel
Clemens	Lee	Soto
Dean	Legg	Stargel
Detert	Margolis	Thompson
Evers	Montford	Thrasher
Galvano	Negron	
Gibson	Richter	

#### Nays—5

Braynon	Diaz de la Portilla	Garcia
Bullard	Flores	

Vote after roll call:

Yea—Mr. President, Simmons

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Consideration of **CS for SB 1630** was deferred.

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**CS for CS for SB 1636**—A bill to be entitled An act relating to infants born alive; amending s. 390.011, F.S.; defining the term “born alive”; amending s. 390.0111, F.S.; providing that an infant born alive during or immediately after an attempted abortion is entitled to the same rights, powers, and privileges as any other child born alive in the course of natural birth; requiring health care practitioners to preserve the life and health of such an infant born alive, if possible; providing for the transport and admittance of an infant born alive to a hospital; requiring a health care practitioner or certain employees who have knowledge of any violations with respect to infants born alive after an attempted abortion to report those violations to the Department of Health; providing a penalty; providing for construction; amending s. 390.0112, F.S.; revising a reporting requirement; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1636**, on motion by Senator Flores, by two-thirds vote **CS for CS for CS for HB 1129** was withdrawn from the Committees on Health Policy; Judiciary; and Appropriations.

On motion by Senator Flores—

**CS for CS for CS for HB 1129**—A bill to be entitled An act relating to infants born alive; amending s. 390.011, F.S.; defining the term “born alive”; amending s. 390.0111, F.S.; providing that an infant born alive during or immediately after an attempted abortion is entitled to the

same rights, powers, and privileges as any other child born alive in the course of natural birth; requiring health care practitioners to preserve the life and health of such an infant born alive, if possible; providing for the transport and admittance of an infant born alive to a hospital; requiring a health care practitioner or certain employees who have knowledge of any violations with respect to infants born alive after an attempted abortion to report those violations to the Department of Health; providing a penalty; providing for construction; amending s. 390.0112, F.S.; revising a reporting requirement; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1636** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 1129** was placed on the calendar of Bills on Third Reading.

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Consideration of **CS for CS for SB 1722** and **CS for CS for SB 150** was deferred.

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**CS for SB 288**—A bill to be entitled An act relating to costs of prosecution, investigation, and representation; amending s. 903.286, F.S.; providing for the withholding of unpaid costs of prosecution and representation from the return of a cash bond posted on behalf of a criminal defendant; requiring a notice on bond forms of such possible withholding; amending s. 938.27, F.S.; clarifying the types of cases that are subject to the collection and dispensing of cost payments by the clerk of the court; amending s. 985.032, F.S.; providing for assessment of costs of prosecution against a juvenile who has been adjudicated delinquent or has adjudication of delinquency withheld; amending s. 985.455, F.S.; providing that a child adjudicated delinquent may perform community service in lieu of certain costs and fees; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 288**, on motion by Senator Bradley, by two-thirds vote **CS for HB 311** was withdrawn from the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Bradley—

**CS for HB 311**—A bill to be entitled An act relating to costs of prosecution, investigation, and representation; amending s. 903.286, F.S.; providing for the withholding of unpaid costs of prosecution and representation from the return of a cash bond posted on behalf of a criminal defendant; requiring a notice on bond forms of such possible withholding; amending s. 938.27, F.S.; clarifying the types of cases that are subject to the collection and dispensing of cost payments by the clerk of the court; amending s. 985.032, F.S.; providing for assessment of costs of prosecution against a juvenile who has been adjudicated delinquent or has adjudication of delinquency withheld; amending s. 985.455, F.S.; providing that a child adjudicated delinquent may perform community service in lieu of certain costs and fees; providing an effective date.

—a companion measure, was substituted for **CS for SB 288** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 311** was placed on the calendar of Bills on Third Reading.

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**CS for SB 644**—A bill to be entitled An act relating to licensure by the Office of Financial Regulation; amending s. 494.00321, F.S.; authorizing, rather than requiring, the office to deny a mortgage broker license application if the applicant had a mortgage broker license revoked previously; amending s. 494.00611, F.S.; authorizing, rather than requiring, the office to deny a mortgage lender license application if the applicant had a mortgage lender license revoked previously; amending s. 517.12, F.S.; revising the procedures and requirements for submitting fingerprints as part of an application to sell, or offer to sell, securities; removing conflicting language; amending s. 560.141, F.S.; revising the procedures and requirements for submitting fingerprints to apply for a license as a money services business; requiring the Office of Financial Regulation to pay an annual fee to the Department of Law Enforcement; removing conflicting language; amending s. 560.143, F.S.; revising li-

cense application fees to include fingerprint retention fees as prescribed by rule; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for SB 644**, on motion by Senator Richter, by two-thirds vote **CS for CS for HB 665** was withdrawn from the Committees on Banking and Insurance; Criminal Justice; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Richter—

**CS for CS for HB 665**—A bill to be entitled An act relating to licensure by the Office of Financial Regulation; amending s. 494.00321, F.S.; authorizing, rather than requiring, the office to deny a mortgage broker license application if the applicant had a mortgage broker license revoked previously; amending s. 494.00611, F.S.; authorizing, rather than requiring, the office to deny a mortgage lender license application if the applicant had a mortgage lender license revoked previously; amending s. 517.12, F.S.; revising the procedures and requirements for submitting fingerprints as part of an application to sell, or offer to sell, securities; removing conflicting language; amending s. 560.141, F.S.; revising the procedures and requirements for submitting fingerprints to apply for a license as a money services business; requiring the Office of Financial Regulation to pay an annual fee to the Department of Law Enforcement; removing conflicting language; requiring certain licensees to submit live-scan fingerprints before the next renewal period; amending s. 560.143, F.S.; conforming provisions to changes made by the act; providing effective dates.

—a companion measure, was substituted for **CS for SB 644** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 665** was placed on the calendar of Bills on Third Reading.

**CS for SB 1816**—A bill to be entitled An act relating to health care; amending s. 409.811, F.S.; revising and providing definitions; amending s. 409.813, F.S.; revising the components of the Florida Kidcare program; prohibiting a cause of action from arising against the Florida Healthy Kids Corporation for failure to make health services available; amending s. 409.8132, F.S.; revising the eligibility of the Medikids program component; revising the enrollment requirements of the Medikids program component; amending s. 409.8134, F.S.; conforming provisions to changes made by the act; amending s. 409.814, F.S.; revising eligibility requirements for the Florida Kidcare program; amending s. 409.815, F.S.; revising the minimum health benefits coverage under the Florida Kidcare Act; deleting obsolete provisions; amending ss. 409.816 and 409.8177, F.S.; conforming provisions to changes made by the act; repealing s. 409.817, F.S., relating to the approval of health benefits coverage and financial assistance; repealing s. 409.8175, F.S., relating to delivery of services in rural counties; amending s. 409.818, F.S.; revising the duties of the Department of Children and Families and the Agency for Health Care Administration with regard to the Florida Kidcare Act; deleting the duties of the Department of Health and the Office of Insurance Regulation with regard to the Florida Kidcare Act; amending s. 409.820, F.S.; requiring the Department of Health, in consultation with the agency and the Florida Healthy Kids Corporation, to develop a minimum set of pediatric and adolescent quality assurance and access standards for all program components; amending s. 624.91, F.S.; revising the legislative intent of the Florida Healthy Kids Corporation Act to include the Healthy Florida program; revising participation guidelines for nonsubsidized enrollees in the Healthy Kids program; revising the medical loss ratio requirements for the contracts for the Florida Healthy Kids Corporation; modifying the membership of the Florida Healthy Kids Corporation's board of directors; creating an executive steering committee; requiring additional corporate compliance requirements for the Florida Healthy Kids Corporation; repealing s. 624.915, F.S., relating to the operating fund of the Florida Healthy Kids Corporation; creating s. 624.917, F.S.; creating the Healthy Florida program; providing definitions; providing eligibility and enrollment requirements; authorizing the Florida Healthy Kids Corporation to contract with certain insurers, managed care organizations, and provider service networks; encouraging the corporation to contract with insurers and managed care organizations that participate in more than one insurance affordability program under certain circumstances; requiring the cor-

poration to establish a benefits package and a process for payment of services; authorizing the corporation to collect premiums and copayments; requiring the corporation to oversee the Healthy Florida program and to establish a grievance process and integrity process; providing applicability of certain state laws for administration of the Healthy Florida program; requiring the corporation to collect certain data and to submit enrollment reports and interim independent evaluations to the Legislature; providing for expiration of the program; providing an implementation and interpretation clause; amending s. 627.6474, F.S.; prohibiting a contract between a health insurer and a dentist from requiring the dentist to provide services at a fee set by the insurer under certain circumstances; providing that covered services are those services listed as a benefit that the insured is entitled to receive under a contract; prohibiting an insurer from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting a health insurer from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 636.035, F.S.; prohibiting a contract between a prepaid limited health service organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a prepaid limited health service organization is entitled to receive under a contract; prohibiting a prepaid limited health service organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the prepaid limited health service organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 641.315, F.S.; prohibiting a contract between a health maintenance organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a health maintenance organization is entitled to receive under a contract; prohibiting a health maintenance organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the health maintenance organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 766.1115, F.S.; revising a definition; requiring a contract with a governmental contractor for health care services to include a provision for a health care provider licensed under ch. 466, F.S., as an agent of the governmental contractor, to allow a patient or a parent or guardian of the patient to voluntarily contribute a fee to cover costs of dental laboratory work related to the services provided to the patient without forfeiting sovereign immunity; prohibiting the contribution from exceeding the actual amount of the dental laboratory charges; providing that the contribution complies with the requirements of s. 766.1115, F.S.; providing for applicability; providing appropriations; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1816**, on motion by Senator Negron, by two-thirds vote **CS for HB 7169** was withdrawn from the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Negron, the rules were waived and—

**CS for HB 7169**—A bill to be entitled An act relating to the Florida Health Choices Plus Program; amending s. 408.910, F.S.; providing that all employers who meet the requirements of the Florida Health Choices Program are eligible to enroll in the Florida Health Choices Plus Program; requiring participating employers to make a defined contribution with certain conditions; providing that individuals and employees of enrolled employers are eligible to participate in the program; providing that vendors may not refuse to sell any offered product or service to any participant in the program; providing that product prices shall be based on criteria established by the Florida Health Choices, Inc.; providing that certain forms, website design, and marketing communication developed by the Florida Health Choices, Inc., are not subject to the Florida Insurance Code; creating s. 408.9105, F.S.; creating the Florida Health Choices Plus Program; providing definitions; providing eligibility requirements; providing exceptions to such requirements in specific situations; requiring the Department of Children and Families to determine eligibility; providing for enrollment in the program; establishing open enrollment periods; requiring cessation of enrollment under certain circumstances; providing that participation in the program is not an

entitlement; prohibiting a cause of action against certain entities under certain circumstances; requiring an education and outreach campaign; requiring certain joint activities by the Florida Health Choices, Inc., and the Florida Healthy Kids Corporation; providing for a state benefit allowance, subject to an appropriation; requiring an individual contribution; providing for disenrollment in specific situations; allowing contributions from certain other entities; providing requirements and procedures for use of funds; providing for refunds; requiring the corporation to submit to the Governor and Legislature information about the program in its annual report and an evaluation of the effectiveness of the program; creating a task force and providing its mission; establishing membership in the task force and providing for its expiration; amending s. 641.402, F.S.; authorizing prepaid health clinics to offer specified hospital services under certain circumstances; providing appropriations; providing an effective date.

—a companion measure, was substituted for **CS for SB 1816** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Negron moved the following amendment which was adopted:

**Amendment 1 (252560) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 409.811, Florida Statutes, is amended to read:

409.811 Definitions relating to Florida Kidcare Act.—As used in ss. 409.810-409.821, the term:

(1) “Actuarially equivalent” means that:

(a) The aggregate value of the benefits included in health benefits coverage is equal to the value of the benefits in the benchmark benefit plan; and

(b) The benefits included in health benefits coverage are substantially similar to the benefits included in the benchmark benefit plan, except that preventive health services must be the same as in the benchmark benefit plan.

(2) “Agency” means the Agency for Health Care Administration.

(3) “Applicant” means a parent or guardian of a child or a child whose disability of nonage has been removed under chapter 743, who applies for determination of eligibility for health benefits coverage under ss. 409.810-409.821.

(4) “Child benchmark benefit plan” means the form and level of health benefits coverage established in s. 409.815.

(5) “Child” means any person *younger than* ~~under~~ 19 years of age.

(6) “Child with special health care needs” means a child whose serious or chronic physical or developmental condition requires extensive preventive and maintenance care beyond that required by typically healthy children. Health care utilization by such a child exceeds the statistically expected usage of the normal child adjusted for chronological age, and such a child often needs complex care requiring multiple providers, rehabilitation services, and specialized equipment in a number of different settings.

(7) “Children’s Medical Services Network” or “network” means a statewide managed care service system as defined in s. 391.021(1).

(8) “CHIP” means the Children’s Health Insurance Program as authorized under Title XXI of the Social Security Act, and its regulations, ss. 409.810-409.820, and as administered in this state by the agency, the department, and the Florida Healthy Kids Corporation, as appropriate to their respective responsibilities.

(9) “Combined eligibility notice” means an eligibility notice that informs an applicant, an enrollee, or multiple family members of a household, when feasible, of eligibility for each of the insurance affordability programs and enrollment into a program or exchange plan. A combined eligibility form must be issued by the last agency or department to make an eligibility, renewal or denial determination. The form must meet all of

the federal and state law and regulatory requirements no later than January 1, 2014.

~~(8) “Community rate” means a method used to develop premiums for a health insurance plan that spreads financial risk across a large population and allows adjustments only for age, gender, family composition, and geographic area.~~

~~(10)~~(9) “Department” means the Department of Health.

~~(11)~~(10) “Enrollee” means a child who has been determined eligible for and is receiving coverage under ss. 409.810-409.821.

~~(11) “Family” means the group or the individuals whose income is considered in determining eligibility for the Florida Kidcare program. The family includes a child with a parent or caretaker relative who resides in the same house or living unit or, in the case of a child whose disability of nonage has been removed under chapter 743, the child. The family may also include other individuals whose income and resources are considered in whole or in part in determining eligibility of the child.~~

~~(12) “Family income” means cash received at periodic intervals from any source, such as wages, benefits, contributions, or rental property. Income also may include any money that would have been counted as income under the Aid to Families with Dependent Children (AFDC) state plan in effect prior to August 22, 1996.~~

~~(12)~~(12) “Florida Kidcare program,” “Kidcare program,” or “program” means the health benefits program administered through ss. 409.810-409.821.

~~(13)~~(14) “Guarantee issue” means that health benefits coverage must be offered to an individual regardless of the individual’s health status, preexisting condition, or claims history.

~~(14)~~(15) “Health benefits coverage” means protection that provides payment of benefits for covered health care services or that otherwise provides, either directly or through arrangements with other persons, covered health care services on a prepaid per capita basis or on a prepaid aggregate fixed-sum basis.

~~(15)~~(16) “Health insurance plan” means health benefits coverage under the following:

(a) A health plan offered by any certified health maintenance organization or authorized health insurer, except a plan that is limited to the following: a limited benefit, specified disease, or specified accident; hospital indemnity; accident only; limited benefit convalescent care; Medicare supplement; credit disability; dental; vision; long-term care; disability income; coverage issued as a supplement to another health plan; workers’ compensation liability or other insurance; or motor vehicle medical payment only; or

(b) An employee welfare benefit plan that includes health benefits established under the Employee Retirement Income Security Act of 1974, as amended.

(16) “Household income” means the group or the individual whose income is considered in determining eligibility for the Florida Kidcare program. The term “household” has the same meaning as provided in s. 36B(d)(2) of the Internal Revenue Code of 1986.

(17) “Medicaid” means the medical assistance program authorized by Title XIX of the Social Security Act, and regulations thereunder, and ss. 409.901-409.920, as administered in this state by the agency.

(18) “Medically necessary” means the use of any medical treatment, service, equipment, or supply necessary to palliate the effects of a terminal condition, or to prevent, diagnose, correct, cure, alleviate, or preclude deterioration of a condition that threatens life, causes pain or suffering, or results in illness or infirmity and which is:

(a) Consistent with the symptom, diagnosis, and treatment of the enrollee’s condition;

(b) Provided in accordance with generally accepted standards of medical practice;



(c) Not primarily intended for the convenience of the enrollee, the enrollee's family, or the health care provider;

(d) The most appropriate level of supply or service for the diagnosis and treatment of the enrollee's condition; and

(e) Approved by the appropriate medical body or health care specialty involved as effective, appropriate, and essential for the care and treatment of the enrollee's condition.

(19) "Medikids" means a component of the Florida Kidcare program of medical assistance authorized by Title XXI of the Social Security Act, and regulations thereunder, and s. 409.8132, as administered in the state by the agency.

(20) "Modified adjusted gross income" means the individual's or household's annual adjusted gross income as defined in s. 36B(d)(2) of the Internal Revenue Code of 1986 which is used to determine eligibility under the Florida Kidcare program.

(21) "Patient Protection and Affordable Care Act" or "Act" means the federal law enacted as Pub. L. No. 111-148, as further amended by the federal Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and any amendments, regulations, or guidance issued under those acts.

(22)(20) "Preexisting condition exclusion" means, with respect to coverage, a limitation or exclusion of benefits relating to a condition based on the fact that the condition was present before the date of enrollment for such coverage, whether or not any medical advice, diagnosis, care, or treatment was recommended or received before such date.

(23)(24) "Premium" means the entire cost of a health insurance plan, including the administration fee or the risk assumption charge.

(24)(22) "Premium assistance payment" means the monthly consideration paid by the agency per enrollee in the Florida Kidcare program towards health insurance premiums.

(25)(22) "Qualified alien" means an alien as defined in 8 U.S.C. s. 1641 (b) and (c) s. 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended, Pub. L. No. 104-193.

(26)(24) "Resident" means a United States citizen, or qualified alien, who is domiciled in this state.

(27)(25) "Rural county" means a county having a population density of less than 100 persons per square mile, or a county defined by the most recent United States Census as rural, in which there is no prepaid health plan participating in the Medicaid program as of July 1, 1998.

(26) "Substantially similar" means that, with respect to additional services as defined in s. 2103(c)(2) of Title XXI of the Social Security Act, these services must have an actuarial value equal to at least 75 percent of the actuarial value of the coverage for that service in the benchmark benefit plan and, with respect to the basic services as defined in s. 2103(c)(1) of Title XXI of the Social Security Act, these services must be the same as the services in the benchmark benefit plan.

Section 2. Section 409.813, Florida Statutes, is amended to read:

409.813 Health benefits coverage; program components; entitlement and nonentitlement.—

(1) The Florida Kidcare program includes health benefits coverage provided to children through the following program components, which shall be marketed as the Florida Kidcare program:

(a) Medicaid;

(b) Medikids as created in s. 409.8132;

(c) The Florida Healthy Kids Corporation as created in s. 624.91; and

(d) ~~Employer-sponsored group health insurance plans approved under ss. 409.810-409.821; and~~

(d)(e) The Children's Medical Services network established in chapter 391.

(2) Except for Title XIX-funded Florida Kidcare program coverage under the Medicaid program, coverage under the Florida Kidcare program is not an entitlement. No cause of action shall arise against the state, the department, the Department of Children and Families ~~Family Services~~, or the agency, or the Florida Healthy Kids Corporation for failure to make health services available to any person under ss. 409.810-409.821.

Section 3. Subsections (6) and (7) of section 409.8132, Florida Statutes, are amended to read:

409.8132 Medikids program component.—

(6) ELIGIBILITY.—

(a) A child who has attained the age of 1 year but who is under the age of 5 years is eligible to enroll in the Medikids program component of the Florida Kidcare program, if the child is a member of a family that has a family income which exceeds the Medicaid applicable income level as specified in s. 409.903, but which is equal to or below 200 percent of the current federal poverty level. In determining the eligibility of such a child, an assets test is not required. ~~A child who is eligible for Medikids may elect to enroll in Florida Healthy Kids coverage or employer-sponsored group coverage. However, a child who is eligible for Medikids may participate in the Florida Healthy Kids program only if the child has a sibling participating in the Florida Healthy Kids program and the child's county of residence permits such enrollment.~~

(b) The provisions of s. 409.814 apply to the Medikids program.

(7) ENROLLMENT.—Enrollment in the Medikids program component may occur at any time throughout the year. A child may not receive services under the Medikids program until the child is enrolled in a managed care plan or MediPass. Once determined eligible, an applicant may receive choice counseling and select a managed care plan or MediPass. The agency may initiate mandatory assignment for a Medikids applicant who has not chosen a managed care plan or MediPass provider after the applicant's voluntary choice period ends. An applicant may select MediPass under the Medikids program component only in counties that have fewer than two managed care plans available to serve Medicaid recipients ~~and only if the federal Health Care Financing Administration determines that MediPass constitutes "health insurance coverage" as defined in Title XXI of the Social Security Act.~~

Section 4. Subsection (2) of section 409.8134, Florida Statutes, is amended to read:

409.8134 Program expenditure ceiling; enrollment.—

(2) The Florida Kidcare program may conduct enrollment continuously throughout the year.

(a) Children eligible for coverage under the Title XXI-funded Florida Kidcare program shall be enrolled on a first-come, first-served basis using the date the enrollment application is received. Enrollment shall immediately cease when the expenditure ceiling is reached. Year-round enrollment shall only be held if the Social Services Estimating Conference determines that sufficient federal and state funds will be available to finance the increased enrollment.

(b) The application for the Florida Kidcare program is valid for a period of 120 days after the date it was received. At the end of the 120-day period, if the applicant has not been enrolled in the program, the application is invalid and the applicant shall be notified of the action. The applicant may reactivate the application after notification of the action taken by the program.

(c) Except for the Medicaid program, whenever the Social Services Estimating Conference determines that there are presently, or will be by the end of the current fiscal year, insufficient funds to finance the current or projected enrollment in the Florida Kidcare program, all additional enrollment must cease and additional enrollment may not resume until sufficient funds are available to finance such enrollment.

Section 5. Section 409.814, Florida Statutes, is amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose ~~household family~~ income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as pro-

vided in this section. If an enrolled individual is determined to be ineligible for coverage, he or she must be immediately disenrolled from the respective Florida Kidcare program component and referred to another insurance affordability program, if appropriate, through a combined eligibility notice.

(1) A child who is eligible for Medicaid coverage under s. 409.903 or s. 409.904 must be offered the opportunity to enroll ~~enrolled in Medicaid and is not eligible to receive health benefits under any other health benefits coverage authorized under the Florida Kidcare program. A child who is eligible for Medicaid and opts to enroll in CHIP may disenroll from CHIP at any time and transition to Medicaid. This transition must occur without any break in coverage.~~

(2) A child who is not eligible for Medicaid, but who is eligible for the Florida Kidcare program, may obtain health benefits coverage under any of the other components listed in s. 409.813 if such coverage is approved and available in the county in which the child resides.

(3) A Title XXI-funded child who is eligible for the Florida Kidcare program who is a child with special health care needs, as determined through a medical or behavioral screening instrument, is eligible for health benefits coverage from and shall be assigned to and may opt out of the Children's Medical Services Network.

(4) The following children are not eligible to receive Title XXI-funded premium assistance for health benefits coverage under the Florida Kidcare program, except under Medicaid if the child would have been eligible for Medicaid under s. 409.903 or s. 409.904 as of June 1, 1997:

(a) A child who is covered under a family member's group health benefit plan or under other private or employer health insurance coverage, if the cost of the child's participation is not greater than 5 percent of the household's family's income. If a child is otherwise eligible for a subsidy under the Florida Kidcare program and the cost of the child's participation in the family member's health insurance benefit plan is greater than 5 percent of the household's family's income, the child may enroll in the appropriate subsidized Kidcare program.

~~(b) A child who is seeking premium assistance for the Florida Kidcare program through employer-sponsored group coverage, if the child has been covered by the same employer's group coverage during the 60 days before the family submitted an application for determination of eligibility under the program.~~

~~(b)(c)~~ A child who is an alien, but who does not meet the definition of qualified alien, in the United States.

~~(c)(d)~~ A child who is an inmate of a public institution or a patient in an institution for mental diseases.

~~(d)(e)~~ A child who is otherwise eligible for premium assistance for the Florida Kidcare program and has had his or her coverage in an employer-sponsored or private health benefit plan voluntarily canceled in the last 60 days, except those children whose coverage was voluntarily canceled for good cause, including, but not limited to, the following circumstances:

1. The cost of participation in an employer-sponsored health benefit plan is greater than 5 percent of the household's modified adjusted gross family's income;

2. The parent lost a job that provided an employer-sponsored health benefit plan for children;

3. The parent who had health benefits coverage for the child is deceased;

4. The child has a medical condition that, without medical care, would cause serious disability, loss of function, or death;

5. The employer of the parent canceled health benefits coverage for children;

6. The child's health benefits coverage ended because the child reached the maximum lifetime coverage amount;

7. The child has exhausted coverage under a COBRA continuation provision;

8. The health benefits coverage does not cover the child's health care needs; or

9. Domestic violence led to loss of coverage.

~~(5) A child who is otherwise eligible for the Florida Kidcare program and who has a preexisting condition that prevents coverage under another insurance plan as described in paragraph (4)(a) which would have disqualified the child for the Florida Kidcare program if the child were able to enroll in the plan is eligible for Florida Kidcare coverage when enrollment is possible.~~

~~(5)(6)~~ A child whose household's modified adjusted gross family income is above 200 percent of the federal poverty level or a child who is excluded under the provisions of subsection (4) may participate in the Florida Kidcare program as provided in s. 409.8132 or, if the child is ineligible for Medikids by reason of age, in the Florida Healthy Kids program, subject to the following:

(a) The family is not eligible for premium assistance payments and must pay the full cost of the premium, including any administrative costs.

(b) The board of directors of the Florida Healthy Kids Corporation may offer a reduced benefit package to these children in order to limit program costs for such families.

*(c) By August 15, 2013, the Florida Healthy Kids Corporation shall notify all current full-pay enrollees of the availability of the exchange and how to access other insurance affordability options. New applications for full-pay coverage may not be accepted after September 30, 2013.*

~~(6)(7)~~ Once a child is enrolled in the Florida Kidcare program, the child is eligible for coverage for 12 months without a redetermination or reverification of eligibility, if the family continues to pay the applicable premium. Eligibility for program components funded through Title XXI of the Social Security Act terminates when a child attains the age of 19. A child who has not attained the age of 5 and who has been determined eligible for the Medicaid program is eligible for coverage for 12 months without a redetermination or reverification of eligibility.

~~(7)(8)~~ When determining or reviewing a child's eligibility under the Florida Kidcare program, the applicant shall be provided with reasonable notice of changes in eligibility which may affect enrollment in one or more of the program components. If a transition from one program component to another is authorized, there shall be cooperation between the program components and the affected family which promotes continuity of health care coverage. Any authorized transfers must be managed within the program's overall appropriated or authorized levels of funding. Each component of the program shall establish a reserve to ensure that transfers between components will be accomplished within current year appropriations. These reserves shall be reviewed by each convening of the Social Services Estimating Conference to determine the adequacy of such reserves to meet actual experience.

~~(8)(9)~~ In determining the eligibility of a child, an assets test is not required. Each applicant shall provide documentation during the application process and the redetermination process, including, but not limited to, the following:

(a) Proof of household family income, which must be verified electronically to determine financial eligibility for the Florida Kidcare program. Written documentation, which may include wages and earnings statements or pay stubs, W-2 forms, or a copy of the applicant's most recent federal income tax return, is required only if the electronic verification is not available or does not substantiate the applicant's income. *This paragraph expires December 31, 2013.*

(b) A statement from all applicable, employed household family members that:

1. Their employers do not sponsor health benefit plans for employees;

2. The potential enrollee is not covered by an employer-sponsored health benefit plan; or

3. The potential enrollee is covered by an employer-sponsored health benefit plan and the cost of the employer-sponsored health benefit plan

is more than 5 percent of the *household's modified adjusted gross family's* income.

(c) To enroll in the Children's Medical Services Network, a completed application, including a clinical screening.

(d) *Effective January 1, 2014, eligibility shall be determined through electronic matching using the federally managed data services hub and other resources. Written documentation from the applicant may be accepted if the electronic verification does not substantiate the applicant's income or if there has been a change in circumstances.*

(9)(10) Subject to paragraph (4)(a), the Florida Kidcare program shall withhold benefits from an enrollee if the program obtains evidence that the enrollee is no longer eligible, submitted incorrect or fraudulent information in order to establish eligibility, or failed to provide verification of eligibility. The applicant or enrollee shall be notified that because of such evidence program benefits will be withheld unless the applicant or enrollee contacts a designated representative of the program by a specified date, which must be within 10 working days after the date of notice, to discuss and resolve the matter. The program shall make every effort to resolve the matter within a timeframe that will not cause benefits to be withheld from an eligible enrollee.

(10)(11) The following individuals may be subject to prosecution in accordance with s. 414.39:

(a) An applicant obtaining or attempting to obtain benefits for a potential enrollee under the Florida Kidcare program when the applicant knows or should have known the potential enrollee does not qualify for the Florida Kidcare program.

(b) An individual who assists an applicant in obtaining or attempting to obtain benefits for a potential enrollee under the Florida Kidcare program when the individual knows or should have known the potential enrollee does not qualify for the Florida Kidcare program.

Section 6. Paragraphs (g), (k), (q), and (w) of subsection (2) of section 409.815, Florida Statutes, are amended to read:

409.815 Health benefits coverage; limitations.—

(2) BENCHMARK BENEFITS.—In order for health benefits coverage to qualify for premium assistance payments for an eligible child under ss. 409.810-409.821, the health benefits coverage, except for coverage under Medicaid and Medikids, must include the following minimum benefits, as medically necessary.

(g) Behavioral health services.—

1. Mental health benefits include:

a. Inpatient services, ~~limited to 30 inpatient days per contract year~~ for psychiatric admissions, or residential services in facilities licensed under s. 394.875(6) or s. 395.003 in lieu of inpatient psychiatric admissions; ~~however, a minimum of 10 of the 30 days shall be available only for inpatient psychiatric services~~ if authorized by a physician; and

b. Outpatient services, including outpatient visits for psychological or psychiatric evaluation, diagnosis, and treatment by a licensed mental health professional, ~~limited to 40 outpatient visits each contract year.~~

2. Substance abuse services include:

a. Inpatient services, ~~limited to 7 inpatient days per contract year~~ for medical detoxification only and ~~30 days of~~ residential services; and

b. Outpatient services, including evaluation, diagnosis, and treatment by a licensed practitioner, ~~limited to 40 outpatient visits per contract year.~~

~~Effective October 1, 2009,~~ Covered services include inpatient and outpatient services for mental and nervous disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. Such benefits include psychological or psychiatric evaluation, diagnosis, and treatment by a licensed mental health professional and inpatient, outpatient, and residential treatment of substance abuse disorders. Any benefit limitations, including duration of services, number of visits, or number of days

for hospitalization or residential services, shall not be any less favorable than those for physical illnesses generally. The program may also implement appropriate financial incentives, peer review, utilization requirements, and other methods used for the management of benefits provided for other medical conditions in order to reduce service costs and utilization without compromising quality of care.

(k) Hospice services.—Covered services include reasonable and necessary services for palliation or management of an enrollee's terminal illness, ~~with the following exceptions:~~

~~1. Once a family elects to receive hospice care for an enrollee, other services that treat the terminal condition will not be covered; and~~

~~2. Services required for conditions totally unrelated to the terminal condition are covered to the extent that the services are included in this section.~~

(q) Dental services.—~~Effective October 1, 2009,~~ Dental services shall be covered as required under federal law and may also include those dental benefits provided to children by the Florida Medicaid program under s. 409.906(6).

(w) Reimbursement of federally qualified health centers and rural health clinics.—~~Effective October 1, 2009,~~ Payments for services provided to enrollees by federally qualified health centers and rural health clinics under this section shall be reimbursed using the Medicaid Prospective Payment System as provided for under s. 2107(e)(1)(D) of the Social Security Act. If such services are paid for by health insurers or health care providers under contract with the Florida Healthy Kids Corporation, such entities are responsible for this payment. The agency may seek any available federal grants to assist with this transition.

Section 7. Section 409.816, Florida Statutes, is amended to read:

409.816 Limitations on premiums and cost-sharing.—The following limitations on premiums and cost-sharing are established for the program.

(1) Enrollees who receive coverage under the Medicaid program may not be required to pay:

(a) Enrollment fees, premiums, or similar charges; or

(b) Copayments, deductibles, coinsurance, or similar charges.

(2) Enrollees in *households that have families with a modified adjusted gross family* income equal to or below 150 percent of the federal poverty level, who are not receiving coverage under the Medicaid program, may not be required to pay:

(a) Enrollment fees, premiums, or similar charges that exceed the maximum monthly charge permitted under s. 1916(b)(1) of the Social Security Act; or

(b) Copayments, deductibles, coinsurance, or similar charges that exceed a nominal amount, as determined consistent with regulations referred to in s. 1916(a)(3) of the Social Security Act. However, such charges may not be imposed for preventive services, including well-baby and well-child care, age-appropriate immunizations, and routine hearing and vision screenings.

(3) Enrollees in *households that have families with a modified adjusted gross family* income above 150 percent of the federal poverty level who are not receiving coverage under the Medicaid program or who are not eligible under s. 409.814(5) ~~s. 409.814(6)~~ may be required to pay enrollment fees, premiums, copayments, deductibles, coinsurance, or similar charges on a sliding scale related to income, except that the total annual aggregate cost-sharing with respect to all children in a *household family* may not exceed 5 percent of the *household's modified adjusted family's* income. However, copayments, deductibles, coinsurance, or similar charges may not be imposed for preventive services, including well-baby and well-child care, age-appropriate immunizations, and routine hearing and vision screenings.

Section 8. *Section 409.817, Florida Statutes, is repealed.*

Section 9. *Section 409.8175, Florida Statutes, is repealed.*

Section 10. Paragraph (c) of subsection (1) of section 409.8177, Florida Statutes, is amended to read:

409.8177 Program evaluation.—

(1) The agency, in consultation with the Department of Health, the Department of Children and ~~Families~~ Family Services, and the Florida Healthy Kids Corporation, shall contract for an evaluation of the Florida Kidcare program and shall by January 1 of each year submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report of the program. In addition to the items specified under s. 2108 of Title XXI of the Social Security Act, the report shall include an assessment of crowd-out and access to health care, as well as the following:

(c) The characteristics of the children and families assisted under the program, including ages of the children, ~~household~~ family income, and access to or coverage by other health insurance prior to the program and after disenrollment from the program.

Section 11. Section 409.818, Florida Statutes, is amended to read:

409.818 Administration.—In order to implement ss. 409.810-409.821, the following agencies shall have the following duties:

(1) The Department of Children and ~~Families~~ Family Services shall:

(a) ~~Maintain~~ ~~Develop~~ a simplified eligibility determination and renewal process ~~application mail-in form to be used for determining the eligibility of children for coverage under the Florida Kidcare program, in consultation with the agency, the Department of Health, and the Florida Healthy Kids Corporation. The simplified eligibility process application form must include an item that provides an opportunity for the applicant to indicate whether coverage is being sought for a child with special health care needs. Families applying for children's Medicaid coverage must also be able to use the simplified application process form without having to pay a premium.~~

(b) Establish and maintain the eligibility determination process under the program except as specified in subsection (3), ~~which includes the following: (5):~~

1. The department shall directly, or through the services of a contracted third-party administrator, establish and maintain a process for determining eligibility of children for coverage under the program. The eligibility determination process must be used solely for determining eligibility of applicants for health benefits coverage under the program. The eligibility determination process must include an initial determination of eligibility for any coverage offered under the program, as well as a redetermination or reverification of eligibility each subsequent 6 months. ~~Effective January 1, 1999,~~ A child who has not attained the age of 5 and who has been determined eligible for the Medicaid program is eligible for coverage for 12 months without a redetermination or reverification of eligibility. In conducting an eligibility determination, the department shall determine if the child has special health care needs.

2. The department, in consultation with the Agency for Health Care Administration and the Florida Healthy Kids Corporation, shall develop procedures for redetermining eligibility which enable ~~applicants and enrollees a family~~ to easily update any change in circumstances which could affect eligibility.

3. The department may accept changes in ~~a family's~~ status as reported to the department by the Florida Healthy Kids Corporation ~~or the exchange~~ without requiring a new application ~~from the family~~. Redetermination of a child's eligibility for Medicaid may not be linked to a child's eligibility determination for other programs.

4. ~~The department, in consultation with the agency and the Florida Healthy Kids Corporation, shall develop a combined eligibility notice to inform applicants and enrollees of their application or renewal status, as appropriate. The content must be coordinated to meet all federal and state requirements under the federal Patient Protection and Affordable Care Act.~~

(c) Inform program applicants about eligibility determinations and provide information about eligibility of applicants to the Florida Kidcare program and to insurers and their agents, ~~through a centralized coordinating office.~~

(d) Adopt rules necessary for conducting program eligibility functions.

~~(2) The Department of Health shall:~~

~~(a) Design an eligibility intake process for the program, in coordination with the Department of Children and Family Services, the agency, and the Florida Healthy Kids Corporation. The eligibility intake process may include local intake points that are determined by the Department of Health in coordination with the Department of Children and Family Services.~~

~~(b) Chair a state-level Florida Kidcare coordinating council to review and make recommendations concerning the implementation and operation of the program. The coordinating council shall include representatives from the department, the Department of Children and Family Services, the agency, the Florida Healthy Kids Corporation, the Office of Insurance Regulation of the Financial Services Commission, local government, health insurers, health maintenance organizations, health care providers, families participating in the program, and organizations representing low-income families.~~

~~(c) In consultation with the Florida Healthy Kids Corporation and the Department of Children and Family Services, establish a toll-free telephone line to assist families with questions about the program.~~

~~(d) Adopt rules necessary to implement outreach activities.~~

~~(2)(8)~~ The Agency for Health Care Administration, under the authority granted in s. 409.914(1), shall:

(a) Calculate the premium assistance payment necessary to comply with the premium and cost-sharing limitations specified in s. 409.816 and the federal Patient Protection and Affordable Care Act. The premium assistance payment for each enrollee in a health insurance plan participating in the Florida Healthy Kids Corporation shall equal the premium approved by the Florida Healthy Kids Corporation ~~and the Office of Insurance Regulation of the Financial Services Commission pursuant to ss. 627.410 and 641.31, less any enrollee's share of the premium established within the limitations specified in s. 409.816. The premium assistance payment for each enrollee in an employer-sponsored health insurance plan approved under ss. 409.810-409.821 shall equal the premium for the plan adjusted for any benchmark benefit plan actuarial equivalent benefit rider approved by the Office of Insurance Regulation pursuant to ss. 627.410 and 641.31, less any enrollee's share of the premium established within the limitations specified in s. 409.816. In calculating the premium assistance payment levels for children with family coverage, the agency shall set the premium assistance payment levels for each child proportionately to the total cost of family coverage.~~

(b) Make premium assistance payments to health insurance plans on a periodic basis. The agency may use its Medicaid fiscal agent or a contracted third-party administrator in making these payments. The agency may require health insurance plans that participate in the Medikids program ~~or employer-sponsored group health insurance~~ to collect premium payments from an enrollee's family. Participating health insurance plans shall report premium payments collected on behalf of enrollees in the program to the agency in accordance with a schedule established by the agency.

(c) Monitor compliance with quality assurance and access standards developed under s. 409.820 and in accordance with s. 2103(f) of the Social Security Act, 42 U.S.C. s. 1397cc(f).

(d) Establish a mechanism for investigating and resolving complaints and grievances from program applicants, enrollees, and health benefits coverage providers, and maintain a record of complaints and confirmed problems. In the case of a child who is enrolled in a ~~managed care health maintenance~~ organization, the agency must use the provisions of s. 641.511 to address grievance reporting and resolution requirements.

~~(e) Approve health benefits coverage for participation in the program, following certification by the Office of Insurance Regulation under subsection (4).~~

~~(e)(f)~~ Adopt rules necessary for ~~calculating premium assistance payment levels, making premium assistance payments, monitoring access and quality assurance standards and; investigating and resolving~~

complaints and grievances, ~~administering the Medicaid program, and approving health benefits coverage.~~

(f) *Contract with the Florida Healthy Kids Corporation for the administration of the Florida Kidcare program and the Healthy Florida program and to facilitate the release of any federal and state funds.*

The agency is designated the lead state agency for Title XXI of the Social Security Act for purposes of receipt of federal funds, for reporting purposes, and for ensuring compliance with federal and state regulations and rules.

~~(4) The Office of Insurance Regulation shall certify that health benefits coverage plans that seek to provide services under the Florida Kidcare program, except those offered through the Florida Healthy Kids Corporation or the Children's Medical Services Network, meet, exceed, or are actuarially equivalent to the benchmark benefit plan and that health insurance plans will be offered at an approved rate. In determining actuarial equivalence of benefits coverage, the Office of Insurance Regulation and health insurance plans must comply with the requirements of s. 2103 of Title XXI of the Social Security Act. The department shall adopt rules necessary for certifying health benefits coverage plans.~~

(3)(5) The Florida Healthy Kids Corporation shall retain its functions as authorized in s. 624.91, including eligibility determination for participation in the Healthy Kids program.

~~(4)(6) The agency, the Department of Health, the Department of Children and Families Family Services, and the Florida Healthy Kids Corporation, and the Office of Insurance Regulation, after consultation with and approval of the Speaker of the House of Representatives and the President of the Senate, may be authorized to make program modifications that are necessary to overcome any objections of the United States Department of Health and Human Services to obtain approval of the state's child health insurance plan under Title XXI of the Social Security Act.~~

Section 12. Section 409.820, Florida Statutes, is amended to read:

409.820 Quality assurance and access standards.—Except for Medicaid, the Department of Health, in consultation with the agency and the Florida Healthy Kids Corporation, shall develop a minimum set of *pediatric and adolescent* quality assurance and access standards for all program components. The standards must include a process for granting exceptions to specific requirements for quality assurance and access. Compliance with the standards shall be a condition of program participation by health benefits coverage providers. These standards shall comply with the provisions of this chapter and chapter 641 and Title XXI of the Social Security Act.

Section 13. Section 624.91, Florida Statutes, is amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(1) SHORT TITLE.—This section may be cited as the “William G. ‘Doc’ Myers Healthy Kids Corporation Act.”

(2) LEGISLATIVE INTENT.—

(a) The Legislature finds that increased access to health care services could improve children's health and reduce the incidence and costs of childhood illness and disabilities among children in this state. Many children do not have comprehensive, affordable health care services available. It is the intent of the Legislature that the Florida Healthy Kids Corporation provide comprehensive health insurance coverage to such children. The corporation is encouraged to cooperate with any existing health service programs funded by the public or the private sector.

(b) It is the intent of the Legislature that the Florida Healthy Kids Corporation serve as one of several providers of services to children eligible for medical assistance under Title XXI of the Social Security Act. Although the corporation may serve other children, the Legislature intends the primary recipients of services provided through the corporation be school-age children with a family income below 200 percent of the federal poverty level, who do not qualify for Medicaid. It is also the intent of the Legislature that state and local government Florida Healthy Kids funds be used to continue coverage, subject to specific appropriations in

the General Appropriations Act, to children not eligible for federal matching funds under Title XXI.

(c) *It is further the intent of the Legislature that the Florida Healthy Kids Corporation administer and manage services for Healthy Florida, a health care program for uninsured adults using a unique network of providers and contracts. Enrollees in Healthy Florida will receive comprehensive health care services from private, licensed health insurers who meet standards established by the corporation. It is further the intent of the Legislature that these enrollees participate in their own health care decisionmaking and contribute financially toward their medical costs. The Legislature intends to provide an alternative benefit package that includes a full range of services that meet the needs of residents of this state. As a new program, the Legislature shall also ensure that a comprehensive evaluation is conducted to measure the overall impact of the program and identify whether to renew the program after an initial 3-year term.*

(3) ELIGIBILITY FOR STATE-FUNDED ASSISTANCE.—Only the following individuals are eligible for state-funded assistance in paying premiums for Healthy Florida or Florida Healthy Kids premiums:

(a) Residents of this state who are eligible for the Florida Kidcare program pursuant to s. 409.814 or the Healthy Florida program pursuant to s. 624.917.

(b) Notwithstanding s. 409.814, legal aliens who are enrolled in the Florida Healthy Kids program as of January 31, 2004, who do not qualify for Title XXI federal funds because they are not qualified aliens as defined in s. 409.811.

(4) NONENTITLEMENT.—Nothing in this section shall be construed as providing an individual with an entitlement to health care services. No cause of action shall arise against the state, the Florida Healthy Kids Corporation, or a unit of local government for failure to make health services available under this section.

(5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

(a) There is created the Florida Healthy Kids Corporation, a not-for-profit corporation.

(b) The Florida Healthy Kids Corporation shall:

1. Arrange for the collection of any family, *individual, or local* contributions, ~~or employer payment or premium~~, in an amount to be determined by the board of directors, to provide for payment of premiums for comprehensive insurance coverage and for the actual or estimated administrative expenses.

2. Arrange for the collection of any voluntary contributions to provide for payment of *premiums for enrollees in the Florida Kidcare program or Healthy Florida* ~~premiums for children who are not eligible for medical assistance under Title XIX or Title XXI of the Social Security Act.~~

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

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

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

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

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

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

9. Establish enrollment criteria that include penalties or waiting periods of 30 days for reinstatement of coverage upon voluntary cancellation for nonpayment of family *and individual* premiums *under the programs*.

10. Contract with authorized insurers or any provider of health care services, meeting standards established by the corporation, for the provision of comprehensive insurance coverage to participants. Such standards shall include criteria under which the corporation may contract with more than one provider of health care services in program sites.

a. Health plans shall be selected through a competitive bid process.

b. The Florida Healthy Kids Corporation shall purchase goods and services in the most cost-effective manner consistent with the delivery of quality medical care. The maximum administrative cost for a Florida Healthy Kids Corporation contract shall be 15 percent. For all health care contracts, the minimum medical loss ratio *is for a Florida Healthy Kids Corporation contract shall be 85 percent. The calculations must use uniform financial data collected from all plans in a format established by the corporation and shall be computed for each insurer on a statewide basis. Funds shall be classified in a manner consistent with 45 C.F.R. part 158* For dental contracts, the remaining compensation to be paid to the authorized insurer or provider under a Florida Healthy Kids Corporation contract shall be no less than an amount which is 85 percent of premium; to the extent any contract provision does not provide for this minimum compensation, this section shall prevail.

c. The health plan selection criteria and scoring system, and the scoring results, shall be available upon request for inspection after the bids have been awarded.

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

12. Develop and implement a plan to publicize the Florida Kidcare program *and Healthy Florida*, the eligibility requirements of the *programs* program, and the procedures for enrollment in the program and to maintain public awareness of the corporation and the *programs* program.

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

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

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

a. The monthly enrollment and expenditure for full-pay enrollees in the Medikids and Florida Healthy Kids programs compared to the Title XXI-subsidized enrolled population; and

b. The costs and utilization by service of the full-pay enrollees in the Medikids and Florida Healthy Kids programs and the Title XXI-subsidized enrolled population. *This subparagraph is repealed effective December 31, 2013.*

*By February 1, 2010, the Florida Healthy Kids Corporation shall provide a study to the Legislature and the Governor on premium impacts to the subsidized portion of the program from the inclusion of the full pay program, which shall include recommendations on how to eliminate or mitigate possible impacts to the subsidized premiums.*

*16. By August 15, 2013, the corporation shall notify all current full-pay enrollees of the availability of the exchange, as defined in the federal Patient Protection and Affordable Care Act, and how to access other insurance affordability options. New applications for full-pay coverage may not be accepted after September 30, 2013.*

~~17.16.~~ Establish benefit packages that conform to the provisions of the Florida Kidcare program, as created in ss. 409.810-409.821.

(c) Coverage under the corporation's program is secondary to any other available private coverage held by, or applicable to, the participant ~~child~~ or family member. Insurers under contract with the corporation are the payors of last resort and must coordinate benefits with any other third-party payor that may be liable for the participant's medical care.

(d) The Florida Healthy Kids Corporation shall be a private corporation not for profit, *registered, incorporated, and organized pursuant to chapter 617, and shall have all powers necessary to carry out the purposes of this act, including, but not limited to, the power to receive and accept grants, loans, or advances of funds from any public or private agency and to receive and accept from any source contributions of money, property, labor, or any other thing of value, to be held, used, and applied for the purposes of this act. The corporation and any committees it forms shall act in compliance with part III of chapter 112, and chapters 119 and 286.*

(6) BOARD OF DIRECTORS AND MANAGEMENT SUPERVISION.—

(a) The Florida Healthy Kids Corporation shall operate subject to the supervision and approval of a board of directors chaired by *an appointee designated by the Governor* ~~Chief Financial Officer or her or his designee~~, and composed of 15 ~~12~~ other members. *The Senate shall confirm the designated chair and other board appointees selected for 3-year terms of office as follows:*

1. The Secretary of Health Care Administration, or his or her designee, *as an ex officio member.*

2. *The State Surgeon General, or his or her designee, as an ex officio member* ~~One member appointed by the Commissioner of Education from the Office of School Health Programs of the Florida Department of Education.~~

3. *The Secretary of Children and Families, or his or her designee, as an ex officio member* ~~One member appointed by the Chief Financial Officer from among three members nominated by the Florida Pediatric Society.~~

4. *Four members* ~~One member~~, appointed by the Governor, ~~who represents the Children's Medical Services Program.~~

5. *Two members* ~~One member~~ appointed by the *President of the Senate* ~~Chief Financial Officer from among three members nominated by the Florida Hospital Association.~~

6. *Two members* ~~One member~~, appointed by the *Senate Minority Leader* ~~Governor, who is an expert on child health policy.~~

7. *Two members* ~~One member~~, appointed by the *Speaker of the House of Representatives* ~~Chief Financial Officer, from among three members nominated by the Florida Academy of Family Physicians.~~

8. *Two members* ~~One member~~, appointed by the *House Minority Leader* ~~Governor, who represents the state Medicaid program.~~

~~9. One member, appointed by the Chief Financial Officer, from among three members nominated by the Florida Association of Counties.~~

~~10. The State Health Officer or her or his designee.~~

~~11. The Secretary of Children and Family Services, or his or her designee.~~

~~12. One member, appointed by the Governor, from among three members nominated by the Florida Dental Association.~~

(b) A member of the board of directors may be removed by the official who appointed that member. The board shall appoint an executive director, who is responsible for other staff authorized by the board.

(c) Board members are entitled to receive, from funds of the corporation, reimbursement for per diem and travel expenses as provided by s. 112.061.

(d) There shall be no liability on the part of, and no cause of action shall arise against, any member of the board of directors, or its employees or agents, for any action they take in the performance of their powers and duties under this act.

(e) Board members who are serving on or before the date of enactment of this act or similar legislation may remain until July 1, 2013.

(f) An executive steering committee is created to provide management direction and support and to make recommendations to the board on the programs. The steering committee is composed of the Secretary of Health Care Administration, the Secretary of Children and Families, and the State Surgeon General. Committee members may not delegate their membership or attendance.

(7) LICENSING NOT REQUIRED; FISCAL OPERATION.—

(a) The corporation shall not be deemed an insurer. The officers, directors, and employees of the corporation shall not be deemed to be agents of an insurer. Neither the corporation nor any officer, director, or employee of the corporation is subject to the licensing requirements of the insurance code or the rules of the Department of Financial Services or Office of Insurance Regulation. However, any marketing representative utilized and compensated by the corporation must be appointed as a representative of the insurers or health services providers with which the corporation contracts.

(b) The board has complete fiscal control over the corporation and is responsible for all corporate operations.

(c) The Department of Financial Services shall supervise any liquidation or dissolution of the corporation and shall have, with respect to such liquidation or dissolution, all power granted to it pursuant to the insurance code.

Section 14. Section 624.915, Florida Statutes, is repealed.

Section 15. Section 624.917, Florida Statutes, is created to read:

624.917 *Healthy Florida program.*—

(1) *PROGRAM CREATION.*—There is created Healthy Florida, a health care program for lower income, uninsured adults who meet the eligibility guidelines established under s. 624.91. The Florida Healthy Kids Corporation shall administer the program under its existing corporate governance and structure.

(2) *DEFINITIONS.*—As used in this section, the term:

(a) “Actuarially equivalent” means:

1. The aggregate value of the benefits included in health benefits coverage is equal to the value of the benefits in the child benchmark benefit plan as defined in s. 409.811; and

2. The benefits included in health benefits coverage are substantially similar to the benefits included in the child benchmark benefit plan, except that preventive health services do not include dental services.

(b) “Agency” means the Agency for Health Care Administration.

(c) “Applicant” means the individual who applies for determination of eligibility for health benefits coverage under this section.

(d) “Child” means any person younger than 19 years of age.

(e) “Child benchmark benefit plan” means the form and level of health benefits coverage established in s. 409.815.

(f) “Corporation” means the Florida Healthy Kids Corporation.

(g) “Enrollee” means an individual who has been determined eligible for and is receiving coverage under this section.

(h) “Florida Kidcare program” or “Kidcare program” means the health benefits program administered through ss. 409.810-409.821.

(i) “Health benefits coverage” means protection that provides payment of benefits for covered health care services or that otherwise provides, either directly or through arrangements with other persons, covered health care services on a prepaid per capita basis or on a prepaid aggregate fixed-sum basis.

(j) “Healthy Florida” means the program created by this section which is administered by the Florida Healthy Kids Corporation.

(k) “Healthy Kids” means the Florida Kidcare program component created under s. 624.91 for children who are 5 through 18 years of age.

(l) “Household income” means the group or the individual whose income is considered in determining eligibility for the Healthy Florida program. The term “household” has the same meaning as provided in s. 36B(d)(2) of the Internal Revenue Code of 1986.

(m) “Medicaid” means the medical assistance program authorized by Title XIX of the Social Security Act, and regulations thereunder, and ss. 409.901-409.920, as administered in this state by the agency.

(n) “Medically necessary” means the use of any medical treatment, service, equipment, or supply necessary to palliate the effects of a terminal condition, or to prevent, diagnose, correct, cure, alleviate, or preclude deterioration of a condition that threatens life, causes pain or suffering, or results in illness or infirmity and which is:

1. Consistent with the symptom, diagnosis, and treatment of the enrollee’s condition;
2. Provided in accordance with generally accepted standards of medical practice;
3. Not primarily intended for the convenience of the enrollee, the enrollee’s family, or the health care provider;
4. The most appropriate level of supply or service for the diagnosis and treatment of the enrollee’s condition; and
5. Approved by the appropriate medical body or health care specialty involved as effective, appropriate, and essential for the care and treatment of the enrollee’s condition.

(o) “Modified adjusted gross income” means the individual or household’s annual adjusted gross income as defined in s. 36B(d)(2) of the Internal Revenue Code of 1986 which is used to determine eligibility under the Florida Kidcare program.

(p) “Patient Protection and Affordable Care Act” or “Act” means the federal law enacted as Pub. L. No. 111-148, as further amended by the federal Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and any amendments, regulations, or guidance thereunder, issued under those acts.

(q) “Premium” means the entire cost of a health insurance plan, including the administration fee or the risk assumption charge.

(r) “Premium assistance payment” means the monthly consideration paid by the agency per enrollee in the Florida Kidcare program towards health insurance premiums.

(s) “Qualified alien” means an alien as defined in 8 U.S.C. s. 1641(b) and (c).

(t) “Resident” means a United States citizen or qualified alien who is domiciled in this state.

(3) *ELIGIBILITY.*—To be eligible and remain eligible for the Healthy Florida program, an individual must be a resident of this state and meet the following additional criteria:

(a) Be identified as newly eligible, as defined in s. 1902(a)(10)(A)(i)(-VIII) of the Social Security Act or s. 2001 of the federal Patient Protection

and Affordable Care Act, and as may be further defined by federal regulation.

(b) Maintain eligibility with the corporation and meet all renewal requirements as established by the corporation.

(c) Renew eligibility on at least an annual basis.

(4) **ENROLLMENT.**—The corporation may begin the enrollment of applicants in the Healthy Florida program on October 1, 2013. Enrollment may occur directly, through the services of a third-party administrator, referrals from the Department of Children and Families, and the exchange as defined by the federal Patient Protection and Affordable Care Act. As an enrollee disenrolls, the corporation must also provide the enrollee with information about other insurance affordability programs and electronically refer the enrollee to the exchange or other programs, as appropriate. The earliest coverage effective date under the program shall be January 1, 2014.

(5) **DELIVERY OF SERVICES.**—The corporation shall contract with authorized insurers licensed under chapter 627; managed care organizations authorized under chapter 641; and provider service networks authorized under ss. 409.912(4)(d) and 409.962(13) which are prepaid plans. These insurers, managed care organizations, and provider service networks must meet standards established by the corporation to provide comprehensive health care services to enrollees who qualify for services under this section. The corporation may contract for such services on a statewide or regional basis. To encourage continuity of care among enrollees who may transition across multiple insurance affordability programs, the corporation is encouraged to contract with those insurers and managed care organizations that participate in more than one such program.

(a) The corporation shall establish access and network standards for such contracts and ensure that contracted providers have sufficient providers to meet enrollee needs. Quality standards must be developed by the corporation, specific to the adult population, which take into consideration recommendations from the National Committee on Quality Assurance, stakeholders, and other existing performance indicators from both public and commercial populations. The corporation and its contracted health plans shall develop policies that minimize the disruption of enrollee medical homes when enrollees transition between insurance affordability plans.

(b) The corporation shall provide an enrollee a choice of plans. The corporation may select a plan if no selection has been received before the coverage start date. Once enrolled, an enrollee has an initial 90-day free-look period before a lock-in period of not more than 12 months is applied. Exceptions to the lock-in period must be offered to an enrollee for reasons based upon good cause or qualifying events.

(c) The corporation may consider contracts that provide family plans that would allow members from multiple state and federally funded programs to remain together under the same plan.

(d) All contracts must meet the medical loss ratio requirements under s. 624.91.

(6) **BENEFITS.**—The corporation shall establish a benefits package that is actuarially equivalent to the benchmark benefit plan offered under s. 409.815(2), excluding dental, and meets the alternative benefits package requirements under s. 1937 of the Social Security Act. Benefits must be offered as an integrated, single package.

(a) In addition to benchmark benefits, health reimbursement accounts or a comparable health savings account for each enrollee must be established through the corporation or the contracts managed by the corporation. Enrollees must be rewarded for healthy behaviors, wellness program adherence, and other activities established by the corporation which demonstrate compliance with preventive care or disease management guidelines. Funds deposited into these accounts may be used to pay cost-sharing obligations or to purchase over-the-counter health-related items to the extent allowed under federal law or regulation.

(b) Enhanced services may be offered if the cost of such additional services provides savings to the overall plan.

(c) The corporation shall establish a process for the payment of wrap-around services not covered by the benchmark benefit plan through a

separate subcapitation process to its contracted providers if it is determined that such services are required by federal law. Such services would be covered when deemed medically necessary on an individual basis. The subcapitation pool is subject to a separate reconciliation process under the medical loss ratio provisions in s. 624.91.

(d) A prior authorization process and other utilization controls may be established by the plan for any benefit if approved by the corporation.

(7) **COST SHARING.**—The corporation may collect premiums and copayments from enrollees in accordance with federal law. Amounts to be collected for the Healthy Florida program must be established annually in the General Appropriations Act.

(a) Payment of a monthly premium may be required before the establishment of an enrollee's coverage start date and to retain monthly coverage.

(b) An enrollee who has a family income above the federal poverty level may be required to make nominal copayments, in accordance with federal rule, as a condition of receiving a health care service.

(c) A provider is responsible for the collection of point-of-service cost-sharing obligations. The enrollee's cost-sharing contribution is considered part of the provider's total reimbursement. Failure to collect an enrollee's cost sharing reduces the provider's share of the reimbursement.

(8) **PROGRAM MANAGEMENT.**—The corporation is responsible for the oversight of the Healthy Florida program. The agency shall seek a state plan amendment or other appropriate federal approval to implement the Healthy Florida program. The agency shall consult with the corporation in the amendment's development and submit by June 14, 2013, the state plan amendment to the federal Department of Health and Human Services. The agency shall contract with the corporation for the administration of the Healthy Florida program and for the timely release of federal and state funds. The agency retains its authorities as provided in ss. 409.902 and 409.963.

(a) The corporation shall establish a process by which grievances can be resolved and Healthy Florida recipients can be informed of their rights under the Medicaid Fair Hearing Process, as appropriate, or any alternative resolution process adopted by the corporation.

(b) The corporation shall establish a program integrity process to ensure compliance with program guidelines. At a minimum, the corporation shall withhold benefits from an applicant or enrollee if the corporation obtains evidence that the applicant or enrollee is no longer eligible, submitted incorrect or fraudulent information in order to establish eligibility, or failed to provide verification of eligibility. The corporation shall notify the applicant or enrollee that, because of such evidence, program benefits must be withheld unless the applicant or enrollee contacts a designated representative of the corporation by a specified date, which must be within 10 working days after the date of notice, to discuss and resolve the matter. The corporation shall make every effort to resolve the matter within a timeframe that will not cause benefits to be withheld from an eligible enrollee. The following individuals may be subject to specific prosecution in accordance with s. 414.39:

1. An applicant who obtains or attempts to obtain benefits for a potential enrollee under the Healthy Florida program when the applicant knows or should have known that the potential enrollee does not qualify for the Healthy Florida program.

2. An individual who assists an applicant in obtaining or attempting to obtain benefits for a potential enrollee under the Healthy Florida program when the individual knows or should have known that the potential enrollee does not qualify for the Healthy Florida program.

(9) **APPLICABILITY OF LAWS RELATING TO MEDICAID.**—The provisions of ss. 409.902, 409.9128, and 409.920 apply to the administration of the Healthy Florida program.

(10) **PROGRAM EVALUATION.**—The corporation shall collect both eligibility and enrollment data from program applicants and enrollees as well as encounter and utilization data from all contracted entities during the program term. The corporation shall submit monthly enrollment reports to the President of the Senate, the Speaker of the House of Representatives, and the Minority Leaders of the Senate and the House of Representatives. The corporation shall submit an interim independent



evaluation of the Healthy Florida program to the presiding officers no later than July 1, 2015, with annual evaluations due July 1 each year thereafter. The evaluations must address, at a minimum, application and enrollment trends and issues, utilization and cost data, and customer satisfaction.

(11) **PROGRAM EXPIRATION.**—The Healthy Florida program shall expire at the end of the state fiscal year in which any of these conditions occur, whichever occurs first:

(a) The federal match contribution falls below 90 percent.

(b) The federal match contribution falls below the increased FMAP for medical assistance for newly eligible mandatory individuals as specified in the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152.

(c) The federal match for the Healthy Florida program and the Medicaid program are blended under federal law or regulation in such a way that causes the overall federal contribution to diminish when compared to separate, nonblended federal contributions.

Section 16. The Florida Healthy Kids Corporation may make changes to comply with the objections of the federal Department of Health and Human Services to gain approval of the Healthy Florida program in compliance with the federal Patient Protection and Affordable Care Act, upon giving notice to the Senate and the House of Representatives of the proposed changes. If there is a conflict between a provision in this section and the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, the provision must be interpreted and applied so as to comply with the requirement of the federal law.

Section 17. Section 627.6474, Florida Statutes, is amended to read:

627.6474 Provider contracts.—

(1) A health insurer ~~may~~ ~~shall~~ not require a contracted health care practitioner as defined in s. 456.001(4) to accept the terms of other health care practitioner contracts with the insurer or any other insurer, or health maintenance organization, under common management and control with the insurer, including Medicare and Medicaid practitioner contracts and those authorized by s. 627.6471, s. 627.6472, s. 636.035, or s. 641.315, except for a practitioner in a group practice as defined in s. 456.053 who must accept the terms of a contract negotiated for the practitioner by the group, as a condition of continuation or renewal of the contract. Any contract provision that violates this section is void. A violation of this ~~subsection~~ ~~section~~ is not subject to the criminal penalty specified in s. 624.15.

(2)(a) A contract between a health insurer and a dentist licensed under chapter 466 for the provision of services to an insured may not contain any provision that requires the dentist to provide services to the insured under such contract at a fee set by the health insurer unless such services are covered services under the applicable contract.

(b) Covered services are those services that are listed as a benefit that the insured is entitled to receive under the contract. An insurer may not provide merely *de minimis* reimbursement or coverage in order to avoid the requirements of this section. Fees for covered services shall be set in good faith and must not be nominal.

(c) A health insurer may not require as a condition of the contract that the dentist participate in a discount medical plan under part II of chapter 636.

Section 18. Subsection (13) is added to section 636.035, Florida Statutes, to read:

636.035 Provider arrangements.—

(13)(a) A contract between a prepaid limited health service organization and a dentist licensed under chapter 466 for the provision of services to a subscriber of the prepaid limited health service organization may not contain any provision that requires the dentist to provide services to the subscriber of the prepaid limited health service organization at a fee

set by the prepaid limited health service organization unless such services are covered services under the applicable contract.

(b) Covered services are those services that are listed as a benefit that the subscriber is entitled to receive under the contract. A prepaid limited health service organization may not provide merely *de minimis* reimbursement or coverage in order to avoid the requirements of this section. Fees for covered services shall be set in good faith and must not be nominal.

(c) A prepaid limited health service organization may not require as a condition of the contract that the dentist participate in a discount medical plan under part II of this chapter.

Section 19. Subsection (11) is added to section 641.315, Florida Statutes, to read:

641.315 Provider contracts.—

(11)(a) A contract between a health maintenance organization and a dentist licensed under chapter 466 for the provision of services to a subscriber of the health maintenance organization may not contain any provision that requires the dentist to provide services to the subscriber of the health maintenance organization at a fee set by the health maintenance organization unless such services are covered services under the applicable contract.

(b) Covered services are those services that are listed as a benefit that the subscriber is entitled to receive under the contract. A health maintenance organization may not provide merely *de minimis* reimbursement or coverage in order to avoid the requirements of this section. Fees for covered services shall be set in good faith and must not be nominal.

(c) A health maintenance organization may not require as a condition of the contract that the dentist participate in a discount medical plan under part II of chapter 636.

Section 20. Paragraph (a) of subsection (3) of section 766.1115, Florida Statutes, is amended, and paragraph (h) is added to subsection (4) of that section, to read:

766.1115 Health care providers; creation of agency relationship with governmental contractors.—

(3) **DEFINITIONS.**—As used in this section, the term:

(a) “Contract” means an agreement executed in compliance with this section between a health care provider and a governmental contractor ~~which allows. This contract shall allow~~ the health care provider to deliver health care services to low-income recipients as an agent of the governmental contractor. The contract must be for volunteer, uncompensated services. For services to qualify as volunteer, uncompensated services under this section, the health care provider must receive no compensation from the governmental contractor for ~~any~~ services provided under the contract and must not bill or accept compensation from the recipient, or a ~~any~~ public or private third-party payor, for the specific services provided to the low-income recipients covered by the contract.

(4) **CONTRACT REQUIREMENTS.**—A health care provider that executes a contract with a governmental contractor to deliver health care services on or after April 17, 1992, as an agent of the governmental contractor is an agent for purposes of s. 768.28(9), while acting within the scope of duties under the contract, if the contract complies with the requirements of this section and regardless of whether the individual treated is later found to be ineligible. A health care provider under contract with the state may not be named as a defendant in any action arising out of medical care or treatment provided on or after April 17, 1992, under contracts entered into under this section. The contract must provide that:

(h) As an agent of the governmental contractor for purposes of s. 768.28(9), while acting within the scope of duties under the contract, a health care provider licensed under chapter 466 may allow a patient or a parent or guardian of the patient to voluntarily contribute a fee to cover costs of dental laboratory work related to the services provided to the patient. This contribution may not exceed the actual cost of the dental laboratory charges and is deemed in compliance with this section.

A governmental contractor that is also a health care provider is not required to enter into a contract under this section with respect to the health care services delivered by its employees.

Section 21. *The amendments to ss. 627.6474, 636.035, and 641.315, Florida Statutes, apply to contracts entered into or renewed on or after July 1, 2013.*

Section 22. (1) *The sum of \$1,258,054,808 from the Medical Care Trust Fund is appropriated to the Agency for Health Care Administration beginning in the 2013-2014 fiscal year to provide coverage for individuals who enroll in the Healthy Florida program.*

(2) *The sum of \$254,151 from the General Revenue Fund and \$18,235,833 from the Medical Care Trust Fund is appropriated to the Agency for Health Care Administration beginning in the 2013-2014 fiscal year to comply with federal regulations to compensate insurers and managed care organizations that contract with the Healthy Florida program for the imposition of the annual fee on health insurance providers under section 9010 of the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152.*

(3) *The sum of \$10,676,377 from the General Revenue Fund and \$10,676,377 from the Medical Care Trust Fund is appropriated beginning in the 2013-2014 fiscal year to the Agency for Health Care Administration to contract with the Florida Healthy Kids Corporation under s. 409.818(2)(f), Florida Statutes, to fund administrative costs necessary for implementing and operating the Healthy Florida program.*

(4) *The Agency for Health Care Administration may submit budget amendments to the Legislative Budget Commission pursuant to chapter 216, Florida Statutes, to fund the Healthy Florida program for the coverage of children who transfer from the Florida Kidcare Program to the Healthy Florida program, or to provide additional spending authority from the Medical Care Trust Fund under subsection (1) for the coverage of individuals who enroll in the Healthy Florida program, during the 2013-2014 fiscal year.*

Section 23. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to health care; amending s. 409.811, F.S.; revising and providing definitions; amending s. 409.813, F.S.; revising the components of the Florida Kidcare program; prohibiting a cause of action from arising against the Florida Healthy Kids Corporation for failure to make health services available; amending s. 409.8132, F.S.; revising the eligibility of the Medikids program component; revising the enrollment requirements of the Medikids program component; amending s. 409.8134, F.S.; conforming provisions to changes made by the act; amending s. 409.814, F.S.; revising eligibility requirements for the Florida Kidcare program; amending s. 409.815, F.S.; revising the minimum health benefits coverage under the Florida Kidcare Act; deleting obsolete provisions; amending ss. 409.816 and 409.8177, F.S.; conforming provisions to changes made by the act; repealing s. 409.817, F.S., relating to the approval of health benefits coverage and financial assistance; repealing s. 409.8175, F.S., relating to delivery of services in rural counties; amending s. 409.818, F.S.; revising the duties of the Department of Children and Families and the Agency for Health Care Administration with regard to the Florida Kidcare Act; deleting the duties of the Department of Health and the Office of Insurance Regulation with regard to the Florida Kidcare Act; amending s. 409.820, F.S.; requiring the Department of Health, in consultation with the agency and the Florida Healthy Kids Corporation, to develop a minimum set of pediatric and adolescent quality assurance and access standards for all program components; amending s. 624.91, F.S.; revising the legislative intent of the Florida Healthy Kids Corporation Act to include the Healthy Florida program; revising participation guidelines for nonsubsidized enrollees in the Healthy Florida program; revising the medical loss ratio requirements for the contracts for the Florida Healthy Kids Corporation; modifying the membership of the Florida Healthy Kids Corporation's board of directors; creating an executive steering committee; requiring additional corporate compliance requirements for the Florida Healthy Kids Corporation; repealing s. 624.915, F.S., relating to the operating fund of the Florida Healthy Kids Corporation; creating s. 624.917, F.S.; creating the Healthy Florida program; providing definitions; providing eligibility

and enrollment requirements; authorizing the Florida Healthy Kids Corporation to contract with certain insurers, managed care organizations, and provider service networks; encouraging the corporation to contract with insurers and managed care organizations that participate in more than one insurance affordability program under certain circumstances; requiring the corporation to establish a benefits package and a process for payment of services; authorizing the corporation to collect premiums and copayments; requiring the corporation to oversee the Healthy Florida program and to establish a grievance process and integrity process; providing applicability of certain state laws for administration of the Healthy Florida program; requiring the corporation to collect certain data and to submit enrollment reports and interim independent evaluations to the Legislature; providing for expiration of the program; providing an implementation and interpretation clause; amending s. 627.6474, F.S.; prohibiting a contract between a health insurer and a dentist from requiring the dentist to provide services at a fee set by the insurer under certain circumstances; providing that covered services are those services listed as a benefit that the insured is entitled to receive under a contract; prohibiting an insurer from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting a health insurer from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 636.035, F.S.; prohibiting a contract between a prepaid limited health service organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a prepaid limited health service organization is entitled to receive under a contract; prohibiting a prepaid limited health service organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the prepaid limited health service organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 641.315, F.S.; prohibiting a contract between a health maintenance organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; providing that covered services are those services listed as a benefit that a subscriber of a health maintenance organization is entitled to receive under a contract; prohibiting a health maintenance organization from providing merely de minimis reimbursement or coverage; requiring that fees for covered services be set in good faith and not be nominal; prohibiting the health maintenance organization from requiring as a condition of a contract that a dentist participate in a discount medical plan; amending s. 766.1115, F.S.; revising a definition; requiring a contract with a governmental contractor for health care services to include a provision for a health care provider licensed under ch. 466, F.S., as an agent of the governmental contractor, to allow a patient or a parent or guardian of the patient to voluntarily contribute a fee to cover costs of dental laboratory work related to the services provided to the patient without forfeiting sovereign immunity; prohibiting the contribution from exceeding the actual amount of the dental laboratory charges; providing that the contribution complies with the requirements of s. 766.1115, F.S.; providing for applicability; providing appropriations; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 7169** as amended was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 1408**—A bill to be entitled An act relating to captive insurance; replacing the term “captive insurer” with “captive insurance company” in part V of ch. 628, F.S.; amending s. 628.901, F.S.; revising definitions; amending s. 628.905, F.S.; expanding the risks that an industrial insured capital insurance company may insure; providing that an industrial insured captive insurance company may provide certain insurance if the company has and maintains unencumbered capital and surplus of a certain amount; amending s. 628.907, F.S.; conforming terms; amending s. 628.909, F.S.; conforming terms and requiring captive insurance companies to deposit and maintain securities for the protection of policyholders; amending ss. 628.9142, 628.915, 628.917, and 628.919, F.S.; conforming terms; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1408**, on motion by Senator Richter, by two-thirds vote **CS for HB 1191** was withdrawn from the Committees on Banking and Insurance; Commerce and Tourism; and Appropriations.

On motion by Senator Richter, by two-thirds vote—

**CS for HB 1191**—A bill to be entitled An act relating to captive insurance; amending s. 628.901, F.S.; revising definitions; amending s. 628.905, F.S.; revising terminology; prohibiting an industrial insured captive insurance company from insuring risks other than specified risks; authorizing the licensure of industrial insured captive insurance companies to provide workers compensation and employer's liability insurance in excess of a specified amount; requiring an industrial insured captive insurance company to maintain a certain amount of capital and surplus in order to continue to write such excess workers compensation; specifying that certain duties or actions are the responsibility of the Office of Insurance Regulation; amending s. 628.907, F.S.; conforming a provision; amending s. 628.909, F.S.; providing applicability of specified provisions to captive insurance companies and industrial insured captive insurance companies; conforming provisions; amending ss. 628.9142, 628.915, and 628.917, F.S.; conforming provisions; amending s. 628.919, F.S.; requiring a pure captive insurance company to submit certain standards relating to the risk management of controlled unaffiliated businesses to the Office of Insurance Regulation for approval; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1408** and by two-thirds vote read the second time by title.

On motion by Senator Richter, by two-thirds vote **CS for HB 1191** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Abruzzo	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Mr. President

Consideration of **CS for CS for SB 1132** was deferred.

**CS for CS for CS for SB 1644**—A bill to be entitled An act relating to victims of human trafficking; amending s. 90.803, F.S.; revising the mental, emotional, or developmental age of a child victim whose out-of-court statement describing specified criminal acts is admissible in evidence in certain instances; creating s. 943.0583, F.S.; providing definitions; providing for the expungement of the criminal history record of a victim of human trafficking; designating what offenses may be expunged; providing exceptions; providing that an expunged conviction is deemed to have been vacated due to a substantive defect in the underlying criminal proceedings; providing for a period in which such expungement must be sought; providing that official documentation of the victim's status as a human trafficking victim creates a presumption; providing a standard of proof absent official documentation; providing requirements for petitions; providing criminal penalties for false statements on such petitions; providing for parties to and service of such petitions; providing for electronic appearances of petitioners and attorneys at hearings; providing for orders of relief; providing for physical destruction of certain records; authorizing a person whose records are expunged to lawfully deny or fail to acknowledge the arrests covered by the expunged record; providing that such lawful denial does not constitute perjury or subject the person to liability; providing that cross-

references are considered general reference for the purpose of incorporation by reference; amending ss. 943.0582, 943.0585, 943.059, and 961.06, F.S.; conforming provisions to changes made by the act; providing for an appropriation to the Department of Law Enforcement; providing that the department or any other criminal justice agency is not required to comply with certain requirements relating to expunging criminal history records until a specified date; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 1644**, on motion by Senator Flores, by two-thirds vote **CS for CS for HB 1325** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and Appropriations.

On motion by Senator Flores—

**CS for CS for HB 1325**—A bill to be entitled An act relating to victims of human trafficking; amending s. 90.803, F.S.; revising the mental, emotional, or developmental age of a child victim whose out-of-court statement describing specified criminal acts is admissible in evidence in certain instances; creating s. 943.0583, F.S.; providing definitions; providing for the expungement of the criminal history record of a victim of human trafficking; designating what offenses may be expunged; providing exceptions; providing that an expunged conviction is deemed to have been vacated due to a substantive defect in the underlying criminal proceedings; providing for a period in which such expungement must be sought; providing that official documentation of the victim's status as a human trafficking victim creates a presumption; providing a standard of proof absent official documentation; providing requirements for petitions; providing criminal penalties for false statements on such petitions; providing for parties to and service of such petitions; providing for electronic appearances of petitioners and attorneys at hearings; providing for orders of relief; providing for physical destruction of certain records; authorizing a person whose records are expunged to lawfully deny or fail to acknowledge the arrests covered by the expunged record; providing exceptions; providing that such lawful denial does not constitute perjury or subject the person to liability; providing that cross-references are considered general reference for the purpose of incorporation by reference; amending ss. 943.0582, 943.0585, 943.059, and 961.06, F.S.; conforming provisions to changes made by the act; providing an appropriation; providing for applicability; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 1644** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1325** was placed on the calendar of Bills on Third Reading.

**CS for SB 862**—A bill to be entitled An act relating to parent empowerment in education; amending s. 1001.10, F.S.; conforming a cross-reference; amending s. 1002.20, F.S.; providing that parents who have a student in a public school that is implementing a turnaround option may petition to have a particular turnaround option implemented; requiring the school district to notify parents of a public school student being taught by an out-of-field teacher or by a teacher with an unsatisfactory performance rating; specifying requirements for the notice; amending s. 1002.32, F.S.; conforming a cross-reference; amending s. 1002.33, F.S.; requiring a charter school to comply with certain procedures for the assignment of teachers; creating s. 1003.07, F.S.; creating the Parent Empowerment Act; specifying what constitutes an eligible student and a parental vote; requiring that a school district send a written notice to parents of public school students regarding the parents' options to petition the school for a particular turnaround option; requiring the notice to include certain information; authorizing up to one parental vote per eligible student; establishing the process to solicit signatures for a petition; prohibiting a person from being paid for signatures; prohibiting a for-profit corporation, business, or entity from soliciting signatures or paying a person to solicit signatures; establishing criteria to verify the signatures on a petition; requiring the State Board of Education to adopt rules for filing a petition; specifying that a petition is valid if it is signed and dated by a majority of the parents of eligible students and those signatures are verified; requiring the school district to consider the turnaround option on the valid petition with the most signatures at a publicly noticed school board meeting; requiring the district school board to implement a turnaround option; requiring the district school board to

complete a report under certain circumstances; providing report requirements; providing that the turnaround option selected by the district school board is final and conclusive; providing that the turnaround option is no longer required if the school improves by at least one letter grade; amending s. 1008.33, F.S.; authorizing a parent to petition the school district to implement a turnaround option selected by the parent; amending s. 1012.2315, F.S.; providing for assistance to teachers teaching out-of-field; requiring the school district to notify parents and inform them of their options if a student is being taught by an out-of-field teacher; providing that a student may not be assigned to a teacher with a performance evaluation rating of less than effective for a specified number of consecutive school years; authorizing the parent of a student to consent to the assignment of that student to a teacher with a performance evaluation rating of less than effective under certain circumstances; repealing s. 1012.42, F.S., relating to teachers who are teaching out-of-field; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 862**, on motion by Senator Stargel, by two-thirds vote **CS for CS for HB 867** was withdrawn from the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Stargel—

**CS for CS for HB 867**—A bill to be entitled An act relating to parent empowerment in education; amending s. 1001.10, F.S.; conforming a cross-reference; amending s. 1002.20, F.S.; providing that parents who have a student in a public school that is implementing a turnaround option may petition to have a particular turnaround option implemented; requiring the school district to notify parents of a public school student being taught by an out-of-field teacher or by a teacher with an unsatisfactory performance rating; specifying requirements for the notice; amending s. 1002.32, F.S.; conforming a cross-reference; amending s. 1002.33, F.S.; requiring a charter school to comply with certain procedures for the assignment of teachers; creating s. 1003.07, F.S.; creating the Parent Empowerment Act; specifying what constitutes an eligible student and a parental vote; requiring that a school district send a written notice to parents of public school students regarding the parents' options to petition the school for a particular turnaround option; requiring the notice to include certain information; authorizing up to one parental vote per eligible student; establishing the process to solicit signatures for a petition; prohibiting a person from being paid for signatures; prohibiting a for-profit corporation, business, or entity from soliciting signatures or paying a person to solicit signatures; establishing criteria to verify the signatures on a petition; requiring the State Board of Education to adopt rules for filing a petition; specifying that a petition is valid if it is signed and dated by a majority of the parents of eligible students and those signatures are verified; requiring the school district to consider the turnaround option on the valid petition with the most signatures at a publicly noticed school board meeting; requiring the school district to submit an implementation plan to the state board; amending s. 1008.33, F.S.; authorizing a parent to petition the school district to implement a turnaround option selected by the parent; amending s. 1012.2315, F.S.; providing for assistance to teachers teaching out-of-field; requiring the school district to notify parents and inform them of their options if a student is being taught by an out-of-field teacher; providing that a student may not be assigned to a teacher with a performance evaluation rating of less than effective for a specified number of consecutive school years; authorizing the parent of a student to consent to the assignment of that student to a teacher with a performance evaluation rating of less than effective under certain circumstances; repealing s. 1012.42, F.S., relating to teachers who are teaching out-of-field; providing an effective date.

—a companion measure, was substituted for **CS for SB 862** and read the second time by title.

On motion by Senator Stargel, further consideration of **CS for CS for HB 867** was deferred.

**CS for CS for SB 156**—A bill to be entitled An act relating to building construction; amending s. 162.12, F.S.; revising notice requirements in the Local Government Code Enforcement Boards Act; amending ss. 255.20 and 255.2575, F.S.; requiring governmental entities to specify certain products associated with public works projects; providing for

applicability; amending s. 255.257, F.S.; requiring state agencies to use certain building rating systems and building codes for each new construction and renovation project; amending s. 381.0065, F.S.; specifying that certain actions relating to onsite sewage treatment and removal are not required if a bedroom is not added during a remodeling addition or modification to a single-family home; prohibiting a remodeling addition or modification from certain coverage or encroachment; authorizing a local health board to review specific plans; requiring a review to be completed within a specific time period after receipt of specific plans; amending s. 489.103, F.S.; providing for additional exemptions; amending s. 489.105, F.S.; revising definitions; amending s. 489.111, F.S.; revising eligibility criteria to take the swimming pool/spa examination; providing that amendments to s. 489.113(2), F.S., enacted in s. 11, ch. 2012-13, Laws of Florida, are remedial and intended to clarify existing law; providing for retroactivity; amending s. 489.127, F.S.; revising civil penalties; authorizing a local building department to retain 75 percent of certain fines collected if it transmits 25 percent to the Department of Business and Professional Regulation; amending s. 489.131, F.S.; deleting legislative intent referring to a local agency's enforcement of regulatory laws; deleting the definitions of "minor violation" and "notice of noncompliance"; deleting provisions that provide for what a notice of noncompliance should or should not include; deleting a provision that provides for further disciplinary proceedings for certain licensees; amending s. 489.514, F.S.; extending the date by which an applicant must make application for a license to be grandfathered; amending s. 489.531, F.S.; revising a maximum civil penalty; amending s. 553.71, F.S.; providing a definition for the term "local technical amendment"; amending s. 553.73, F.S.; prohibiting any provision of the International Residential Code relating to mandated fire sprinklers from incorporation into the Florida Building Code; amending s. 553.74, F.S.; revising membership of the Florida Building Commission; amending s. 553.79, F.S.; authorizing a site plan to be maintained at the worksite as an electronic copy; requiring the copy to be open to inspection by certain officials; amending s. 553.842, F.S.; requiring an application for state approval of a certain product to be approved by the department after the application and related documentation are complete; amending ss. 553.901, 553.902, 553.903, 553.904, 553.905, and 553.906, F.S.; requiring the Florida Building Commission to adopt the Florida Building Code-Energy Conservation; conforming subsequent sections of the thermal efficiency code; amending s. 553.912, F.S.; requiring replacement air conditioning systems in residential applications to use energy-saving quality installation procedures; providing that certain existing heating and cooling equipment is not required to meet the minimum equipment efficiencies; amending s. 553.991, F.S.; revising the purpose of the Florida Building Energy-Efficiency Rating Act; repealing s. 553.992, F.S., relating to the adoption of a rating system; amending s. 553.993, F.S.; providing definitions; amending s. 553.994, F.S.; providing for the applicability of building energy-efficiency rating systems; amending s. 553.995, F.S.; deleting a minimum requirement for the building energy-efficiency rating systems; revising language; deleting provisions relating to a certain interest group; deleting provisions relating to the Department of Business and Professional Regulation; amending s. 553.996, F.S.; requiring building energy-efficiency rating system providers to provide certain information; amending s. 553.997, F.S.; deleting a provision relating to the department; amending s. 553.998, F.S.; revising provisions relating to rating compliance; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 156**, on motion by Senator Detert, by two-thirds vote **CS for CS for HB 269** was withdrawn from the Committees on Governmental Oversight and Accountability; Community Affairs; Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Detert—

**CS for CS for HB 269**—A bill to be entitled An act relating to public construction projects; amending ss. 255.20 and 255.2575, F.S.; requiring governmental entities to specify certain products associated with public works projects; providing for applicability; amending s. 255.257, F.S.; requiring state agencies to use certain building rating systems and building codes for each new construction and renovation project; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 156** and read the second time by title.

Senators Detert and Simpson offered the following amendment which was moved by Senator Detert:

**Amendment 1 (117882) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 162.12, Florida Statutes, is amended to read:

162.12 Notices.—

(1) All notices required by this part must be provided to the alleged violator by:

(a) Certified mail, *return receipt requested*, to the address listed in the tax collector's office for tax notices; or to the address listed in the county property appraiser's database. The local government may also provide an additional notice to any other address it may find for provided by the property owner in writing to the local government for the purpose of receiving notices. For property owned by a corporation, notices may be provided by certified mail to the registered agent of the corporation. If any notice sent by certified mail is not signed as received within 30 days after the postmarked date of mailing, notice may be provided by posting as described in subparagraphs (2)(b)1. and 2.;

(b) Hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the local governing body;

(c) Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or

(d) In the case of commercial premises, leaving the notice with the manager or other person in charge.

(2) In addition to providing notice as set forth in subsection (1), at the option of the code enforcement board or the local government, notice may also be served by publication or posting, as follows:

(a)1. Such notice shall be published once during each week for 4 consecutive weeks (four publications being sufficient) in a newspaper of general circulation in the county where the code enforcement board is located. The newspaper shall meet such requirements as are prescribed under chapter 50 for legal and official advertisements.

2. Proof of publication shall be made as provided in ss. 50.041 and 50.051.

(b)1. In lieu of publication as described in paragraph (a), such notice may be posted at least 10 days prior to the hearing, or prior to the expiration of any deadline contained in the notice, in at least two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be, in the case of municipalities, at the primary municipal government office, and in the case of counties, at the front door of the courthouse or the main county governmental center in said county.

2. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.

(c) Notice by publication or posting may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under subsection (1).

Evidence that an attempt has been made to hand deliver or mail notice as provided in subsection (1), together with proof of publication or posting as provided in subsection (2), shall be sufficient to show that the notice requirements of this part have been met, without regard to whether or not the alleged violator actually received such notice.

Section 2. Subsection (3) of section 255.20, Florida Statutes, is amended to read:

255.20 Local bids and contracts for public construction works; specification of state-produced lumber.—

(3)(a) All county officials, boards of county commissioners, school boards, city councils, city commissioners, and all other public officers of state boards or commissions that are charged with the letting of con-

tracts for public work, for the construction of public bridges, buildings, and other structures must specify *in the contract* lumber, timber, and other forest products produced and manufactured in this state, *if wood is a component of the public work*, and if such products are available and their price, fitness, and quality are equal.

(b) This subsection does not apply:

1. To plywood specified for monolithic concrete forms.;

2. If the structural or service requirements for timber for a particular job cannot be supplied by native species.;;

3. If the construction is financed in whole or in part from federal funds with the requirement that there be no restrictions as to species or place of manufacture.

4. To transportation projects for which federal aid funds are available.

Section 3. Subsection (4) is added to section 255.2575, Florida Statutes, to read:

255.2575 Energy-efficient and sustainable buildings.—

(4)(a) All state agencies, county officials, boards of county commissioners, school boards, city councils, city commissioners, and all other public officers of state boards or commissions that are charged with the letting of contracts for public work, for the construction of public bridges, buildings, and other structures must specify in the contract lumber, timber, and other forest products produced and manufactured in this state, if wood is a component of the public work, and if such products are available and their price, fitness, and quality are equal.

(b) This subsection does not apply:

1. To plywood specified for monolithic concrete forms.

2. If the structural or service requirements for timber for a particular job cannot be supplied by native species.

3. If the construction is financed in whole or in part from federal funds with the requirement that there be no restrictions as to species or place of manufacture.

4. To transportation projects for which federal aid funds are available.

Section 4. Paragraph (a) of subsection (4) of section 255.257, Florida Statutes, is amended to read:

255.257 Energy management; buildings occupied by state agencies.—

(4) ADOPTION OF STANDARDS.—

(a) Each All state agency agencies shall use adopt a sustainable building rating system or use a national model green building code for each all new building buildings and renovation renovations to an existing building buildings.

Section 5. Paragraph (aa) of subsection (4) of section 381.0065, Florida Statutes, is amended to read:

381.0065 Onsite sewage treatment and disposal systems; regulation.—

(4) PERMITS; INSTALLATION; AND CONDITIONS.—A person may not construct, repair, modify, abandon, or operate an onsite sewage treatment and disposal system without first obtaining a permit approved by the department. The department may issue permits to carry out this section, but shall not make the issuance of such permits contingent upon prior approval by the Department of Environmental Protection, except that the issuance of a permit for work seaward of the coastal construction control line established under s. 161.053 shall be contingent upon receipt of any required coastal construction control line permit from the Department of Environmental Protection. A construction permit is valid for 18 months from the issuance date and may be extended by the department for one 90-day period under rules adopted

by the department. A repair permit is valid for 90 days from the date of issuance. An operating permit must be obtained prior to the use of any aerobic treatment unit or if the establishment generates commercial waste. Buildings or establishments that use an aerobic treatment unit or generate commercial waste shall be inspected by the department at least annually to assure compliance with the terms of the operating permit. The operating permit for a commercial wastewater system is valid for 1 year from the date of issuance and must be renewed annually. The operating permit for an aerobic treatment unit is valid for 2 years from the date of issuance and must be renewed every 2 years. If all information pertaining to the siting, location, and installation conditions or repair of an onsite sewage treatment and disposal system remains the same, a construction or repair permit for the onsite sewage treatment and disposal system may be transferred to another person, if the transferee files, within 60 days after the transfer of ownership, an amended application providing all corrected information and proof of ownership of the property. There is no fee associated with the processing of this supplemental information. A person may not contract to construct, modify, alter, repair, service, abandon, or maintain any portion of an onsite sewage treatment and disposal system without being registered under part III of chapter 489. A property owner who personally performs construction, maintenance, or repairs to a system serving his or her own owner-occupied single-family residence is exempt from registration requirements for performing such construction, maintenance, or repairs on that residence, but is subject to all permitting requirements. A municipality or political subdivision of the state may not issue a building or plumbing permit for any building that requires the use of an onsite sewage treatment and disposal system unless the owner or builder has received a construction permit for such system from the department. A building or structure may not be occupied and a municipality, political subdivision, or any state or federal agency may not authorize occupancy until the department approves the final installation of the onsite sewage treatment and disposal system. A municipality or political subdivision of the state may not approve any change in occupancy or tenancy of a building that uses an onsite sewage treatment and disposal system until the department has reviewed the use of the system with the proposed change, approved the change, and amended the operating permit.

(aa) *An existing-system inspection or evaluation and assessment, or a modification, replacement, or upgrade of an onsite sewage treatment and disposal system is not required for a remodeling addition or modification to a single-family home if a bedroom is not added. However, a remodeling addition or modification to a single-family home may not cover any part of the existing system or encroach upon a required setback or the unobstructed area. To determine if a setback or the unobstructed area is impacted, the local health department shall review and verify a floor plan and site plan of the proposed remodeling addition or modification to the home submitted by a remodeler which shows the location of the system, including the distance of the remodeling addition or modification to the home from the onsite sewage treatment and disposal system. The local health department may visit the site or otherwise determine the best means of verifying the information submitted. A verification of the location of a system is not an inspection or evaluation and assessment of the system. The review and verification must be completed within 7 business days after receipt by the local health department of a floor plan and site plan. If the review and verification is not completed within such time, the remodeling addition or modification to the single-family home, for the purposes of this paragraph, is approved.*

Section 6. Effective October 1, 2014, subsection (23) is added to section 489.103, Florida Statutes, to read:

489.103 Exemptions.— This part does not apply to:

(23) *An owner or operator of a public swimming pool or spa permitted under s. 514.031, an entity under common ownership or control with the owner or operator, or a direct employee of the owner, operator, or related entity, who undertakes to maintain the swimming pool or spa for the purpose of water treatment.*

Section 7. Effective October 1, 2014, subsection (3) of section 489.105, Florida Statutes, is amended to read:

489.105 Definitions.— As used in this part:

(3) “Contractor” means the person who is qualified for, and is only responsible for, the project contracted for and means, except as exempted in this part, the person who, for compensation, undertakes to,

submits a bid to, or does himself or herself or by others construct, repair, alter, remodel, add to, demolish, *maintain for purposes of water treatment*, subtract from, or improve any building or structure, including related improvements to real estate, for others or for resale to others; and whose job scope is substantially similar to the job scope described in one of the paragraphs of this subsection. For the purposes of regulation under this part, the term “demolish” applies only to demolition of steel tanks more than 50 feet in height; towers more than 50 feet in height; other structures more than 50 feet in height; and all buildings or residences. *For purposes of regulation under this part, the phrase “maintain for purposes of water treatment” applies only to cleaning, maintenance, and water treatment of swimming pools and spas.* Contractors are subdivided into two divisions, Division I, consisting of those contractors defined in paragraphs (a)-(c), and Division II, consisting of those contractors defined in paragraphs (d)-(q):

(a) “General contractor” means a contractor whose services are unlimited as to the type of work which he or she may do, who may contract for any activity requiring licensure under this part, and who may perform any work requiring licensure under this part, except as otherwise expressly provided in s. 489.113.

(b) “Building contractor” means a contractor whose services are limited to construction of commercial buildings and single-dwelling or multiple-dwelling residential buildings, which do not exceed three stories in height, and accessory use structures in connection therewith or a contractor whose services are limited to remodeling, repair, or improvement of any size building if the services do not affect the structural members of the building.

(c) “Residential contractor” means a contractor whose services are limited to construction, remodeling, repair, or improvement of one-family, two-family, or three-family residences not exceeding two habitable stories above no more than one uninhabitable story and accessory use structures in connection therewith.

(d) “Sheet metal contractor” means a contractor whose services are unlimited in the sheet metal trade and who has the experience, knowledge, and skill necessary for the manufacture, fabrication, assembling, handling, erection, installation, dismantling, conditioning, adjustment, insulation, alteration, repair, servicing, or design, if not prohibited by law, of ferrous or nonferrous metal work of U.S. No. 10 gauge or its equivalent or lighter gauge and of other materials, including, but not limited to, fiberglass, used in lieu thereof and of air-handling systems, including the setting of air-handling equipment and reinforcement of same, the balancing of air-handling systems, and any duct cleaning and equipment sanitizing that requires at least a partial disassembling of the system.

(e) “Roofing contractor” means a contractor whose services are unlimited in the roofing trade and who has the experience, knowledge, and skill to install, maintain, repair, alter, extend, or design, if not prohibited by law, and use materials and items used in the installation, maintenance, extension, and alteration of all kinds of roofing, waterproofing, and coating, except when coating is not represented to protect, repair, waterproof, stop leaks, or extend the life of the roof. The scope of work of a roofing contractor also includes skylights and any related work, required roof-deck attachments, and any repair or replacement of wood roof sheathing or fascia as needed during roof repair or replacement and any related work.

(f) “Class A air-conditioning contractor” means a contractor whose services are unlimited in the execution of contracts requiring the experience, knowledge, and skill to install, maintain, repair, fabricate, alter, extend, or design, if not prohibited by law, central air-conditioning, refrigeration, heating, and ventilating systems, including duct work in connection with a complete system if such duct work is performed by the contractor as necessary to complete an air-distribution system, boiler and unfired pressure vessel systems, and all appurtenances, apparatus, or equipment used in connection therewith, and any duct cleaning and equipment sanitizing that requires at least a partial disassembling of the system; to install, maintain, repair, fabricate, alter, extend, or design, if not prohibited by law, piping, insulation of pipes, vessels and ducts, pressure and process piping, and pneumatic control piping; to replace, disconnect, or reconnect power wiring on the load side of the dedicated existing electrical disconnect switch; to install, disconnect, and reconnect low voltage heating, ventilating, and air-conditioning control wiring; and to install a condensate drain from an air-conditioning unit to

an existing safe waste or other approved disposal other than a direct connection to a sanitary system. The scope of work for such contractor also includes any excavation work incidental thereto, but does not include any work such as liquefied petroleum or natural gas fuel lines within buildings, except for disconnecting or reconnecting changeouts of liquefied petroleum or natural gas appliances within buildings; potable water lines or connections thereto; sanitary sewer lines; swimming pool piping and filters; or electrical power wiring. A Class A air-conditioning contractor may test and evaluate central air-conditioning, refrigeration, heating, and ventilating systems, including duct work; however, a mandatory licensing requirement is not established for the performance of these specific services.

(g) "Class B air-conditioning contractor" means a contractor whose services are limited to 25 tons of cooling and 500,000 Btu of heating in any one system in the execution of contracts requiring the experience, knowledge, and skill to install, maintain, repair, fabricate, alter, extend, or design, if not prohibited by law, central air-conditioning, refrigeration, heating, and ventilating systems, including duct work in connection with a complete system only to the extent such duct work is performed by the contractor as necessary to complete an air-distribution system being installed under this classification, and any duct cleaning and equipment sanitizing that requires at least a partial disassembling of the system; to install, maintain, repair, fabricate, alter, extend, or design, if not prohibited by law, piping and insulation of pipes, vessels, and ducts; to replace, disconnect, or reconnect power wiring on the load side of the dedicated existing electrical disconnect switch; to install, disconnect, and reconnect low voltage heating, ventilating, and air-conditioning control wiring; and to install a condensate drain from an air-conditioning unit to an existing safe waste or other approved disposal other than a direct connection to a sanitary system. The scope of work for such contractor also includes any excavation work incidental thereto, but does not include any work such as liquefied petroleum or natural gas fuel lines within buildings, except for disconnecting or reconnecting changeouts of liquefied petroleum or natural gas appliances within buildings; potable water lines or connections thereto; sanitary sewer lines; swimming pool piping and filters; or electrical power wiring. A Class B air-conditioning contractor may test and evaluate central air-conditioning, refrigeration, heating, and ventilating systems, including duct work; however, a mandatory licensing requirement is not established for the performance of these specific services.

(h) "Class C air-conditioning contractor" means a contractor whose business is limited to the servicing of air-conditioning, heating, or refrigeration systems, including any duct cleaning and equipment sanitizing that requires at least a partial disassembling of the system, and whose certification or registration, issued pursuant to this part, was valid on October 1, 1988. Only a person who was registered or certified as a Class C air-conditioning contractor as of October 1, 1988, shall be so registered or certified after October 1, 1988. However, the board shall continue to license and regulate those Class C air-conditioning contractors who held Class C licenses before October 1, 1988.

(i) "Mechanical contractor" means a contractor whose services are unlimited in the execution of contracts requiring the experience, knowledge, and skill to install, maintain, repair, fabricate, alter, extend, or design, if not prohibited by law, central air-conditioning, refrigeration, heating, and ventilating systems, including duct work in connection with a complete system if such duct work is performed by the contractor as necessary to complete an air-distribution system, boiler and unfired pressure vessel systems, lift station equipment and piping, and all appurtenances, apparatus, or equipment used in connection therewith, and any duct cleaning and equipment sanitizing that requires at least a partial disassembling of the system; to install, maintain, repair, fabricate, alter, extend, or design, if not prohibited by law, piping, insulation of pipes, vessels and ducts, pressure and process piping, pneumatic control piping, gasoline tanks and pump installations and piping for same, standpipes, air piping, vacuum line piping, oxygen lines, nitrous oxide piping, ink and chemical lines, fuel transmission lines, liquefied petroleum gas lines within buildings, and natural gas fuel lines within buildings; to replace, disconnect, or reconnect power wiring on the load side of the dedicated existing electrical disconnect switch; to install, disconnect, and reconnect low voltage heating, ventilating, and air-conditioning control wiring; and to install a condensate drain from an air-conditioning unit to an existing safe waste or other approved disposal other than a direct connection to a sanitary system. The scope of work for such contractor also includes any excavation work incidental thereto, but does not include any work such as potable water lines or connections

thereto, sanitary sewer lines, swimming pool piping and filters, or electrical power wiring. A mechanical contractor may test and evaluate central air-conditioning, refrigeration, heating, and ventilating systems, including duct work; however, a mandatory licensing requirement is not established for the performance of these specific services.

(j) "Commercial pool/spa contractor" means a contractor whose scope of work involves, but is not limited to, the construction, repair, *water treatment, maintenance*, and servicing of any swimming pool, or hot tub or spa, whether public, private, or otherwise, regardless of use. The scope of work includes the installation, repair, or replacement of existing equipment, ~~any cleaning or equipment sanitizing that requires at least a partial disassembling, excluding filter changes, and~~ the installation of new pool/spa equipment, interior finishes, the installation of package pool heaters, the installation of all perimeter piping and filter piping, and the construction of equipment rooms or housing for pool/spa equipment, and also includes the scope of work of a swimming pool/spa servicing contractor. The scope of such work does not include direct connections to a sanitary sewer system or to potable water lines. ~~The installation, construction, modification, or replacement of equipment permanently attached to and associated with the pool or spa for the purpose of water treatment or cleaning of the pool or spa requires licensure; however, the usage of such equipment for the purposes of water treatment or cleaning does not require licensure unless the usage involves construction, modification, or replacement of such equipment. Water treatment that does not require such equipment does not require a license. In addition, a license is not required for the cleaning of the pool or spa in a way that does not affect the structural integrity of the pool or spa or its associated equipment.~~

(k) "Residential pool/spa contractor" means a contractor whose scope of work involves, but is not limited to, the construction, repair, *water treatment, maintenance*, and servicing of a residential swimming pool, or hot tub or spa, regardless of use. The scope of work includes the installation, repair, or replacement of existing equipment, ~~any cleaning or equipment sanitizing that requires at least a partial disassembling, excluding filter changes, and~~ the installation of new pool/spa equipment, interior finishes, the installation of package pool heaters, the installation of all perimeter piping and filter piping, and the construction of equipment rooms or housing for pool/spa equipment, and also includes the scope of work of a swimming pool/spa servicing contractor. The scope of such work does not include direct connections to a sanitary sewer system or to potable water lines. ~~The installation, construction, modification, or replacement of equipment permanently attached to and associated with the pool or spa for the purpose of water treatment or cleaning of the pool or spa requires licensure; however, the usage of such equipment for the purposes of water treatment or cleaning does not require licensure unless the usage involves construction, modification, or replacement of such equipment. Water treatment that does not require such equipment does not require a license. In addition, a license is not required for the cleaning of the pool or spa in a way that does not affect the structural integrity of the pool or spa or its associated equipment.~~

(l) "Swimming pool/spa servicing contractor" means a contractor whose scope of work involves, but is not limited to, the repair, *water treatment, maintenance*, and servicing of a swimming pool, or hot tub or spa, whether public or private, or otherwise, regardless of use. The scope of work includes the repair or replacement of existing equipment, ~~any sanitation, chemical balancing, routine maintenance or cleaning, cleaning or equipment sanitizing that requires at least a partial disassembling, excluding filter changes, and~~ the installation of new pool/spa equipment, interior refinishing, the reinstallation or addition of pool heaters, the repair or replacement of all perimeter piping and filter piping, the repair of equipment rooms or housing for pool/spa equipment, and the substantial or complete draining of a swimming pool, or hot tub or spa, for the purpose of repair, ~~or renovation, or water treatment~~. The scope of such work does not include direct connections to a sanitary sewer system or to potable water lines. ~~The installation, construction, modification, substantial or complete disassembly, or replacement of equipment permanently attached to and associated with the pool or spa for the purpose of water treatment or cleaning of the pool or spa requires licensure; however, the usage of such equipment for the purposes of water treatment or cleaning does not require licensure unless the usage involves construction, modification, substantial or complete disassembly, or replacement of such equipment. Water treatment that does not require such equipment does not require a license. In addition, a license is not required for the cleaning of the pool or spa in a way that~~



does not affect the structural integrity of the pool or spa or its associated equipment.

(m) "Plumbing contractor" means a contractor whose services are unlimited in the plumbing trade and includes contracting business consisting of the execution of contracts requiring the experience, financial means, knowledge, and skill to install, maintain, repair, alter, extend, or, if not prohibited by law, design plumbing. A plumbing contractor may install, maintain, repair, alter, extend, or, if not prohibited by law, design the following without obtaining an additional local regulatory license, certificate, or registration: sanitary drainage or storm drainage facilities, water and sewer plants and substations, venting systems, public or private water supply systems, septic tanks, drainage and supply wells, swimming pool piping, irrigation systems, and solar heating water systems and all appurtenances, apparatus, or equipment used in connection therewith, including boilers and pressure process piping and including the installation of water, natural gas, liquefied petroleum gas and related venting, and storm and sanitary sewer lines. The scope of work of the plumbing contractor also includes the design, if not prohibited by law, and installation, maintenance, repair, alteration, or extension of air-piping, vacuum line piping, oxygen line piping, nitrous oxide piping, and all related medical gas systems; fire line standpipes and fire sprinklers if authorized by law; ink and chemical lines; fuel oil and gasoline piping and tank and pump installation, except bulk storage plants; and pneumatic control piping systems, all in a manner that complies with all plans, specifications, codes, laws, and regulations applicable. The scope of work of the plumbing contractor applies to private property and public property, including any excavation work incidental thereto, and includes the work of the specialty plumbing contractor. Such contractor shall subcontract, with a qualified contractor in the field concerned, all other work incidental to the work but which is specified as being the work of a trade other than that of a plumbing contractor. This definition does not limit the scope of work of any specialty contractor certified pursuant to s. 489.113(6), and does not require certification or registration under this part of any authorized employee of a public natural gas utility or of a private natural gas utility regulated by the Public Service Commission when disconnecting and reconnecting water lines in the servicing or replacement of an existing water heater. A plumbing contractor may perform drain cleaning and clearing and install or repair rainwater catchment systems; however, a mandatory licensing requirement is not established for the performance of these specific services.

(n) "Underground utility and excavation contractor" means a contractor whose services are limited to the construction, installation, and repair, on public or private property, whether accomplished through open excavations or through other means, including, but not limited to, directional drilling, auger boring, jacking and boring, trenchless technologies, wet and dry taps, grouting, and slip lining, of main sanitary sewer collection systems, main water distribution systems, storm sewer collection systems, and the continuation of utility lines from the main systems to a point of termination up to and including the meter location for the individual occupancy, sewer collection systems at property line on residential or single-occupancy commercial properties, or on multi-occupancy properties at manhole or wye lateral extended to an invert elevation as engineered to accommodate future building sewers, water distribution systems, or storm sewer collection systems at storm sewer structures. However, an underground utility and excavation contractor may install empty underground conduits in rights-of-way, easements, platted rights-of-way in new site development, and sleeves for parking lot crossings no smaller than 2 inches in diameter if each conduit system installed is designed by a licensed professional engineer or an authorized employee of a municipality, county, or public utility and the installation of such conduit does not include installation of any conductor wiring or connection to an energized electrical system. An underground utility and excavation contractor may not install piping that is an integral part of a fire protection system as defined in s. 633.021 beginning at the point where the piping is used exclusively for such system.

(o) "Solar contractor" means a contractor whose services consist of the installation, alteration, repair, maintenance, relocation, or replacement of solar panels for potable solar water heating systems, swimming pool solar heating systems, and photovoltaic systems and any appurtenances, apparatus, or equipment used in connection therewith, whether public, private, or otherwise, regardless of use. A contractor, certified or registered pursuant to this chapter, is not required to become a certified or registered solar contractor or to contract with a solar contractor in

order to provide services enumerated in this paragraph that are within the scope of the services such contractors may render under this part.

(p) "Pollutant storage systems contractor" means a contractor whose services are limited to, and who has the experience, knowledge, and skill to install, maintain, repair, alter, extend, or design, if not prohibited by law, and use materials and items used in the installation, maintenance, extension, and alteration of, pollutant storage tanks. Any person installing a pollutant storage tank shall perform such installation in accordance with the standards adopted pursuant to s. 376.303.

(q) "Specialty contractor" means a contractor whose scope of work and responsibility is limited to a particular phase of construction established in a category adopted by board rule and whose scope is limited to a subset of the activities described in one of the paragraphs of this subsection.

Section 8. Effective October 1, 2014, subsection (2) of section 489.111, Florida Statutes, is amended to read:

489.111 Licensure by examination.—

(2) A person shall be eligible for licensure by examination if the person:

(a) Is 18 years of age;

(b) Is of good moral character; and

(c) Meets eligibility requirements according to one of the following criteria:

1. Has received a baccalaureate degree from an accredited 4-year college in the appropriate field of engineering, architecture, or building construction and has 1 year of proven experience in the category in which the person seeks to qualify. For the purpose of this part, a minimum of 2,000 person-hours shall be used in determining full-time equivalency.

2. Has a total of at least 4 years of active experience as a worker who has learned the trade by serving an apprenticeship as a skilled worker who is able to command the rate of a mechanic in the particular trade or as a foreman who is in charge of a group of workers and usually is responsible to a superintendent or a contractor or his or her equivalent, provided, however, that at least 1 year of active experience shall be as a foreman.

3. Has a combination of not less than 1 year of experience as a foreman and not less than 3 years of credits for any accredited college-level courses; has a combination of not less than 1 year of experience as a skilled worker, 1 year of experience as a foreman, and not less than 2 years of credits for any accredited college-level courses; or has a combination of not less than 2 years of experience as a skilled worker, 1 year of experience as a foreman, and not less than 1 year of credits for any accredited college-level courses. All junior college or community college-level courses shall be considered accredited college-level courses.

4.a. An active certified residential contractor is eligible to take the building contractors' examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is certified.

b. An active certified residential contractor is eligible to take the general contractors' examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

c. An active certified building contractor is eligible to take the general contractors' examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

5.a. An active certified air-conditioning Class C contractor is eligible to take the air-conditioning Class B contractors' examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is certified.

b. An active certified air-conditioning Class C contractor is eligible to take the air-conditioning Class A contractors' examination if he or she



possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

c. An active certified air-conditioning Class B contractor is eligible to take the air-conditioning Class A contractors' examination if he or she possesses a minimum of 1 year of proven experience in the classification in which he or she is certified.

6.a. An active certified swimming pool servicing contractor is eligible to take the residential swimming pool contractors' examination if he or she possesses a minimum of 3 years of proven experience in the classification in which he or she is certified.

b. An active certified swimming pool servicing contractor is eligible to take the swimming pool commercial contractors' examination if he or she possesses a minimum of 4 years of proven experience in the classification in which he or she is certified.

c. An active certified residential swimming pool contractor is eligible to take the commercial swimming pool contractors' examination if he or she possesses a minimum of 1 year of proven experience in the classification in which he or she is certified.

d. An applicant is eligible to take the swimming pool/spa servicing contractors' examination if he or she has satisfactorily completed 60 hours of instruction in courses and 20 hours of field hands-on instruction related to the scope of work covered by that license and approved by the Construction Industry Licensing Board by rule and has at least 1 year of proven experience related to the scope of work of such a contractor.

Section 9. *The amendments to s. 489.113(2), Florida Statutes, by section 11 of chapter 2012-13, Laws of Florida, are remedial in nature and intended to clarify existing law. This section applies retroactively to any action initiated or pending on or after March 23, 2012.*

Section 10. Paragraphs (c) and (f) of subsection (5) and subsection (6) of section 489.127, Florida Statutes, are amended to read:

#### 489.127 Prohibitions; penalties.—

(5) Each county or municipality may, at its option, designate one or more of its code enforcement officers, as defined in chapter 162, to enforce, as set out in this subsection, the provisions of subsection (1) and s. 489.132(1) against persons who engage in activity for which a county or municipal certificate of competency or license or state certification or registration is required.

(c) The local governing body of the county or municipality ~~may is~~ ~~authorized to~~ enforce codes and ordinances against unlicensed contractors under the provisions of this subsection and may enact an ordinance establishing procedures for implementing this subsection, including a schedule of penalties to be assessed by the code enforcement officer. The maximum civil penalty which may be levied ~~may shall~~ not exceed \$2,000 ~~\$500~~. Moneys collected pursuant to this subsection shall be retained locally, as provided for by local ordinance, and may be set aside in a specific fund to support future enforcement activities against unlicensed contractors.

(f) If the enforcement or licensing board or designated special magistrate finds that a violation exists, the enforcement or licensing board or designated special magistrate may order the violator to pay a civil penalty of not less than the amount set forth on the citation but not more than \$2,500 ~~\$1,000~~ per day for each violation. In determining the amount of the penalty, the enforcement or licensing board or designated special magistrate shall consider the following factors:

1. The gravity of the violation.
2. Any actions taken by the violator to correct the violation.
3. Any previous violations committed by the violator.

(6) Local building departments may collect outstanding fines against registered or certified contractors issued by the Construction Industry Licensing Board and may retain 75 ~~25~~ percent of the fines they are able to collect, provided that they transmit 25 ~~75~~ percent of the fines they are able to collect to the department according to a procedure to be determined by the department.

Section 11. Paragraph (a) of subsection (7) of section 489.131, Florida Statutes, is amended to read:

#### 489.131 Applicability.—

(7)(a) It is the policy of the state that the purpose of regulation is to protect the public by attaining compliance with the policies established in law. Fines and other penalties are provided in order to ensure compliance; ~~however, the collection of fines and the imposition of penalties are intended to be secondary to the primary goal of attaining compliance with state laws and local jurisdiction ordinances. It is the intent of the Legislature that a local jurisdiction agency charged with enforcing regulatory laws shall issue a notice of noncompliance as its first response to a minor violation of a regulatory law in any instance in which it is reasonable to assume that the violator was unaware of such a law or unclear as to how to comply with it. A violation of a regulatory law is a "minor violation" if it does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm. A "notice of noncompliance" is a notification by the local jurisdiction agency charged with enforcing the ordinance, which is issued to the licensee that is subject to the ordinance. A notice of noncompliance should not be accompanied with a fine or other disciplinary penalty. It should identify the specific ordinance that is being violated, provide information on how to comply with the ordinance, and specify a reasonable time for the violator to comply with the ordinance. Failure of a licensee to take action correcting the violation within a set period of time would then result in the institution of further disciplinary proceedings.~~

Section 12. Section 489.514, Florida Statutes, is amended to read:

489.514 Certification for registered contractors; grandfathering provisions.—

(1) The board shall, upon receipt of a completed application, appropriate fee, and proof of compliance with the provisions of this section, issue:

(a) To an applying registered electrical contractor, a certificate as an electrical contractor, as defined in s. 489.505(12); ~~or~~

(b) To an applying registered alarm system contractor, a certificate in the matching alarm system contractor category, as defined in s. 489.505(2)(a) or (b); or

(c) To an applying registered electrical specialty contractor, a certificate in the matching electrical specialty contractor category, as defined in s. 489.505(19).

(2) Any contractor registered under this part who makes application under this section to the board shall meet each of the following requirements for certification:

(a) Currently holds a valid registered local license in the category of electrical contractor, alarm system contractor, or electrical specialty contractor.

(b) Has, for that category, passed a written, proctored examination that the board finds to be substantially similar to the examination required to be licensed as a certified contractor under this part. For purposes of this subsection, a written, proctored examination such as that produced by the National Assessment Institute, Block and Associates, NAI/Block, Exporior Assessments, Professional Testing, Inc., or Assessment Systems, Inc., shall be considered to be substantially similar to the examination required to be licensed as a certified contractor. The board may not impose or make any requirements regarding the nature or content of these cited examinations.

(c) Has at least 5 years of experience as a contractor in that contracting category, or as an inspector or building administrator with oversight over that category, at the time of application. For contractors, only time periods in which the contractor license is active and the contractor is not on probation shall count toward the 5 years required under this subsection.

(d) Has not had his or her contractor's license revoked at any time, had his or her contractor's license suspended in the last 5 years, or been assessed a fine in excess of \$500 in the last 5 years.

(e) Is in compliance with the insurance and financial responsibility requirements in s. 489.515(1)(b).

(3) An applicant must make application by November 1, 2015 ~~2004~~, to be licensed pursuant to this section.

Section 13. Paragraph (c) and (f) of subsection (4) of section 489.531, Florida Statutes, are amended to read:

489.531 Prohibitions; penalties.—

(4) Each county or municipality may, at its option, designate one or more of its code enforcement officers, as defined in chapter 162, to enforce, as set out in this subsection, the provisions of subsection (1) against persons who engage in activity for which county or municipal certification is required.

(c) The local governing body of the county or municipality ~~may is authorized to~~ enforce codes and ordinances against unlicensed contractors under the provisions of this section and may enact an ordinance establishing procedures for implementing this section, including a schedule of penalties to be assessed by the code enforcement officers. The maximum civil penalty which may be levied ~~may shall~~ not exceed \$2,000 ~~\$500~~. Moneys collected pursuant to this section shall be retained locally as provided for by local ordinance and may be set aside in a specific fund to support future enforcement activities against unlicensed contractors.

(f) If the enforcement or licensing board or designated special magistrate finds that a violation exists, the enforcement or licensing board or designated special magistrate may order the violator to pay a civil penalty of not less than the amount set forth on the citation but not more than \$2,500 ~~\$500~~ per day for each violation. In determining the amount of the penalty, the enforcement or licensing board or designated special magistrate shall consider the following factors:

1. The gravity of the violation.
2. Any actions taken by the violator to correct the violation.
3. Any previous violations committed by the violator.

Section 14. Present subsections (6) through (11) of section 553.71, Florida Statutes, are redesignated as subsections (7) through (12), respectively, and a new subsection (6) is added to that section, to read:

553.71 Definitions.—As used in this part, the term:

(6) *“Local technical amendment” means an action by a local governing authority that results in a technical change to the Florida Building Code and its local enforcement.*

Section 15. Subsection (17) of section 553.73, Florida Statutes, is amended to read:

553.73 Florida Building Code.—

(17) ~~A provision The provisions of section R313 of the most current version of the International Residential Code relating to mandated fire sprinklers may not be incorporated into the Florida Building Code as adopted by the Florida Building Commission and may not be adopted as a local amendment to the Florida Building Code. This subsection does not prohibit the application of cost-saving incentives for residential fire sprinklers that are authorized in the International Residential Code upon a mutual agreement between the builder and the code official. This subsection does not apply to a local government that has a lawfully adopted ordinance relating to fire sprinklers which has been in effect since January 1, 2010.~~

Section 16. Subsection (1) of section 553.74, Florida Statutes, is amended to read:

553.74 Florida Building Commission.—

(1) The Florida Building Commission is created and located within the Department of Business and Professional Regulation for administrative purposes. Members ~~are shall be~~ appointed by the Governor subject to confirmation by the Senate. The commission ~~is shall be~~ composed of 26 ~~25~~ members, consisting of the following:

(a) One architect registered to practice in this state and actively engaged in the profession. The American Institute of Architects, Florida Section, is encouraged to recommend a list of candidates for consideration.

(b) One structural engineer registered to practice in this state and actively engaged in the profession. The Florida Engineering Society is encouraged to recommend a list of candidates for consideration.

(c) One air-conditioning or mechanical contractor certified to do business in this state and actively engaged in the profession. The Florida Air Conditioning Contractors Association, the Florida Refrigeration and Air Conditioning Contractors Association, and the Mechanical Contractors Association of Florida are encouraged to recommend a list of candidates for consideration.

(d) One electrical contractor certified to do business in this state and actively engaged in the profession. The Florida Electrical Contractors Association and the National Electrical Contractors Association, Florida Chapter, are encouraged to recommend a list of candidates for consideration.

(e) One member from fire protection engineering or technology who is actively engaged in the profession. The Florida Chapter of the Society of Fire Protection Engineers and the Florida Fire Marshals and Inspectors Association are encouraged to recommend a list of candidates for consideration.

(f) One general contractor certified to do business in this state and actively engaged in the profession. The Associated Builders and Contractors of Florida, the Florida Associated General Contractors Council, and the Union Contractors Association are encouraged to recommend a list of candidates for consideration.

(g) One plumbing contractor licensed to do business in this state and actively engaged in the profession. The Florida Association of Plumbing, Heating, and Cooling Contractors is encouraged to recommend a list of candidates for consideration.

(h) One roofing or sheet metal contractor certified to do business in this state and actively engaged in the profession. The Florida Roofing, Sheet Metal, and Air Conditioning Contractors Association and the Sheet Metal and Air Conditioning Contractors National Association are encouraged to recommend a list of candidates for consideration.

(i) One residential contractor licensed to do business in this state and actively engaged in the profession. The Florida Home Builders Association is encouraged to recommend a list of candidates for consideration.

(j) Three members who are municipal or district codes enforcement officials, one of whom is also a fire official. The Building Officials Association of Florida and the Florida Fire Marshals and Inspectors Association are encouraged to recommend a list of candidates for consideration.

(k) One member who represents the Department of Financial Services.

(l) One member who is a county codes enforcement official. The Building Officials Association of Florida is encouraged to recommend a list of candidates for consideration.

(m) One member of a Florida-based organization of persons with disabilities or a nationally chartered organization of persons with disabilities with chapters in this state.

(n) One member of the manufactured buildings industry who is licensed to do business in this state and is actively engaged in the industry. The Florida Manufactured Housing Association is encouraged to recommend a list of candidates for consideration.

(o) One mechanical or electrical engineer registered to practice in this state and actively engaged in the profession. The Florida Engineering Society is encouraged to recommend a list of candidates for consideration.

(p) One member who is a representative of a municipality or a charter county. The Florida League of Cities and the Florida Association

of Counties are encouraged to recommend a list of candidates for consideration.

(q) One member of the building products manufacturing industry who is authorized to do business in this state and is actively engaged in the industry. The Florida Building Material Association, the Florida Concrete and Products Association, and the Fenestration Manufacturers Association are encouraged to recommend a list of candidates for consideration.

(r) One member who is a representative of the building owners and managers industry who is actively engaged in commercial building ownership or management. The Building Owners and Managers Association is encouraged to recommend a list of candidates for consideration.

(s) One member who is a representative of the insurance industry. The Florida Insurance Council is encouraged to recommend a list of candidates for consideration.

(t) One member who is a representative of public education.

(u) One member who is a swimming pool contractor licensed to do business in this state and actively engaged in the profession. The Florida Swimming Pool Association and the United Pool and Spa Association are encouraged to recommend a list of candidates for consideration.

(v) One member who is a representative of the green building industry and who is a third-party commission agent, a Florida board member of the United States Green Building Council or Green Building Initiative, a professional who is accredited under the International Green Construction Code (IGCC), or a professional who is accredited under Leadership in Energy and Environmental Design (LEED).

(w) *One member who is a representative of a natural gas distribution system and who is actively engaged in the distribution of natural gas in this state. The Florida Natural Gas Association is encouraged to recommend a list of candidates for consideration.*

(x)(~~w~~) One member who shall be the chair.

Any person serving on the commission under paragraph (c) or paragraph (h) on October 1, 2003, and who has served less than two full terms is eligible for reappointment to the commission regardless of whether he or she meets the new qualification.

Section 17. Subsection (18) is added to section 553.79, Florida Statutes, to read:

553.79 Permits; applications; issuance; inspections.—

(18) *For the purpose of inspection and record retention, site plans for a building may be maintained in the form of an electronic copy at the worksite. These plans must be open to inspection by the building official or a duly authorized representative, as required by the Florida Building Code.*

Section 18. Paragraph (a) of subsection (5) of section 553.842, Florida Statutes, is amended to read:

553.842 Product evaluation and approval.—

(5) Statewide approval of products, methods, or systems of construction may be achieved by one of the following methods. One of these methods must be used by the commission to approve the following categories of products: panel walls, exterior doors, roofing, skylights, windows, shutters, *impact protective systems*, and structural components as established by the commission by rule. A product may not be advertised, sold, offered, provided, distributed, or marketed as hurricane, windstorm, or impact protection from wind-borne debris from a hurricane or windstorm unless it is approved pursuant to this section or s. 553.8425. Any person who advertises, sells, offers, provides, distributes, or markets a product as hurricane, windstorm, or impact protection from wind-borne debris without such approval is subject to the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501 brought by the enforcing authority as defined in s. 501.203.

(a) Products for which the code establishes standardized testing or comparative or rational analysis methods shall be approved by submittal

and validation of one of the following reports or listings indicating that the product or method or system of construction was in compliance with the Florida Building Code and that the product or method or system of construction is, for the purpose intended, at least equivalent to that required by the Florida Building Code:

1. A certification mark or listing of an approved certification agency, which may be used only for products for which the code designates standardized testing;

2. A test report from an approved testing laboratory;

3. A product evaluation report based upon testing or comparative or rational analysis, or a combination thereof, from an approved product evaluation entity; or

4. A product evaluation report based upon testing or comparative or rational analysis, or a combination thereof, developed and signed and sealed by a professional engineer or architect, licensed in this state.

A product evaluation report or a certification mark or listing of an approved certification agency which demonstrates that the product or method or system of construction complies with the Florida Building Code for the purpose intended is equivalent to a test report and test procedure referenced in the Florida Building Code. An application for state approval of a product under subparagraph 1. or 3. must be approved by the department after the commission staff or a designee verifies that the application and related documentation are complete. This verification must be completed within 10 business days after receipt of the application. Upon approval by the department, the product shall be immediately added to the list of state-approved products maintained under subsection (13). Approvals by the department shall be reviewed and ratified by the commission's program oversight committee except for a showing of good cause that a review by the full commission is necessary. The commission shall adopt rules providing means to cure deficiencies identified within submittals for products approved under this paragraph.

Section 19. Section 553.901, Florida Statutes, is amended to read:

553.901 Purpose of thermal efficiency code.—The Department of Business and Professional Regulation shall prepare a thermal efficiency code to provide for a statewide uniform standard for energy efficiency in the thermal design and operation of all buildings statewide, consistent with energy conservation goals, and to best provide for public safety, health, and general welfare. The Florida Building Commission shall adopt the *Florida Building Code-Energy Conservation* ~~Florida Energy Efficiency Code for Building Construction within the Florida Building Code~~, and shall modify, revise, update, and maintain the code to implement the provisions of this thermal efficiency code and amendments thereto, in accordance with the procedures of chapter 120. The department shall, at least triennially, determine the most cost-effective energy-saving equipment and techniques available and report its determinations to the commission, which shall update the code to incorporate such equipment and techniques. The proposed changes shall be made available for public review and comment no later than 6 months ~~before prior~~ to code implementation. The term “cost-effective,” ~~as used in for the purposes of this part, means shall be construed to mean~~ cost-effective to the consumer.

Section 20. Section 553.902, Florida Statutes, is reordered and amended to read:

553.902 Definitions.—~~As used in For the purposes of~~ this part, the term:

(2)(~~1~~) “Exempted building” means:

- (a) A ~~any~~ building or portion thereof whose peak design rate of energy usage for all purposes is less than 1 watt (3.4 Btu per hour) per square foot of floor area for all purposes.

- (b) A ~~any~~ building ~~that which~~ is neither heated nor cooled by a mechanical system designed to control or modify the indoor temperature and powered by electricity or fossil fuels.

- (c) A ~~any~~ building for which federal mandatory standards preempt state energy codes.

(d) A ~~Any~~ historical building as described in s. 267.021(3).

The Florida Building Commission may recommend to the Legislature additional types of buildings which should be exempted from compliance with the *Florida Building Code-Energy Conservation* ~~Florida Energy Efficiency Code for Building Construction~~.

(4)(2) "HVAC" means a system of heating, ventilating, and air-conditioning.

(6)(2) "Renovated building" means a residential or nonresidential building undergoing alteration that varies or changes insulation, HVAC systems, water heating systems, or exterior envelope conditions, ~~if provided~~ the estimated cost of renovation exceeds 30 percent of the assessed value of the structure.

(5)(4) "Local enforcement agency" means the agency of local government which has the authority to make inspections of buildings and to enforce the Florida Building Code. ~~The term~~ ~~it~~ includes any agency within the definition of s. 553.71(5).

(3)(5) "Exterior envelope physical characteristics" means the physical nature of those elements of a building which enclose conditioned spaces through which energy may be transferred to or from the exterior.

(1)(6) "Energy performance level" means the indicator of the energy-related performance of a building, including, but not limited to, the levels of insulation, the amount and type of glass, and the HVAC and water heating system efficiencies.

Section 21. Section 553.903, Florida Statutes, is amended to read:

553.903 Applicability.—This part ~~applies~~ ~~shall apply~~ to all new and renovated buildings in the state, except exempted buildings, for which building permits are obtained after March 15, 1979, and to the installation or replacement of building systems and components with new products for which thermal efficiency standards are set by the *Florida Building Code-Energy Conservation* ~~Florida Energy Efficiency Code for Building Construction~~. The provisions of this part shall constitute a statewide uniform code.

Section 22. Section 553.904, Florida Statutes, is amended to read:

553.904 Thermal efficiency standards for new nonresidential buildings.—Thermal designs and operations for new nonresidential buildings for which building permits are obtained after March 15, 1979, ~~must~~ ~~shall~~ at a minimum take into account exterior envelope physical characteristics, including thermal mass; HVAC, service water heating, energy distribution, lighting, energy managing, and auxiliary systems design and selection; and HVAC, service water heating, energy distribution, lighting, energy managing, and auxiliary equipment performance, and ~~are~~ ~~shall not be~~ required to meet standards more stringent than the provisions of the *Florida Building Code-Energy Conservation* ~~Florida Energy Efficiency Code for Building Construction~~.

Section 23. Section 553.905, Florida Statutes, is amended to read:

553.905 Thermal efficiency standards for new residential buildings.—Thermal designs and operations for new residential buildings for which building permits are obtained after March 15, 1979, ~~must~~ ~~shall~~ at a minimum take into account exterior envelope physical characteristics, HVAC system selection and configuration, HVAC equipment performance, and service water heating design and equipment selection and ~~are~~ ~~shall not be~~ required to meet standards more stringent than the provisions of the *Florida Building Code-Energy Conservation* ~~Florida Energy Efficiency Code for Building Construction~~. HVAC equipment mounted in an attic or a garage ~~is~~ ~~shall not be~~ required to have supplemental insulation in addition to that installed by the manufacturer. All new residential buildings, except those herein exempted, ~~must~~ ~~shall~~ have insulation in ceilings rated at R-19 or more, space permitting. Thermal efficiency standards do not apply to a building of less than 1,000 square feet which is not primarily used as a principal residence and which is constructed and owned by a natural person for hunting or similar recreational purposes; however, ~~no~~ such person may ~~not~~ build more than one exempt building in any 12-month period.

Section 24. Section 553.906, Florida Statutes, is amended to read:

553.906 Thermal efficiency standards for renovated buildings.—Thermal designs and operations for renovated buildings for which building permits are obtained after March 15, 1979, ~~must~~ ~~shall~~ take into account insulation; windows; infiltration; and HVAC, service water heating, energy distribution, lighting, energy managing, and auxiliary systems design and equipment selection and performance. Such buildings ~~are~~ ~~shall not be~~ required to meet standards more stringent than the provisions of the *Florida Building Code-Energy Conservation* ~~Florida Energy Efficiency Code for Building Construction~~. These standards apply only to those portions of the structure which are actually renovated.

Section 25. Section 553.912, Florida Statutes, is amended to read:

553.912 Air conditioners.—All air conditioners that are sold or installed in the state ~~must~~ ~~shall~~ meet the minimum efficiency ratings of the *Florida Building Code-Energy Conservation* ~~Energy Efficiency Code for Building Construction~~. These efficiency ratings ~~must~~ ~~shall~~ be minimums and may be updated in the *Florida Building Code-Energy Conservation* ~~Florida Energy Efficiency Code for Building Construction~~ by the department in accordance with s. 553.901, following its determination that more cost-effective energy-saving equipment and techniques are available. It is the intent of the Legislature that all replacement air-conditioning systems ~~in residential applications~~ be installed using energy-saving, quality installation procedures, including, but not limited to, equipment sizing analysis and duct inspection. ~~Notwithstanding this section, existing heating and cooling equipment in residential applications need not meet the minimum equipment efficiencies, including system sizing and duct sealing.~~

Section 26. Section 553.991, Florida Statutes, is amended to read:

553.991 Purpose.—The purpose of this part is to ~~identify systems provide for a statewide uniform system~~ for rating the energy efficiency of buildings. It is in the interest of the state to encourage the consideration of the energy-efficiency rating ~~systems~~ ~~system~~ in the market so as to provide market rewards for energy-efficient buildings and to those persons or companies designing, building, or selling energy-efficient buildings.

Section 27. ~~Section 553.992, Florida Statutes, is repealed.~~

Section 28. Section 553.993, Florida Statutes, is amended to read:

553.993 Definitions.—For purposes of this part:

(1) "Acquisition" means to gain the sole or partial use of a building through a purchase agreement.

(2) "Builder" means the primary contractor who possesses the requisite skill, knowledge, and experience, and has the responsibility, to supervise, direct, manage, and control the contracting activities of the business organization with which she or he is connected and who has the responsibility to supervise, direct, manage, and control the construction work on a job for which she or he has obtained the building permit. Construction work includes, but is not limited to, foundation, framing, wiring, plumbing, and finishing work.

(3) "Building energy-efficiency rating system" means a whole building energy evaluation system established by the Residential Energy Services Network, the Commercial Energy Services Network, the Building Performance Institute, or the Florida Solar Energy Center.

(4)(2) "Designer" means the architect, engineer, landscape architect, builder, interior designer, or other person who performs the actual design work or under whose direct supervision and responsible charge the construction documents are prepared.

(5) "Energy auditor" means a trained and certified professional who conducts energy evaluations of an existing building and uses tools to identify the building's current energy usage and the condition of the building and equipment.

(6) "Energy-efficiency rating" means an unbiased indication of a building's relative energy efficiency based on consistent inspection procedures, operating assumptions, climate data, and calculation methods.

(7) “Energy rater” means an individual certified by a building energy-efficiency rating system to perform building energy-efficiency ratings for the building type and in the rating class for which the rater is certified.

(8)(4) “New building” means commercial occupancy buildings permitted for construction after January 1, 1995, and residential occupancy buildings permitted for construction after January 1, 1994.

(9)(6) “Public building” means a building comfort-conditioned for occupancy that is owned or leased by the state, a state agency, or a governmental subdivision, including, but not limited to, a city, county, or school district.

Section 29. Section 553.994, Florida Statutes, is amended to read:

553.994 Applicability.—*Building energy-efficiency* ~~The rating systems system shall~~ apply to all public, commercial, and residential buildings in the state.

Section 30. Section 553.995, Florida Statutes, is amended to read:

553.995 Energy-efficiency ratings for buildings.—

(1) *Building* ~~The energy-efficiency rating systems must, system shall~~ at a minimum:

(a) ~~Provide a uniform rating scale of the efficiency of buildings based on annual energy usage.~~

(a)(b) Take into account local climate conditions, construction practices, and building use.

(b)(c) Be compatible with standard federal rating systems and state building codes and standards, where applicable, and shall satisfy the requirements of s. 553.9085 with respect to residential buildings and s. 255.256 with respect to state buildings.

(c)(2) ~~The energy-efficiency rating system adopted by the department shall~~ Provide a means of analyzing and comparing the relative energy efficiency of buildings upon the sale of new or existing residential, public, or commercial buildings.

(3) ~~The department shall establish a voluntary working group of persons interested in the energy efficiency rating system or energy efficiency, including, but not limited to, such persons as electrical engineers, mechanical engineers, architects, public utilities, and builders. The interest group shall advise the department in the development of the energy efficiency rating system and shall assist the department in the implementation of the rating system by coordinating educational programs for designers, builders, businesses, and other interested persons to assist compliance and to facilitate incorporation of the rating system into existing practices.~~

(2)(a)(4) ~~The department shall develop a training and certification program to certify raters. In addition to the department, Ratings may be conducted by a any local government or private entity if, provided that the appropriate persons have completed the necessary training established by the applicable building energy-efficiency rating system and have been certified by the department.~~

(b) The Department of Management Services shall rate state-owned or state-leased buildings if, ~~provided that~~ the appropriate persons have completed the necessary training ~~established by the applicable building energy-efficiency rating system and have been certified by the Department of Business and Professional Regulation.~~

(c) A state agency ~~that which~~ has building construction regulation authority may rate its own buildings and those it is responsible for; if the appropriate persons have completed the necessary training ~~established by the applicable building energy-efficiency rating system and have been certified by the Department of Business and Professional Regulation. The Department of Business and Professional Regulation may charge a fee not to exceed the costs for the training and certification of raters. The department shall by rule set the appropriate charges for raters to charge for energy ratings, not to exceed the actual costs.~~

Section 31. Section 553.996, Florida Statutes, is amended to read:

553.996 Energy-efficiency information provided by building energy-efficiency rating systems providers ~~brochure.~~—A prospective purchaser of real property with a building for occupancy located thereon shall be provided with a copy of an information brochure, at the time of or before ~~prior to~~ the purchaser’s execution of the contract for sale and purchase ~~which notifies, notifying~~ the purchaser of the option for an energy-efficiency rating on the building. *Building energy-efficiency rating system providers identified in this part shall prepare such information and make it available for distribution. Such brochure shall be prepared, made available for distribution, and provided at no cost by the department. Such brochure shall contain information relevant to that class of building must include, including, but need not be limited to:*

(1) How to analyze the building’s energy-efficiency rating.

(2) Comparisons to statewide averages for new and existing construction of that class.

(3) Information concerning methods to improve the building’s energy-efficiency rating.

(4) A notice to residential purchasers that the energy-efficiency rating may qualify the purchaser for an energy-efficient mortgage from lending institutions.

Section 32. Subsection (2) of section 553.997, Florida Statutes, is amended to read:

553.997 Public buildings.—

(2) ~~The department, together with other~~ State agencies having building construction and maintenance responsibilities, shall make available energy-efficiency practices information to be used by individuals involved in the design, construction, retrofitting, and maintenance of buildings for state and local governments.

Section 33. Section 553.998, Florida Statutes, is amended to read:

553.998 Compliance.—All ratings ~~shall~~ be determined using tools and procedures developed by the systems recognized under this part ~~adopted by the department by rule in accordance with chapter 120 and must shall~~ be certified by the rater as accurate and correct and in compliance with procedures of the system under which the rater is certified ~~adopted by the department by rule in accordance with chapter 120.~~

Section 34. Except as otherwise explicitly stated elsewhere, this act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to building construction; amending s. 162.12, F.S.; revising notice requirements in the Local Government Code Enforcement Boards Act; amending ss. 255.20 and 255.2575, F.S.; requiring governmental entities to specify certain products associated with public works projects; providing for applicability; amending s. 255.257, F.S.; requiring state agencies to use certain building rating systems and building codes for each new construction and renovation project; amending s. 381.0065, F.S.; specifying that certain actions relating to onsite sewage treatment and removal are not required if a bedroom is not added during a remodeling addition or modification to a single-family home; prohibiting a remodeling addition or modification from certain coverage or encroachment; authorizing a local health board to review specific plans; requiring a review to be completed within a specific time period after receipt of specific plans; amending s. 489.103, F.S.; providing for additional exemptions; amending s. 489.105, F.S.; revising definitions; amending s. 489.111, F.S.; revising eligibility criteria to take the swimming pool/spa examination; providing that amendments to s. 489.113(2), F.S., enacted in s. 11, ch. 2012-13, Laws of Florida, are remedial and intended to clarify existing law; providing for retroactivity; amending s. 489.127, F.S.; revising civil penalties; authorizing a local building department to retain 75 percent of certain fines collected if it transmits 25 percent to the Department of Business and Professional Regulation; amending s. 489.131, F.S.; deleting legislative intent referring to a local agency’s enforcement of regulatory laws; deleting the definitions of “minor violation” and “notice of noncompliance”; deleting provisions that provide for what a notice of noncompliance should or should not include; deleting a provision that provides for further disciplinary proceedings for certain licensees; amending s. 489.514, F.S.;

extending the date by which an applicant must make application for a license to be grandfathered; amending s. 489.531, F.S.; revising maximum civil penalties for specified violations; amending s. 553.71, F.S.; providing a definition for the term “local technical amendment”; amending s. 553.73, F.S.; prohibiting any provision of the International Residential Code relating to mandated fire sprinklers from incorporation into the Florida Building Code; amending s. 553.74, F.S.; revising membership of the Florida Building Commission; amending s. 553.79, F.S.; authorizing a site plan to be maintained at the worksite as an electronic copy; requiring the copy to be open to inspection by certain officials; amending s. 553.842, F.S.; requiring an application for state approval of a certain product to be approved by the department after the application and related documentation are complete; amending ss. 553.901, 553.902, 553.903, 553.904, 553.905, and 553.906, F.S.; requiring the Florida Building Commission to adopt the Florida Building Code-Energy Conservation; conforming subsequent sections of the thermal efficiency code; amending s. 553.912, F.S.; requiring replacement air conditioning systems in residential applications to use energy-saving quality installation procedures; providing that certain existing heating and cooling equipment is not required to meet the minimum equipment efficiencies; amending s. 553.991, F.S.; revising the purpose of the Florida Building Energy-Efficiency Rating Act; repealing s. 553.992, F.S., relating to the adoption of a rating system; amending s. 553.993, F.S.; providing definitions; amending s. 553.994, F.S.; providing for the applicability of building energy-efficiency rating systems; amending s. 553.995, F.S.; deleting a minimum requirement for the building energy-efficiency rating systems; revising language; deleting provisions relating to a certain interest group; deleting provisions relating to the Department of Business and Professional Regulation; amending s. 553.996, F.S.; requiring building energy-efficiency rating system providers to provide certain information; amending s. 553.997, F.S.; deleting a provision relating to the department; amending s. 553.998, F.S.; revising provisions relating to rating compliance; providing effective dates.

Senator Stargel moved the following amendment to **Amendment 1 (117882)** which was adopted:

**Amendment 1A (553348) (with title amendment)**—Delete lines 200-656 and insert:

Section 6. Section 489.1131, Florida Statutes, is created to read:

*489.1131 Pool/Spa Cleaning.—Any person who cleans a pool or spa in a way that affects the structural integrity of the pool or spa or its associated equipment without being properly licensed as required by this part is subject to the provisions of s. 489.127.*

And the title is amended as follows:

Delete lines 1345-1349 and insert: receipt of specific plans; creating s. 489.1131, F.S.; clarifying penalties for unauthorized contracting by pool/spa cleaners; providing that

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Detert moved the following amendment to **Amendment 1 (117882)**:

**Amendment 1B (290052) (with title amendment)**—Delete lines 953-955 and insert:

Section 17. Paragraph (a) of subsection (5) of section 553.79, Florida Statutes, is amended, and subsection (18) is added to that section, to read:

553.79 Permits; applications; issuance; inspections.—

(5)(a) The enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to and approved by the enforcing agency ~~before~~ ~~prior to~~ the issuance of a building permit for the construction of a threshold building. The purpose of the structural inspection plan is to provide specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents. The special inspector may not serve as a surrogate in carrying out the responsibilities of the building official, the architect, or the engineer of record. The contractor's con-

tractual or statutory obligations are not relieved by any action of the special inspector. The special inspector shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency. A fee simple title owner of a building, which does not meet the minimum size, height, occupancy, occupancy classification, or number-of-stories criteria which would result in classification as a threshold building under s. 553.71(12) ~~553.71(11)~~, may designate such building as a threshold building, subject to more than the minimum number of inspections required by the Florida Building Code.

And the title is amended as follows:

Delete line 1376 and insert: Commission; amending s. 553.79, F.S.; conforming a cross-reference; authorizing a

On motion by Senator Detert, further consideration of **CS for CS for HB 269** with pending **Amendment 1 (117882)** as amended and pending **Amendment 1B (290052)** was deferred.

**SB 742**—A bill to be entitled An act relating to parole interview dates for certain inmates; amending ss. 947.16, 947.174, and 947.1745, F.S.; extending from 2 years to 7 years the period between parole interview dates for inmates convicted of committing certain specified crimes; reenacting s. 947.165(1), F.S., relating to the development and implementation by the Parole Commission of objective parole guidelines to serve as the criteria upon which parole decisions are to be made, to incorporate the amendments made to s. 947.1745, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 742**, on motion by Senator Evers, by two-thirds vote **HB 685** was withdrawn from the Committees on Criminal Justice; Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Evers—

**HB 685**—A bill to be entitled An act relating to parole interview dates for certain inmates; amending ss. 947.16, 947.174, and 947.1745, F.S.; extending from 2 years to 7 years the period between parole interview dates for inmates convicted of committing specified crimes; requiring a periodic parole interview for an inmate convicted of kidnapping or attempted kidnapping or robbery, burglary of a dwelling, burglary of a structure or conveyance, or breaking and entering, or the attempt thereof of any of these crimes, in which a human being is present and a sexual act is attempted or completed; reenacting s. 947.165(1), F.S., relating to objective parole guidelines, to incorporate the amendment made by this act to s. 947.1745, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **SB 742** and read the second time by title.

Pursuant to Rule 4.19, **HB 685** was placed on the calendar of Bills on Third Reading.

**CS for SB 860**—A bill to be entitled An act relating to workers' compensation system administration; amending s. 440.02, F.S.; revising a definition; amending s. 440.05, F.S.; revising requirements relating to submitting notice of election of exemption; amending s. 440.102, F.S.; conforming a cross-reference; amending s. 440.107, F.S.; revising effectiveness of stop-work orders and penalty assessment orders; amending s. 440.11, F.S.; revising immunity from liability standards for employers and employees using a help supply services company; amending s. 440.13, F.S.; deleting and revising definitions; revising health care provider requirements and responsibilities; deleting rulemaking authority and responsibilities of the Department of Financial Services; revising provider reimbursement dispute procedures; revising penalties for certain violations or overutilization of treatment; deleting certain Office of Insurance Regulation audit requirements; deleting provisions providing for removal of physicians from lists of those authorized to render medical care under certain conditions; amending s. 440.15, F.S.; revising limitations on compensation for temporary total disability; amending s.

440.185, F.S.; revising and deleting penalties for noncompliance relating to duty of employer upon receipt of notice of injury or death; amending s. 440.20, F.S.; transferring certain responsibilities of the office to the department; deleting certain responsibilities of the department; amending s. 440.211, F.S.; deleting a requirement that a provision that is mutually agreed upon in any collective bargaining agreement be filed with the department; amending s. 440.385, F.S.; conforming cross-references; amending s. 440.491, F.S.; revising certain carrier reporting requirements; revising duties of the department upon referral of an injured employee; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 860**, on motion by Senator Galvano, by two-thirds vote **CS for CS for HB 553** was withdrawn from the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Appropriations.

On motion by Senator Galvano—

**CS for CS for HB 553**—A bill to be entitled An act relating to workers' compensation system administration; amending s. 440.02, F.S.; revising a definition for purposes of workers' compensation; amending s. 440.05, F.S.; revising requirements relating to submitting notice of election of exemption; amending s. 440.102, F.S.; conforming a cross-reference; amending s. 440.107, F.S.; revising effectiveness of stop-work orders and penalty assessment orders; amending s. 440.11, F.S.; revising immunity from liability standards for employers and employees using a help supply services company; amending s. 440.13, F.S.; deleting and revising definitions; revising health care provider requirements and responsibilities; deleting rulemaking authority and responsibilities of the Department of Financial Services; revising provider reimbursement dispute procedures; revising penalties for certain violations or over-utilization of treatment; deleting certain Office of Insurance Regulation audit requirements; deleting provisions providing for removal of physicians from lists of those authorized to render medical care under certain conditions; amending s. 440.15, F.S.; revising limitations on compensation for temporary total disability; amending s. 440.185, F.S.; revising and deleting penalties for noncompliance relating to duty of employer upon receipt of notice of injury or death; amending s. 440.20, F.S.; transferring certain responsibilities of the office to the department; deleting certain responsibilities of the department; amending s. 440.211, F.S.; deleting a requirement that a provision that is mutually agreed upon in any collective bargaining agreement be filed with the department; amending s. 440.385, F.S.; correcting cross-references; amending s. 440.491, F.S.; revising certain carrier reporting requirements; revising duties of the department upon referral of an injured employee; providing an effective date.

—a companion measure, was substituted for **CS for SB 860** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 553** was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 960**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending ss. 212.05 and 212.08, F.S.; providing a sales tax exemption for dyed diesel fuel used in commercial shrimping; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 960**, on motion by Senator Bean, by two-thirds vote **CS for HB 423** was withdrawn from the Committees on Commerce and Tourism; Appropriations Subcommittee on Finance and Tax; and Appropriations.

On motion by Senator Bean, the rules were waived and—

**CS for HB 423**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.05, F.S.; providing an exception to sales tax for dyed diesel fuel used in vessels for commercial fishing and aquacultural purposes; amending s. 212.0501, F.S.; providing an exception from sales tax collected by a licensed sales tax dealer for dyed diesel fuel used in vessels for commercial fishing and aquacultural purposes; amending s. 212.08, F.S.; providing a sales tax exemption for

dyed diesel fuel used in vessels for commercial fishing and aquacultural purposes; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 960** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 423** was placed on the calendar of Bills on Third Reading.

**CS for SB 1246**—A bill to be entitled An act relating to public retirement plans; amending ss. 185.03 and 185.08, F.S.; specifying applicability of ch. 185, F.S., to certain consolidated governments; providing that a consolidated government that has entered into an interlocal agreement to provide police protection services to a municipality within its boundaries is eligible to receive the premium taxes reported for the municipality under certain circumstances; authorizing the municipality receiving the police protection services to enact an ordinance levying the tax as provided by law; providing an effective date.

—was read the second time by title. On motion by Senator Bean, by two-thirds vote **CS for SB 1246** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Montford
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Negron

**CS for SB 1280**—A bill to be entitled An act relating to tax dealer collection allowances; amending s. 212.12, F.S.; revising the process for dealers to elect to forgo the sales tax collection allowance and direct that the collection allowance amount be transferred into the Educational Enhancement Trust Fund; providing applicability; providing an effective date.

—was read the second time by title. On motion by Senator Sachs, by two-thirds vote **CS for SB 1280** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Montford
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Negron

**CS for SB 1390**—A bill to be entitled An act relating to school district innovation; providing a short title; amending s. 196.1983, F.S.; granting school districts the ad valorem tax exemption given to charter schools; requiring a landlord to certify compliance by affidavit; amending s. 1002.31, F.S.; providing a calculation for compliance with class size maximums for a public school of choice; creating s. 1003.622, F.S.; creating innovation schools to allow school districts to earn flexibility for high academic achievement; specifying school and student eligibility requirements; limiting the number of innovation schools that may be operated and established in a school district; providing guiding principles for innovation schools; requiring innovation schools to personalize education for each student; establishing an application process; specifying requirements of a performance contract between the State Board of Education and a school district; establishing the term of the performance contract; providing for a Region of Innovation in which three or more school districts enter into a joint performance contract; requiring the State Board of Education to monitor innovation schools for compliance with the act and performance contracts; requiring the State Board of Education to adopt rules; providing that a participating school district has autonomy in certain areas; exempting innovation schools from ch. 1000-1013, F.S., subject to certain exceptions; exempting such districts from certain ad valorem taxes and other requirements; providing for funding; requiring a school district with an innovation school to submit an annual report to the State Board of Education and the Legislature; specifying requirements for such report; providing an effective date.

—was read the second time by title. On motion by Senator Montford, by two-thirds vote **CS for SB 1390** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

Consideration of **CS for SB 154** was deferred.

## THE PRESIDENT PRESIDING

**CS for CS for CS for SB 242**—A bill to be entitled An act relating to the Interstate Insurance Product Regulation Compact; providing legislative findings and intent; providing purposes; providing definitions; providing for the establishment of an Interstate Insurance Product Regulation Commission; providing responsibilities of the commission; specifying the commission as an instrumentality of the compacting states; providing for venue; specifying the commission as a separate, not-for-profit entity; providing powers of the commission; providing for organization of the commission; providing for membership, voting, and bylaws; designating the Commissioner of Insurance Regulation as the representative of the state on the commission; allowing the commissioner to designate a person to represent the state on the commission, as is necessary, to fulfill the duties of being a member of the commission; providing for a management committee, officers, and personnel of the commission; providing authority of the management committee; providing for legislative and advisory committees; providing for qualified immunity, defense, and indemnification of members, officers, employees,

and representatives of the commission; providing for meetings and acts of the commission; providing rules and operating procedures; providing rulemaking functions of the commission; providing for opting out of uniform standards; providing procedures and requirements; providing for commission records and enforcement; authorizing the commission to adopt rules; providing for disclosure of certain information; specifying that certain records, data, or information of the commission, wherever received, by and in possession of the Office of Insurance Regulation is subject to ch. 119, F.S.; requiring the commission to monitor for compliance; providing for dispute resolution; providing for product filing and approval; requiring the commission to establish filing and review processes and procedures; providing for review of commission decisions regarding filings; providing for finance of commission activities; providing for payment of expenses; authorizing the commission to collect filing fees for certain purposes; providing for approval of a commission budget; exempting the commission from all taxation, except as otherwise provided; prohibiting the commission from pledging the credit of any compacting states without authority; requiring the commission to keep complete accurate accounts, provide for audits, and make annual reports to the Governors and Legislatures of compacting states; providing for amendment of the compact; providing for withdrawal from the compact, default by compacting states, and dissolution of the compact; providing severability and construction; providing for binding effect of this compact and other laws; prospectively opting out of all uniform standards adopted by the commission involving long-term care insurance products; adopting all other existing uniform standards that have been adopted by the commission; providing a procedure for opting out of and adopting new uniform standards or amendments to existing standards; providing for the preemption of certain state laws; requiring the office to notify the Legislature of any new uniform standards or amendments to existing standards; providing that the commission is subject to certain state tax requirements; providing for public access to records; authorizing the Financial Services Commission to adopt rules to implement this act; providing that if any part of this act is invalidated the entire act is invalid; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 242**, on motion by Senator Hukill, by two-thirds vote **CS for CS for HB 383** was withdrawn from the Committees on Banking and Insurance; Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Hukill—

**CS for CS for HB 383**—A bill to be entitled An act relating to the Interstate Insurance Product Regulation Compact; providing legislative findings and intent; providing purposes; providing definitions; providing for the establishment of an Interstate Insurance Product Regulation Commission; providing responsibilities of the commission; specifying the commission as an instrumentality of the compacting states; providing for venue; specifying the commission as a separate, not-for-profit entity; providing powers of the commission; providing for organization of the commission; providing for membership, voting, and bylaws; designating the Commissioner of Insurance Regulation as the representative of the state on the commission; authorizing the Commissioner of Insurance to designate a person to represent the state on the commission; providing for a management committee, officers, and personnel of the commission; providing authority of the management committee; providing for legislative and advisory committees; providing for qualified immunity, defense, and indemnification of members, officers, employees, and representatives of the commission; providing for meetings and acts of the commission; providing rules and operating procedures; providing rulemaking functions of the commission; providing for opting out of uniform standards; providing procedures and requirements; providing for commission records and enforcement; authorizing the commission to adopt rules; providing for disclosure of certain information; specifying that certain records, data, or information of the commission, wherever received, by and in possession of the Office of Insurance Regulation, the commissioner, or the commissioner's designee are subject to ch. 119, F.S.; requiring the commission to monitor for compliance; providing for dispute resolution; providing for product filing and approval; requiring the commission to establish filing and review processes and procedures; providing for review of commission decisions regarding filings; providing for finance of commission activities; providing for payment of expenses; authorizing the commission to collect filing fees for certain purposes; providing for approval of a commission budget; exempting the commis-



sion from all taxation, except as otherwise provided by the act; prohibiting the commission from pledging the credit of any compacting states without authority; requiring the commission to keep complete accurate accounts, provide for audits, and make annual reports to the Governors and Legislatures of compacting states; providing for amendment of the compact; providing for withdrawal from the compact, default by compacting states, and dissolution of the compact; providing severability and construction; providing for binding effect of this compact and other laws; prospectively opting out of all uniform standards adopted by the commission involving long-term care insurance products; adopting all other existing uniform standards that have been adopted by the commission; providing a procedure for adoption of any new uniform standards or amendments to existing uniform standards of the commission; requiring the office to notify the Legislature of any new uniform standards or amendments to existing uniform standards of the commission; providing that any new uniform standards or amendments to existing uniform standards of the commission may only be adopted via legislation; providing for applicability with respect to taxation of the commission; providing for applicability and process with respect to certain requests for inspection and copying of information, data, or records; authorizing the Financial Services Commission to adopt rules to implement this act and opt out of certain uniform standards; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 242** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Hukill moved the following amendment which was adopted:

**Amendment 1 (760430) (with title amendment)**—Delete lines 1053-1133 and insert:

**Section 3. Opt out from long-term care products standards.**—Pursuant to Article VII of the Interstate Insurance Product Regulation Compact, adopted by this act, this state prospectively opts out of all uniform standards adopted by the Interstate Insurance Product Regulation Commission involving long-term care insurance products, and such opt out may not be treated as a material variance in the offer or acceptance of this state to participate in the compact.

**Section 4. Effective date of compact standards; opt out procedures; state law exemptions; legislative notice.**—

(1) Except as provided in section 3 of this act and this section, all uniform standards adopted by the Interstate Insurance Product Regulation Commission as of March 1, 2013, are adopted by this state.

(2) Notwithstanding subsections (3), (4), (5), and (6) of Article VII of the Interstate Insurance Product Regulation Compact as adopted by this act, it is the policy of this state as a participant in the compact:

(a) To opt out, and for the Office of Insurance Regulation to opt out, of any new uniform standard, or amendments to existing uniform standards, adopted by the Interstate Insurance Product Regulation Commission after March 1, 2013, if such amendments substantially alter or add to existing uniform standards adopted by this state pursuant to subsection (1) until such time as this state enacts legislation to adopt or opt out of, adopts rules to adopt or opt out of, or executes an order to adopt or opt out of new uniform standards or amendments to existing standards adopted by the commission after March 1, 2013.

(b) That, notwithstanding the adoption of the Interstate Product Regulation Compact pursuant to this act, participation in the compact is contingent upon a determination by the Commissioner of Insurance Regulation that the uniform standards of the compact provide consumer protections equivalent to those under state law and, if the commissioner determines otherwise, an order issued by the Office of Insurance Regulation constitutes the action required by the commission to not join the compact, to opt out of, or to stay the effect of, any uniform standard not otherwise opted out of pursuant to this act.

(c) That the authority under the compact to opt out of a uniform standard includes an order issued under chapter 120, Florida Statutes, of the Administrative Procedure Act.

(3) In addition to any other uniform standards the state may opt out of pursuant to subsection (2), effective July 1, 2014, this subsection con-

stitutes the legislation required to be enacted pursuant to subsections (4) and (5) of Article VII of the Interstate Insurance Product Regulation Compact by which this state opts out of the following uniform standards adopted by the Interstate Insurance Product Regulation Commission:

a. The 10-day period for the unconditional refund of premiums, plus any fees or charges under s. 626.99, Florida Statutes.

b. Underwriting criteria limiting the amount, extent, or kind of life insurance based on past or future travel in a manner that is inconsistent with s. 626.9541(1)(dd), Florida Statutes, as implemented by the Office of Insurance Regulation.

(4) It is the policy of this state that the exclusivity provision of paragraph (2)(b) of Article XVI of the Interstate Insurance Product Regulation Compact applies only to those uniform standards adopted by the Interstate Insurance Product Regulation Commission in accordance with the terms of the compact and does not apply to those standards that this state has opted out of pursuant to this act or the compact. In addition, it is the policy of this state that under the exclusivity provision, standards adopted by this state are not limited or rendered inapplicable by the absence of a standard adopted by the commission. Notwithstanding paragraph (2)(b) of Article XVI of the compact, standards adopted by this state continue to apply to the content, approval, and certification of products in this state, including, but not limited to, the following:

a. Prohibition of a surrender or deferred sales charge of more than 10 percent pursuant to s. 627.4554, Florida Statutes.

b. Notification to an applicant of the right to designate a secondary addressee at the time of application under s. 627.4555, Florida Statutes.

c. Notification of secondary addressees at least 21 days before the impending lapse of a policy under s. 627.4555, Florida Statutes.

d. Inclusion of a clear statement pursuant to s. 627.803, Florida Statutes, that the benefits, values, or premiums under a variable annuity are indeterminate and may vary.

e. Interest on surrender proceeds pursuant to s. 627.482, Florida Statutes.

(5) After enactment of this section, if the Interstate Insurance Product Regulation Commission adopts any new uniform standard or amendment to the existing uniform standard as specified in subsection (2), the Office of Insurance Regulation shall immediately notify the Legislature of such new standard or amendment. If the office or the court finds that the procedure specified in subsection (2) has not been followed, notice shall be given to the Legislature.

**Section 5. Notwithstanding subsection (4) of Article XII of the Interstate Insurance Product Regulation Compact, the Interstate Insurance Product Regulation Commission is subject to:**

(1) State unemployment or reemployment taxes imposed pursuant to chapter 443, Florida Statutes, in compliance with the Federal Unemployment Tax Act, for any persons employed by this commission who perform services for it within this state.

(2) Taxation on any commission business or activity conducted or performed in this state.

**Section 6. Access to records.**—

(1) Notwithstanding subsections (1) and (2) of Article VIII, subsection (2) of Article X, and subsection (6) of Article XII of the Interstate Insurance Product Regulation Compact, a request by a resident of this state for public inspection and copying of information, data, or official records that include:

(a) An insurer's trade secrets shall be referred to the Commissioner of Insurance Regulation who shall respond to the request, with the cooperation and assistance of the Financial Services Commission, in accordance with s. 624.4213, Florida Statutes; or

(b) Matters of privacy of individuals shall be referred to the Commissioner of Insurance Regulation who shall respond to the request, with the cooperation and assistance of the Financial Services Commission, in accordance with s. 119.07(1), Florida Statutes.

(2) *This act does not abrogate the right of a person to access information consistent with the State Constitution and laws of this state.*

Section 7. *The Financial Services Commission may adopt rules to administer this act.*

Section 8. *If any part of section 3 or section 4 of this act is invalidated by the courts, such ruling renders the entire act invalid.*

Section 9. This act shall take effect July 1, 2014.

And the title is amended as follows:

Delete lines 60-73 and insert: opting out of and adopting new uniform standards or amendments to existing standards; providing for the preemption of certain state laws; requiring the office to notify the Legislature of any new uniform standards or amendments to existing standards; providing that the commission is subject to certain state tax requirements; providing for public access to records; authorizing the Financial Services Commission to adopt rules to implement this act; providing that if any part of this act is invalidated, the entire act is invalid; providing an

Pursuant to Rule 4.19, **CS for CS for HB 383** as amended was placed on the calendar of Bills on Third Reading.

**CS for SB 154**—A bill to be entitled An act relating to certified school counselors; amending ss. 322.091, 381.0057, 1002.3105, 1003.21, 1003.43, 1003.491, 1004.04, 1006.025, 1007.35, 1008.42, 1009.53, 1012.01, 1012.71, and 1012.98, F.S.; renaming guidance counselors as “certified school counselors”; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 154**, on motion by Senator Detert, by two-thirds vote, **CS for CS for HB 801** was withdrawn from the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Detert, by two-thirds vote—

**CS for CS for HB 801**—A bill to be entitled An act relating to certified school counselors; amending ss. 322.091, 381.0057, 1002.3105, 1003.21, 1003.43, 1003.491, 1004.04, 1006.025, 1007.35, 1008.42, 1009.53, 1012.01, 1012.71, and 1012.98, F.S.; requiring that counselors in elementary, middle, and high schools be certified school counselors; providing an effective date.

—a companion measure, was substituted for **CS for SB 154** and by two-thirds vote read the second time by title.

On motion by Senator Detert, by two-thirds vote **CS for CS for HB 801** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Bean	Garcia	Richter
Benaquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

**CS for CS for SB 1352**—A bill to be entitled An act relating to paper reduction; amending s. 97.052, F.S.; providing that the uniform state-

wide voter registration application be designed to elicit the e-mail address of an applicant and whether the applicant desires to receive sample ballots by e-mail; amending s. 101.20, F.S.; authorizing a supervisor of elections to send a sample ballot to a registered elector by e-mail under certain circumstances; amending s. 125.66, F.S.; requiring the clerk of a board of county commissioners to electronically transmit enacted ordinances, amendments, and emergency ordinances to the Department of State; amending s. 194.034, F.S.; permitting a value adjustment board to electronically provide the taxpayer and property appraiser with notice of the decision of the board; amending s. 200.069, F.S.; authorizing the property appraiser to notify taxpayers of proposed property taxes by posting the notice on the appraiser's website in lieu of first-class mail when approved by the county governing board; providing notice format details; requiring publication of legal notice that the notice of proposed taxes and assessments is available through the property appraiser's website; authorizing the property appraiser to provide e-mail notification when the proposed taxes and assessments are available on the appraiser's website; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 1352** to **CS for CS for HB 247**.

Pending further consideration of **CS for CS for SB 1352** as amended, on motion by Senator Ring, by two-thirds vote **CS for CS for HB 247** was withdrawn from the Committee on Community Affairs.

On motion by Senator Ring, the rules were waived and—

**CS for CS for HB 247**—A bill to be entitled An act relating to paper reduction; amending s. 97.052, F.S.; providing that the uniform statewide voter registration application be designed to elicit the e-mail address of an applicant and whether the applicant desires to receive sample ballots by e-mail; amending s. 101.20, F.S.; authorizing a supervisor of elections to send a sample ballot to a registered elector by e-mail under certain circumstances; amending s. 125.66, F.S.; requiring the clerk of a board of county commissioners to electronically transmit enacted ordinances, amendments, and emergency ordinances to the Department of State; amending s. 194.034, F.S.; permitting a value adjustment board to electronically provide the taxpayer and property appraiser with notice of the decision of the board; creating s. 192.048, F.S.; allowing certain ad valorem communications to be sent electronically in lieu of regular mail; providing requirements and conditions applicable to such electronic communications; amending s. 903.14, F.S.; permitting the electronic filing of certain affidavits; amending s. 903.26, F.S.; authorizing a clerk of court to mail or electronically transmit a notice relating to a bond forfeiture proceeding; amending s. 903.27, F.S.; permitting a clerk of court to furnish certain required documents and notices relating to bond forfeitures by mail or electronic means; amending s. 903.31, F.S.; providing that a certificate of cancellation of an original bond may be furnished by mail or electronically; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1352** as amended and read the second time by title.

Senator Smith moved the following amendment which was adopted:

**Amendment 1 (966796)**—Delete lines 57-67 and insert: ~~prior to the day of election. A supervisor may send a sample ballot to each registered elector by e-mail at least 7 days before an election if an e-mail address has been provided and the elector has opted to receive a sample ballot by electronic delivery. If an e-mail address has not been provided, or if the elector has not opted for electronic delivery~~ **If the county has an addressograph or equivalent system for mailing to registered electors, a sample ballot may be mailed to each registered elector or to each household in which there is a registered elector, in lieu of publication, at least 7 days before an** ~~prior to any~~ election.

Pursuant to Rule 4.19, **CS for CS for HB 247** as amended was placed on the calendar of Bills on Third Reading.

**CS for SB 410**—A bill to be entitled An act relating to money services businesses; amending s. 560.310, F.S.; requiring licensees engaged in check cashing to submit certain transaction information to the Office of Financial Regulation related to the payment instruments cashed; re-

quiring the office to maintain the transaction information in a centralized check cashing database; requiring the office to issue a competitive solicitation for a database to maintain certain transaction information relating to check cashing; authorizing the office to request funds and to submit draft legislation after certain requirements are met; authorizing the Financial Services Commission to adopt rules; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 410**, on motion by Senator Bean, by two-thirds vote **CS for CS for HB 217** was withdrawn from the Committees on Banking and Insurance; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Bean—

**CS for CS for HB 217**—A bill to be entitled An act relating to money services businesses; amending s. 560.310, F.S.; requiring licensees engaged in check cashing to submit certain transaction information to the Office of Financial Regulation related to the payment instruments cashed; requiring the office to maintain the transaction information in a centralized check cashing database; requiring the office to issue a competitive solicitation for a database to maintain certain transaction information relating to check cashing; authorizing the office to request funds and to submit draft legislation after certain requirements are met; authorizing the Financial Services Commission to adopt rules; providing an effective date.

—a companion measure, was substituted for **CS for SB 410** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 217** was placed on the calendar of Bills on Third Reading.

**CS for SB 1064**—A bill to be entitled An act relating to the assessment of residential and nonhomestead real property; creating s. 193.624, F.S.; defining the term “renewable energy source device”; excluding the value of renewable energy source devices from the assessed value of residential real property; providing for applicability; amending s. 193.155, F.S.; specifying additional exceptions to the assessment of homestead property at just value; amending s. 193.1554, F.S.; specifying additional exceptions to assessment of nonhomestead residential property at just value; amending s. 196.012, F.S.; deleting the definition of the terms “renewable energy source device” and “device”; conforming a cross-reference; amending ss. 196.121 and 196.1995, F.S.; conforming cross-references; repealing s. 196.175, F.S., relating to the property tax exemption for renewable energy source devices; providing for applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1064**, on motion by Senator Latvala, by two-thirds vote **CS for CS for HB 277** was withdrawn from the Committees on Community Affairs; Appropriations Subcommittee on Finance and Tax; and Appropriations.

On motion by Senator Latvala—

**CS for CS for HB 277**—A bill to be entitled An act relating to the assessment of residential and nonhomestead real property; creating s. 193.624, F.S.; defining the term “renewable energy source device”; excluding the value of certain installations made after a specified date from the assessed value of residential real property; providing for applicability; amending s. 193.155, F.S.; specifying additional exceptions to the assessment of homestead property at just value; amending s. 193.1554, F.S.; specifying additional exceptions to assessment of nonhomestead property at just value; amending s. 196.012, F.S.; deleting the definition of the terms “renewable energy source device” and “device”; conforming a cross-reference; amending ss. 196.121 and 196.1995, F.S.; conforming cross-references; repealing s. 196.175, F.S., relating to the property tax exemption for renewable energy source devices; providing for applicability; providing an effective date.

—a companion measure, was substituted for **CS for SB 1064** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 277** was placed on the calendar of Bills on Third Reading.

**CS for SB 1190**—A bill to be entitled An act relating to agricultural lands; amending s. 163.3162, F.S.; revising a definition; prohibiting a governmental entity from adopting or enforcing any prohibition, restriction, regulation, or other limitation or from charging a fee on a specific agricultural activity of a bona fide farm operation on land classified as agricultural land under certain circumstances; amending s. 604.50, F.S.; revising an exemption from the Florida Building Code and certain county and municipal code provisions and fees for nonresidential farm buildings, fences, and signs; limiting applicability of the exemption to such farm buildings, fences, and signs located on certain lands; defining the term “bona fide agricultural purposes”; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1190**, on motion by Senator Brandes, by two-thirds vote **CS for CS for HB 203** was withdrawn from the Committees on Agriculture; Environmental Preservation and Conservation; Appropriations Subcommittee on Finance and Tax; and Appropriations.

On motion by Senator Brandes—

**CS for CS for HB 203**—A bill to be entitled An act relating to agricultural lands; amending s. 163.3162, F.S.; revising a definition; prohibiting a governmental entity from adopting or enforcing any prohibition, restriction, regulation, or other limitation or from charging a fee on a specific activity of a bona fide farm operation on land classified as agricultural land under certain circumstances; amending s. 604.50, F.S.; revising an exemption from the Florida Building Code and certain county and municipal code provisions and fees for nonresidential farm buildings, fences, and signs; limiting applicability of the exemption to such farm buildings, fences, and signs located on certain lands; defining the term “bona fide agricultural purposes”; providing an effective date.

—a companion measure, was substituted for **CS for SB 1190** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 203** was placed on the calendar of Bills on Third Reading.

**CS for SB 1200**—A bill to be entitled An act relating to the taxation of property; amending s. 193.461, F.S.; deleting authorization for a value adjustment board upon its own motion to review lands classified by a property appraiser as agricultural or nonagricultural; deleting a requirement that the property appraiser must reclassify as nonagricultural certain lands that have been zoned to a nonagricultural use; deleting authorization for a board of county commissioners to reclassify as nonagricultural certain lands that are contiguous to urban or metropolitan development under specified circumstances; deleting a presumption that land sold for a certain price is not used primarily for agricultural purposes; amending s. 193.503, F.S.; deleting authorization for a value adjustment board upon its own motion to review property granted or denied classification by a property appraiser as historic property that is being used for commercial or certain nonprofit purposes; amending s. 193.625, F.S.; deleting authorization for a value adjustment board upon its own motion to review land granted or denied a high-water recharge classification by a property appraiser; amending s. 196.194, F.S.; deleting authorization for a value adjustment board to review property tax exemptions upon its own motion or motion of the property appraiser and deleting certain notice requirements relating to the review of such exemptions; providing for retroactive application; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1200**, on motion by Senator Simpson, by two-thirds vote **CS for HB 1193** was withdrawn from the Committees on Community Affairs; Agriculture; Appropriations Subcommittee on Finance and Tax; and Appropriations.

On motion by Senator Simpson, by two-thirds vote—

**CS for HB 1193**—A bill to be entitled An act relating to the taxation of property; amending s. 193.461, F.S.; deleting authorization for a value adjustment board upon its own motion to review lands classified by a property appraiser as agricultural or nonagricultural; deleting a requirement that the property appraiser must reclassify as nonagricultural certain lands that have been zoned to a nonagricultural use; deleting authorization for a board of county commissioners to reclassify as nonagricultural certain lands that are contiguous to urban or metropolitan development under specified circumstances; deleting an evidentiary presumption that land is not being used primarily for bona fide agricultural purposes if it is purchased for a certain amount above its agricultural assessment; amending s. 193.503, F.S.; deleting authorization for a value adjustment board upon its own motion to review property granted or denied classification by a property appraiser as historic property that is being used for commercial or certain nonprofit purposes; amending s. 193.625, F.S.; deleting authorization for a value adjustment board upon its own motion to review land granted or denied a high-water recharge classification by a property appraiser; amending s. 196.194, F.S.; deleting authorization for a value adjustment board to review property tax exemptions upon its own motion or motion of the property appraiser and deleting certain notice requirements relating to the review of such exemptions; providing for retroactive application; providing an effective date.

—a companion measure, was substituted for **CS for SB 1200** and by two-thirds vote read the second time by title.

On motion by Senator Simpson, by two-thirds vote **CS for HB 1193** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Consideration of **CS for CS for SB 1024** was deferred.

**CS for CS for SB 560**—A bill to be entitled An act relating to natural gas motor fuel; amending s. 206.86, F.S.; deleting definitions for the terms “alternative fuel” and “natural gasoline”; amending s. 206.87, F.S.; conforming a cross-reference; repealing s. 206.877, F.S., relating to the annual decal fee program for motor vehicles powered by alternative fuels; repealing s. 206.89, F.S., relating to the requirements for alternative fuel retailer licenses; amending s. 206.91, F.S.; making grammatical and technical changes; providing a directive to the Division of Law Revision and Information; creating s. 206.9951, F.S.; providing definitions; creating s. 206.9952, F.S.; establishing requirements for natural gas fuel retailer licenses; providing penalties for certain licensure violations; creating s. 206.9955, F.S.; providing calculations for a motor fuel equivalent gallon; providing for the levy of the natural gas fuel tax; authorizing the Department of Revenue to adopt rules; creating s. 206.996, F.S.; establishing requirements for monthly reports of natural gas fuel retailers; providing that reports are made under the penalties of perjury; allowing natural gas fuel retailers to seek a deduction of the tax levied under specified conditions; creating s. 206.9965, F.S.; providing exemptions and refunds from the natural gas fuel tax; transferring, renumbering, and amending s. 206.879, F.S.; revising provisions relating to the state and local alternative fuel user fee clearing trust funds; creating s. 206.998, F.S.; providing for the applicability of specified sections of parts I and II of ch. 206, F.S.; amending s. 212.055, F.S.;

expanding the use of the local government infrastructure surtax to include the installation of systems for natural gas fuel; amending s. 212.08, F.S.; providing an exemption from taxes for natural gas fuel under certain circumstances; directing the Office of Program Policy Analysis and Government Accountability to complete a report reviewing the taxation of natural gas fuel; requiring the report to be submitted to the Legislature by a specified date; creating the natural gas fuel fleet vehicle rebate program within the Department of Agriculture and Consumer Services; providing definitions; prescribing powers and duties of the department with respect to the program; prescribing limits on rebate awards; providing policies and procedures for application approval; requiring the department to adopt rules by a specified date; requiring the department to publish on its website the availability of rebate funds; requiring the department to submit an annual assessment to the Governor, the Legislature, and the Office of Program Policy Analysis and Government Accountability by a specified date; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the Governor and the Legislature by a specified date; providing report requirements; providing that funding for the program is subject to an annual appropriation; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 560**, on motion by Senator Simpson, by two-thirds vote **CS for CS for HB 579** was withdrawn from the Committees on Transportation; Appropriations Subcommittee on Finance and Tax; and Appropriations.

On motion by Senator Simpson—

**CS for CS for HB 579**—A bill to be entitled An act relating to natural gas motor fuel; amending s. 206.86, F.S.; deleting definitions for the terms “alternative fuel” and “natural gasoline”; amending s. 206.87, F.S.; conforming a cross-reference; repealing s. 206.877, F.S., relating to the annual decal fee program for motor vehicles powered by alternative fuels; repealing s. 206.89, F.S., relating to the requirements for alternative fuel retailer licenses; amending s. 206.91, F.S.; making grammatical and technical changes; providing a directive to the Division of Law Revision and Information; creating s. 206.9951, F.S.; providing definitions; creating s. 206.9952, F.S.; establishing requirements for natural gas fuel retailer licenses; providing penalties for certain licensure violations; creating s. 206.9955, F.S.; providing calculations for a motor fuel equivalent gallon; providing for the levy of the natural gas fuel tax; authorizing the Department of Revenue to adopt rules; creating s. 206.996, F.S.; establishing requirements for monthly reports of natural gas fuel retailers; providing that reports are made under the penalties of perjury; allowing natural gas fuel retailers to seek a deduction of the tax levied under specified conditions; creating s. 206.9965, F.S.; providing exemptions and refunds from the natural gas fuel tax; transferring, renumbering, and amending s. 206.879, F.S.; revising provisions relating to the State Alternative Fuel User Fee Clearing Trust Fund; creating s. 206.998, F.S.; providing for the applicability of specified sections of parts I and II of ch. 206, F.S.; amending s. 212.055, F.S.; expanding the use of the local government infrastructure surtax to include the installation of systems for natural gas fuel; amending s. 212.08, F.S.; providing an exemption from taxes for natural gas and natural gas fuel under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to complete a report reviewing the taxation of natural gas fuel; requiring submission of the report to the Legislature by a specified date; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 560** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simpson moved the following amendment:

**Amendment 1 (519430) (with title amendment)**— Delete everything after the enacting clause and insert:

Section 1. Section 206.86, Florida Statutes, is amended to read:

206.86 Definitions.—As used in this part:

(1) “Diesel fuel” means all petroleum distillates commonly known as diesel #2, biodiesel, or any other product blended with diesel or any

product placed into the storage supply tank of a diesel-powered motor vehicle.

(2) “Taxable diesel fuel” or “fuel” means any diesel fuel not held in bulk storage at a terminal ~~and~~ which has not been dyed for exempt use in accordance with Internal Revenue Code requirements.

(3) “User” includes any person who uses diesel fuels within this state for the propulsion of a motor vehicle on the public highways of this state, even though the motor is also used for a purpose other than the propulsion of the vehicle.

~~(4) “Alternative fuel” means any liquefied petroleum gas product or compressed natural gas product or combination thereof used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. This term includes, but is not limited to, all forms of fuel commonly or commercially known or sold as natural gasoline, butane gas, propane gas, or any other form of liquefied petroleum gas or compressed natural gas.~~

~~(5) “Natural gasoline” is a liquid hydrocarbon that is produced by natural gas and must be blended with other liquid petroleum products to produce motor fuel.~~

~~(4)(6)~~ “Removal” means any physical transfer of diesel fuel and any use of diesel fuel other than as a material in the production of diesel fuel.

~~(5)(7)~~ “Blender” means any person ~~who~~ that produces blended diesel fuel outside the bulk transfer/terminal system.

~~(6)(8)~~ “Colorless marker” means material that is not perceptible to the senses until the diesel fuel into which it is introduced is subjected to a scientific test.

~~(7)(9)~~ “Dyed diesel fuel” means diesel fuel that is dyed in accordance with United States Environmental Protection Agency or Internal Revenue Service requirements for high sulfur diesel fuel or low sulfur diesel fuel.

~~(8)(10)~~ “Ultimate vendor” means a licensee that sells undyed diesel fuel to the United States or its departments or agencies in bulk lots of not less than 500 gallons in each delivery or to the user of the diesel fuel for use on a farm for farming purposes.

~~(9)(11)~~ “Local government user of diesel fuel” means any county, municipality, or school district licensed by the department to use untaxed diesel fuel in motor vehicles.

~~(10)(12)~~ “Mass transit system” means any licensed local transportation company providing local bus service that is open to the public and that travels regular routes.

~~(11)(13)~~ “Diesel fuel registrant” means anyone required by this chapter to be licensed to remit diesel fuel taxes, including, but not limited to, terminal suppliers, importers, local government users of diesel fuel, and mass transit systems.

~~(12)(14)~~ “Biodiesel” means any product made from nonpetroleum-based oils or fats which is suitable for use in diesel-powered engines. Biodiesel is also referred to as alkyl esters.

~~(13)(15)~~ “Biodiesel manufacturer” means those industrial plants, regardless of capacity, where organic products are used in the production of biodiesel. This includes businesses that process or blend organic products that are marketed as biodiesel.

Section 2. Paragraph (a) of subsection (1) of section 206.87, Florida Statutes, is amended to read:

206.87 Levy of tax.—

(1)(a) An excise tax of 4 cents per gallon is ~~hereby~~ imposed upon each net gallon of diesel fuel subject to the tax under subsection (2), ~~except alternative fuels which are subject to the fee imposed by s. 206.877.~~

Section 3. *Section 206.877, Florida Statutes, is repealed.*

Section 4. *Section 206.89, Florida Statutes, is repealed.*

Section 5. Subsection (1) of section 206.91, Florida Statutes, is amended to read:

206.91 Tax reports; computation and payment of tax.—

(1) For the purpose of determining the amount of taxes imposed by s. 206.87, each diesel fuel registrant shall, not later than the 20th day of each calendar month, mail to the department, on forms prescribed by the department, monthly reports ~~that provide which shall show such~~ information on inventories, purchases, nontaxable disposals, and taxable sales in gallons of diesel fuel ~~and alternative fuel~~, for the preceding calendar month ~~as may be~~ required by the department. However, if the 20th day falls on a Saturday, a Sunday, or a federal or state legal holiday, returns shall be accepted if postmarked on the next succeeding workday. The reports ~~must include, shall contain~~ or be verified by, a written declaration ~~stating that they are such report is~~ made under the penalties of perjury. The diesel fuel registrant shall deduct from the amount of taxes shown by the report to be payable an amount equivalent to .67 percent of the taxes on diesel fuel imposed by s. 206.87(1)(a) and (e), which deduction is ~~hereby~~ allowed to the diesel fuel registrant on account of services and expenses in complying with the provisions of this part. The allowance on taxable gallons of diesel fuel sold to persons licensed under this chapter ~~is not shall not be~~ deductible unless the diesel fuel registrant has allowed 50 percent of the allowance provided by this section to a purchaser with a valid wholesaler or terminal supplier license. This allowance ~~is not shall not be~~ deductible unless payment of the taxes is made on or before the 20th day of the month ~~as herein required in this subsection. Nothing in this subsection does not shall be construed to~~ authorize a deduction from the constitutional fuel tax or fuel sales tax.

Section 6. *The Division of Law Revision and Information is requested to create part V of chapter 206, Florida Statutes, consisting of ss. 206.9951-206.998, entitled “NATURAL GAS FUEL.”*

Section 7. Section 206.9951, Florida Statutes, is created to read:

206.9951 *Definitions.—As used in this part, the term:*

(1) *“Motor fuel equivalent gallon” means the volume of natural gas fuel it takes to equal the energy content of 1 gallon of motor fuel.*

(2) *“Natural gas fuel” means any liquefied petroleum gas product, compressed natural gas product, or combination thereof used in a motor vehicle as defined in s. 206.01(23). This term includes, but is not limited to, all forms of fuel commonly or commercially known or sold as natural gasoline, butane gas, propane gas, or any other form of liquefied petroleum gas, compressed natural gas, or liquefied natural gas. This term does not include natural gas or liquefied petroleum placed in a separate tank of a motor vehicle for cooking, heating, water heating, or electric generation.*

(3) *“Natural gas fuel retailer” means any person who sells, produces, or refines natural gas fuel for use in a motor vehicle as defined in s. 206.01(23). This term does not include individuals specified in s. 206.9965(5).*

(4) *“Natural gasoline” is a liquid hydrocarbon that is produced by natural gas and must be blended with other liquid petroleum products to produce motor fuel.*

(5) *“Person” means a natural person, corporation, copartnership, firm, company, agency, or association; a state agency; a federal agency; or a political subdivision of the state.*

Section 8. Section 206.9952, Florida Statutes, is created to read:

206.9952 *Application for license as a natural gas fuel retailer.—*

(1) *It is unlawful for any person to engage in business as a natural gas fuel retailer within this state unless the person is the holder of a valid license issued by the department to engage in such business.*

(2) *A person who has facilities for placing natural gas fuel into the supply system of an internal combustion engine fueled by individual portable containers of 10 gallons or less is not required to be licensed as a natural gas fuel retailer, provided that the fuel is only used for exempt purposes.*

(3)(a) Any person who acts as a natural gas retailer and does not hold a valid natural gas fuel retailer license shall pay a penalty of \$200 for each month of operation without a license. This paragraph expires December 31, 2018.

(b) Effective January 1, 2019, any person who acts as a natural gas fuel retailer and does not hold a valid natural gas fuel retailer license shall pay a penalty of 25 percent of the tax assessed on the total purchases made during the unlicensed period.

(4) To procure a natural gas fuel retailer license, a person shall file an application and a bond with the department on a form prescribed by the department. The department may not issue a license upon the receipt of any application unless it is accompanied by a bond.

(5) When a natural gas fuel retailer license application is filed by a person whose previous license was canceled for cause by the department or the department believes that such application was not filed in good faith or is filed by another person as a subterfuge for the actual person in interest whose previous license has been canceled, the department may, if evidence warrants, refuse to issue a license for such an application.

(6) Upon the department's issuance of a natural gas fuel retailer license, such license remains in effect so long as the natural gas fuel retailer is in compliance with the requirements of this part.

(7) Such license may not be assigned and is valid only for the natural gas fuel retailer in whose name the license is issued. The license shall be displayed conspicuously by the natural gas fuel retailer in the principal place of business for which the license was issued.

(8) With the exception of a state or federal agency or a political subdivision licensed under this chapter, each person, as defined in this part, who operates as a natural gas fuel retailer shall report monthly to the department and pay a tax on all natural gas fuel purchases beginning January 1, 2019.

(9) The license application requires a license fee of \$5. Each license shall be renewed annually by submitting a reapplication and the license fee to the department. The license fee shall be paid to the department for deposit into the General Revenue Fund.

Section 9. Section 206.9955, Florida Statutes, is created to read:

206.9955 Levy of natural gas fuel tax.—

(1) The motor fuel equivalent gallon means the following for:

(a) Compressed natural gas gallon: 5.66 pounds, or per each 126.67 cubic feet.

(b) Liquefied natural gas gallon: 6.06 pounds.

(c) Liquefied petroleum gas gallon: 1.35 gallons.

(2) Effective January 1, 2019, the following taxes shall be imposed:

(a) An excise tax of 4 cents upon each motor fuel equivalent gallon of natural gas fuel.

(b) An additional tax of 1 cent upon each motor fuel equivalent gallon of natural gas fuel, which is designated as the "ninth-cent fuel tax."

(c) An additional tax of 1 cent on each motor fuel equivalent gallon of natural gas fuel by each county, which is designated as the "local option fuel tax."

(d) An additional tax on each motor fuel equivalent gallon of natural gas fuel, which is designated as the "State Comprehensive Enhanced Transportation System Tax," at a rate determined pursuant to this paragraph. Each calendar year, the department shall determine the tax rate applicable to the sale of natural gas fuel for the following 12-month period beginning January 1, rounded to the nearest tenth of a cent, by adjusting the initially established tax rate of 5.8 cents per gallon by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30.

(e)1. An additional tax is imposed on each motor fuel equivalent gallon of natural gas fuel for the privilege of selling natural gas fuel. Each calendar year, the department shall determine the tax rate applicable to the sale of natural gas fuel, rounded to the nearest tenth of a cent, for the following 12-month period beginning January 1. The tax rate is calculated by adjusting the initially established tax rate of 9.2 cents per gallon by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30.

2. The department is authorized to adopt rules and publish forms to administer this paragraph.

(3) Unless otherwise provided by this chapter, the taxes specified in subsection (2) are imposed on natural gas fuel when it is placed into the fuel supply tank of a motor vehicle as defined in s. 206.01(23). The person liable for payment of the taxes imposed by this section is the person selling or supplying the natural gas fuel to the end user, for use in the fuel supply tank of a motor vehicle as defined in s. 206.01(23).

Section 10. Section 206.996, Florida Statutes, is created to read:

206.996 Monthly reports by natural gas fuel retailers; deductions.—

(1) For the purpose of determining the amount of taxes imposed by s. 206.9955, each natural gas fuel retailer shall file beginning with February 2019, and each month thereafter, no later than the 20th day of each month, monthly reports electronically with the department showing information on inventory, purchases, nontaxable disposals, taxable uses, and taxable sales in gallons of natural gas fuel for the preceding month. However, if the 20th day of the month falls on a Saturday, Sunday, or federal or state legal holiday, a return must be accepted if it is electronically filed on the next succeeding business day. The reports must include, or be verified by, a written declaration stating that such report is made under the penalties of perjury. The natural gas fuel retailer shall deduct from the amount of taxes shown by the report to be payable an amount equivalent to 0.67 percent of the taxes on natural gas fuel imposed by s. 206.9955(2)(a) and (e), which deduction is allowed to the natural gas fuel retailer to compensate it for services rendered and expenses incurred in complying with the requirements of this part. This allowance is not deductible unless payment of applicable taxes is made on or before the 20th day of the month. This subsection may not be construed as authorizing a deduction from the constitutional fuel tax or the fuel sales tax.

(2) Upon the electronic filing of the monthly report, each natural gas fuel retailer shall pay the department the full amount of natural gas fuel taxes for the preceding month at the rate provided in s. 206.9955, less the amount allowed the natural gas fuel retailer for services and expenses as provided in subsection (1).

(3) The department may authorize a quarterly return and payment of taxes when the taxes remitted by the natural gas fuel retailer for the preceding quarter did not exceed \$100, and the department may authorize a semiannual return and payment of taxes when the taxes remitted by the natural gas fuel retailer for the preceding 6 months did not exceed \$200.

(4) In addition to the allowance authorized by subsection (1), every natural gas fuel retailer is entitled to a deduction of 1.1 percent of the taxes imposed under s. 206.9955(2)(b) and (c), on account of services and expenses incurred due to compliance with the requirements of this part. This allowance may not be deductible unless payment of the tax is made on or before the 20th day of the month.

Section 11. Section 206.9965, Florida Statutes, is created to read:

206.9965 Exemptions and refunds; natural gas fuel retailers.—Natural gas fuel may be purchased from natural gas fuel retailers exempt from the tax imposed by this part when used or purchased for the following:

(1) Exclusive use by the United States or its departments or agencies. Exclusive use by the United States or its departments and agencies means the consumption by the United States or its departments or agencies of the natural gas fuel in a motor vehicle as defined in s. 206.01(23).

(2) Use for agricultural purposes as defined in s. 206.41(4)(c).

(3) Uses as provided in s. 206.874(3).

- (4) *Use by vehicles operated by state and local government agencies.*
- (5) *Individual use resulting from residential refueling devices located at a person's primary residence.*
- (6) *Purchases of natural gas fuel between licensed natural gas fuel retailers. A natural gas fuel retailer that sells tax-paid natural gas fuel to another natural gas fuel retailer may take a credit on its monthly return or may file a claim for refund with the Chief Financial Officer pursuant to s. 215.26. All sales of natural gas fuel between natural gas fuel retailers must be documented on invoices or other evidence of the sale of such fuel and the seller shall retain a copy of the purchaser's natural gas fuel retailer license.*

(7) *Natural gas fuel consumed by a power take off or engine exhaust for the purpose of unloading bulk cargo by pumping or turning a concrete mixer drum used in the manufacturing process, or for the purpose of compacting solid waste, which is mounted on a motor vehicle and which has no separate fuel tank or power unit, is allowed a refund of 35 percent of the tax paid on the fuel purchased.*

Section 12. Section 206.879, Florida Statutes, is transferred and re-numbered as section 206.997, Florida Statutes, and amended to read:

206.997 ~~206.879~~ State and local alternative fuel user fee clearing trust funds; distribution.—

(1) Notwithstanding the provisions of s. 206.875, the revenues from the state natural gas fuel tax imposed by s. 206.9955(2)(a), s. 206.9955(2)(d), and s. 206.9955(2)(e) ~~state alternative fuel fees imposed by s. 206.877~~ shall be deposited into the State Alternative Fuel User Fee Clearing Trust Fund, ~~which is hereby created~~. After deducting the service charges provided in s. 215.20, the proceeds in this trust fund shall be distributed as follows: the taxes imposed under s. 206.9955(2)(d) and s. 206.9955(2)(e) ~~one fifth of the proceeds in calendar year 1991, one third of the proceeds in calendar year 1992, three-sevenths of the proceeds in calendar year 1993, and one half of the proceeds in each calendar year thereafter~~ shall be transferred to the State Transportation Trust Fund and the tax imposed under s. 206.9955(2)(a); ~~the remainder~~ shall be distributed as follows: 50 percent shall be transferred to the State Board of Administration for distribution according to the provisions of s. 16, Art. IX of the State Constitution of 1885, as amended; 25 percent shall be transferred to the Revenue Sharing Trust Fund for Municipalities; and the remaining 25 percent shall be distributed using the formula contained in s. 206.60(1).

(2) Notwithstanding the provisions of s. 206.875, the revenues from the local natural gas fuel tax imposed by s. 206.9955(2)(b) and s. 206.9955(2)(c) ~~local alternative fuel fees imposed in lieu of s. 206.87(1)(b) or (c)~~ shall be deposited into The Local Alternative Fuel User Fee Clearing Trust Fund, ~~which is hereby created~~. After deducting the service charges provided in s. 215.20, the proceeds in this trust fund shall be returned monthly to the appropriate county.

Section 13. Section 206.998, Florida Statutes, is created to read:

206.998 *Applicability of specified sections of parts I and II.—The provisions of ss. 206.01, 206.02, 206.025, 206.026, 206.027, 206.028, 206.03, 206.05, 206.055, 206.06, 206.07, 206.075, 206.09, 206.10, 206.11, 206.12, 206.13, 206.14, 206.15, 206.16, 206.17, 206.175, 206.18, 206.199, 206.20, 206.204, 206.205, 206.21, 206.215, 206.22, 206.23, 206.24, 206.25, 206.27, 206.28, 206.405, 206.406, 206.41, 206.413, 206.43, 206.44, 206.48, 206.485, 206.49, 206.56, 206.59, 206.606, 206.608, and 206.61, Florida Statutes, of part I of this chapter and ss. 206.86, 206.872, 206.874, 206.875, 206.88, 206.90, and 206.93, Florida Statutes, of part II of this chapter shall, as far as lawful or practicable, be applicable to the tax levied and imposed and to the collection thereof as if fully set out in this part. However, any provision of any such section does not apply if it conflicts with any provision of this part.*

Section 14. Paragraph (d) of subsection (2) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties

authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

## (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

(d) The proceeds of the surtax authorized by this subsection and any accrued interest shall be expended by the school district, within the county and municipalities within the county, or, in the case of a negotiated joint county agreement, within another county, to finance, plan, and construct infrastructure; to acquire land for public recreation, conservation, or protection of natural resources; to provide loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, if a local government ordinance authorizing such use is approved by referendum; or to finance the closure of county-owned or municipally owned solid waste landfills that have been closed or are required to be closed by order of the Department of Environmental Protection. Any use of the proceeds or interest for purposes of landfill closure before July 1, 1993, is ratified. The proceeds and any interest may not be used for the operational expenses of infrastructure, except that a county that has a population of fewer than 75,000 and that is required to close a landfill may use the proceeds or interest for long-term maintenance costs associated with landfill closure. Counties, as defined in s. 125.011, and charter counties may, in addition, use the proceeds or interest to retire or service indebtedness incurred for bonds issued before July 1, 1987, for infrastructure purposes, and for bonds subsequently issued to refund such bonds. Any use of the proceeds or interest for purposes of retiring or servicing indebtedness incurred for refunding bonds before July 1, 1999, is ratified.

1. For the purposes of this paragraph, the term “infrastructure” means:

a. Any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of 5 or more years and any related land acquisition, land improvement, design, and engineering costs.

b. A fire department vehicle, an emergency medical service vehicle, a sheriff's office vehicle, a police department vehicle, or any other vehicle, and the equipment necessary to outfit the vehicle for its official use or equipment that has a life expectancy of at least 5 years.

c. Any expenditure for the construction, lease, or maintenance of, or provision of utilities or security for, facilities, as defined in s. 29.008.

d. Any fixed capital expenditure or fixed capital outlay associated with the improvement of private facilities that have a life expectancy of 5 or more years and that the owner agrees to make available for use on a temporary basis as needed by a local government as a public emergency shelter or a staging area for emergency response equipment during an emergency officially declared by the state or by the local government under s. 252.38. Such improvements are limited to those necessary to comply with current standards for public emergency evacuation shelters. The owner must enter into a written contract with the local government providing the improvement funding to make the private facility available to the public for purposes of emergency shelter at no cost to the local government for a minimum of 10 years after completion of the improvement, with the provision that the obligation will transfer to any subsequent owner until the end of the minimum period.

e. Any land acquisition expenditure for a residential housing project in which at least 30 percent of the units are affordable to individuals or families whose total annual household income does not exceed 120 percent of the area median income adjusted for household size, if the land is owned by a local government or by a special district that enters into a written agreement with the local government to provide such housing. The local government or special district may enter into a ground lease with a public or private person or entity for nominal or other consideration for the construction of the residential housing project on land acquired pursuant to this sub-subparagraph.

2. For the purposes of this paragraph, the term “energy efficiency improvement” means any energy conservation and efficiency improve-



ment that reduces consumption through conservation or a more efficient use of electricity, natural gas, propane, or other forms of energy on the property, including, but not limited to, air sealing; installation of insulation; installation of energy-efficient heating, cooling, or ventilation systems; installation of solar panels; building modifications to increase the use of daylight or shade; replacement of windows; installation of energy controls or energy recovery systems; installation of electric vehicle charging equipment; *installation of systems for natural gas fuel as defined in s. 206.9951*; and installation of efficient lighting equipment.

3. Notwithstanding any other provision of this subsection, a local government infrastructure surtax imposed or extended after July 1, 1998, may allocate up to 15 percent of the surtax proceeds for deposit into ~~in~~ a trust fund within the county's accounts created for the purpose of funding economic development projects having a general public purpose of improving local economies, including the funding of operational costs and incentives related to economic development. The ballot statement must indicate the intention to make an allocation under the authority of this subparagraph.

Section 15. Paragraph (a) of subsection (4) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(4) EXEMPTIONS; ITEMS BEARING OTHER EXCISE TAXES, ETC.—

(a) Also exempt are:

1. Water delivered to the purchaser through pipes or conduits or delivered for irrigation purposes. The sale of drinking water in bottles, cans, or other containers, including water that contains minerals or carbonation in its natural state or water to which minerals have been added at a water treatment facility regulated by the Department of Environmental Protection or the Department of Health, is exempt. This exemption does not apply to the sale of drinking water in bottles, cans, or other containers if carbonation or flavorings, except those added at a water treatment facility, have been added. Water that has been enhanced by the addition of minerals and that does not contain any added carbonation or flavorings is also exempt.

2. All fuels used by a public or private utility, including any municipal corporation or rural electric cooperative association, in the generation of electric power or energy for sale. Fuel other than motor fuel and diesel fuel is taxable as provided in this chapter with the exception of fuel expressly exempt herein. *Natural gas and natural gas fuel as defined in s. 206.9951(2) are exempt from the tax imposed by this chapter when placed into the fuel supply system of a motor vehicle.* Motor fuels and diesel fuels are taxable as provided in chapter 206, with the exception of those motor fuels and diesel fuels used by railroad locomotives or vessels to transport persons or property in interstate or foreign commerce, which are taxable under this chapter only to the extent provided herein. The basis of the tax shall be the ratio of intrastate mileage to interstate or foreign mileage traveled by the carrier's railroad locomotives or vessels that were used in interstate or foreign commerce and that had at least some Florida mileage during the previous fiscal year of the carrier, such ratio to be determined at the close of the fiscal year of the carrier. However, during the fiscal year in which the carrier begins its initial operations in this state, the carrier's mileage apportionment factor may be determined on the basis of an estimated ratio of anticipated miles in this state to anticipated total miles for that year, and subsequently, additional tax shall be paid on the motor fuel and diesel fuels, or a refund may be applied for, on the basis of the actual ratio of the carrier's railroad locomotives' or vessels' miles in this state to its total miles for that year. This ratio shall be applied each month to the total Florida purchases made in this state of motor and diesel fuels to establish that portion of the total used and consumed in intrastate movement and subject to tax under this chapter. The basis for imposition of any discretionary surtax shall be set forth in s. 212.054. Fuels used exclusively in intrastate commerce do not qualify for the proration of tax.

3. The transmission or wheeling of electricity.

Section 16. *The Office of Program Policy Analysis and Government Accountability shall complete a report reviewing the taxation of natural gas fuel used to power motor vehicles under chapters 206 and 212, Florida Statutes. The report must, at a minimum: evaluate growth trends in the use of natural gas fuel; survey how other states tax natural gas fuel and the energy content related to compressed natural gas, liquefied natural gas, and liquefied petroleum gas, and incentives provided to consumers of such fuels; and survey consumers and suppliers of natural gas fuel. The report shall be submitted to the President of the Senate and the Speaker of the House of Representatives by December 1, 2017.*

Section 17. *Natural gas fuel fleet vehicle rebate program.—*

(1) **CREATION AND PURPOSE OF PROGRAM.**—*There is created within the Department of Agriculture and Consumer Services a natural gas fuel fleet vehicle rebate program. The purpose of this program is to help reduce transportation costs in this state and encourage freight mobility investments that contribute to the economic growth of the state.*

(2) **DEFINITIONS.**—*For purposes of this section, the term:*

(a) *“Conversion costs” means the excess cost associated with retrofitting a diesel or gasoline powered motor vehicle to a natural gas fuel powered motor vehicle.*

(b) *“Department” means the Department of Agriculture and Consumer Services.*

(c) *“Eligible costs” means the cost of conversion or the incremental cost incurred by an applicant in connection with an investment in the conversion, purchase, or lease lasting at least 5 years, of a natural gas fleet vehicle placed into service on or after July 1, 2013. The term does not include costs for project development, fueling stations, or other fueling infrastructure.*

(d) *“Fleet vehicles” means three or more motor vehicles registered in this state and used for commercial business or governmental purposes.*

(e) *“Incremental costs” means the excess costs associated with the purchase or lease of a natural gas fuel motor vehicle as compared to an equivalent diesel- or gasoline-powered motor vehicle.*

(f) *“Natural gas fuel” means any liquefied petroleum gas product, compressed natural gas product, or combination thereof used in a motor vehicle as defined in s. 206.01(23). This term includes, but is not limited to, all forms of fuel commonly or commercially known or sold as natural gasoline, butane gas, propane gas, or any other form of liquefied petroleum gas, compressed natural gas, or liquefied natural gas. This term does not include natural gas or liquefied petroleum placed in a separate tank of a motor vehicle for cooking, heating, water heating, or electric generation.*

(3) **NATURAL GAS FUEL FLEET VEHICLE REBATE.**—*The department shall award rebates for eligible costs as defined in this section. Forty percent of the annual allocation shall be reserved for governmental applicants, with the remaining funds allocated for commercial applicants. A rebate may not exceed 50 percent of the eligible costs of a natural gas fuel fleet vehicle with a dedicated or bi-fuel natural gas fuel operating system placed into service on or after July 1, 2013. An applicant is eligible to receive a maximum rebate of \$25,000 per vehicle up to a total of \$250,000 per fiscal year. All natural gas fuel fleet vehicles eligible for the rebate must comply with applicable United States Environmental Protection Agency emission standards.*

(4) **APPLICATION PROCESS.**—

(a) *An applicant seeking to obtain a rebate shall submit an application to the department by a specified date each year as established by department rule. The application shall require a complete description of all eligible costs, proof of purchase or lease of the vehicle for which the applicant is seeking a rebate, a copy of the vehicle registration certificate, a description of the total rebate sought by the applicant, and any other information deemed necessary by the department. The application form adopted by department rule must include an affidavit from the applicant certifying that all information contained in the application is true and correct.*

(b) *The department shall determine the rebate eligibility of each applicant in accordance with the requirements of this section and depart-*



ment rule. The total amount of rebates allocated to certified applicants in each fiscal year may not exceed the amount appropriated for the program in the fiscal year. Rebates shall be allocated to eligible applicants on a first-come, first-served basis, determined by the date the application is received, until all appropriated funds for the fiscal year are expended or the program ends, whichever comes first. Incomplete applications submitted to the department will not be accepted and do not secure a place in the first-come, first-served application process.

(5) **RULES.**—The department shall adopt rules to implement and administer this section by December 31, 2013, including rules relating to the forms required to claim a rebate under this section, the required documentation and basis for establishing eligibility for a rebate, procedures and guidelines for claiming a rebate, and the collection of economic impact data from applicants.

(6) **PUBLICATION.**—The department shall determine and publish on its website on an ongoing basis the amount of available funding for rebates remaining in each fiscal year.

(7) **ANNUAL ASSESSMENT.**—By October 1, 2014, and each year thereafter that the program is funded, the department shall provide an annual assessment of the use of the rebate program during the previous fiscal year to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Office of Program Policy Analysis and Government Accountability. The assessment shall include, at a minimum, the following information:

- (a) The name of each applicant awarded a rebate under this section;
- (b) The amount of the rebates awarded to each applicant;
- (c) The type and description of each eligible vehicle for which each applicant applied for a rebate; and
- (d) The aggregate amount of funding awarded for all applicants claiming rebates under this section.

(8) **REPORT.**—By January 31, 2016, the Office of Program Policy Analysis and Government Accountability shall release a report reviewing the rebate program to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The review shall include an analysis of the economic benefits resulting to the state from the program.

(9) **ANNUAL FUNDING.**—Annual funding for the natural gas fuel fleet vehicle rebate program is subject to legislative appropriation.

(10) **EFFECTIVE DATE.**—This section shall take effect July 1, 2013.

Section 18. Beginning in the 2013-2014 fiscal year and each year thereafter through the 2017-2018 fiscal year, the sum of \$x million in recurring funds is appropriated in each fiscal year from the General Revenue Fund to the Department of Agriculture and Consumer Services for the purpose of funding the natural gas fuel fleet vehicle rebate program created by this act.

Section 19. Except as otherwise expressly provided in this act and except for this section, which shall take effect July 1, 2013, this act shall take effect January 1, 2014.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to natural gas motor fuel; amending s. 206.86, F.S.; deleting definitions for the terms “alternative fuel” and “natural gasoline”; amending s. 206.87, F.S.; conforming a cross-reference; repealing s. 206.877, F.S., relating to the annual decal fee program for motor vehicles powered by alternative fuels; repealing s. 206.89, F.S., relating to the requirements for alternative fuel retailer licenses; amending s. 206.91, F.S.; making grammatical and technical changes; providing a directive to the Division of Law Revision and Information; creating s. 206.9951, F.S.; providing definitions; creating s. 206.9952, F.S.; establishing requirements for natural gas fuel retailer licenses; providing penalties for certain licensure violations; creating s. 206.9955, F.S.; providing calculations for a motor fuel equivalent gallon; providing for the levy of the natural gas fuel tax; authorizing the Department of Revenue to adopt rules; creating s. 206.996, F.S.; establishing requirements for monthly reports of natural gas fuel retailers; providing that reports are made under the penalties of perjury; allowing natural gas

fuel retailers to seek a deduction of the tax levied under specified conditions; creating s. 206.9965, F.S.; providing exemptions and refunds from the natural gas fuel tax; transferring, renumbering, and amending s. 206.879, F.S.; revising provisions relating to the state and local alternative fuel user fee clearing trust funds; creating s. 206.998, F.S.; providing for the applicability of specified sections of parts I and II of ch. 206, F.S.; amending s. 212.055, F.S.; expanding the use of the local government infrastructure surtax to include the installation of systems for natural gas fuel; amending s. 212.08, F.S.; providing an exemption from taxes for natural gas fuel under certain circumstances; directing the Office of Program Policy Analysis and Government Accountability to complete a report reviewing the taxation of natural gas fuel; requiring the report to be submitted to the Legislature by a specified date; creating the natural gas fuel fleet vehicle rebate program within the Department of Agriculture and Consumer Services; providing definitions; prescribing powers and duties of the department with respect to the program; prescribing limits on rebate awards; providing policies and procedures for application approval; requiring the department to adopt rules by a specified date; requiring the department to publish on its website the availability of rebate funds; requiring the department to submit an annual assessment to the Governor, the Legislature, and the Office of Program Policy Analysis and Government Accountability by a specified date; requiring the Office of Program Policy Analysis and Government Accountability to submit a report to the Governor and the Legislature by a specified date; providing report requirements; providing that funding for the program is subject to an annual appropriation; providing an appropriation for a program created by this act; providing effective dates.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Negron moved the following amendment to **Amendment 1 (519430)** which was adopted:

**Amendment 1A (631288) (with title amendment)**—Delete lines 658-665 and insert:

(9) **EFFECTIVE DATE.**—This section shall take effect July 1, 2013.

Section 18. Beginning in the 2013-2014 fiscal year and each year thereafter through the 2017-2018 fiscal year, the sum of \$6 million in recurring funds is appropriated in each fiscal year

And the title is amended as follows:

Delete lines 735 and 736 and insert: providing reporting requirements;

**Amendment 1 (519430)** as amended was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 579** as amended was placed on the calendar of Bills on Third Reading.

**CS for CS for CS for SB 274**—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Freemasonry license plate; establishing an annual use fee for the plate; providing for the distribution of annual use fees received from the sale of the plate; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 274**, on motion by Senator Dean, by two-thirds vote **CS for CS for CS for HB 487** was withdrawn from the Committees on Transportation; Rules; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

On motion by Senator Dean—

**CS for CS for CS for HB 487**—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Freemasonry license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 274** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for HB 487** was placed on the calendar of Bills on Third Reading.

On motion by Senator Stargel, the Senate resumed consideration of—

**CS for CS for HB 867**—A bill to be entitled An act relating to parent empowerment in education; amending s. 1001.10, F.S.; conforming a cross-reference; amending s. 1002.20, F.S.; providing that parents who have a student in a public school that is implementing a turnaround option may petition to have a particular turnaround option implemented; requiring the school district to notify parents of a public school student being taught by an out-of-field teacher or by a teacher with an unsatisfactory performance rating; specifying requirements for the notice; amending s. 1002.32, F.S.; conforming a cross-reference; amending s. 1002.33, F.S.; requiring a charter school to comply with certain procedures for the assignment of teachers; creating s. 1003.07, F.S.; creating the Parent Empowerment Act; specifying what constitutes an eligible student and a parental vote; requiring that a school district send a written notice to parents of public school students regarding the parents' options to petition the school for a particular turnaround option; requiring the notice to include certain information; authorizing up to one parental vote per eligible student; establishing the process to solicit signatures for a petition; prohibiting a person from being paid for signatures; prohibiting a for-profit corporation, business, or entity from soliciting signatures or paying a person to solicit signatures; establishing criteria to verify the signatures on a petition; requiring the State Board of Education to adopt rules for filing a petition; specifying that a petition is valid if it is signed and dated by a majority of the parents of eligible students and those signatures are verified; requiring the school district to consider the turnaround option on the valid petition with the most signatures at a publicly noticed school board meeting; requiring the school district to submit an implementation plan to the state board; amending s. 1008.33, F.S.; authorizing a parent to petition the school district to implement a turnaround option selected by the parent; amending s. 1012.2315, F.S.; providing for assistance to teachers teaching out-of-field; requiring the school district to notify parents and inform them of their options if a student is being taught by an out-of-field teacher; providing that a student may not be assigned to a teacher with a performance evaluation rating of less than effective for a specified number of consecutive school years; authorizing the parent of a student to consent to the assignment of that student to a teacher with a performance evaluation rating of less than effective under certain circumstances; repealing s. 1012.42, F.S., relating to teachers who are teaching out-of-field; providing an effective date.

—which was previously considered this day.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Joyner moved the following amendments which failed:

**Amendment 1 (728284)**—Between lines 264 and 265 insert:

(8) *If the school board adopts the turnaround option selected by parents, the parents shall annually have the opportunity to modify their selection using the provisions set forth in this section. If the option described in s. 1008.33(4)(b)3. is selected in any such modification, the charter contract must include a provision stating the opportunity provided for in this subsection.*

**Amendment 2 (930478)**—Between lines 245 and 246 insert:

(i) *If the option described in s. 1008.33(4)(b)3. is adopted, it will guarantee a private charter school operator a 5-year contract. This provision must be stated in bold letters.*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Simmons moved the following amendment which was adopted:

**Amendment 3 (180100) (with title amendment)**—Delete lines 251-262 and insert: *board. The district school board shall consider and implement one of the turnaround options set forth in s. 1008.33(4)(b). If the district school board adopts a turnaround option that is different from*

*the turnaround option selected by parents, it shall set forth in a report a detailed explanation of the reasons it has not adopted the parents' suggested turnaround option and set forth the reasons for the plan it has adopted. The turnaround option selected by the district school board shall be final and conclusive. If the school improves by at least one letter grade,*

And the title is amended as follows:

Delete lines 37 and 38 and insert: *requiring the district school board to implement a turnaround option; requiring the district school board to complete a report under certain circumstances; providing report requirements; providing that the turnaround option selected by the district school board is final and conclusive; providing that the turnaround option is no longer required if the school improves by at least one letter grade; amending s.*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Stargel moved the following amendment which was adopted:

**Amendment 4 (612526)**—Delete lines 169-190 and insert:

(3) *Each school district shall notify the parents of eligible students and the school advisory council, in writing and at a publicly noticed meeting of the school board attended by a quorum of school board members at the school, if a public school has earned a grade of "F" and is required to select a turnaround option pursuant to s. 1008.33. The written notice must:*

(a) *Be provided to parents and the school advisory council within 30 calendar days after the school district receives notice from the department that the school is required to select a turnaround option.*

(b) *Inform parents that, before the district school board selects a turnaround option, parents may petition for implementation of a particular turnaround option pursuant to s. 1008.33.*

(c) *Include the following:*

1. *The date, time, and location at which a publicly noticed school board meeting will be held to present and consider the options available for selection under s. 1008.33. The school board must allow for public testimony regarding the options that are under discussion, and the date of such meeting may not be less than 7 days after or more than 21 days after the date the notice is mailed;*

2. *A description of each turnaround option available for selection under s. 1008.33;*

3. *A description of the process for implementing a turnaround option, including the date by which the school district must submit its implementation plan to the State Board of Education;*

4. *The date and location for submission of the petition; and*

5. *The contact information of the district school board.*

Pursuant to Rule 4.19, **CS for CS for HB 867** as amended was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 1388**—A bill to be entitled An act relating to instructional materials for K-12 public education; amending s. 1006.28, F.S.; revising the duties of a district school board and the district superintendent with regard to instructional materials; repealing s. 1006.282, F.S., relating to the pilot program for the transition to electronic and digital instructional materials; creating s. 1006.283, F.S.; authorizing a district school board or a consortium of school districts to implement an instructional materials program; requiring the district superintendent to certify to the Department of Education that instructional materials for core courses align with applicable state standards; requiring the district school board to adopt rules; authorizing the district school board to assess and collect fees from a publisher that participates in the instructional materials review process; requiring the fee amount to be posted on the school district's website and reported to the Department of Education; providing a limit on fees; prohibiting fees from being collected from publishers to review certain instructional materials; providing for a stipend, reimbursement for travel expenses, and per

dium for reviewers; requiring instructional materials that are approved by the district instructional materials reviewers to be aligned with applicable state standards; requiring each district school superintendent to annually certify that the instructional materials for core courses used by the district align with applicable state standards; providing pricing requirements for instructional materials; amending s. 1006.29, F.S.; providing a definition; requiring the department to appoint state instructional materials reviewers, rather than state or national experts, to review instructional materials; providing requirements, appointments, and terms for state instructional materials reviewers; authorizing the department to assess and collect fees; requiring the fee amount to be posted on the department's website and reported to the State Board of Education; providing a purpose for the use of the fees, such as a stipend for service as a reviewer, payment for per diem, and reimbursement for travel expenses for service as a reviewer; requiring a publisher to offer sections of instructional materials in certain versions at reduced rates; requiring the department to post certain instructional materials on its website; amending s. 1006.30, F.S.; conforming provisions to changes made by the act; amending s. 1006.31, F.S.; conforming provisions to changes made by the act; revising the procedure for evaluating instructional materials; providing standards to determine the propriety of instructional materials; amending s. 1006.32, F.S.; conforming provisions to changes made by the act; repealing s. 1006.33, F.S., relating to bids, proposals, and advertisement regarding instructional materials; amending s. 1006.34, F.S.; revising the powers and duties of the State Board of Education in evaluating instructional materials to include collecting fees and adopting rules; conforming provisions to changes made by the act; amending s. 1006.35, F.S.; authorizing the Commissioner of Education to remove materials from the list of approved materials if the materials do not align with applicable state standards; prohibiting a school district from purchasing removed materials under certain circumstances; amending s. 1006.36, F.S.; providing for the state review cycle for instructional materials; amending s. 1006.37, F.S.; authorizing a district school superintendent to requisition approved instructional materials; conforming provisions to changes made by the act; amending s. 1006.38, F.S.; providing for applicability; revising duties of publishers and manufacturers; amending s. 1006.40, F.S.; revising the allocation for instructional materials; amending s. 1001.10, F.S.; revising the duties of the Commissioner of Education with regard to instructional materials, including submission of a report to the Governor, the Legislature, and the State Board of Education; amending s. 1003.55, F.S.; requiring a publisher or manufacturer of instructional materials that have been approved by the Department of Education or a school district to furnish the department with a computer file in an electronic format specified by the department; amending ss. 1003.621 and 1011.62, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Montford moved the following amendment which was adopted:

**Amendment 1 (397600) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (1) section 1006.28, Florida Statutes, is amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(1) **DISTRICT SCHOOL BOARD.**—The district school board has the duty to provide adequate instructional materials for all students in accordance with the requirements of this part. The term “adequate instructional materials” means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serve as the basis for instruction for each student in the core courses of mathematics, language arts, social studies, science, reading, and literature. The district school board has the following specific duties:

(b) *Instructional materials.*—Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials and furnish such other instructional materials as may be needed. The district school board shall ensure that instructional materials used in the district are consistent with the district goals and objectives and the course descriptions established in curriculum frameworks adopted by rule of the State Board of Education, as well as with the state and district performance standards provided for in s. 1001.03(1).

Section 2. Section 1006.283, Florida Statutes, is created to read:

1006.283 *District school board instructional materials review process.*—

(1) *A school board or consortium of school districts may implement an instructional materials program that includes the review, approval, adoption, and purchase of instructional materials. Beginning in the 2013-2014 school year, the district school superintendent shall certify to the department by March 31 of each year that all instructional materials for core courses used by the district are aligned with applicable state standards. Included in the certification shall be a list of the core instructional materials that will be used or purchased for use by the school district.*

(2) *The school board shall adopt rules implementing the district's instructional materials program which must include, but need not be limited to:*

(a) *Its review and purchase process.*

(b) *Identification of a review cycle for instructional materials.*

(c) *The duties and qualifications of the instructional materials reviewers.*

(d) *The requirements for an affidavit made by a district instructional materials reviewer which substantially includes the requirements of s. 1006.30.*

(e) *Compliance with s. 1006.32, relating to prohibited acts.*

(f) *A process that certifies the accuracy of instructional materials.*

(g) *The incorporation of applicable requirements of s. 1006.31, which relates to the duties of instructional material reviewers.*

(h) *The incorporation of applicable requirements of s. 1006.38, relating to the duties, responsibilities, and requirements of publishers of instructional materials.*

(i) *The process by which instructional materials will be purchased, including advertising, bidding, and purchasing requirements.*

(3)(a) *The school board may assess and collect fees from publishers participating in the instructional materials approval process. The amount assessed and collected must be posted on the school district's website and reported to the department. The fees may not exceed the actual cost of the review process, and the fees may not exceed \$3,500 per submission by a publisher. Any fees collected for this process shall be allocated for the support of the review process and maintained in a separate line item for auditing purposes.*

(b) *The fees shall be used to cover the actual cost of substitute teachers for each workday that a member of a school district's instructional staff is absent from his or her assigned duties for the purpose of rendering service as an instructional materials reviewer. In addition, each reviewer may be paid a stipend and is entitled to reimbursement for travel expenses and per diem in accordance with s. 112.061 for actual service in meetings.*

(4) *Instructional materials that have been reviewed by the district instructional materials reviewers and approved must have been determined to align with all applicable state standards pursuant to s. 1003.41 and the requirements in s. 1006.31. The district school superintendent shall annually certify to the department that all instructional materials for core courses used by the district are aligned with all applicable state standards.*

(5) *A publisher that offers instructional materials to a district school board must provide such materials at a price that, including all costs of electronic transmission, does not exceed the lowest price at which the*

*publisher offers such instructional materials for approval or sale to any state or school district in the United States.*

(6) *A publisher shall reduce automatically the price of the instructional materials to the district school board to the extent that reductions in price are made elsewhere in the United States.*

Section 3. Section 1006.31, Florida Statutes, is amended to read:

1006.31 Duties of the Department of Education and school district ~~each state~~ instructional materials reviewer.—The duties of the ~~each state~~ instructional materials reviewer are:

(1) PROCEDURES.—To adhere to procedures prescribed by the department or the district for evaluating instructional materials submitted by publishers and manufacturers in each adoption. *This section applies to both the state and district approval processes.*

(2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To evaluate carefully all instructional materials submitted, in order to ascertain which instructional materials, if any, submitted for consideration implement the selection criteria developed by the department and those curricular objectives included within applicable performance standards provided for in s. 1001.03(1).

(a) When recommending instructional materials for use in the schools, each reviewer shall include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, and racial diversity of our society, including men and women in professional, career, and executive roles, and the role and contributions of the entrepreneur and labor in the total development of this state and the United States.

(b) When recommending instructional materials for use in the schools, each reviewer shall include only materials that accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances.

(c) When recommending instructional materials for use in the schools, each reviewer shall require such materials as he or she deems necessary and proper to encourage thrift, fire prevention, and humane treatment of people and animals.

(d) When recommending instructional materials for use in the schools, each reviewer shall require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States. A reviewer may not recommend any instructional materials for use in the schools which contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, or occupation.

(e) Any instructional material recommended by each reviewer for use in the schools shall be, to the satisfaction of each reviewer, accurate, objective, and current and suited to the needs and comprehension of students at their respective grade levels. Reviewers shall consider for adoption materials developed for academically talented students such as those enrolled in advanced placement courses.

(3) REPORT OF REVIEWERS.—After a thorough study of all data submitted on each instructional material, to submit an electronic report to the department. The report shall be made public and must include responses to each section of the report format prescribed by the department.

Section 4. Subsection (1) of section 1006.37, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

1006.37 Requisition of instructional materials from publisher's depository.—

(1) The district school superintendent shall requisition adopted instructional materials from the depository of the publisher with whom a contract has been made. However, the superintendent shall requisition current instructional materials to provide each student with a textbook or other materials as a major tool of instruction in core courses of the subject areas specified in s. 1006.40(2). These materials must be re-

quisitioned within the first 3 ½ years of the adoption cycle, except for instructional materials related to growth of student membership or instructional materials maintenance needs. The superintendent may requisition instructional materials in the core subject areas specified in s. 1006.40(2) that are related to growth of student membership or instructional materials maintenance needs during the 3rd, 4th, 5th, and 6th years of the original contract period.

(3) *A district school board or a consortium of school districts which implements an instructional materials program pursuant to s. 1006.283 is not required to requisition instructional materials from the publisher's depository.*

Section 5. Section 1006.38, Florida Statutes, is amended to read:

1006.38 Duties, responsibilities, and requirements of instructional materials publishers and manufacturers.—*This section applies to both the state and district approval processes.* Publishers and manufacturers of instructional materials, or their representatives, shall:

(1) Comply with all provisions of this part.

(2) Electronically deliver fully developed sample copies of all instructional materials upon which bids are based to the department pursuant to procedures adopted by the State Board of Education.

(3) Submit, at a time designated in s. 1006.33, the following information:

(a) Detailed specifications of the physical characteristics of the instructional materials, including any software or technological tools required for use by the district, school, teachers, or students. The publisher or manufacturer shall comply with these specifications if the instructional materials are adopted and purchased in completed form.

(b) Evidence that the publisher or manufacturer has provided materials that address the performance standards provided for in s. 1001.03(1) and that can be accessed through the district's local instructional improvement system and a variety of electronic, digital, and mobile devices.

(c) *Evidence that the instructional materials include specific references to statewide standards in the teacher's manual and incorporate such standards into chapter tests or the assessments.*

(4) Make available for purchase by any district school board any diagnostic, criterion-referenced, or other tests that they may develop.

(5) Furnish the instructional materials offered by them at a price in the state which, including all costs of electronic transmission, may not exceed the lowest price at which they offer such instructional materials for adoption or sale to any state or school district in the United States.

(6) Reduce automatically the price of the instructional materials to any district school board to the extent that reductions are made elsewhere in the United States.

(7) Provide any instructional materials free of charge in the state to the same extent as they are provided free of charge to any state or school district in the United States.

(8) Guarantee that all copies of any instructional materials sold in this state will be at least equal in quality to the copies of such instructional materials that are sold elsewhere in the United States and will be kept revised, free from all errors, and up-to-date as may be required by the department.

(9) Agree that any supplementary material developed at the district or state level does not violate the author's or publisher's copyright, provided such material is developed in accordance with the doctrine of fair use.

(10) Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in instructional materials, nor enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of instructional materials for use in the state.

(11) Maintain or contract with a depository in the state.

(12) For the core subject areas specified in s. 1006.40(2), maintain in the depository for the first 3 2 years of the contract an inventory of instructional materials sufficient to receive and fill orders.

(13) For the core subject areas specified in s. 1006.40(2), ensure the availability of an inventory sufficient to receive and fill orders for instructional materials for growth, including the opening of a new school, and replacement during the 3rd and subsequent years of the original contract period.

(14) Accurately and fully disclose only the names of those persons who actually authored the instructional materials. In addition to the penalties provided in subsection (16), the commissioner may remove from the list of state-adopted instructional materials those instructional materials whose publisher or manufacturer misleads the purchaser by falsely representing genuine authorship.

(15) Grant, without prior written request, for any copyright held by the publisher or its agencies automatic permission to the department or its agencies for the reproduction of instructional materials and supplementary materials in Braille, large print, or other appropriate format for use by visually impaired students or other students with disabilities that would benefit from use of the materials.

(16) Upon the willful failure of the publisher or manufacturer to comply with the requirements of this section, be liable to the department in the amount of three times the total sum which the publisher or manufacturer was paid in excess of the price required under subsections (5) and (6) and in the amount of three times the total value of the instructional materials and services which the district school board is entitled to receive free of charge under subsection (7).

Section 6. Subsection (2) and paragraph (a) of subsection (3) of section 1006.40, Florida Statutes, are amended to read:

1006.40 Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—

(2) Each district school board must purchase current instructional materials to provide each student with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature for kindergarten through grade 12. Such purchase must be made within the first 3 2 years after the effective date of the adoption cycle. For the 2012-2013 mathematics adoption, a district using a comprehensive mathematics instructional materials program adopted in the 2009-2010 adoption shall be deemed in compliance with this subsection if it provides each student with such additional state-adopted materials as may be necessary to align the previously adopted comprehensive program to common core standards and the other criteria of the 2012-2013 mathematics adoption.

(3)(a) By the 2015-2016 fiscal year, each district school board shall use at least 50 percent of the annual allocation for the purchase of digital or electronic instructional materials *that align with state standards* included on the state-adopted list, except as otherwise authorized in paragraphs (b) and (c). *This subsection does not apply to a district school board or a consortium of school districts which implements an instructional materials program pursuant to s. 1006.283, except that by the 2015-2016 fiscal year, each district school board shall use at least 50 percent of the annual allocation for the purchase of digital or electronic instructional materials that align with state standards.*

Section 7. Paragraphs (o) and (p) of subsection (6) of section 1001.10, Florida Statutes, are amended to read:

1001.10 Commissioner of Education; general powers and duties.—

(6) Additionally, the commissioner has the following general powers and duties:

(o) To develop criteria for use by *department state* instructional materials reviewers in evaluating materials submitted for adoption consideration. The criteria shall, as appropriate, be based on instructional expectations reflected in *course descriptions curriculum framework* and student performance standards. The criteria for each subject or course shall be made available to publishers *and manufacturers* of instructional materials pursuant to the requirements of chapter 1006.

(p) To prescribe procedures for evaluating instructional materials submitted by publishers and manufacturers in each adoption.

Section 8. Paragraph (b) of subsection (6) of section 1011.62, Florida Statutes, is amended to read:

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

(6) CATEGORICAL FUNDS.—

(b) If a district school board finds and declares in a resolution adopted at a regular meeting of the school board that the funds received for any of the following categorical appropriations are urgently needed to maintain school board specified academic classroom instruction, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. Funds for student transportation.

2. Funds for safe schools.

3. Funds for supplemental academic instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (1)(f).

4. Funds for research-based reading instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (9)(a).

5. Funds for instructional materials if all instructional material purchases necessary to provide updated materials *that are aligned with applicable to Next Generation Sunshine* state standards and *course descriptions benchmarks* and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1. Funds available after March 1 may be used to purchase hardware for student instruction.

Section 9. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to instructional materials for K-12 public education; amending s. 1006.28, F.S.; revising the duties of a district school board with regard to instructional materials; creating s. 1006.283, F.S.; authorizing a district school board or a consortium of school districts to implement an instructional materials program; requiring the district superintendent to certify to the Department of Education that instructional materials for core courses align with applicable state standards; requiring the district school board to adopt rules; authorizing the district school board to assess and collect fees from a publisher that participates in the instructional materials review process; requiring the fee amount to be posted on the school district's website and reported to the department; providing a limit on fees; providing for a stipend, reimbursement for travel expenses, and per diem for reviewers; requiring instructional materials that are approved by the district instructional materials reviewers to be aligned with applicable state standards; requiring each district school superintendent to annually certify that the instructional materials for core courses used by the district align with applicable state standards; providing pricing requirements for instructional materials; amending s. 1006.31, F.S.; revising the procedure for evaluating instructional materials; amending s. 1006.37, F.S.; revising the time period in which the superintendent must requisition instructional materials; providing that a district school board or a consortium of school districts which implements an instructional materials program is not required to requisition instructional materials from the publisher's depository; amending s. 1006.38, F.S.; providing for applicability; revising duties of publishers and manufacturers; amending s. 1006.40, F.S.; revising the allocation for instructional materials; providing for applicability; amending s. 1001.10, F.S.; revising the duties of the Commis-

sioner of Education with regard to instructional materials; amending s. 1011.62, F.S.; conforming provisions to changes made by the act; providing an effective date.

On motion by Senator Montford, by two-thirds vote **CS for CS for SB 1388** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

On motion by Senator Detert, the Senate resumed consideration of—

**CS for CS for HB 269**—A bill to be entitled An act relating to public construction projects; amending ss. 255.20 and 255.2575, F.S.; requiring governmental entities to specify certain products associated with public works projects; providing for applicability; amending s. 255.257, F.S.; requiring state agencies to use certain building rating systems and building codes for each new construction and renovation project; providing an effective date.

—which was previously considered this day with pending **Amendment 1 (117882)** by Senator Detert as amended and pending **Amendment 1B (290052)** by Senator Detert. **Amendment 1B (290052)** was adopted.

Senator Montford moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1C (841976) (with title amendment)**—Delete lines 200-656.

And the title is amended as follows:

Delete lines 1345-1349 and insert: receipt of specific plans; providing that

## RECONSIDERATION OF AMENDMENT

On motion by Senator Stargel, the Senate reconsidered the vote by which **Amendment 1A (553348)** was adopted. **Amendment 1A** was withdrawn.

**Amendment 1 (117882)** as amended was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 269** as amended was placed on the calendar of Bills on Third Reading.

**CS for CS for CS for SB 306**—A bill to be entitled An act relating to economic development; amending s. 125.0104, F.S.; providing that tourist development tax revenues may also be used to pay the debt service on bonds that finance the renovation of a professional sports facility that is publicly owned, or that is on publicly owned land, and that is publicly operated or operated by the owner of a professional sports franchise or other lessee; requiring that the renovation costs exceed a specified amount; allowing certain fees and costs to be included in the cost for renovation; requiring private contributions to the professional sports facility as a condition for the use of tourist development taxes; authorizing the use of certain tax revenues to pay for operation and maintenance costs of the renovated facility; requiring a majority plus

one vote of the membership of the board of county commissioners to levy a tax for renovation of a sports franchise facility after approval by a majority of the electors voting in a referendum to approve the proposed use of the tax revenues; authorizing the referendum to be held before or after the effective date of this act; providing requirements for the referendum ballot; providing for nonapplication of the prohibition against levying such tax in certain cities and towns under certain conditions; authorizing the use of tourist development tax revenues for financing the renovation of a professional sports franchise facility; amending s. 212.20, F.S.; authorizing a distribution for an applicant that has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.11625, F.S.; providing a limitation; amending s. 220.153, F.S.; conforming a cross-reference; repealing s. 220.62(3) and (5), F.S., relating to the definitions of the terms “international banking facility” and “foreign person” in the income tax code; repealing s. 220.63(5), F.S., relating to an income tax deduction for international banking facilities; providing retroactive applicability and effect of certain provisions of the act; creating s. 288.11625, F.S.; providing that the Department of Economic Opportunity shall screen applicants for state funding for sports development; defining the terms “agreement,” “applicant,” “beneficiary,” “facility,” “project,” “state sales taxes generated by sales at the facility,” and “signature event”; providing a purpose to provide funding for applicants for constructing, reconstructing, renovating, or improving a facility; providing an application and approval process; providing for an annual application period; providing for the Department of Economic Opportunity to submit recommendations to the Legislature by a certain date; requiring legislative approval for state funding; providing evaluation criteria for an applicant to receive state funding; providing for evaluation and ranking of applicants under certain criteria; allowing the department to determine the type of beneficiary; providing levels of state funding up to a certain amount of new incremental state sales tax revenue; providing for a distribution and calculation; requiring the Department of Revenue to distribute funds within a certain timeframe after notification by the department; limiting annual distributions to \$13 million; providing for a contract between the department and the applicant; limiting use of funds; requiring an applicant to submit information to the department annually; requiring a 5-year review; authorizing the Auditor General to conduct audits; providing for an application related to a signature event; requiring award of a signature event as a condition for receiving distributions for an application related to a signature event; authorizing the Legislative Budget Commission to approve an application; providing for reimbursement of the state funding under certain circumstances; providing for discontinuation of distributions upon an applicant’s request; authorizing the Department of Economic Opportunity to adopt rules; contingently creating s. 288.116255, F.S.; providing for an evaluation; amending s. 218.64, F.S.; providing for municipalities and counties to expend a portion of local government half-cent sales tax revenues to reimburse the state as required by a contract; authorizing the Department of Economic Opportunity to adopt emergency rules; providing effective dates.

—was read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Braynon moved the following amendment which was adopted:

**Amendment 1 (723596) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraph (n) of subsection (3) and paragraph (a) of subsection (5) of section 125.0104, Florida Statutes, are amended to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

(3) TAXABLE PRIVILEGES; EXEMPTIONS; LEVY; RATE.—

(n) In addition to any other tax that is imposed under this section, a county that has imposed the tax under paragraph (l) may impose an additional tax that is no greater than 1 percent on the exercise of the privilege described in paragraph (a) by a majority plus one vote of the membership of the board of county commissioners, or as otherwise provided in this paragraph, in order to:

1. Pay the debt service on bonds issued to finance:

a. The construction, reconstruction, or renovation of a facility ~~that is either publicly owned and operated, or is publicly owned and operated by the owner of a professional sports franchise or other lessee with sufficient expertise or financial capability to operate such facility, and to pay the planning and design costs incurred before~~ ~~prior to~~ the issuance of such bonds for a new professional sports franchise as defined in s. 288.1162.

b. The acquisition, construction, reconstruction, or renovation of a facility ~~either publicly owned and operated, or publicly owned and operated by the owner of a professional sports franchise or other lessee with sufficient expertise or financial capability to operate such facility, and to pay the planning and design costs incurred before~~ ~~prior to~~ the issuance of such bonds for a retained spring training franchise.

2. *Pay the debt service on bonds issued to finance the renovation of a professional sports franchise facility that is publicly owned, or located on land that is publicly owned, and that is publicly operated or operated by the owner of a professional sports franchise or other lessee who has sufficient expertise or financial capability to operate the facility, and to pay the planning and design costs incurred before the issuance of such bonds for the renovated professional sports facility. The cost to renovate the facility must be more than \$300 million, including permitting, architectural, and engineering fees, and at least a majority of the total construction cost, exclusive of in-kind contributions, must be paid for by the ownership group of the professional sports franchise or other private sources. Tax revenues available to pay debt service on bonds may be used to pay for operation and maintenance costs of the facility. A county levying the tax for the purposes specified in this subparagraph may do so only by a majority plus one vote of the membership of the board of county commissioners and after approval of the proposed use of the tax revenues by a majority vote of the electors voting in the referendum. Referendum approval of the proposed use of the tax revenues may be in an election held before or after the effective date of this act. The referendum ballot must include a brief description of the proposed use of the tax revenues and the following question:*

*FOR the Proposed Use*

*AGAINST the Proposed Use*

3.2. Promote and advertise tourism in ~~this the state of Florida~~ and nationally and internationally; however, if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or event ~~must shall~~ have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists.

A county that imposes the tax authorized in this paragraph may not expend any ad valorem tax revenues for the acquisition, *expansion*, construction, reconstruction, or renovation of a facility for which tax revenues are used pursuant to subparagraph 1. The provision of paragraph (b) which prohibits any county authorized to levy a convention development tax pursuant to s. 212.0305 from levying more than the 2 percent ~~2 percent~~ tax authorized by this section ~~does shall~~ not apply to the additional tax authorized by this paragraph in counties ~~that which~~ levy convention development taxes pursuant to s. 212.0305(4)(a) or (b). Subsection (4) does not apply to the adoption of the additional tax authorized in this paragraph. The effective date of the levy and imposition of the tax authorized under this paragraph is the first day of the second month following approval of the ordinance by the board of county commissioners or the first day of any subsequent month specified in the ordinance. A certified copy of such ordinance ~~must shall~~ be furnished by the county to the Department of Revenue within 10 days after approval of the ordinance.

#### (5) AUTHORIZED USES OF REVENUE.—

(a) All tax revenues received pursuant to this section by a county imposing the tourist development tax ~~must shall~~ be used by that county for the following purposes only:

1. To acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or promote one or more publicly owned and operated convention centers, sports stadiums, sports arenas, coliseums, auditoriums, aquariums, or museums that are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public, within the boundaries of the county or subcounty special taxing

district in which the tax is levied. Tax revenues received pursuant to this section may also be used for promotion of zoological parks that are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public. However, these purposes may be implemented through service contracts and leases with lessees with sufficient expertise or financial capability to operate such facilities;

2. To promote and advertise tourism in ~~this the state of Florida~~ and nationally and internationally; however, if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or event ~~must shall~~ have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists;

3. To fund convention bureaus, tourist bureaus, tourist information centers, and news bureaus as county agencies or by contract with the chambers of commerce or similar associations in the county, which may include any indirect administrative costs for services performed by the county on behalf of the promotion agency; ~~or~~

4. To finance beach park facilities or beach improvement, maintenance, renourishment, restoration, and erosion control, including shoreline protection, enhancement, cleanup, or restoration of inland lakes and rivers to which there is public access as those uses relate to the physical preservation of the beach, shoreline, or inland lake or river. However, any funds identified by a county as the local matching source for beach renourishment, restoration, or erosion control projects included in the long-range budget plan of the state's Beach Management Plan, pursuant to s. 161.091, or funds contractually obligated by a county in the financial plan for a federally authorized shore protection project may not be used or loaned for any other purpose. In counties of less than 100,000 population, no more than 10 percent of the revenues from the tourist development tax may be used for beach park facilities; ~~or-~~

#### 5. *For other uses specifically allowed under subsection (3).*

Section 2. Paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and s. 202.18(1)(b) and (2)(b) shall be as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) ~~must shall~~ be distributed as follows:

1. In any fiscal year, the greater of \$500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5.2 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) ~~must shall~~ be deposited in monthly installments into the General Revenue Fund.

2. After the distribution under subparagraph 1., 8.814 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 ~~must shall~~ be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred ~~must shall~~ be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less \$5,000 each month, which ~~must shall~~ be added to the amount calculated in subparagraph 3. and distributed accordingly.

3. After the distribution under subparagraphs 1. and 2., 0.095 percent ~~must shall~~ be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

4. After the distributions under subparagraphs 1., 2., and 3., 2.0440 percent of the available proceeds ~~must shall~~ be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

5. After the distributions under subparagraphs 1., 2., and 3., 1.3409 percent of the available proceeds ~~must shall~~ be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this sub-



paragraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, ~~a no~~ municipality ~~may not shall~~ receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

6. Of the remaining proceeds:

a. In each fiscal year, the sum of \$29,915,500 ~~must shall~~ be divided into as many equal parts as there are counties in the state, and one part ~~must shall~~ be distributed to each county. The distribution among the several counties must begin each fiscal year on or before January 5th and continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000 under the then-existing provisions of s. 550.135 be paid directly to the district school board, special district, or a municipal government, such payment must continue until the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards before July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 before July 1, 2000.

b. The department shall, pursuant to s. 288.1162, distribute \$166,667 monthly ~~pursuant to s. 288.1162~~ to each applicant certified as a facility for a new or retained professional sports franchise ~~pursuant to s. 288.1162~~. Up to \$41,667 ~~must shall~~ be distributed monthly by the department to each certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. However, not more than \$416,670 may be distributed monthly in the aggregate to all certified applicants for facilities for spring training franchises. Distributions begin 60 days after such certification and continue for not more than 30 years, except as otherwise provided in s. 288.11621. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided for in s. 288.1162 ~~288.1162(5)~~ or s. 288.11621(3).

c. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been certified as the professional golf hall of fame pursuant to s. 288.1168 and is open to the public, \$166,667 ~~must shall~~ be distributed monthly, for up to 300 months, to the applicant.

d. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that the applicant has been certified as the International Game Fish Association World Center facility pursuant to s. 288.1169, and the facility is open to the public, \$83,333 ~~must shall~~ be distributed monthly, for up to 168 months, to the applicant. This distribution is subject to reduction pursuant to s. 288.1169. A lump sum payment of \$999,996 ~~must shall~~ be made, after certification and before July 1, 2000.

e. Beginning 45 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.11625, the department shall distribute each month an amount equal to one-twelfth the annual distribution amount certified by the Department of Economic Opportunity for the applicant. The department may not distribute more than \$13 million annually to all applicants approved by the Legislature and certified by the Department of Economic Opportunity pursuant to s. 288.11625.

7. All other proceeds must remain in the General Revenue Fund.

Section 3. Section 288.11625, Florida Statutes, is created to read:

288.11625 Sports development.—

(1) *ADMINISTRATION.*—The department shall serve as the state agency responsible for screening applicants for state funding under s. 212.20(6)(d)6.e.

(2) *DEFINITIONS.*—As used in this section, the term:

(a) “Agreement” means a signed agreement between a unit of local government and a beneficiary.

(b) “Applicant” means a unit of local government, as defined in s. 218.369, which is responsible for the construction, management, or operation of a facility; or an entity that is responsible for the construction, management, or operation of a facility if a unit of local government holds title to the underlying property on which the facility is located.

(c) “Beneficiary” means a professional sports franchise of the National Football League, the National Hockey League, the National Basketball Association, the National League or American League of Major League Baseball, Major League Soccer, or the National Association for Stock Car Auto Racing, or a nationally recognized professional sports association that occupies or uses a facility as the facility’s primary tenant. A beneficiary may also be an applicant under this section.

(d) “Facility” means a facility primarily used to host games or events held by a beneficiary and does not include any portion used to provide transient lodging.

(e) “Project” means a proposed construction, reconstruction, renovation, or improvement of a facility, or the proposed acquisition of land to construct a new facility.

(f) “Signature event” means a professional sports event with significant export factor potential. For purposes of this paragraph, the term “export factor” means the attraction of economic activity or growth into the state which otherwise would not have occurred. Examples of signature events may include, but are not limited to:

1. National Football League Super Bowls.
2. Professional sports All-Star games.
3. International sporting events and tournaments.
4. Professional automobile race championships or Formula 1 Grand Prix.
5. The establishment of a new professional sports franchise in this state.

(g) “State sales taxes generated by sales at the facility” means state sales taxes imposed under chapter 212 generated by admissions to the facility or by sales made by vendors at the facility who are accessible to persons attending events occurring at the facility.

(3) *PURPOSE.*—The purpose of this section is to provide applicants state funding under s. 212.20(6)(d)6.e. for the public purpose of constructing, reconstructing, renovating, or improving a facility.

(4) *APPLICATION AND APPROVAL PROCESS.*—

(a) The department shall establish the procedures and application forms deemed necessary pursuant to the requirements of this section. The department may notify an applicant of any additional required or incomplete information necessary to evaluate an application.

(b) The annual application period is from June 1 through November 1.

(c) Within 60 days after receipt of a completed application, the department shall complete its evaluation of the application as provided under subsection (5) and notify the applicant in writing of the department’s decision to recommend approval of the applicant by the Legislature or to deny the application.

(d) Annually by February 1, the department shall rank the applicants and shall provide to the Legislature the list of the recommended applicants in ranked order of projects most likely to positively impact the state based on required criteria established in this section. The list must include the department’s evaluation of the applicant.



(e) A recommended applicant's request for funding must be approved by the Legislature by general law.

1. An application by a unit of local government which is approved by the Legislature and subsequently certified by the department remains certified for the duration of the beneficiary's agreement with the applicant or for 30 years, whichever is less, provided the certified applicant has an agreement with a beneficiary at the time of initial certification by the department.

2. An application by a beneficiary which is approved by the Legislature and subsequently certified by the department remains certified for the duration of the beneficiary's agreement with the unit of local government that owns the underlying property or for 30 years, whichever is less, provided the certified applicant has an agreement with the unit of local government at the time of initial certification by the department.

3. An applicant that is previously certified pursuant to this section does not need legislative approval each year to receive state funding.

(f) An applicant that is recommended by the department but is not approved by the Legislature may reapply and update any information in the original application as required by the department.

(g) The department may recommend no more than one distribution under this section for any applicant, facility, or beneficiary at a time.

#### (5) EVALUATION PROCESS.—

(a) Before recommending an applicant to receive a state distribution under s. 212.20(6)(d)6.e., the department must verify that:

1. The applicant or beneficiary is responsible for the construction, reconstruction, renovation, or improvement of a facility.

2. If the applicant is also the beneficiary, a unit of local government holds title to the property on which the facility and project are located.

3. The project for which the applicant is seeking state funding has not commenced construction.

4. If the applicant is a unit of local government in whose jurisdiction the facility will be located, the unit of local government has an exclusive intent agreement to negotiate in this state with the beneficiary.

5.a. The unit of local government in whose jurisdiction the facility will be located supports the application for state funds. Such support must be verified by the adoption of a resolution after a public hearing that the project serves a public purpose.

b. If the unit of local government is required to pass a resolution by a majority plus one vote by the local government's governing body and to hold a referendum for approval pursuant to s. 125.0104(3)(n)2., such resolution and referendum must affirmatively pass for the applicant to receive state funding under this section.

6. The applicant or beneficiary has not previously defaulted or failed to meet any statutory requirements of a previous state-administered sports-related program under s. 288.1162, s. 288.11621, or s. 288.1168.

7. The applicant or beneficiary has sufficiently demonstrated a commitment to employ residents of this state, contract with Florida-based firms, and purchase locally available building materials to the greatest extent possible.

8. If the applicant is a unit of local government, the applicant has a certified copy of a signed agreement with a beneficiary for the use of the facility. If the applicant is a beneficiary, the beneficiary must enter into an agreement with the department. The applicant's or beneficiary's agreement must also require the following:

a. The beneficiary must reimburse the state for state funds that have been distributed and will be distributed if the beneficiary relocates before the agreement expires.

b. The beneficiary must pay for signage or advertising within the facility. The signage or advertising must be placed in a prominent location as close to the field of play or competition as is practical, displayed consistent with signage or advertising in the same location and like value,

and must feature Florida advertising approved by the Florida Tourism Industry Marketing Corporation.

9. The project will commence within 12 months after receiving state funds.

(b) The department shall competitively evaluate and rank applicants that submit applications for state funding which are received during the application period using the following criteria to evaluate the applicant's ability to positively impact the state:

1. The proposed use of state funds.

2. The length of time that a beneficiary has agreed to use the facility.

3. The percentage of total project funds provided by the applicant and the percentage of total project funds provided by the beneficiary.

4. The number and type of signature events the facility is likely to attract during the duration of the agreement with the beneficiary.

5. The anticipated increase in average annual ticket sales and attendance at the facility due to the project.

6. The potential to attract out-of-state visitors to the facility.

7. The length of time a beneficiary has been in the state or partnered with the unit of local government. In order to encourage new franchises to locate in this state, an application for a new franchise shall be considered to have a significant positive impact on the state and shall be given priority in the evaluation and ranking by the department.

8. The multiuse capabilities of the facility.

9. The facility's projected employment of residents of this state, contracts with Florida-based firms, and purchases of locally available building materials.

10. The amount of private and local financial or in-kind contributions to the project.

11. The amount of positive advertising or media coverage the facility generates.

#### (6) DISTRIBUTION.—

(a) The department shall determine the annual distribution amount an applicant may receive based on the total cost of the project.

1. If the total project cost is \$200 million or greater, the applicant is eligible to receive annual distributions equal to the new incremental state sales taxes generated by sales at the facility during 12 months as provided under subparagraph (b)2., up to \$3 million.

2. If the total project cost is at least \$100 million but less than \$200 million, the applicant is eligible to receive annual distributions equal to the new incremental state sales taxes generated by sales at the facility during 12 months as provided under subparagraph (b)2., up to \$2 million.

3. If the total project cost is less than \$100 million, the applicant is eligible to receive annual distributions equal to the new incremental state sales taxes generated by sales at the facility during 12 months as provided under subparagraph (b)2., up to \$1 million.

(b) At the time of initial evaluation and review by the department pursuant to subsection (5), the applicant must provide an analysis by an independent certified public accountant which demonstrates:

1. The amount of state sales taxes generated by sales at the facility during the 12-month period immediately prior to the beginning of the application period. This amount is the baseline.

2. The expected amount of new incremental state sales taxes generated by sales at the facility above the baseline which will be generated as a result of the project.

(c) The independent analysis provided in paragraph (b) must be verified by the department.

(d) *The Department of Revenue shall begin distributions within 45 days after notification of initial certification from the department.*

(e) *The department must consult with the Department of Revenue and the Office of Economic and Demographic Research to develop a standard calculation for estimating new incremental state sales taxes generated by sales at the facility and adjustments to distributions.*

(f) *In any 12-month period when total distributions for all certified applicants equal \$13 million, the department may not certify new distributions for any additional applicants.*

(7) **CONTRACT.**—*An applicant approved by the Legislature and certified by the department must enter into a contract with the department which:*

(a) *Specifies the terms of the state's investment.*

(b) *States the criteria that the certified applicant must meet in order to remain certified.*

(c) *Requires the applicant to submit the independent analysis required under subsection (6) and an annual independent analysis.*

1. *The applicant must agree to submit to the department, beginning 12 months after completion of a project or 12 months after the first four annual distributions, whichever is earlier, an annual analysis by an independent certified public accountant demonstrating the actual amount of new incremental state sales taxes generated by sales at the facility during the previous 12-month period. The applicant shall certify to the department a comparison of the actual amount of state sales taxes generated by sales at the facility during the previous 12-month period to the baseline under subparagraph (6)(b)1.*

2. *The applicant must submit the certification within 60 days after the end of the previous 12-month period. The department shall verify the analysis.*

(d) *Specifies information that the certified applicant must report to the department.*

(e) *Requires the applicant to reimburse the state for the amount each year that the actual new incremental state sales taxes generated by sales at the facility during the most recent 12-month period was less than the annual distribution under paragraph (6)(a). This requirement applies 12 months after completion of a project or 12 months after the first four annual distributions, whichever is earlier.*

1. *If the applicant is unable or unwilling to reimburse the state in any year for the amount equal to the difference between the actual new incremental state sales taxes generated by sales at the facility and the annual distribution under paragraph (6)(a), the department may place a lien on the applicant's facility.*

2. *If the applicant is a municipality or county, it may reimburse the state from its half-cent sales tax allocation, as provided in s. 218.64(3).*

3. *Reimbursements must be sent to the Department of Revenue for deposit into the General Revenue Fund.*

(f) *Includes any provisions deemed prudent by the department.*

(8) **USE OF FUNDS.**—*An applicant certified under this section may use state funds only for the following purposes:*

(a) *Constructing, reconstructing, renovating, or improving a facility, or reimbursing such costs.*

(b) *Paying or pledging for the payment of debt service on, or to fund debt service reserve funds, arbitrage rebate obligations, or other amounts payable with respect thereto, bonds issued for the construction or renovation of such facility; or for the reimbursement of such costs or the refinancing of bonds issued for such purposes.*

(9) **REPORTS.**—

(a) *On or before November 1 of each year, an applicant certified under this section and approved to receive state funds must submit to the department any information required by the department. The department*

*shall summarize this information for inclusion in the report to the Legislature due February 1 under paragraph (4)(d).*

(b) *Every 5 years following the first month that an applicant receives a monthly distribution, the department must verify that the applicant is meeting the program requirements. If the applicant is not meeting program requirements, the department must notify the Governor and Legislature of the requirements not being met and must recommend future action as part of the report to the Legislature due February 1 pursuant to paragraph (4)(d). The department shall consider exceptions that may have prevented the applicant from meeting the program requirements. Such exceptions include:*

1. *Force majeure events.*

2. *Significant economic downturn.*

3. *Other extenuating circumstances.*

(10) **AUDITS.**—*The Auditor General may conduct audits pursuant to s. 11.45 to verify the independent analysis required under paragraphs (6)(b) and (7)(c) and to verify that the distributions are expended as required. The Auditor General shall report the findings to the department. If the Auditor General determines that the distribution payments are not expended as required, the Auditor General must notify the Department of Revenue, which may pursue recovery of distributions under the laws and rules that govern the assessment of taxes.*

(11) **REPAYMENT OF DISTRIBUTIONS.**—*An applicant that is certified under this section may be subject to repayment of distributions upon the occurrence of any of the following:*

(a) *An applicant's beneficiary has broken the terms of its agreement with the applicant and relocated from the facility. The beneficiary must reimburse the state for state funds that have been distributed and will be distributed if the beneficiary relocates before the agreement expires.*

(b) *The department has determined that an applicant has submitted any information or made a representation that is determined to be false, misleading, deceptive, or otherwise untrue. The applicant must reimburse the state for state funds that have been distributed and will be distributed if such determination is made.*

(12) **HALTING OF PAYMENTS.**—*The applicant may request to halt future distributions by providing the department with written notice at least 20 days prior to the next monthly distribution payment. The department must immediately notify the Department of Revenue to halt future payments.*

(13) **RULEMAKING.**—*The department may adopt rules to implement this section.*

Section 4. Contingent upon enactment of the Economic Development Program Evaluation as set forth in SB 406 or similar legislation, section 288.116255, Florida Statutes, is created to read:

288.116255 **Sports Development Program evaluation.**—*Beginning in 2015, the Sports Development Program must be evaluated as part of the Economic Development Program Evaluation, and every 3 years thereafter.*

Section 5. Subsections (2) and (3) of section 218.64, Florida Statutes, are amended to read:

218.64 **Local government half-cent sales tax; uses; limitations.**—

(2) *Municipalities shall expend their portions of the local government half-cent sales tax only for municipality-wide programs, for reimbursing the state as required by a contract pursuant to s. 288.11625(7), or for municipality-wide property tax or municipal utility tax relief. All utility tax rate reductions afforded by participation in the local government half-cent sales tax shall be applied uniformly across all types of taxed utility services.*

(3) *Subject to ordinances enacted by the majority of the members of the county governing authority and by the majority of the members of the governing authorities of municipalities representing at least 50 percent of the municipal population of such county, counties may use up to \$3 ~~\$2~~ million annually of the local government half-cent sales tax*

allocated to that county for ~~funding for~~ any of the following purposes applicants:

(a) *Funding* a certified applicant as a facility for a new or retained professional sports franchise under s. 288.1162 or a certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. It is the Legislature's intent that the provisions of s. 288.1162, including, but not limited to, the evaluation process by the Department of Economic Opportunity except for the limitation on the number of certified applicants or facilities as provided in that section and the restrictions set forth in s. 288.1162(8), shall apply to an applicant's facility to be funded by local government as provided in this subsection.

(b) *Funding* a certified applicant as a "motorsport entertainment complex," as provided for in s. 288.1171. Funding for each franchise or motorsport complex shall begin 60 days after certification and shall continue for not more than 30 years.

(c) *Reimbursing the state as required by a contract pursuant to s. 288.11625(7).*

Section 6. (1) *The executive director of the Department of Economic Opportunity may, and all conditions are deemed met, adopt emergency rules pursuant to ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act.*

(2) *Notwithstanding any provision of law, such emergency rules remain in effect for 6 months after the date adopted and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.*

Section 7. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to economic development; amending s. 125.0104, F.S.; providing that tourist development tax revenues may also be used to pay the debt service on bonds that finance the renovation of a professional sports facility that is publicly owned, or that is on publicly owned land, and that is publicly operated or operated by the owner of a professional sports franchise or other lessee; requiring that the renovation costs exceed a specified amount; allowing certain fees and costs to be included in the cost for renovation; requiring private contributions to the professional sports facility as a condition for the use of tourist development taxes; authorizing the use of certain tax revenues to pay for operation and maintenance costs of the renovated facility; requiring a majority plus one vote of the membership of the board of county commissioners to levy a tax for renovation of a sports franchise facility after approval by a majority of the electors voting in a referendum to approve the proposed use of the tax revenues; authorizing the referendum to be held before or after the effective date of this act; providing requirements for the referendum ballot; providing for nonapplication of the prohibition against levying such tax in certain cities and towns under certain conditions; authorizing the use of tourist development tax revenues for financing the renovation of a professional sports franchise facility; amending s. 212.20, F.S.; authorizing a distribution for an applicant that has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.116255, F.S.; providing a limitation; creating s. 288.11625, F.S.; providing that the Department of Economic Opportunity shall screen applicants for state funding for sports development; defining the terms "agreement," "applicant," "beneficiary," "facility," "project," "state sales taxes generated by sales at the facility," and "signature event"; providing a purpose to provide funding for applicants for constructing, reconstructing, renovating, or improving a facility; providing an application and approval process; providing for an annual application period; providing for the Department of Economic Opportunity to submit recommendations to the Legislature by a certain date; requiring legislative approval for state funding; providing evaluation criteria for an applicant to receive state funding; providing for evaluation and ranking of applicants under certain criteria; allowing the department to determine the type of beneficiary; providing levels of state funding up to a certain amount of new incremental state sales tax revenue; providing for a distribution and calculation; requiring the Department of Revenue to distribute funds within a certain timeframe after notification by the department; limiting annual distributions to \$13 million; providing for a contract between the department and the applicant; limiting use of funds; requiring an applicant to submit in-

formation to the department annually; requiring a 5-year review; authorizing the Auditor General to conduct audits; providing for reimbursement of the state funding under certain circumstances; providing for discontinuation of distributions upon an applicant's request; authorizing the Department of Economic Opportunity to adopt rules; contingently creating s. 288.116255, F.S.; providing for an evaluation; amending s. 218.64, F.S.; providing for municipalities and counties to expend a portion of local government half-cent sales tax revenues to reimburse the state as required by a contract; authorizing the Department of Economic Opportunity to adopt emergency rules; providing effective dates.

## SENATOR BENACQUISTO PRESIDING

### THE PRESIDENT PRESIDING

On motion by Senator Braynon, by two-thirds vote **CS for CS for CS for SB 306** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Abruzzo	Galvano	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Margolis	Thompson
Diaz de la Portilla	Montford	Thrasher
Evers	Negron	

Nays—4

Mr. President	Flores	Garcia
Legg		

### MOTIONS

On motion by Senator Thrasher, by two-thirds vote all bills remaining on the Special Order Calendar this day, except **CS for SB 916** and **CS for CS for SB 1384**, were placed on the Special Order Calendar for Tuesday, April 30.

On motion by Senator Thrasher, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Tuesday, April 30.

### REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Monday, April 29, 2013: CS for CS for SB 1384, CS for CS for SB 274, CS for SB 262, CS for SB 378, CS for SB 1000, SB 924, CS for CS for SB 836, SB 1680, CS for SB 304, CS for CS for SB 594, CS for CS for SB 984, CS for SB 1318, SB 1864, CS for SB 1868, SB 862, CS for SB 844, CS for SB 732, CS for SB 582, CS for CS for CS for SB 500, CS for SB 370, SB 662, CS for SB 916, SB 1026, CS for SB 1132, CS for CS for SB 1192, CS for SB 1350, CS for SB 1352, CS for SB 1388, CS for SB 1408, SB 1630, CS for CS for SB 1636, CS for CS for SB 1644, CS for SB 1722, CS for SB 150, CS for SB 156, CS for SB 288, CS for SB 644, SB 742, CS for SB 860, CS for CS for CS for SB 958, CS for SB 960, SB 1246, SB 1280, CS for SB 1390, CS for SB 154, CS for CS for SB 242, SB 410, CS for SB 1024, SB 1064, SB 1190, SB 1200, SB 1816, SB 1884, CS for CS for SB 560, CS for CS for SB 966, CS for SB 1844.

Respectfully submitted,  
John Thrasher, Rules Chair  
Lizbeth Benacquisto, Majority Leader  
Christopher L. Smith, Minority Leader

## MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State **CS for SB 464** and **CS for SB 1096** which he approved on April 24, 2013.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### FIRST READING

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed **CS for CS for HB 87**, **CS for CS for CS for HB 125**, **CS for HB 241**, **CS for CS for HB 427**, **CS for HB 589**, **CS for CS for HB 807**, **HB 855**, **CS for CS for CS for HB 879**, **HB 949**, **CS for HB 977**, **HB 979**, **CS for HB 981**, **CS for HB 1007**, **CS for HB 1013**, **CS for CS for HB 1015**, **HB 1027**, **CS for HB 1069**, **CS for HB 1171**, **CS for HB 1193**, **HB 1271**, **CS for HB 1281**, **HB 1283**, **HB 1285**, **HB 1287**, **CS for HB 1321**, **CS for HB 1323**, **HB 1367**, **CS for CS for CS for HB 1379**, **CS for HB 1403**, **CS for HB 1411**, **CS for HB 1421**, **HB 4037**, **HB 4039**, **HB 4053**; has passed as amended **CS for HB 433**, **HB 533**, **CS for CS for HB 801**, **CS for CS for HB 1159**, **CS for HB 1191**, **CS for CS for CS for HB 1245**, **CS for CS for HB 7007**, **CS for CS for HB 7125**; has passed by the required constitutional three-fifths vote of the membership **CS for HB 1009** and requests the concurrence of the Senate.

*Robert L. "Bob" Ward, Clerk*

By Appropriations Committee, Judiciary Committee and Representative(s) Passidomo, Caldwell, Cummings, Moraitis, Rodrigues, R.—

**CS for CS for HB 87**—A bill to be entitled An act relating to mortgage foreclosures; amending s. 95.11, F.S.; revising the limitations period for commencing an action to enforce a claim of a deficiency judgment after a foreclosure action; providing for applicability to actions commenced on or after a specified date; providing a time limitation for commencing certain actions; creating s. 702.015, F.S.; providing legislative intent; specifying required contents of a complaint seeking to foreclose on certain types of residential properties with respect to the authority of the plaintiff to foreclose on the note and the location of the note; authorizing sanctions against plaintiffs who fail to comply with complaint requirements; providing for nonapplicability to proceedings involving timeshare interests; creating s. 702.036, F.S.; requiring a court to treat a collateral attack on a final judgment of foreclosure on a mortgage as a claim for monetary damages under certain circumstances; prohibiting such court from granting certain relief affecting title to the foreclosed property; providing for construction relating to the rights of certain persons to seek specified types of relief or pursue claims against the foreclosed property under certain circumstances; amending s. 702.06, F.S.; limiting the amount of a deficiency judgment; amending s. 702.10, F.S.; revising the class of persons authorized to move for expedited foreclosure to include lienholders; defining the term "lienholder"; providing requirements and procedures with respect to an order directed to defendants to show cause why a final judgment of foreclosure should not be entered; providing that certain failures by a defendant to make certain filings or to make certain appearances may have specified legal consequences; requiring the court to enter a final judgment of foreclosure and order a foreclosure sale under certain circumstances; revising a restriction on a mortgagee to request a court to order a mortgagor defendant to make payments or to vacate the premises during an action to foreclose on residential real estate to provide that the restriction applies to all but owner-occupied residential property; providing a presumption regarding owner-occupied residential property; creating s. 702.11, F.S.; providing requirements for reasonable means of providing adequate protection under s. 673.3091, F.S., in mortgage foreclosures of certain residential properties; providing for liability of persons who wrongly claim to be holders of or entitled to enforce a lost, stolen, or destroyed note and cause the mortgage secured thereby to be foreclosed in certain circumstances; providing legislative findings; providing for applicability; requesting the Florida Supreme Court to adopt rules and forms to expedite foreclosure proceedings; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; and Appropriations.

By Health & Human Services Committee, Health Care Appropriations Subcommittee, Health Innovation Subcommittee and Representative(s) Smith, Fasano, Jones, M.—

**CS for CS for CS for HB 125**—A bill to be entitled An act relating to the Program of All-inclusive Care for the Elderly (PACE); requiring the Agency for Health Care Administration to contract with a certain organization to provide PACE services in Duval, St. Johns, Baker, and Nassau Counties; requiring the agency to contract with a certain not-for-profit corporation to provide PACE services in Alachua and Clay Counties; authorizing the agency to contract with a certain organization to provide PACE services in Hernando and Pasco counties; providing an exemption from ch. 641, F.S., for an organization or the not-for-profit corporation providing PACE services in counties specified in the act; authorizing, subject to appropriation, enrollment slots for the program in such counties; prohibiting the agency from issuing additional PACE contracts under certain circumstances; requiring PACE projects approved after a specified date to be subject to certain rate-setting and encounter data submission requirements; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

By Health Care Appropriations Subcommittee and Representative(s) Reed, Pafford, Van Zant—

**CS for HB 241**—A bill to be entitled An act relating to community health workers; providing definitions; specifying the duties and activities of community health workers; creating the Community Health Worker Task Force within a state college or university; requiring the Department of Health to provide administrative support and services; providing membership and duties of the task force; requiring the members of the task force to elect a chair and vice chair; providing that task force members serve without compensation and are not entitled to reimbursement for per diem or travel expenses; requiring that the task force meet at least quarterly in person, by teleconference, or by other electronic means; specifying the number of members required for a quorum; requiring the task force to submit a report to the Governor and Legislature by a specified date; providing an effective date.

—was referred to the Committees on Health Policy; Education; Community Affairs; and Rules.

By Transportation & Economic Development Appropriations Subcommittee, Transportation & Highway Safety Subcommittee and Representative(s) Rogers, Bracy, Powell—

**CS for CS for HB 427**—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Sun, Sea, and Smiles license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; Rules; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Economic Development & Tourism Subcommittee and Representative(s) Raulerson, Fitzenhagen, Nelson, Rodrigues, R.—

**CS for HB 589**—A bill to be entitled An act relating to the State Poet Laureate; amending s. 265.285, F.S.; assigning duties to the Florida Council on Arts and Culture relating to the promotion of poetry and recommendations for the appointment of the State Poet Laureate; creating s. 265.2863, F.S.; creating the honorary position of State Poet Laureate within the Department of State; establishing procedures for the acceptance of nominations, the qualifications and recommendation of nominees, and the appointment of the State Poet Laureate; providing terms and the process for filling vacancies; specifying that any former poet laureate becomes a State Poet Laureate Emeritus or State Poet

Laureate Emerita; providing that the State Poet Laureate, the State Poet Laureate Emeritus, and the State Poet Laureate Emerita shall serve without compensation; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Education; and Rules.

By Regulatory Affairs Committee, Finance & Tax Subcommittee and Representative(s) Steube, Gonzalez—

**CS for CS for HB 807**—A bill to be entitled An act relating to emergency communication system; amending s. 365.172, F.S., relating to the Emergency Communications Number E911 System; revising definitions; revising provisions relating to oversight of certain fees by the Technology Program within the Department of Management Services; revising E911 board appointment provisions; revising duties of the board; revising provisions for administration, distribution, and use of the E911 fee; revising provisions for state E911 Grant Program funding; revising E911 fee provisions; revising fee collection procedures; providing that the state and local governments are not consumers for certain purposes; specifying the amount of the fee; revising provisions for use of the fees collected; authorizing the board to adjust the rate of the fee; providing that fees collected may not be included in the base for measuring any tax, fee, surcharge, or other charge; providing for a prepaid wireless E911 fee; limiting the amount of the fee; providing procedures for adjustment and imposition of the fee; requiring the Department of Revenue to provide notice to sellers; providing requirements for collection of the fee by the seller; providing criteria for the location of the transaction; providing requirements and procedures for filing returns and remitting fees to the Department of Revenue; providing that the Department of Revenue is the agent for the E911 Board for purposes of collecting the prepaid wireless E911 fee; requiring sellers of prepaid wireless services to register with the department; providing for distribution of funds remitted; limiting liability of provider or seller of prepaid wireless service; prohibiting a local government from imposing a fee on sellers of prepaid wireless services; providing that the state and local governments are not consumers for certain purposes; providing definitions for specified purposes; revising provisions for authorized expenditures of the E911 fee; providing that certain costs of the Department of Health are functions of 911 services; amending s. 365.173, F.S.; revising provisions for accounting, distribution, use, and auditing of the Emergency Communications Number E911 System Fund; providing for a prepaid wireless category in such fund; providing an appropriation; providing effective dates.

—was referred to the Committees on Communications, Energy, and Public Utilities; Regulated Industries; Appropriations Subcommittee on Finance and Tax; and Appropriations.

By Representative(s) Rooney—

**HB 855**—A bill to be entitled An act relating to the South Indian River Water Control District, Palm Beach County; amending chapter 2001-313, Laws of Florida, as amended; authorizing construction of improvements on district property for recreational purposes within a specified area of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, Transportation & Highway Safety Subcommittee and Representative(s) Ray, Rogers, Broxson—

**CS for CS for CS for HB 879**—A bill to be entitled An act relating to freight logistics zones; creating s. 311.103, F.S.; defining the term "freight logistics zones"; authorizing a county or two or more contiguous counties to designate a geographic area or areas within its jurisdiction as a freight logistics zone; requiring the adoption of a strategic plan which must include certain information; providing that certain projects within freight logistics zones may be eligible for priority in state funding and certain incentive programs; providing evaluation criteria for freight logistics zones; providing an effective date.

—was referred to the Committees on Transportation; and Community Affairs.

By Representative(s) Roberson, K.—

**HB 949**—A bill to be entitled An act relating to Charlotte County; amending chapter 98-508, Laws of Florida, as amended; revising provisions for the election of members of the Charlotte County Airport Authority; providing for the members to be known as commissioners; repealing s. 2 of chapter 63-1207, Laws of Florida, relating to obsolete provisions for the election of members of the Charlotte County Development Commission; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Local & Federal Affairs Committee and Representative(s) Harrell—

**CS for HB 977**—A bill to be entitled An act relating to St. Lucie County Mosquito Control District, St. Lucie County; amending chapter 2003-365, Laws of Florida; revising the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative(s) Mayfield—

**HB 979**—A bill to be entitled An act relating to Fort Pierce Farms Water Control District, St. Lucie County; codifying the district's charter pursuant to s. 189.429, Florida Statutes; providing legislative intent; amending, codifying, repealing, and reenacting all special acts relating to Fort Pierce Farms Water Control District as a single act; repealing chapters 9981 (1923), 10549 (1925), 12033 (1927), 16032 (1933), 25447 (1949), 65-1226, 78-609, 82-376, 87-448, and 2012-240, Laws of Florida, relating to the Fort Pierce Farms Water Control District; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Local & Federal Affairs Committee and Representative(s) Mayfield—

**CS for HB 981**—A bill to be entitled An act relating to the North St. Lucie River Water Control District, St. Lucie County; codifying, amending, reenacting, and repealing special acts relating to the district; providing a charter for the district; providing district boundaries; providing purpose; providing for a governing board and its membership, compensation, and duties; providing requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses; providing for the issuance of bonds; providing for elections; authorizing the levy of taxes, non-ad valorem assessments, fees, and service charges; providing for termination of the district; providing for construction and severability; repealing chapters 7973 (1919), 8896 (1921), 9635 (1923), 11129 (1925), 12106 (1927), 12108 (1927), 12109 (1927), 14773 (1931), 14774 (1931), 14775 (1931), 16089 (1933), 22111 (1943), 22714 (1945), 26790 (1951), 28379 (1953), 28647 (1953), 57-842, 59-979, 59-980, 65-1225, 69-1544, 96-529, and 2012-237, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Economic Affairs Committee and Representative(s) Rodrigues, R., Fitzenhagen—

**CS for HB 1007**—A bill to be entitled An act relating to the Lee County Tourist Development Council, Lee County; revising membership

of the council; providing an exception to general law; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Local & Federal Affairs Committee and Representative(s) Workman—

**CS for HB 1013**—A bill to be entitled An act relating to the Technological Research and Development Authority, Brevard County; abolishing the authority; transferring all assets and liabilities of the authority to the county; repealing ch. 2005-337, Laws of Florida, relating to creation of the authority; providing effective dates.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Health & Human Services Committee, Healthy Families Subcommittee and Representative(s) Roberson, K.—

**CS for CS for HB 1015**—A bill to be entitled An act relating to the state ombudsman program; amending s. 400.0060, F.S.; revising and providing definitions; amending s. 400.0061, F.S.; revising legislative intent with respect to citizen ombudsmen; deleting references to ombudsman councils and transferring their responsibilities to representatives of the Office of State Long-Term Care Ombudsman; amending s. 400.0063, F.S.; revising duties of the office; amending s. 400.0065, F.S.; revising the purpose of state and local ombudsman councils; establishing districts; requiring the state ombudsman to submit an annual report to the Governor, the Legislature, and specified agencies and entities; amending s. 400.0067, F.S.; revising duties and membership of the State Long-Term Care Ombudsman Council; amending s. 400.0069, F.S.; requiring the state ombudsman to designate and direct program districts; providing duties of representatives of the office in the districts; providing for appointment and qualifications of district ombudsmen; prohibiting certain individuals from serving as ombudsmen; amending s. 400.0070, F.S.; providing conditions under which a representative of the office could be found to have a conflict of interest; amending s. 400.0071, F.S.; requiring the Department of Elderly Affairs to consult with the state ombudsman before adopting rules pertaining to complaint resolution; amending s. 400.0073, F.S.; providing procedures for investigation of complaints; amending s. 400.0074, F.S.; revising procedures for conducting onsite administrative assessments; authorizing the department to adopt rules; amending s. 400.0075, F.S.; revising complaint notification and resolution procedures; amending s. 400.0078, F.S.; providing for a resident or representative of a resident to receive additional information regarding resident rights; amending s. 400.0079, F.S.; providing immunity from liability for a representative of the office under certain circumstances; amending s. 400.0081, F.S.; requiring long-term care facilities to provide representatives of the office with access to facilities, residents, and records for certain purposes; amending s. 400.0083, F.S.; conforming provisions to changes made by the act; amending s. 400.0087, F.S.; providing for the office to coordinate ombudsman services with Disability Rights Florida; amending s. 400.0089, F.S.; conforming provisions to changes made by the act; amending s. 400.0091, F.S.; revising training requirements for representatives of the office and ombudsmen; amending ss. 20.41, 400.021, 400.022, 400.0255, 400.1413, 400.162, 400.19, 400.191, 400.23, 400.235, 415.1034, 415.104, 415.1055, 415.106, 415.107, 429.02, 429.07, 429.19, 429.26, 429.28, 429.34, 429.35, 429.85, and 744.444, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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By Representative(s) Waldman—

**HB 1027**—A bill to be entitled An act relating to the Broward County Education, Research, and Training Authority, Broward County; repealing chapter 94-431, Laws of Florida, relating to the creation of the au-

thority; abolishing the authority; transferring assets and liabilities of the authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Local & Federal Affairs Committee and Representative(s) Ingram—

**CS for HB 1069**—A bill to be entitled An act relating to the Emerald Coast Utilities Authority, Escambia County; amending chapter 2001-324, Laws of Florida; revising the frequency of a management efficiency audit; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Local & Federal Affairs Committee and Representative(s) Harrell—

**CS for HB 1171**—A bill to be entitled An act relating to St. Lucie and Martin Counties; amending chapter 2012-45, Laws of Florida; revising provisions for the temporary distribution from Martin County to St. Lucie County of certain tax and assessment revenue collected in a portion of St. Lucie County being incorporated into Martin County; defining the term "tax and assessment revenue"; exempting certain revenue from distribution to St. Lucie County; revising the annual date of such distributions; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By State Affairs Committee and Representative(s) Beshears, Raburn, Albritton, Edwards, Steube—

**CS for HB 1193**—A bill to be entitled An act relating to the taxation of property; amending s. 193.461, F.S.; deleting authorization for a value adjustment board upon its own motion to review lands classified by a property appraiser as agricultural or nonagricultural; deleting a requirement that the property appraiser must reclassify as nonagricultural certain lands that have been zoned to a nonagricultural use; deleting authorization for a board of county commissioners to reclassify as nonagricultural certain lands that are contiguous to urban or metropolitan development under specified circumstances; deleting an evidentiary presumption that land is not being used primarily for bone fide agricultural purposes if it is purchased for a certain amount above its agricultural assessment; amending s. 193.503, F.S.; deleting authorization for a value adjustment board upon its own motion to review property granted or denied classification by a property appraiser as historic property that is being used for commercial or certain nonprofit purposes; amending s. 193.625, F.S.; deleting authorization for a value adjustment board upon its own motion to review land granted or denied a high-water recharge classification by a property appraiser; amending s. 196.194, F.S.; deleting authorization for a value adjustment board to review property tax exemptions upon its own motion or motion of the property appraiser and deleting certain notice requirements relating to the review of such exemptions; providing for retroactive application; providing an effective date.

—was referred to the Committees on Community Affairs; Agriculture; Appropriations Subcommittee on Finance and Tax; and Appropriations.

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By Representative(s) Hudson—

**HB 1271**—A bill to be entitled An act relating to the Central County Water Control District, Hendry County; amending chapter 2000-415, Laws of Florida; revising the legal description of the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Local & Federal Affairs Committee and Representative(s) Caldwell—

**CS for HB 1281**—A bill to be entitled An act relating to East County Water Control District, Hendry and Lee Counties; amending chapter 2000-423, Laws of Florida; authorizing the board of commissioners to exercise additional powers relating to public improvements and community facilities and their funding; providing for applicability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Adkins—

**HB 1283**—A bill to be entitled An act relating to Nassau County; amending chapter 81-440, Laws of Florida; revising criteria for special alcoholic beverage licenses for restaurants within the county; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Williams, A.—

**HB 1285**—A bill to be entitled An act relating to the Tallahassee-Leon County Civic Center Authority, Leon County; abolishing the authority; repealing chapter 2004-435, Laws of Florida, relating to the charter of the authority; designating the Tallahassee-Leon County Civic Center as the "Donald L. Tucker Civic Center"; providing for the erection of suitable markers; requiring the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a beverage license to Florida State University or its designee; transferring all assets and liabilities of the authority to the university; providing for applicability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) La Rosa—

**HB 1287**—A bill to be entitled An act relating to the Tohopekaliga Water Authority, Osceola County; amending chapter 2003-368, Laws of Florida; revising the terms of members of the authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Local & Federal Affairs Committee and Representative(s) Raschein—

**CS for HB 1321**—A bill to be entitled An act relating to the Florida Keys Aqueduct Authority, Monroe County; amending chapter 76-441, Laws of Florida, as amended; revising membership of the board of directors of the authority; providing that members be elected in non-partisan elections rather than appointed; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Health Innovation Subcommittee and Representative(s) Nuñez, Ahern, Steube—

**CS for HB 1323**—A bill to be entitled An act relating to Medicaid eligibility; amending s. 409.902, F.S.; providing asset transfer limita-

tions for the determination of eligibility for certain nursing facility services under the Medicaid program after a specified date; requiring the Department of Children and Families to determine the institutional spouse ineligible for Medicaid under certain circumstances; authorizing the Agency for Health Care Administration to recover certain Medicaid expenses; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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By Representative(s) Young—

**HB 1367**—A bill to be entitled An act relating to the Tampa Port Authority, Hillsborough County; amending chapter 95-488, Laws of Florida, as amended; deleting a requirement that certain expenditures be approved by an affirmative vote of a specified number of members of the authority; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Judiciary Committee, Justice Appropriations Subcommittee, Civil Justice Subcommittee and Representative(s) Mayfield—

**CS for CS for CS for HB 1379**—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; requiring sheriffs to charge a uniform fee for service of process; amending s. 48.031, F.S.; requiring an employer to allow an authorized individual to make service on an employee in a private area designated by the employer; providing a civil fine for employers failing to comply with the process; revising provisions relating to substitute service if a specified number of attempts of service have been made at a business that is a sole proprietorship under certain circumstances; requiring the person requesting service or the person authorized to serve the process to file the return-of-service form; amending s. 48.081, F.S.; revising provisions relating to service on a corporation; amending s. 56.27, F.S.; providing that a sheriff may rely on the affidavit submitted by the levying creditor; providing that the sheriff may apply for instructions from the court regarding the distribution of proceeds from a levy sale; providing an effective date.

—was referred to the Committees on Criminal Justice; and Judiciary.

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By Local & Federal Affairs Committee and Representative(s) Raschein—

**CS for HB 1403**—A bill to be entitled An act relating to the Key Largo Wastewater Treatment District, Monroe County; amending chapter 2002-337, Laws of Florida, as amended; revising provisions relating to vacancies on the district's governing board; revising compensation of the governing board members, subject to annual adjustment according to a specified price index; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Local & Federal Affairs Committee and Representative(s) Hooper—

**CS for HB 1411**—A bill to be entitled An act relating to Pinellas County; amending chapter 72-666, Laws of Florida, as amended; updating terminology applicable to provisions relating to the Pinellas Police Standards Council; revising certain assessments of court costs that provide funding for the council; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Regulatory Affairs Committee and Representative(s) Beshears—

**CS for HB 1421**—A bill to be entitled An act relating to Madison County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a special alcoholic beverage license to certain hotels and motels in the county; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Waldman—

**HB 4037**—A bill to be entitled An act relating to Broward County; repealing chapter 12554 (1927), Laws of Florida, relating to saltwater fishing; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Waldman—

**HB 4039**—A bill to be entitled An act relating to Broward County; repealing chapter 8636 (1921), Laws of Florida, relating to fishing; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Representative(s) Ingram, Ford—

**HB 4053**—A bill to be entitled An act relating to the City of Pensacola, Escambia County; repealing chapters 84-510, 86-447, 86-450, 88-537, and 90-473, Laws of Florida; repealing the Civil Service System for city employees; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Insurance & Banking Subcommittee and Representative(s) Richardson, Artiles, Diaz, J., Nuñez, Pritchett, Stewart, Watson, B.—

**CS for HB 433**—A bill to be entitled An act relating to the inspector general of Citizens Property Insurance Corporation; amending s. 627.351, F.S.; requiring the internal auditor of the corporation to cooperate and coordinate activities with the inspector general; requiring employees of the corporation to report certain information to the inspector general; establishing the Office of Inspector General within the corporation; providing for appointment and duties of the inspector general; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on General Government; and Appropriations.

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By Representative(s) Raulerson—

**HB 533**—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending chapter 23559, Laws of Florida, 1945, as amended; revising the General Employees' Pension Plan for the City of Tampa; revising the definition of the term "Pension Credit"; specifying conditions under which an Employee's Pension Credit is nonforfeitable; providing for the return to an Employee of his or her contributions to the Plan under certain circumstances; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

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By Education Committee, Education Appropriations Subcommittee and Representative(s) Eagle, Fitzenhagen, Passidomo—

**CS for CS for HB 801**—A bill to be entitled An act relating to certified school counselors; amending ss. 322.091, 381.0057, 1002.3105, 1003.21, 1003.43, 1003.491, 1004.04, 1006.025, 1007.35, 1008.42, 1009.53, 1012.01, 1012.71, and 1012.98, F.S.; requiring that counselors in elementary, middle, and high schools be certified school counselors; providing an effective date.

—was referred to the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

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By Health & Human Services Committee, Health Innovation Subcommittee and Representative(s) O'Toole—

**CS for CS for HB 1159**—A bill to be entitled An act relating to health care facilities; amending s. 395.003, F.S.; authorizing certain specialty-licensed children's hospitals to provide obstetrical services under certain circumstances; amending s. 408.036, F.S.; providing for expedited review of certificate-of-need for licensed skilled nursing facilities in qualifying retirement communities; providing criteria for expedited review for licensed skilled nursing homes in qualifying retirement communities; limiting the number of beds per retirement community that can be added through expedited review; providing for severability; providing an effective date.

—was referred to the Committees on Judiciary; Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

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By Insurance & Banking Subcommittee and Representative(s) Nelson—

**CS for HB 1191**—A bill to be entitled An act relating to captive insurance; amending s. 628.901, F.S.; revising definitions; amending s. 628.905, F.S.; revising terminology; prohibiting an industrial insured captive insurance company from insuring risks other than specified risks; authorizing the licensure of industrial insured captive insurance companies to provide workers compensation and employer's liability insurance in excess of a specified amount; requiring an industrial insured captive insurance company to maintain a certain amount of capital and surplus in order to continue to write such excess workers compensation; specifying that certain duties or actions are the responsibility of the Office of Insurance Regulation; amending s. 628.907, F.S.; conforming a provision; amending s. 628.909, F.S.; providing applicability of specified provisions to captive insurance companies and industrial insured captive insurance companies; conforming provisions; amending ss. 628.9142, 628.915, and 628.917, F.S.; conforming provisions; amending s. 628.919, F.S.; requiring a pure captive insurance company to submit certain standards relating to the risk management of controlled unaffiliated businesses to the Office of Insurance Regulation for approval; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Appropriations.

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By Regulatory Affairs Committee, Appropriations Committee, Business & Professional Regulation Subcommittee and Representative(s) Davis—

**CS for CS for CS for HB 1245**—A bill to be entitled An act relating to building construction; amending s. 162.12, F.S.; revising notice requirements in the Local Government Code Enforcement Boards Act; amending ss. 255.20 and 255.2575, F.S.; requiring public construction works contracts to include specified information; amending s. 255.257, F.S.; requiring state agencies to use a sustainable building rating system or a national model green building code for new buildings and renovations; amending s. 381.0065, F.S.; specifying that certain actions relating to onsite sewage treatment and removal are not required if a bedroom is not added during a remodeling addition or modification to a single-family home; prohibiting a remodeling addition or modification from certain coverage or encroachment; authorizing a local health board to review specific plans; requiring a review to be completed within a specific time period after receipt of specific plans; amending s. 489.105, F.S.;



revising definitions; providing legislative intent with respect to the applicability of certain amendments to s. 489.113(2), F.S.; providing for retroactive effect; amending s. 489.127, F.S.; revising civil penalties; authorizing a local building department to retain 75 percent of certain fines collected if it transmits 25 percent to the Department of Business and Professional Regulation; amending s. 489.131, F.S.; deleting legislative intent referring to a local agency's enforcement of regulatory laws; deleting the definitions of "minor violation" and "notice of non-compliance"; deleting provisions that provide for what a notice of non-compliance should or should not include; deleting a provision that provides for further disciplinary proceedings for certain licensees; amending s. 489.514, F.S.; extending the date by which an applicant must make application for a contracting license to be grandfathered; amending s. 489.531, F.S.; revising maximum civil penalties for specified violations; amending s. 553.71, F.S.; defining the term "local technical amendment"; amending s. 553.73, F.S.; prohibiting any provision of the International Residential Code relating to mandated fire sprinklers from incorporation into the Florida Building Code; amending s. 553.74, F.S.; revising the membership of the Florida Building Commission; amending s. 553.79, F.S.; conforming a cross-reference; authorizing a site plan to be maintained at the worksite as an electronic copy; requiring the copy to be open to inspection by certain officials; amending s. 553.842, F.S.; requiring statewide approval of impact protective systems by the commission; requiring an application for state approval of a certain product to be approved by the department after the application and related documentation are complete; amending ss. 553.901, 553.902, 553.903, 553.904, 553.905, and 553.906, F.S.; requiring the Florida Building Commission to adopt the Florida Building Code—Energy Conservation; conforming subsequent sections of the thermal efficiency code; amending s. 553.912, F.S.; requiring replacement air conditioning systems in residential applications to use energy-saving quality installation procedures; providing that certain existing heating and cooling equipment is not required to meet the minimum equipment efficiencies; amending s. 553.991, F.S.; revising the purpose of the Florida Building Energy-Efficiency Rating Act; repealing s. 553.992, F.S., relating to the adoption of a statewide uniform building energy-efficiency rating system; amending s. 553.993, F.S.; providing definitions; amending s. 553.994, F.S.; providing for applicability of building energy-efficiency rating systems; amending s. 553.995, F.S.; revising requirements for building energy-efficiency rating systems; deleting provisions related to an advisory working group; revising requirements for the training and certification of persons who conduct the energy efficiency ratings; amending s. 553.996, F.S.; requiring building energy-efficiency rating system providers to provide certain information to prospective purchasers; amending s. 553.997, F.S.; deleting requirement that the department participate in making certain energy-efficiency practices information available on behalf of other state agencies; amending s. 553.998, F.S.; revising provisions relating to the certification of energy efficiency ratings for compliance; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Accountability; Appropriations Subcommittee on General Government; and Appropriations.

By Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, Economic Development & Tourism Subcommittee and Representative(s) Trujillo—

**CS for CS for HB 7007**—A bill to be entitled An act relating to economic development; amending s. 20.60, F.S.; revising the date on which the Department of Economic Opportunity and Enterprise Florida, Inc., are required to report on the business climate and economic development in the state; specifying reports and information that must be included; amending s. 201.15, F.S.; revising the distribution of funds in the Grants and Donations Trust Fund; amending s. 212.08, F.S.; revising definitions; amending s. 213.053, F.S.; authorizing the Department of Revenue to make certain information available to the director of the Office of Program Policy Analysis and Government Accountability and the coordinator of the Office of Economic and Demographic Research; authorizing the offices to share certain information; amending s. 220.194, F.S.; requiring the annual report for the Florida Space Business Incentives Act to be included in the annual incentives report; deleting certain reporting requirements; amending s. 288.001, F.S.; providing a network purpose; providing definitions; requiring the statewide director and the network to operate the program in compliance with federal laws and regulations and a Board of Governors regulation; requiring the

statewide director to consult with the Board of Governors, the Department of Economic Opportunity, and the network's statewide advisory board to establish certain policies and goals; requiring the network to maintain a statewide advisory board; providing for advisory board membership; providing for terms of membership; providing for certain member reimbursement; requiring the director to develop support services; specifying support service requirements; requiring businesses that receive support services to participate in certain assessments; requiring the network to provide a match equal to certain state funding; providing criteria for the match; requiring the statewide director to coordinate with the host institution to establish a pay-per-performance incentive; providing for pay-per-performance incentive funding and distribution; providing a distribution formula requirement; requiring the statewide director to coordinate with the advisory board to distribute funds for certain purposes and develop programs to distribute funds for those purposes; requiring the network to announce available funding, performance expectations, and other requirements; requiring the statewide director to present applications and recommendations to the advisory board; requiring applications approved by the advisory board to be publicly posted; providing minimum requirements for a program; prohibiting certain regional small business development centers from receiving funds; providing that match funding may not be reduced for regional small business development centers receiving additional funds; requiring the statewide director to regularly update the Board of Governors, the department, and the advisory board with certain information; requiring the statewide director, in coordination with the advisory board, to annually report certain information to the President of the Senate and the Speaker of the House of Representatives; amending s. 288.005, F.S.; revising definitions; amending s. 288.012, F.S.; requiring each State of Florida international office to submit a report to Enterprise Florida, Inc., for inclusion in its annual report; deleting a reporting date; amending s. 288.0656, F.S.; requiring the Rural Economic Development Initiative to submit a report to supplement the department's annual report; deleting certain reporting requirements; amending s. 288.061, F.S.; providing for the evaluation of economic development incentive applications; requiring an applicant to provide a surety bond to the department before the applicant receives incentive awards through the Quick Action Closing Fund or the Innovation Incentive Program; requiring the contract or agreement to provide that the bond remain in effect until all conditions have been satisfied; providing that the department may require the bond to cover the entire contracted amount or allow for bonds to be renewed upon completion of certain performance measures; requiring the contract or agreement to provide that funds are contingent upon receipt of the surety bond; requiring the contract or agreement to provide that up to half of the premium payment on the bond may be paid from the award up to a certain amount; requiring an applicant to notify the department of premium payments; providing for certain notice requirements upon cancellation or nonrenewal by an insurer; providing that the cancellation of the surety bond violates the contract or agreement; providing an exception; providing for a waiver if certain information is provided; providing that if the department grants a waiver, the contract or agreement must provide for securing the award in a certain form; requiring the contract or agreement to provide that the release of funds is contingent upon satisfying certain requirements; requiring the irrevocable letter of credit, trust, or security agreement to remain in effect until certain conditions have been satisfied; providing for a waiver of the surety bond or other security if certain information is provided and the department determines it to be in the best interest of the state; providing that the waiver of the surety bond or other security, for funding in excess of \$5 million, must be approved by the Legislative Budget Commission; prohibiting the executive director from approving an economic development incentive application unless a specified written declaration is received; requiring an awardee to provide a signed written declaration in specified years; providing that the state may bring suit upon default or upon a violation of this section; providing that the department may adopt rules to implement this section; creating s. 288.076, F.S.; providing definitions; requiring the department to publish on a website specified information concerning state investment in economic development programs; requiring the department to work with the Office of Economic and Demographic Research to provide a description of specified methodology and requiring the department to publish such description on its website; providing procedures and requirements for reviewing, updating, and supplementing published information; requiring the department to annually publish information relating to the progress of Quick Action Closing Fund projects; requiring the department to publish certain confidential information pertaining to participant businesses upon expiration of a specified con-

fidentiality period; requiring the department to publish certain reports concerning businesses that fail to complete tax refund agreements under the tax refund program for qualified target industry businesses; providing for construction and legislative intent; authorizing the department to adopt rules; creating s. 288.0761, F.S.; establishing the Economic Development Programs Evaluation; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to present the evaluation; requiring the offices to develop and submit a work plan for completing the evaluation by a certain date; requiring the offices to provide an analysis of certain economic development programs and specifying a schedule; requiring the Office of Economic and Demographic Research to make certain evaluations in its analysis; limiting the office's evaluation for the purposes of tax credits, tax refunds, sales tax exemptions, cash grants, and similar programs; requiring the office to use a certain model to evaluate each program; requiring the Office of Program Policy Analysis and Government Accountability to make certain evaluations in its analysis; providing the offices access to all data necessary to complete the evaluation; repealing s. 288.095(3)(c), F.S., relating to the annual report by Enterprise Florida, Inc., of programs funded by the Economic Development Incentives Account; amending s. 288.106, F.S.; revising provisions relating to the application and approval process of the tax refund program for qualified target industry businesses; requiring the department to include information on qualified target industry businesses in the annual incentives report; deleting certain reporting requirements; amending s. 288.107, F.S.; revising definitions; revising provisions to conform to changes made by the act; revising the minimum criteria for participation in the brownfield redevelopment bonus refund; amending s. 288.1081, F.S.; requiring the use of loan funds from the Economic Gardening Business Loan Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1082, F.S.; requiring the progress of the Economic Gardening Technical Assistance Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1088, F.S.; requiring the department to validate contractor performance for the Quick Action Closing Fund and include the performance validation in the annual incentives report; deleting certain reporting requirements; amending s. 288.1089, F.S.; requiring that certain projects in the Innovation Incentive Program provide a cumulative break-even economic benefit; requiring the department to report information relating to the Innovation Incentive Program in the annual incentives report; deleting certain reporting requirements; deleting provisions that require the Office of Program Policy Analysis and Government Accountability and the Auditor General's Office to report on the Innovation Incentive Program; amending s. 288.1253, F.S.; revising a reporting date; requiring expenditures of the Office of Film and Entertainment to be included in the annual entertainment industry financial incentive program report; amending s. 288.1254, F.S.; revising a reporting date; requiring the annual entertainment industry financial incentive program report to include certain information; amending s. 288.1258, F.S.; revising a reporting date; requiring the report detailing the relationship between tax exemptions and incentives to industry growth to be included in the annual entertainment industry financial incentive program report; amending s. 288.714, F.S.; requiring the department's annual report to include a report on the Black Business Loan Program; deleting certain reporting requirements; amending s. 288.7771, F.S.; requiring the Florida Export Finance Corporation to submit a report to Enterprise Florida, Inc.; amending s. 288.903, F.S.; requiring Enterprise Florida, Inc., with the department, to prepare an annual incentives report; repealing s. 288.904(6), F.S., relating to Enterprise Florida, Inc., which requires the department to report the return on the public's investment; amending s. 288.906, F.S.; requiring certain reports to be included in the Enterprise Florida, Inc., annual report; amending s. 288.907, F.S.; requiring Enterprise Florida, Inc., in conjunction with the department, to prepare the annual incentives report; requiring the report to include certain information; deleting a provision requiring the Division of Strategic Business Development to assist Enterprise Florida, Inc., with the report; amending s. 288.92, F.S.; requiring each division of Enterprise Florida, Inc., to submit a report; amending s. 288.95155, F.S.; requiring the financial status of the Florida Small Business Technology Growth Program to be included in the annual incentives report; amending 288.9918, F.S.; revising reporting requirements related to community development entities, amending 290.0055, F.S.; providing for the expansion of the boundaries of enterprise zones that meet certain requirements; providing an application deadline; amending s. 290.0056, F.S.; revising a reporting date; requiring the enterprise zone development agency to submit certain informa-

tion for the department's annual report; amending s. 290.014, F.S.; revising a reporting date; requiring certain reports on enterprise zones to be included in the department's annual report; amending s. 290.0455, F.S.; providing for the state's guarantee of certain federal loans to local governments; requiring applicants for such loans to pledge a specified amount of revenues to guarantee the loans; revising requirements for the department to submit recommendations to the Federal Government for such loans; revising the maximum amount of the loan guarantee commitment that a local government may receive and providing exceptions; providing for reduction of a local government's future community development block grants if the local government defaults on the federal loan; providing procedures if a local government is granted entitlement community status; amending s. 331.3051, F.S.; revising a reporting date; requiring Space Florida's annual report to include certain information; amending s. 331.310, F.S.; requiring the Board of Directors of Space Florida to supplement Space Florida's annual report with operations information; deleting certain reporting requirements; amending s. 376.78, F.S.; revising legislative intent with regard to community revitalization in certain areas; amending s. 376.80, F.S.; revising procedures for designation of brownfield areas by local governments; authorizing local governments to use a term other than "brownfield area" when naming such areas; amending s. 376.82, F.S.; providing relief of liability for property damages for entities that execute and implement certain brownfield site rehabilitation agreements; providing for applicability; amending s. 443.036, F.S.; providing examples of misconduct; amending s. 443.091, F.S.; providing for online work registration and providing exceptions; limiting a claimant's use of the same prospective employer to meet work search requirements; providing an exception, providing that work search requirements do not apply to individuals required to participate in reemployment services; amending s. 443.101, F.S.; providing for disqualification in any week with respect to which the department finds that his or her unemployment is due to failure without good cause to maintain a license, registration, or certification required by applicable law necessary for the employee to perform her or his assigned job duties; providing examples of "good cause"; amending s. 443.1113, F.S., relating to the Reemployment Assistance Claims and Benefits Information System; revising timeframe for deployment of a certain Internet portal as part of such system; amending s. 443.131, F.S.; revising requirements for the estimate of interest due on advances received from the Federal Government to the Unemployment Compensation Trust Fund; revising the calculation of additional assessments to contributing employers to repay the interest; providing an exemption from such additional assessments; amending s. 443.151 F.S.; revising provisions to conform to changes made to benefit eligibility; providing that an employer or its agent may not be relieved of benefit charges for failure to timely and adequately respond to notice of claim or request for information; imposing a penalty against a claimant who is overpaid reemployment assistance benefits due to fraud by the claimant; requiring appeals referees appointed on or after a specified date to be attorneys in good standing or admitted to The Florida Bar within a specified period after appointment; amending s. 443.1715, F.S.; prohibiting the unlawful disclosure of certain confidential information relating to employing units and individuals under the Reemployment Assistance Program Law; providing penalties; amending s. 443.191, F.S.; providing for deposit of moneys collected for certain penalties in the Unemployment Compensation Trust Fund; amending s. 446.50, F.S.; requiring the department's annual report to include a plan for the displaced homemaker program; deleting certain reporting requirements; providing for applicability; providing effective dates.

—was referred to the Committees on Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, Transportation & Highway Safety Subcommittee and Representative(s) Raburn, Campbell, Slosberg—

**CS for CS for HB 7125**—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 110.205, F.S.; providing that certain positions in the department are exempt from career service; amending s. 207.002, F.S., relating to the Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981; deleting definitions of the terms "apportioned motor vehicle" and "apportionable vehicle"; amending s. 316.0083, F.S.; revising provisions for enforcement

of specified provisions using a traffic infraction detector; prohibiting a notice of violation or a traffic citation for a right on red violation under specified provisions; amending s. 316.066, F.S.; authorizing the Department of Transportation to immediately receive a crash report; amending s. 316.0776, F.S.; removing a requirement that the department, a county, or a municipality notify the public of enforcement of violations concerning right turns via a traffic infraction detector; amending s. 316.081, F.S.; prohibiting a driver from driving at less than the posted speed in the furthestmost left-hand lane of a road, street, or highway having two or more lanes if being overtaken by a motor vehicle; providing exceptions; providing penalties; amending s. 316.1937, F.S.; revising operational specifications for ignition interlock devices; amending s. 316.2397, F.S.; exempting specified municipal officials from a prohibition against showing or displaying blue lights on a motor vehicle under certain conditions; amending s. 316.302, F.S.; revising provisions for certain commercial motor vehicles and transporters and shippers of hazardous materials; providing for application of specified federal regulations; removing a provision for application of specified provisions and federal regulations to transporting liquefied petroleum gas; amending s. 316.3025, F.S.; providing penalties for violation of specified federal regulations relating to medical and physical requirements for commercial drivers while driving a commercial motor vehicle; revising provisions for seizure of motor vehicle for refusal to pay penalty; providing penalties for violation of specified federal regulations relating to commercial drivers and the use of mobile telephones and texting while driving a commercial motor vehicle; providing exemptions; amending s. 316.515, F.S.; revising provisions for exceptions to width, height, and length limitations; amending s. 316.545, F.S.; revising language relating to certain commercial motor vehicles not properly licensed and registered; amending s. 316.646, F.S., relating to proof of property damage liability security and display thereof; providing for proof of insurance in an electronic format and on an electronic device; providing conditions relating to the use of such electronic device; requiring the department to adopt rules; amending s. 317.0016, F.S., relating to expedited services; removing a requirement that the department provide such service for certain certificates; amending s. 318.14, F.S., relating to disposition of traffic citations; providing that certain alternative procedures for certain traffic offenses are not available to a person who holds a commercial learner's permit; amending s. 318.1451, F.S.; revising provisions relating to driver improvement schools; removing a provision for a chief judge to establish requirements for the location of schools within a judicial circuit; removing a provision that authorizes a person to operate a driver improvement school; revising provisions for persons taking unapproved course; providing criteria for initial approval of courses; revising requirements for courses, course certificates, and course providers; directing the department to adopt rules; creating s. 319.141, F.S.; directing the department to conduct a pilot program to evaluate rebuilt vehicle inspection services performed by the private sector; providing definitions; providing for the department to enter into a memorandum of understanding with the private provider; providing minimum criteria and certain requirements; requiring the department to provide a report to the Legislature; providing for future expiration; amending s. 319.225, F.S.; revising provisions for certificates of title, reassignment of title, and forms; revising procedures for transfer of title; amending s. 319.23, F.S.; revising requirements for content of certificates of title and applications for title; amending s. 319.28, F.S.; revising provisions for transfer of ownership by operation of law when a motor vehicle or mobile home is repossessed; removing provisions for a certificate of repossession; amending s. 319.30, F.S., relating to disposition of derelict motor vehicles; defining the term "National Motor Vehicle Title Information System"; requiring salvage motor vehicle dealers, insurance companies, and other persons to notify the system when receiving or disposing of such a vehicle; requiring proof of such notification when applying for a certificate of destruction or salvage certificate of title; providing penalties; amending s. 319.323, F.S., relating to expedited services of the department; removing certificates of repossession; amending s. 320.01, F.S.; removing the definition of the term "apportioned motor vehicle"; revising the definition of the term "apportionable vehicle"; amending s. 320.02, F.S.; revising requirements for application for motor vehicle registration; providing for insurers to furnish proof-of-purchase cards in a paper or an electronic format; requiring the application form for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.; amending s. 320.03, F.S.; revising a provision for registration under the International Registration Plan; amending s. 320.071, F.S.; revising a provision for advance renewal of registration under the International Registration Plan;

amending s. 320.0715, F.S.; revising provisions for vehicles required to be registered under the International Registration Plan; amending s. 320.08058, F.S.; revising the prescribed use of proceeds from the sale of Hispanic Achievers license plates; amending s. 320.089, F.S.; creating a special use license plate for current or former members of the United States Armed Forces who participated in Operation Desert Storm or Operation Desert Shield; amending s. 320.18, F.S.; providing for withholding of motor vehicle or mobile home registration when a coowner has failed to register the motor vehicle or mobile home during a previous period when such registration was required; providing for cancelling a vehicle or vessel registration, driver license, identification card, or fuel-use tax decal if the coowner pays certain fees and other liabilities with a dishonored check; amending s. 320.27, F.S., relating to motor vehicle dealers; providing for extended periods for dealer licenses and supplemental licenses; providing fees; amending s. 320.62, F.S., relating to manufacturers, distributors, and importers of motor vehicles; providing for extended licensure periods; providing fees; amending s. 320.77, F.S., relating to mobile home dealers; providing for extended licensure periods; providing fees; amending s. 320.771, F.S., relating to recreational vehicle dealers; providing for extended licensure periods; providing fees; amending s. 320.8225, F.S., relating to mobile home and recreational vehicle manufacturers, distributors, and importers; providing for extended licensure periods; providing fees; amending s. 322.08, F.S.; requiring the application form for an original, renewal, or replacement driver license or identification card to include language permitting the applicant to make a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.; amending s. 322.095, F.S.; requiring an applicant for a driver license to complete a traffic law and substance abuse education course; providing exceptions; revising procedures for evaluation and approval of such courses; revising criteria for such courses and the schools conducting the courses; providing for collection and disposition of certain fees; requiring providers to maintain records; directing the department to conduct effectiveness studies; requiring a provider to cease offering a course that fails the study; requiring courses to be updated at the request of the department; requiring providers to disclose certain information; requiring providers to submit course completion information to the department within a certain time period; prohibiting certain acts; providing that the department shall not accept certification from students; prohibiting a person convicted of certain crimes from conducting courses; directing the department to suspend course approval for certain purposes; providing for the department to deny, suspend, or revoke course approval for certain acts; providing for administrative hearing before final action denying, suspending, or revoking course approval; providing penalties for violations; amending s. 322.125, F.S.; revising criteria for members of the Medical Advisory Board; amending s. 322.135, F.S.; removing a provision that authorizes a tax collector to direct certain licensees to the department for examination or reexamination; creating s. 322.143, F.S.; defining terms; prohibiting a private entity from swiping an individual's driver license or identification card except for certain specified purposes; providing that a private entity that swipes an individual's driver license or identification card may not store, sell, or share personal information collected from swiping the driver license or identification card; providing exceptions; providing that the private entity may manually collect personal information; prohibiting a private entity from withholding the provision of goods or services solely as a result of the individual requesting the collection of the data through manual means; providing remedies; amending s. 322.212, F.S.; providing penalties for certain violations involving application and testing for a commercial driver license or a commercial learner's permit; amending s. 322.22, F.S.; authorizing the department to withhold issuance or renewal of a driver license, identification card, vehicle or vessel registration, or fuel-use decal under certain circumstances; amending s. 322.245, F.S.; requiring a depository or clerk of court to electronically notify the department of a person's failure to pay support or comply with directives of the court; amending s. 322.25, F.S.; removing a provision for a court order to reinstate a person's driving privilege on a temporary basis when the person's license and driving privilege have been revoked under certain circumstances; amending ss. 322.2615 and 322.2616, F.S., relating to review of a license suspension when the driver had blood or breath alcohol at a certain level or the driver refused a test of his or her blood or breath to determine the alcohol level; authorizing the driver to request a review of eligibility for a restricted driving privilege; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit

or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 322.271, F.S.; providing conditions under which a person whose driver license is suspended for a DUI-related offense may be eligible to receive a restricted driving privilege; amending s. 322.2715, F.S.; providing requirements for issuance of a restricted driver license for a person convicted of a DUI offense if a medical waiver of placement of an ignition interlock device was given to such person; amending s. 322.28, F.S., relating to revocation of driver license for convictions of DUI offenses; providing that convictions occurring on the same date for offenses occurring on separate dates are considered separate convictions; removing a provision relating to a court order for reinstatement of a revoked driver license; repealing s. 322.331, F.S., relating to habitual traffic offenders; amending s. 322.61, F.S.; revising provisions for disqualification from operating a commercial motor vehicle; providing for application of such provisions to persons holding a commercial learner's permit; revising the offenses for which certain disqualifications apply; amending s. 322.64, F.S., relating to driving with unlawful blood-alcohol level or refusal to submit to breath, urine, or blood test by a commercial driver license holder or person driving a commercial motor vehicle; providing that a disqualification from driving a commercial motor vehicle is considered a conviction for certain purposes; revising the time period a person is disqualified from driving for alcohol-related violations; revising requirements for notice of the disqualification; providing that under the review of a disqualification the hearing officer shall consider the crash report; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 323.002, F.S.; providing that an unauthorized wrecker operator's wrecker, tow truck, or other motor vehicle used during certain offenses may be removed and impounded; requiring an unauthorized wrecker operator to disclose certain information in writing to the owner or operator of a motor vehicle and provide a copy of the disclosure to the owner or operator in the presence of a law enforcement officer if an officer is present; authorizing state and local government law enforcement officers to cause to be removed and impounded any wrecker, tow truck, or other motor vehicle used in violation of specified provisions; authorizing the authority that caused the removal and impoundment to assess a cost recovery fine; providing procedures and requirements for release of the vehicle; providing penalties; requiring that the unauthorized wrecker operator pay the fees associated with the removal and storage of the vehicle; amending s. 324.0221, F.S.; revising the actions which must be reported to the department by an insurer that has issued a policy providing personal injury protection coverage or property damage liability coverage; revising time allowed for submitting the report; amending s. 324.031, F.S.; revising the methods a vehicle owner or operator may use to prove financial responsibility; removing a provision for posting a bond with the department; amending s. 324.091, F.S.; revising provisions requiring motor vehicle owners and operators to provide evidence to the department of liability insurance coverage under certain circumstances; revising provisions for verification by insurers of such evidence; amending s. 324.161, F.S.; providing requirements for issuance of a certificate of insurance; requiring proof of a certificate of deposit of a certain amount of money in a financial institution; providing for power of attorney to be issued to the department for execution under certain circumstances; amending s. 328.01, F.S., relating to vessel titles; revising identification requirements for applications for a certificate of title; amending s. 328.48, F.S., relating to vessel registration; revising identification requirements for applications for vessel registration; amending s. 328.76, F.S., relating to vessel registration funds; revising provisions for funds to be deposited into the Highway Safety Operating Trust Fund; providing for certain funds to be used for aquaculture development; providing appropriations; amending s. 713.585, F.S.; revising procedures and requirements for enforcement of lien by sale of motor vehicle when ownership is not established; revising provisions for establishing a good faith effort to locate the owner or lienholder; requiring the lienholder to make certain records checks, including records of the department and the National Motor Vehicle Title Information System and any state disclosed by the check of that system; revising requirements for notification to the local law enforcement agency; revising requirements for notification of the sale of the vehicle; revising documents and proofs the lienholder is required to furnish with a certificate of compliance filed with the clerk of the circuit court; requiring the lienholder to provide the department proof of checking the National Motor

Vehicle Title Information System for application for transfer of title; amending s. 713.78, F.S.; revising provisions for enforcement of liens for recovering, towing, or storing a vehicle or vessel; providing a definition; providing for a lien on a vehicle or vessel when a landlord or the landlord's designee authorized removal after tenancy is terminated and specified conditions are met; revising provisions requiring notice to the owner, insurance company, and lienholders; revising procedures and requirements when ownership is not established; revising provisions for establishing a good faith effort to locate the owner or lienholder; requiring certain records checks, including records of the department and the National Motor Vehicle Title Information System and any state disclosed by the check of that system; revising provisions for notice of sale; requiring that insurance company representatives shall be allowed to inspect the vehicle or vessel; providing that when the vehicle is to be sold for purposes of being dismantled, destroyed, or changed in such manner that it is not the motor vehicle or vessel described in the certificate of title, it must be reported to the National Motor Vehicle Title Information System and application made to the department for a certificate of destruction; authorizing the governing body of a county to create a yellow dot critical motorist medical information program for certain purposes; authorizing a county to solicit sponsorships for the medical information program and enter into an interlocal agreement with another county to solicit such sponsorships; authorizing the Department of Highway Safety and Motor Vehicles and the Department of Transportation to provide education and training and publicize the program; requiring the program to be free to participants; providing for applications to participate; providing for a yellow dot decal and a yellow dot folder to be issued to participants and a form containing specified information about the participant; providing procedures for use of the decal, folder, and form; providing for limited use of information on the forms by emergency medical responders; limiting liability of emergency medical responders; requiring the governing body of a participating county to adopt guidelines and procedures to ensure that confidential information is not made public; providing for contingent effect; amending ss. 212.08, 261.03, 316.2122, 316.2124, 316.21265, 316.3026, 316.550, 317.0003, 320.08, 320.0847, 322.271, 322.282, 324.023, 324.171, 324.191, 627.733, and 627.7415, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing effective dates.

—was referred to the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

By Local & Federal Affairs Committee and Representative(s) Mayfield—

**CS for HB 1009**—A bill to be entitled An act relating to the Fellsmere Water Control District, Indian River County; codifying, amending, reenacting, and repealing chapters 8877 (1921), 11555 (1925), 12023 (1927), 14719 (1931), 16998 (1935), 28418 (1953), 61-1414, and 69-1161, Laws of Florida; renaming the district as the Fellsmere Improvement District, a special tax district; providing legislative intent; providing additional authority relating to the provision of public infrastructure, services, assessment, levy, and collection of non-ad valorem assessments and fees, public finance, and district operations; providing district boundaries; providing for applicability of chapter 298, F.S., and other general laws; providing powers of the district; providing for compliance with county and municipal plans and regulations; providing for levy of non-ad valorem assessments; providing for collection, enforcement, and penalties; providing for issuance of revenue bonds, assessment bonds, and bond anticipation notes; ratifying prior acts and circuit court decrees; providing for severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

## RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed SB 356; adopted SM 1478.

*Robert L. "Bob" Ward, Clerk*

The bills contained in the foregoing messages were ordered enrolled.

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The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 and passed HB 7015 as amended.

*Robert L. "Bob" Ward, Clerk*

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 26 was corrected and approved.

## CO-INTRODUCERS

Senators Abruzzo—CS for SB 1108; Bean—CS for SB 1108; Benacquisto—CS for SB 1108; Bradley—CS for SB 1108; Brandes—CS for SB 1108; Braynon—CS for SB 1108; Bullard—CS for SB 1108; Clemens—CS for SB 1108; Dean—CS for SB 1108; Detert—CS for SB 1108; Diaz de la Portilla—CS for SB 1108; Evers—CS for SB 1108, CS for CS for SB 1632; Flores—CS for SB 1108; Gaetz—CS for SB 1108; Galvano—CS for SB 1108; Garcia—CS for SB 1108; Gibson—CS for SB 1108; Grimsley—CS for SB 1108; Hays—CS for SB 1108; Hukill—CS for

SB 1108; Joyner—CS for SB 1108; Latvala—CS for SB 1108; Lee—CS for SB 1108; Legg—CS for SB 1108; Margolis—CS for SB 1108; Monford—CS for SB 1108; Negron—CS for SB 1108; Richter—CS for SB 1108; Sachs—CS for SB 1108; Simmons—CS for SB 1108; Simpson—CS for SB 1108; Smith—CS for SB 1108; Sobel—CS for SB 1108; Soto—CS for SB 1108; Stargel—CS for SB 1108; Thompson—CS for SB 1108

## ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 5:53 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Tuesday, April 30 or upon call of the President.

## SENATE PAGES

April 29-May 3, 2013

Mandi Blankenship, New Port Richey; Nick DiMinno, Tallahassee; Abbey Fagan, Fleming Island; Matthew Hall, Tallahassee; Katie Heffley, Tallahassee; Adrian Hill, Tallahassee; Zack Kanter, Sarasota; Marissa Lamberti, Pompano; Royce Lowery, Havana; Shelbi McCall, Mayo; Sarah Stanley, Inverness; Savannah Watson, Quincy



# Journal of the Senate

Number 20—Regular Session

Tuesday, April 30, 2013

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## CALL TO ORDER

The Senate was called to order by President Gaetz at 10:00 a.m. A quorum present—39:

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	GardinerR	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

## PRAYER

The following prayer was offered by Dr. Marvin C. Zanders II, Pastor, St. Paul A.M.E. Church, Jacksonville:

God of our weary years and God of our silent years, God of our state and our nation, we honor you for your majesty, dominion, and authority. Gracious God, we come strongly looking to you as our sovereign creator of our state.

We come today petitioning you and your presence and your peace among this body of the Florida State Senate. God, we understand they have a great responsibility. We ask that you would grant them wisdom and courage for the facing of this hour and the living of these days. As we take a glance at our economy, the challenges, the health issues, and vast tragedies that daily fill up our newspapers and televisions, God, this Senate needs your protection, needs your wisdom, needs your discernment. Bless them, God, with wisdom to make wise decisions, hearts of sincerity, and genuine concerns. Help them to raise their voices of justice for all. Give them a mind to fight for what is right and honorable. Let discrimination, hatred of justice, fascism, racism, ageism, be put aside as they stand up for the common good of all. Bless their families, even as they are absent from them.

God, send your power among us this day. Give us peace and unity, guidance and courage. In thy name, we pray. Amen.

## PLEDGE

Senate Pages Matthew Hall of Tallahassee and Savannah Watson of Quincy led the Senate in the pledge of allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Chris Pittman of Thonotosassa, sponsored by Senator Lee, as doctor of the day. Dr. Pittman specializes in Diagnostic/Interventional Radiology Phlebology.

## ADOPTION OF RESOLUTIONS

On motion by Senator Simmons—

By Senator Simmons—

**SR 1898**—A resolution designating January 2014 as “Stalking Awareness Month” in the State of Florida.

WHEREAS, 6.6 million people in the United States are stalked each year, and

WHEREAS, one in six women and one in nineteen men in the United States have experienced stalking victimization during their lifetimes, and

WHEREAS, the majority of stalking victims are stalked by someone they know, and 66 percent of female victims and 41 percent of male victims are stalked by a current or former intimate partner, and

WHEREAS, 11 percent of victims reported being stalked for 5 years or more, and 66 percent of victims are stalked at least once per week, and

WHEREAS, 76 percent of women who are killed by an intimate partner experienced stalking, and

WHEREAS, one in seven stalking victims changes residence as a result of his or her victimization, and

WHEREAS, one in eight employed victims of stalking misses work because of his or her victimization, and more than half miss five days of work or more, and

WHEREAS, according to a National Violence Against Women survey, slightly more than half of female stalking victims reported the stalking to police, and

WHEREAS, the Florida Department of Law Enforcement’s 2011 Annual Uniform Crime Report reflected a 65.1 percent increase in simple stalking in the state, and

WHEREAS, stalking is a known precursor to domestic and dating violence homicide, and the Florida Department of Law Enforcement’s 2012 Semi-Annual Uniform Crime Report reflected a 21 percent increase in domestic violence homicides in the state, and

WHEREAS, January has been designated “National Stalking Awareness Month” in the United States, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That January 2014 is designated as “Stalking Awareness Month” in the State of Florida, providing an opportunity to educate the public

about the dangers of stalking behavior and to raise awareness about protection laws and the resources available to stalking victims.

—was introduced out of order and read by title. On motion by Senator Simmons, **SR 1898** was read the second time by title and adopted.

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On motion by Senator Diaz de la Portilla—

By Senator Diaz de la Portilla—

**SR 1906**—A resolution remembering the life of Enrique Emilio Ros Perez, recognizing his extraordinary legacy, and expressing the deepest sympathy of the members of the Florida Senate to his beloved family and friends on his passing.

WHEREAS, Enrique Emilio Ros Perez was born to Josefina Perez and Abelardo Ros in Cienfuegos, Las Villas, Cuba, on June 28, 1924, and

WHEREAS, Enrique proudly attended public school, was admitted in 1939 to the Instituto de Segunda Enseñanza, and, in 1941, began his studies in Santa Clara at the Escuela Normal de Maestros de Las Villas, where he graduated as a teacher, and

WHEREAS, in 1944, Enrique transferred to the School of Commercial Sciences at Universidad de la Habana, where he graduated with a degree in public accounting, and

WHEREAS, while completing his studies at Universidad de la Habana, Enrique worked for a prestigious pharmaceutical company, becoming a delegate and director for the pharmaceutical union, where he discussed collective contracts with the Ministry of Labor, and

WHEREAS, on February 23, 1948, Enrique married Amanda Adato Menache, a young woman of Jewish-Turkish descent, and they remained married for 63 years until her passing on January 28, 2011, and

WHEREAS, Enrique and Amanda had two children, Enrique “Henry” Ros, now vice director of the Port of Miami, and Ileana Ros-Lehtinen, the first Hispanic woman to serve in the Florida Senate and the Florida House of Representatives and currently a member of the United States House of Representatives, and

WHEREAS, Enrique became a distinguished member of the Federación Sindical Nacional de Viajantes de Medicina, which allowed him to participate in various national congresses, and

WHEREAS, Enrique established a public accounting firm in Cuba, Ros-Solis y Adato, where he represented renowned European pharmaceutical companies, began to publish articles on important issues in the local press, and became part of the political and social Christian organization, El Movimiento Demócrata Cristiano, and

WHEREAS, with the rise of the Castro regime, El Movimiento Demócrata Cristiano ended its public activity, with many of its members forming a clandestine organization, in which Enrique served as the national coordinator, and

WHEREAS, in this role, Enrique established relations with members and directors of other pro-democracy groups, which motivated other directors to assign him as national coordinator of El Frente Revolucionario Democrático (FRD), which was formed in 1959, and Enrique assumed the responsibility of coordinating various anti-Castro organizations in Cuba, and

WHEREAS, even after Enrique and his family were forced into exile, he worked with El Frente Revolucionario Democrático, where he participated in infiltration operations against the totalitarian regime with Clemente (Mente) Inclán, Alfonsito Gomez Mena, Laureano Batista, Jorge Sotus, Pedro Luis Diaz Lans, and others, who inspired him to write for newspapers in Honduras, Costa Rica, Panama, Venezuela, and Peru, and

WHEREAS, in 1963, Enrique went on to collaborate with *Diario Las Americas* in Miami, where he continued his passionate and eloquent support of democracy and freedom for the Cuban people through the remainder of his life, and

WHEREAS, in the early years of their exile, Enrique and Amanda founded one of the most successful freight-forwarding enterprises, Ros Forwarding, which they operated for more than 30 years until their retirement, and

WHEREAS, after immigrating to the United States, Enrique attended Miami Dade Community College and, on January 24, 1969, received his bachelor of business administration degree from the University of Miami, and

WHEREAS, Enrique published 19 books, which remain an important source of reference for historians, academics, and other scholars, and received numerous awards and recognitions, including accreditation as a researcher in the National Archives of the United States, the John F. Kennedy Library in Boston, and the Lyndon B. Johnson Library in Austin, Texas, and

WHEREAS, at the time of his death, on April 10, 2013, Enrique was writing his 20th book, which detailed the military bravery of Cuban hero Antonio Maceo, and

WHEREAS, Enrique was a member of various local and national organizations and participated frequently in radio and television programs, and his tireless work and dedication made him one of the most documented and prolific historians of our time, and

WHEREAS, Enrique was loved and is affectionately remembered by his children; his daughter-in-law, Ana Ros; his son-in-law, Dexter Lehtinen; his four grandchildren, Jennifer Ros, Katherine Ros, Rodrigo Lehtinen, and Patricia Lehtinen, and two step-grandchildren, Katherine and Douglas Lehtinen; his three great-grandchildren and two step-great-grandchildren; his extended family; and a host of friends, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we remember the life of Enrique Emilio Ros Perez, recognize his extraordinary legacy, and express our deepest sympathy to his beloved family and friends on his passing.

—was introduced out of order and read by title. On motion by Senator Diaz de la Portilla, **SR 1906** was read the second time by title and adopted.

## MOMENT OF SILENCE

At the request of the President, the Senate observed a moment of silence for Enrique Emilio Ros Perez, who passed away on April 10, and whose daughter, Ileana Ros-Lehtinen, was the first Hispanic woman to serve in the Florida Senate and the Florida House of Representatives. She is currently a member of the United States House of Representatives.

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At the request of Senator Latvala—

By Senator Latvala—

**SR 1880**—A resolution recognizing August 16, 2013, as “Airborne Forces Heritage Day” in Florida.

WHEREAS, the airborne forces of the United States Armed Forces have a long and honorable history as adventuresome, hardy, and fierce warriors who, in the defense of national security, freedom, and peace, provide support to ground combat troops through air transport to the far reaches of the battleground and to the four corners of the world, and

WHEREAS, on June 25, 1940, the Army Parachute Test Platoon was authorized by the United States Department of War and, the following month, launched training with 48 volunteers, and

WHEREAS, on August 16, 1940, the Army Parachute Test Platoon performed the first official United States Army parachute jump, proving the effectiveness of the innovative concept of inserting ground combat forces behind the battle line, and

WHEREAS, the success of the Army Parachute Test Platoon, which validated the airborne operational concept, led to the creation of a for-

midable force of airborne warriors, including the 11th, 13th, 17th, 82nd, and 101st Airborne Divisions, and

WHEREAS, these airborne forces served with distinction and achieved repeated success during World War II and the armed conflicts in Korea, Vietnam, Granada, Panama, the Persian Gulf, and Somalia, and have engaged in peace-keeping operations in Lebanon, the Sinai Peninsula, the Dominican Republic, Haiti, Bosnia, and Kosovo and training operations in the Philippines and Africa, and

WHEREAS, in the aftermath of the September 11, 2001, terrorist attacks, numerous divisions, brigades, regiments, and special operations teams have demonstrated bravery and honor in combat, providing stability in Iraq and Afghanistan, and

WHEREAS, members of the United States airborne forces have achieved distinction by earning the right to wear the Airborne Silver Wings of Courage, with 71 earning the Congressional Medal of Honor and hundreds more receiving the Distinguished Service Cross, the Silver Star, the Bronze Star, and other recognitions and awards for heroism and honor, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we recognize August 16, 2013, as “Airborne Forces Heritage Day” in Florida.

—**SR 1880** was introduced, read and adopted by publication.

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At the request of Senator Legg—

By Senator Legg—

**SR 1900**—A resolution recognizing the Carnegie Foundation for the Advancement of Teaching and the Council for Advancement and Support of Education (CASE) 2012 United States Outstanding Doctoral and Research Universities Professor of the Year, Autar Kaw, Ph.D.

WHEREAS, the United States Professors of the Year Awards Program, administered by the Carnegie Foundation for the Advancement of Teaching and the Council for Advancement and Support of Education (CASE) each year salutes one professor nationwide at a doctoral and research university and this award is considered the nation’s highest such honor, and

WHEREAS, the criteria for this award includes demonstration by the professor of extraordinary dedication to undergraduate teaching, which is evidenced by excellence in the following areas: impact on and involvement with undergraduate students; scholarly approach to teaching and learning; contribution to undergraduate education in the institution, community, and profession; and support from colleagues and current and former undergraduate students, and

WHEREAS, since the inception of the Professor of the Year Awards Program in 1981 and until 2012, no doctoral and research university professor in this state had been awarded this distinction, and

WHEREAS, Autar Kaw, Ph.D. is a professor of mechanical engineering at the University of South Florida, where he has taught aspiring engineers for the past 25 years, and

WHEREAS, Dr. Kaw has dedicated his career to eliminating one of the most significant obstacles to engineering students through his innovative and forward-thinking approach to education, his use of technology to expand learning opportunities around the world, and his tireless pursuit of new and engaging teaching methods, and

WHEREAS, Dr. Kaw has received numerous professional honors, including being named a fellow in the American Society of Mechanical Engineers and a member of the American Society of Engineering Education, was awarded the National Outstanding Teaching Medal from the American Society for Engineering Education in 2011, and has authored four widely used textbooks, and

WHEREAS, as a pioneer in Massive Open Online Courses (MOOCs) and through his use of his Holistic Numerical Methods Institute website, his blog, Facebook, Twitter, and YouTube video lectures, Dr. Kaw has

become affectionately known among engineering students around the world as the “Numerical Methods Guy,” and

WHEREAS, on November 15, 2012, Dr. Kaw was named the 2012 United States Outstanding Doctoral and Research Universities Professor of the Year by the Carnegie Foundation for the Advancement of Teaching and CASE, and

WHEREAS, the Carnegie Foundation for the Advancement of Teaching and CASE specifically recognized Dr. Kaw for his innovative work in using new technologies and social media to teach complex mathematical calculations to tens of thousands of students around the world studying to be engineers, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we recognize the Carnegie Foundation for the Advancement of Teaching and the Council for Advancement and Support of Education (CASE) 2012 United States Outstanding Doctoral and Research Universities Professor of the Year, Autar Kaw, Ph.D., and express appreciation for his service to this state and for the recognition this award brings to the State of Florida, the University of South Florida, and to the State University System of Florida.

—**SR 1900** was introduced, read and adopted by publication.

## BILLS ON THIRD READING

Consideration of **CS for HB 7065**, **CS for CS for HB 617**, **CS for CS for HB 57**, **CS for CS for SB 770**, and **CS for CS for HB 635** was deferred.

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**CS for HB 157**—A bill to be entitled An act relating to delivery of insurance policies; amending s. 627.421, F.S.; authorizing an insurer to electronically transmit an insurance policy to the insured or other person entitled to receive the policy; providing an exception to electronic transmission for specified policies; providing requirements for electronic transmission of a policy; requiring that a paper copy of the policy be provided upon request of the insured or other person entitled to receive the policy; providing an effective date.

—was read the third time by title.

On motion by Senator Smith, **CS for HB 157** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	

Nays—None

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**CS for CS for CS for HB 573**—A bill to be entitled An act relating to manufactured and mobile homes; amending s. 627.351, F.S.; requiring the Citizens Property Insurance Corporation to provide coverage for mobile homes and manufactured homes and related structures for a specified minimum insured value; amending s. 723.06115, F.S.; specifying the procedure for requesting and obtaining funds from the Florida Mobile Home Relocation Trust Fund to pay for the operational costs of the Florida Mobile Home Relocation Corporation and the relocation costs of mobile home owners; providing an effective date.



—was read the third time by title.

On motion by Senator Bean, **CS for CS for CS for HB 573** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	

Nays—None

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Consideration of **HB 7079** was deferred.

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**CS for HB 1071**—A bill to be entitled An act relating to health care accrediting organizations; amending ss. 154.11, 394.741, 397.403, 400.925, 400.9935, 402.7306, 408.05, 430.80, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; conforming provisions to the revised definition of the term “accrediting organizations” in s. 395.002, F.S., as amended by s. 4, ch. 2012-66, Laws of Florida, for purposes of hospital licensing and regulation by the Agency for Health Care Administration; amending s. 395.3038, F.S.; deleting an obsolete provision relating to a requirement that the agency provide certain notice relating to stroke centers to hospitals; conforming provisions to changes made by the act; amending s. 486.102, F.S.; specifying accrediting agencies for physical therapist assistant programs; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for HB 1071** was passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Detert	Negron
Abruzzo	Evers	Richter
Altman	Flores	Sachs
Bean	Galvano	Simmons
Benacquisto	Gardiner	Simpson
Bradley	Gibson	Smith
Brandes	Grimsley	Sobel
Braynon	Hays	Soto
Bullard	Hukill	Stargel
Clemens	Joyner	Thompson
Dean	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Montford

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**CS for CS for HB 1085**—A bill to be entitled An act relating to public records; creating s. 377.24075, F.S.; creating an exemption from public records requirements for proprietary business information provided in an application for a natural gas storage facility permit to inject and recover gas into and from a natural gas storage reservoir; defining the term “proprietary business information”; authorizing disclosure of such information under specified conditions; providing for future review and repeal of the public records exemption under the Open Government

Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for HB 1085** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Brandes	Gibson	Simpson
Braynon	Grimsley	Smith
Bullard	Hays	Sobel
Clemens	Hukill	Soto
Dean	Latvala	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—1

Bradley

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**HB 7157**—A bill to be entitled An act relating to ratification of rules implementing total maximum daily loads for impaired water bodies; ratifying specified rules of the Department of Environmental Protection for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any of specified thresholds for likely adverse impact or increase in regulatory costs; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **HB 7157** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Diaz de la Portilla	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Soto
Bullard	Hukill	Stargel
Clemens	Joyner	Thompson
Dean	Latvala	Thrasher
Detert	Legg	

Nays—2

Negron Sobel

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**CS for HB 7135**—A bill to be entitled An act relating to public records; creating s. 560.312, F.S.; providing an exemption from public records requirements for payment instrument transaction information held by the Office of Financial Regulation; providing for specified access to such information; authorizing the office to enter into information-sharing agreements and provide access to information contained in the database to certain governmental agencies; requiring a department or agency that receives confidential information to maintain the confidentiality of the information, except as otherwise required by court order; providing for future review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for HB 7135** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—1

Bradley

**CS for HB 357**—A bill to be entitled An act relating to manufacturing development; creating s. 163.325, F.S.; providing a short title; establishing the Manufacturing Competitiveness Act; creating s. 163.3251, F.S.; providing definitions; creating s. 163.3252, F.S.; authorizing local governments to establish a local manufacturing development program that provides for master development approval for certain sites; providing specific time periods for action by local governments; requiring the Department of Economic Opportunity to develop a model ordinance containing specified information and provisions; requiring a local manufacturing development program ordinance to include certain information; providing certain restrictions on the termination of a local manufacturing development program; creating s. 163.3253, F.S.; requiring the department, in cooperation with participating agencies, to establish a manufacturing development coordinated approval process for certain manufacturers; requiring participating agencies to coordinate and review applications for certain state development approvals; requiring the department to convene a meeting when requested by a certain manufacturer; requiring participating agencies to attend meetings convened by the department; specifying that the department is not required, but is authorized, to mediate between the participating agencies and a manufacturer; providing that the department shall not be party to certain proceedings; requiring that the coordinated approval process have no effect on the department's approval of economic development incentives; providing for requests for additional information and specifying time periods; requiring participating agencies to take final action on applications within a certain time period; requiring the department to facilitate the resolution of certain applications; providing for approval by default; providing for applicability with respect to permit applications governed by federally delegated or approved permitting programs; authorizing the department to adopt rules; creating s. 288.111, F.S.; requiring the department to develop materials that identify local manufacturing development programs; requiring Enterprise Florida, Inc., and authorizing other state agencies, to distribute such material; providing an effective date.

—was read the third time by title.

On motion by Senator Galvano, **CS for HB 357** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bullard	Garcia
Abruzzo	Clemens	Gibson
Altman	Dean	Grimsley
Bean	Detert	Hays
Benacquisto	Diaz de la Portilla	Hukill
Bradley	Evers	Joyner
Brandes	Flores	Latvala
Braynon	Galvano	Lee

Legg	Sachs	Soto
Margolis	Simmons	Stargel
Montford	Simpson	Thompson
Negron	Smith	Thrasher
Richter	Sobel	

Nays—None

**CS for CS for CS for HB 7005**—A bill to be entitled An act relating to massage establishments; amending s. 480.033, F.S.; revising the definition of the term “board-approved massage school”; amending s. 480.046, F.S.; providing additional grounds for the denial of a license or disciplinary action; amending s. 480.047, F.S.; revising penalties; creating s. 480.0475, F.S.; prohibiting the operation of a massage establishment during specified times; providing exceptions; prohibiting the use of a massage establishment as a principal domicile unless the establishment is zoned for residential use under a local ordinance; providing penalties; amending s. 823.05, F.S.; declaring that a massage establishment operating in violation of specified statutes is a nuisance that may be abated or enjoined; providing an effective date.

—was read the third time by title.

On motion by Senator Clemens, **CS for CS for CS for HB 7005** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Garcia	Richter
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	

Nays—None

**CS for CS for HB 1355**—A bill to be entitled An act relating to the purchase of firearms by mentally ill persons; amending s. 790.065, F.S.; providing conditions under which a person who has been voluntarily admitted to a mental institution for treatment and has undergone an involuntary examination under the Baker Act may be prohibited from purchasing a firearm; providing requirements for the examining physician; providing for judicial review of certain findings; providing specified notice requirements; providing form and contents of notice; providing requirements with respect to the filing of specified records with the court and presentation of such records to a judge or magistrate; providing lawful authority of a judge or magistrate to review specified records and order that such records be submitted to the Department of Law Enforcement; providing a timeframe for submission of records to the department upon order by a judge or magistrate; providing an effective date.

—was read the third time by title.

On motion by Senator Gibson, **CS for CS for HB 1355** was passed and certified to the House. The vote on passage was:

Yeas—38

Abruzzo	Braynon	Evers
Altman	Bullard	Flores
Bean	Clemens	Galvano
Benacquisto	Dean	Garcia
Bradley	Detert	Gardiner
Brandes	Diaz de la Portilla	Gibson

Grimsley	Margolis	Smith
Hays	Montford	Sobel
Hukill	Negron	Soto
Joyner	Richter	Stargel
Latvala	Sachs	Thompson
Lee	Simmons	Thrasher
Legg	Simpson	

Nays—None

Vote after roll call:

Yea—Mr. President

**SENATOR RICHTER PRESIDING**

**CS for CS for HB 939**—A bill to be entitled An act relating to Medicaid recoveries; amending s. 409.907, F.S.; adding an additional provision relating to a change in principal that must be included in a Medicaid provider agreement with the Agency for Health Care Administration; defining the terms “administrative fines” and “outstanding overpayment”; revising provisions relating to the agency’s onsite inspection responsibilities; revising provisions relating to who is subject to background screening; authorizing the agency to enroll a provider who is licensed in this state and provides diagnostic services through telecommunications technology; amending s. 409.910, F.S.; revising provisions relating to settlements of Medicaid claims against third parties; providing procedures for a Medicaid recipient to contest the amount of recovered medical expense damages; providing for certain reports to be admissible as evidence to substantiate the agency’s claim; providing for venue; providing conditions regarding attorney fees and costs; amending s. 409.913, F.S.; revising provisions specifying grounds for terminating a provider from the program, for seeking certain remedies for violations, and for imposing certain sanctions; providing a limitation on the information the agency may consider when making a determination of overpayment; specifying the type of records a provider must present to contest an overpayment; clarifying a provision regarding accrued interest on certain payments withheld from a provider; deleting the requirement that the agency place payments withheld from a provider in a suspended account and revising when a provider must reimburse overpayments; revising venue requirements; adding provisions relating to the payment of fines; amending s. 409.920, F.S.; clarifying provisions relating to immunity from liability for persons who provide information about Medicaid fraud; amending s. 624.351, F.S.; revising membership requirements for the Medicaid and Public Assistance Fraud Strike Force within the Department of Financial Services; providing for future review and repeal; amending s. 624.352, F.S., relating to interagency agreements to detect and deter Medicaid and public assistance fraud; providing for future review and repeal; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **CS for CS for HB 939** was passed and certified to the House. The vote on passage was:

Yeas—38

Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Mr. President

**CS for CS for HB 365**—A bill to be entitled An act relating to pharmacy; amending s. 465.019, F.S.; permitting a class II institutional pharmacy formulary to include biologics, biosimilars, and biosimilar interchangeables; creating s. 465.0252, F.S.; providing definitions; providing requirements for a pharmacist to dispense a substitute biological product that is determined to be biosimilar to and interchangeable for the prescribed biological product; providing notification requirements for a pharmacist in a class II or modified class II institutional pharmacy; requiring the Board of Pharmacy to maintain a current list of interchangeable biosimilar products; providing an effective date.

—was read the third time by title.

On motion by Senator Grimsley, **CS for CS for HB 365** was passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Evers	Margolis
Altman	Flores	Montford
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Soto
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—1

Sobel

Vote after roll call:

Yea—Mr. President

**CS for HB 171**—A bill to be entitled An act relating to disposition of human remains; amending s. 382.002, F.S.; revising definitions for purposes of the Florida Vital Statistics Act; amending s. 382.006, F.S.; authorizing the Department of Health to issue burial-transit permits; amending s. 382.008, F.S.; revising procedures for the registration of certificates of death or fetal death and the medical certification of causes of death; providing a definition; amending s. 382.011, F.S.; extending the time by which certain deaths must be referred to the medical examiner for investigation; creating s. 406.49, F.S.; providing definitions; amending s. 406.50, F.S.; revising procedures for the reporting and disposition of unclaimed remains; prohibiting certain uses or dispositions of the remains of deceased persons whose identities are not known; limiting the liability of licensed funeral directors who authorize the embalming of unclaimed remains under certain circumstances; amending s. 406.51, F.S.; requiring that local governmental contracts for the final disposition of unclaimed remains comply with certain federal regulations; amending s. 406.52, F.S.; revising procedures for the anatomical board’s retention of human remains before their use; providing for claims by, and the release of human remains to, legally authorized persons after payment of certain expenses; authorizing county ordinances or resolutions for the final disposition of the unclaimed remains of indigent persons; limiting the liability of certain licensed persons for cremating or burying human remains under certain circumstances; amending s. 406.53, F.S.; revising exceptions from requirements for notice to the anatomical board of the death of indigent persons; deleting a requirement that the Department of Health assess fees for the burial of certain bodies; amending ss. 406.55, 406.56, and 406.57, F.S.; conforming provisions; amending s. 406.58, F.S.; requiring audits of the financial records of the anatomical board; conforming provisions; amending s. 406.59, F.S.; conforming provisions; amending s. 406.60, F.S.; authorizing certain facilities to dispose of human remains by cremation; amending s. 406.61, F.S.; re-

vising provisions prohibiting the selling or buying of human remains or the transmitting or conveying of such remains outside the state; providing penalties; excepting accredited nontransplant anatomical donation organizations from requirements for the notification of and approval from the anatomical board for the conveyance of human remains for specified purposes; requiring that nontransplant anatomical donation organizations be accredited by a certain date; requiring that human remains received by the anatomical board be accompanied by a burial-transit permit; requiring approval by the medical examiner and consent of certain persons before the dissection, segmentation, or disarticulation of such remains; prohibiting the offer of any monetary inducement or other valuable consideration in exchange for human remains; providing a definition; deleting an expired provision; conforming provisions; amending s. 497.005, F.S.; revising a definition for purposes of the Florida Funeral, Cemetery, and Consumer Services Act; amending s. 497.382, F.S.; revising certain reporting requirements for funeral establishments, direct disposal establishments, cinerator facilities, and centralized embalming facilities; amending s. 497.607, F.S.; providing requirements for the disposal of unclaimed cremated remains by funeral or direct disposal establishments; limiting the liability of funeral or direct disposal establishments and veterans' service organizations related to the release of information required to determine the eligibility for interment in a national cemetery of the unclaimed cremated remains of a veteran; providing definitions; amending s. 765.513, F.S.; revising the list of donees who may accept anatomical gifts and the purposes for which such a gift may be used; repealing s. 406.54, F.S., relating to claims of bodies after delivery to the anatomical board; providing an effective date.

—was read the third time by title.

On motion by Senator Sachs, **CS for HB 171** was passed and certified to the House. The vote on passage was:

Yeas—38

Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Mr. President

**CS for HB 837**—A bill to be entitled An act relating to tax deeds; amending s. 197.502, F.S.; authorizing the tax collector to charge for reimbursement of the costs for providing online tax deed application services; providing that an applicant's use of such online application services is optional under certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Thrasher, **CS for HB 837** was passed and certified to the House. The vote on passage was:

Yeas—38

Abruzzo	Brandes	Detert
Altman	Braynon	Diaz de la Portilla
Bean	Bullard	Evers
Benacquisto	Clemens	Flores
Bradley	Dean	Galvano

Garcia	Lee	Simpson
Gardiner	Legg	Smith
Gibson	Margolis	Sobel
Grimsley	Montford	Soto
Hays	Negron	Stargel
Hukill	Richter	Thompson
Joyner	Sachs	Thrasher
Latvala	Simmons	

Nays—None

Vote after roll call:

Yea—Mr. President

Consideration of **CS for SB 1350** and **CS for CS for HB 247** was deferred.

**CS for HB 1075**—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public record requirements for a complaint of misconduct filed with an agency against an agency employee and all information obtained pursuant to an investigation of the complaint by the agency; providing for limited duration of the exemption; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Soto, **CS for HB 1075** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Evers	Margolis
Altman	Flores	Montford
Bean	Galvano	Richter
Benacquisto	Garcia	Sachs
Bradley	Gardiner	Simmons
Brandes	Gibson	Simpson
Braynon	Grimsley	Smith
Bullard	Hays	Sobel
Clemens	Hukill	Soto
Dean	Joyner	Stargel
Detert	Latvala	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Mr. President

**CS for CS for CS for HB 1129**—A bill to be entitled An act relating to infants born alive; amending s. 390.011, F.S.; defining the term "born alive"; amending s. 390.0111, F.S.; providing that an infant born alive during or immediately after an attempted abortion is entitled to the same rights, powers, and privileges as any other child born alive in the course of natural birth; requiring health care practitioners to preserve the life and health of such an infant born alive, if possible; providing for the transport and admittance of an infant born alive to a hospital; requiring a health care practitioner or certain employees who have knowledge of any violations with respect to infants born alive after an attempted abortion to report those violations to the Department of Health; providing a penalty; providing for construction; amending s. 390.0112, F.S.; revising a reporting requirement; providing an effective date.

—was read the third time by title.

On motion by Senator Flores, **CS for CS for CS for HB 1129** was passed and certified to the House. The vote on passage was:

Yeas—38

Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Mr. President

**CS for HB 311**—A bill to be entitled An act relating to costs of prosecution, investigation, and representation; amending s. 903.286, F.S.; providing for the withholding of unpaid costs of prosecution and representation from the return of a cash bond posted on behalf of a criminal defendant; requiring a notice on bond forms of such possible withholding; amending s. 938.27, F.S.; clarifying the types of cases that are subject to the collection and dispensing of cost payments by the clerk of the court; amending s. 985.032, F.S.; providing for assessment of costs of prosecution against a juvenile who has been adjudicated delinquent or has adjudication of delinquency withheld; amending s. 985.455, F.S.; providing that a child adjudicated delinquent may perform community service in lieu of certain costs and fees; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **CS for HB 311** was passed and certified to the House. The vote on passage was:

Yeas—37

Abruzzo	Flores	Montford
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Sobel
Bullard	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Lee	Thrasher
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Mr. President

Yea to Nay—Gibson

Consideration of **CS for CS for HB 665** and **CS for HB 7169** was deferred.

**CS for CS for HB 1325**—A bill to be entitled An act relating to victims of human trafficking; amending s. 90.803, F.S.; revising the mental, emotional, or developmental age of a child victim whose out-of-court statement describing specified criminal acts is admissible in evidence in certain instances; creating s. 943.0583, F.S.; providing defini-

tions; providing for the expungement of the criminal history record of a victim of human trafficking; designating what offenses may be expunged; providing exceptions; providing that an expunged conviction is deemed to have been vacated due to a substantive defect in the underlying criminal proceedings; providing for a period in which such expungement must be sought; providing that official documentation of the victim's status as a human trafficking victim creates a presumption; providing a standard of proof absent official documentation; providing requirements for petitions; providing criminal penalties for false statements on such petitions; providing for parties to and service of such petitions; providing for electronic appearances of petitioners and attorneys at hearings; providing for orders of relief; providing for physical destruction of certain records; authorizing a person whose records are expunged to lawfully deny or fail to acknowledge the arrests covered by the expunged record; providing exceptions; providing that such lawful denial does not constitute perjury or subject the person to liability; providing that cross-references are considered general reference for the purpose of incorporation by reference; amending ss. 943.0582, 943.0585, 943.059, and 961.06, F.S.; conforming provisions to changes made by the act; providing an appropriation; providing for applicability; providing effective dates.

—was read the third time by title.

On motion by Senator Flores, **CS for CS for HB 1325** was passed and certified to the House. The vote on passage was:

Yeas—37

Abruzzo	Flores	Montford
Altman	Galvano	Richter
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Sobel
Bullard	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Lee	Thrasher
Diaz de la Portilla	Legg	
Evers	Margolis	

Nays—None

Vote after roll call:

Yea—Mr. President

## THE PRESIDENT PRESIDING

**CS for CS for HB 867**—A bill to be entitled An act relating to parent empowerment in education; amending s. 1001.10, F.S.; conforming a cross-reference; amending s. 1002.20, F.S.; providing that parents who have a student in a public school that is implementing a turnaround option may petition to have a particular turnaround option implemented; requiring the school district to notify parents of a public school student being taught by an out-of-field teacher or by a teacher with an unsatisfactory performance rating; specifying requirements for the notice; amending s. 1002.32, F.S.; conforming a cross-reference; amending s. 1002.33, F.S.; requiring a charter school to comply with certain procedures for the assignment of teachers; creating s. 1003.07, F.S.; creating the Parent Empowerment Act; specifying what constitutes an eligible student and a parental vote; requiring that a school district send a written notice to parents of public school students regarding the parents' options to petition the school for a particular turnaround option; requiring the notice to include certain information; authorizing up to one parental vote per eligible student; establishing the process to solicit signatures for a petition; prohibiting a person from being paid for signatures; prohibiting a for-profit corporation, business, or entity from soliciting signatures or paying a person to solicit signatures; establishing criteria to verify the signatures on a petition; requiring the State Board of Education to adopt rules for filing a petition; specifying that a petition is valid if it is signed and dated by a majority of the parents of eligible students and those signatures are verified; requiring the school district

to consider the turnaround option on the valid petition with the most signatures at a publicly noticed school board meeting; requiring the school district to submit an implementation plan to the state board; amending s. 1008.33, F.S.; authorizing a parent to petition the school district to implement a turnaround option selected by the parent; amending s. 1012.2315, F.S.; providing for assistance to teachers teaching out-of-field; requiring the school district to notify parents and inform them of their options if a student is being taught by an out-of-field teacher; providing that a student may not be assigned to a teacher with a performance evaluation rating of less than effective for a specified number of consecutive school years; authorizing the parent of a student to consent to the assignment of that student to a teacher with a performance evaluation rating of less than effective under certain circumstances; repealing s. 1012.42, F.S., relating to teachers who are teaching out-of-field; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Stargel, **CS for CS for HB 867** as amended failed to pass. The action of the Senate was certified to the House. The vote was:

Yeas—20

Mr. President	Galvano	Negron
Altman	Gardiner	Richter
Bean	Grimsley	Simmons
Benacquisto	Hays	Simpson
Bradley	Hukill	Stargel
Brandes	Lee	Thrasher
Flores	Legg	

Nays—20

Abruzzo	Evers	Ring
Braynon	Garcia	Sachs
Bullard	Gibson	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Margolis	Thompson
Diaz de la Portilla	Montford	

Consideration of **CS for CS for HB 269** was deferred.

**HB 685**—A bill to be entitled An act relating to parole interview dates for certain inmates; amending ss. 947.16, 947.174, and 947.1745, F.S.; extending from 2 years to 7 years the period between parole interview dates for inmates convicted of committing specified crimes; requiring a periodic parole interview for an inmate convicted of kidnapping or attempted kidnapping or robbery, burglary of a dwelling, burglary of a structure or conveyance, or breaking and entering, or the attempt thereof of any of these crimes, in which a human being is present and a sexual act is attempted or completed; reenacting s. 947.165(1), F.S., relating to objective parole guidelines, to incorporate the amendment made by this act to s. 947.1745, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **HB 685** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Dean	Hukill
Abruzzo	Diaz de la Portilla	Latvala
Altman	Evers	Lee
Bean	Galvano	Legg
Bradley	Garcia	Margolis
Brandes	Gardiner	Montford
Braynon	Gibson	Richter
Bullard	Grimsley	Ring
Clemens	Hays	Sachs

Simmons	Sobel	Thrasher
Simpson	Soto	
Smith	Thompson	

Nays—1

Flores

Vote after roll call:

Yea—Benacquisto, Negron, Stargel

**CS for CS for HB 553**—A bill to be entitled An act relating to workers' compensation system administration; amending s. 440.02, F.S.; revising a definition for purposes of workers' compensation; amending s. 440.05, F.S.; revising requirements relating to submitting notice of election of exemption; amending s. 440.102, F.S.; conforming a cross-reference; amending s. 440.107, F.S.; revising effectiveness of stop-work orders and penalty assessment orders; amending s. 440.11, F.S.; revising immunity from liability standards for employers and employees using a help supply services company; amending s. 440.13, F.S.; deleting and revising definitions; revising health care provider requirements and responsibilities; deleting rulemaking authority and responsibilities of the Department of Financial Services; revising provider reimbursement dispute procedures; revising penalties for certain violations or over-utilization of treatment; deleting certain Office of Insurance Regulation audit requirements; deleting provisions providing for removal of physicians from lists of those authorized to render medical care under certain conditions; amending s. 440.15, F.S.; revising limitations on compensation for temporary total disability; amending s. 440.185, F.S.; revising and deleting penalties for noncompliance relating to duty of employer upon receipt of notice of injury or death; amending s. 440.20, F.S.; transferring certain responsibilities of the office to the department; deleting certain responsibilities of the department; amending s. 440.211, F.S.; deleting a requirement that a provision that is mutually agreed upon in any collective bargaining agreement be filed with the department; amending s. 440.385, F.S.; correcting cross-references; amending s. 440.491, F.S.; revising certain carrier reporting requirements; revising duties of the department upon referral of an injured employee; providing an effective date.

—was read the third time by title.

On motion by Senator Galvano, **CS for CS for HB 553** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Latvala	Soto
Clemens	Lee	Stargel
Dean	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

Nays—1

Joyner

**CS for CS for CS for HB 1083**—A bill to be entitled An act relating to underground natural gas storage; providing a short title; amending s. 211.02, F.S.; narrowing the use of the term "oil"; amending s. 211.025, F.S.; narrowing the scope of the gas production tax to apply only to native gas; amending s. 376.301, F.S.; conforming a cross-reference; amending s. 377.06, F.S.; declaring underground natural gas storage to be in the public interest; amending s. 377.18, F.S.; clarifying common sources of oil and gas; amending s. 377.19, F.S.; modifying and providing

definitions; amending s. 377.21, F.S.; extending the jurisdiction of the Division of Resource Management of the Department of Environmental Protection; amending s. 377.22, F.S.; expanding the scope of the department's rules and orders; amending s. 377.24, F.S.; providing for the notice and permitting of storage in and recovery from natural gas storage reservoirs; creating s. 377.2407, F.S.; establishing a natural gas storage facility permit application process; specifying requirements for an application, including fees; amending s. 377.241, F.S.; providing criteria that the division must consider in issuing permits; amending s. 377.242, F.S.; granting authority to the department to issue permits to establish natural gas storage facilities; creating s. 377.2431, F.S.; establishing conditions and procedures for granting natural gas storage facility permits; prohibiting the issuance of permits for facilities located in specified areas; creating s. 377.2432, F.S.; providing for the protection of water supplies at natural gas storage facilities; providing that an operator is presumed responsible for pollution of an underground water supply under certain circumstances; creating s. 377.2433, F.S.; providing for the protection of natural gas storage facilities through requirement of notice, compliance with certain standards, and a right of entry to monitor activities; creating s. 377.2434, F.S.; providing that property rights to injected natural gas are with the injector or the injector's heirs, successors, or assigns; providing for compensation to the owner of the stratum and the owner of the surface for use of or damage to the surface or substratum; amending s. 377.25, F.S.; limiting the scope of certain drilling unit requirements; amending s. 377.28, F.S.; modifying situations in which the department is required to issue an order requiring unit operation; amending s. 377.30, F.S.; providing that limitations on the amount of oil or gas taken do not apply to nonnative gas recovered from a permitted natural gas storage facility; amending s. 377.34, F.S.; providing for legal action against a person who appears to be violating a rule that relates to the storage or recovery of natural gas; amending s. 377.37, F.S.; expanding penalties to reach persons who violate the terms of a permit relating to storage of gas in a natural gas storage facility; amending s. 377.371, F.S.; providing that a person storing gas in a natural gas storage facility may not pollute or otherwise damage certain areas and that a person who pollutes water by storing natural gas is liable for cleanup or other costs incurred by the state; amending s. 403.973, F.S.; allowing expedited permitting for natural gas storage facilities permitted under ch. 377, F.S., and certain projects to construct interstate natural gas pipelines; providing that natural gas storage facilities are subject to certain requirements; directing the department to adopt certain rules before issuing permits for natural gas storage facilities; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for CS for HB 1083** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gardiner	Simmons
Benacquisto	Gibson	Simpson
Bradley	Grimsley	Smith
Brandes	Hays	Sobel
Braynon	Hukill	Soto
Bullard	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Negron	

Nays—2

Clemens	Joyner
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**CS for HB 423**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.05, F.S.; providing an exception to sales tax for dyed diesel fuel used in vessels for commercial fishing and aquacultural purposes; amending s. 212.0501, F.S.; providing an exception from sales tax collected by a licensed sales tax dealer for dyed diesel fuel used in vessels for commercial fishing and aquacultural

purposes; amending s. 212.08, F.S.; providing a sales tax exemption for dyed diesel fuel used in vessels for commercial fishing and aquacultural purposes; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for HB 423** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Sachs
Bean	Gardiner	Simmons
Benacquisto	Gibson	Simpson
Bradley	Grimsley	Smith
Brandes	Hays	Sobel
Braynon	Hukill	Soto
Bullard	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—3

Clemens	Joyner	Ring
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**CS for CS for HB 383**—A bill to be entitled An act relating to the Interstate Insurance Product Regulation Compact; providing legislative findings and intent; providing purposes; providing definitions; providing for the establishment of an Interstate Insurance Product Regulation Commission; providing responsibilities of the commission; specifying the commission as an instrumentality of the compacting states; providing for venue; specifying the commission as a separate, not-for-profit entity; providing powers of the commission; providing for organization of the commission; providing for membership, voting, and bylaws; designating the Commissioner of Insurance Regulation as the representative of the state on the commission; authorizing the Commissioner of Insurance to designate a person to represent the state on the commission; providing for a management committee, officers, and personnel of the commission; providing authority of the management committee; providing for legislative and advisory committees; providing for qualified immunity, defense, and indemnification of members, officers, employees, and representatives of the commission; providing for meetings and acts of the commission; providing rules and operating procedures; providing rule-making functions of the commission; providing for opting out of uniform standards; providing procedures and requirements; providing for commission records and enforcement; authorizing the commission to adopt rules; providing for disclosure of certain information; specifying that certain records, data, or information of the commission, wherever received, by and in possession of the Office of Insurance Regulation, the commissioner, or the commissioner's designee are subject to ch. 119, F.S.; requiring the commission to monitor for compliance; providing for dispute resolution; providing for product filing and approval; requiring the commission to establish filing and review processes and procedures; providing for review of commission decisions regarding filings; providing for finance of commission activities; providing for payment of expenses; authorizing the commission to collect filing fees for certain purposes; providing for approval of a commission budget; exempting the commission from all taxation, except as otherwise provided by the act; prohibiting the commission from pledging the credit of any compacting states without authority; requiring the commission to keep complete accurate accounts, provide for audits, and make annual reports to the Governors and Legislatures of compacting states; providing for amendment of the compact; providing for withdrawal from the compact, default by compacting states, and dissolution of the compact; providing severability and construction; providing for binding effect of this compact and other laws; prospectively opting out of all uniform standards adopted by the commission involving long-term care insurance products; adopting all other existing uniform standards that have been adopted by the commission; providing a procedure for adoption of any new uniform standards or amendments to existing uniform standards of the commission; requiring the office to notify the Legislature of any new uniform standards or

amendments to existing uniform standards of the commission; providing that any new uniform standards or amendments to existing uniform standards of the commission may only be adopted via legislation; providing for applicability with respect to taxation of the commission; providing for applicability and process with respect to certain requests for inspection and copying of information, data, or records; authorizing the Financial Services Commission to adopt rules to implement this act and opt out of certain uniform standards; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Hukill, **CS for CS for HB 383** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

**CS for CS for HB 217**—A bill to be entitled An act relating to money services businesses; amending s. 560.310, F.S.; requiring licensees engaged in check cashing to submit certain transaction information to the Office of Financial Regulation related to the payment instruments cashed; requiring the office to maintain the transaction information in a centralized check cashing database; requiring the office to issue a competitive solicitation for a database to maintain certain transaction information relating to check cashing; authorizing the office to request funds and to submit draft legislation after certain requirements are met; authorizing the Financial Services Commission to adopt rules; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **CS for CS for HB 217** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

**CS for CS for HB 277**—A bill to be entitled An act relating to the assessment of residential and nonhomestead real property; creating s. 193.624, F.S.; defining the term “renewable energy source device”; excluding the value of certain installations made after a specified date from the assessed value of residential real property; providing for applicability; amending s. 193.155, F.S.; specifying additional exceptions to

the assessment of homestead property at just value; amending s. 193.1554, F.S.; specifying additional exceptions to assessment of non-homestead property at just value; amending s. 196.012, F.S.; deleting the definition of the terms “renewable energy source device” and “device”; conforming a cross-reference; amending ss. 196.121 and 196.1995, F.S.; conforming cross-references; repealing s. 196.175, F.S., relating to the property tax exemption for renewable energy source devices; providing for applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, **CS for CS for HB 277** was passed by the required constitutional two-thirds vote of the membership and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

**CS for CS for HB 203**—A bill to be entitled An act relating to agricultural lands; amending s. 163.3162, F.S.; revising a definition; prohibiting a governmental entity from adopting or enforcing any prohibition, restriction, regulation, or other limitation or from charging a fee on a specific activity of a bona fide farm operation on land classified as agricultural land under certain circumstances; amending s. 604.50, F.S.; revising an exemption from the Florida Building Code and certain county and municipal code provisions and fees for nonresidential farm buildings, fences, and signs; limiting applicability of the exemption to such farm buildings, fences, and signs located on certain lands; defining the term “bona fide agricultural purposes”; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for CS for HB 203** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Negron
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Lee	Stargel
Dean	Legg	Thompson
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	

Nays—None

**CS for CS for HB 579**—A bill to be entitled An act relating to natural gas motor fuel; amending s. 206.86, F.S.; deleting definitions for the terms “alternative fuel” and “natural gasoline”; amending s. 206.87, F.S.; conforming a cross-reference; repealing s. 206.877, F.S., relating to the annual decal fee program for motor vehicles powered by alternative



fuels; repealing s. 206.89, F.S., relating to the requirements for alternative fuel retailer licenses; amending s. 206.91, F.S.; making grammatical and technical changes; providing a directive to the Division of Law Revision and Information; creating s. 206.9951, F.S.; providing definitions; creating s. 206.9952, F.S.; establishing requirements for natural gas fuel retailer licenses; providing penalties for certain license violations; creating s. 206.9955, F.S.; providing calculations for a motor fuel equivalent gallon; providing for the levy of the natural gas fuel tax; authorizing the Department of Revenue to adopt rules; creating s. 206.996, F.S.; establishing requirements for monthly reports of natural gas fuel retailers; providing that reports are made under the penalties of perjury; allowing natural gas fuel retailers to seek a deduction of the tax levied under specified conditions; creating s. 206.9965, F.S.; providing exemptions and refunds from the natural gas fuel tax; transferring, renumbering, and amending s. 206.879, F.S.; revising provisions relating to the State Alternative Fuel User Fee Clearing Trust Fund; creating s. 206.998, F.S.; providing for the applicability of specified sections of parts I and II of ch. 206, F.S.; amending s. 212.055, F.S.; expanding the use of the local government infrastructure surtax to include the installation of systems for natural gas fuel; amending s. 212.08, F.S.; providing an exemption from taxes for natural gas and natural gas fuel under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to complete a report reviewing the taxation of natural gas fuel; requiring submission of the report to the Legislature by a specified date; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Simpson, **CS for CS for HB 579** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

**CS for CS for CS for HB 487**—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Freemasonry license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for CS for CS for HB 487** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gibson	Ring
Brandes	Grimsley	Sachs
Braynon	Hays	Simmons
Bullard	Hukill	Simpson
Clemens	Joyner	Smith
Dean	Latvala	Sobel
Detert	Lee	Soto
Diaz de la Portilla	Legg	Stargel

Thompson Thrasher

Nays—None

Vote after roll call:

Yea—Bean

**CS for CS for HB 665**—A bill to be entitled An act relating to license by the Office of Financial Regulation; amending s. 494.00321, F.S.; authorizing, rather than requiring, the office to deny a mortgage broker license application if the applicant had a mortgage broker license revoked previously; amending s. 494.00611, F.S.; authorizing, rather than requiring, the office to deny a mortgage lender license application if the applicant had a mortgage lender license revoked previously; amending s. 517.12, F.S.; revising the procedures and requirements for submitting fingerprints as part of an application to sell, or offer to sell, securities; removing conflicting language; amending s. 560.141, F.S.; revising the procedures and requirements for submitting fingerprints to apply for a license as a money services business; requiring the Office of Financial Regulation to pay an annual fee to the Department of Law Enforcement; removing conflicting language; requiring certain licensees to submit live-scan fingerprints before the next renewal period; amending s. 560.143, F.S.; conforming provisions to changes made by the act; providing effective dates.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for HB 665** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

**CS for HB 7169**—A bill to be entitled An act relating to the Florida Health Choices Plus Program; amending s. 408.910, F.S.; providing that all employers who meet the requirements of the Florida Health Choices Program are eligible to enroll in the Florida Health Choices Plus Program; requiring participating employers to make a defined contribution with certain conditions; providing that individuals and employees of enrolled employers are eligible to participate in the program; providing that vendors may not refuse to sell any offered product or service to any participant in the program; providing that product prices shall be based on criteria established by the Florida Health Choices, Inc.; providing that certain forms, website design, and marketing communication developed by the Florida Health Choices, Inc., are not subject to the Florida Insurance Code; creating s. 408.9105, F.S.; creating the Florida Health Choices Plus Program; providing definitions; providing eligibility requirements; providing exceptions to such requirements in specific situations; requiring the Department of Children and Families to determine eligibility; providing for enrollment in the program; establishing open enrollment periods; requiring cessation of enrollment under certain circumstances; providing that participation in the program is not an entitlement; prohibiting a cause of action against certain entities under certain circumstances; requiring an education and outreach campaign; requiring certain joint activities by the Florida Health Choices, Inc., and the Florida Healthy Kids Corporation; providing for a state benefit allowance, subject to an appropriation; requiring an individual contribution; providing for disenrollment in specific situations; allowing con-

tributions from certain other entities; providing requirements and procedures for use of funds; providing for refunds; requiring the corporation to submit to the Governor and Legislature information about the program in its annual report and an evaluation of the effectiveness of the program; creating a task force and providing its mission; establishing membership in the task force and providing for its expiration; amending s. 641.402, F.S.; authorizing prepaid health clinics to offer specified hospital services under certain circumstances; providing appropriations; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Negron, **CS for HB 7169** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

Nays—1

Brandes

**CS for CS for SB 770**—A bill to be entitled An act relating to neighborhood improvement districts; amending s. 163.506, F.S.; providing that an ordinance that creates a neighborhood improvement district may authorize the district to exercise certain powers, in addition to those already granted to such districts; specifying such powers; conditioning the exercise of those powers on resolution and referendum; providing an effective date.

—as amended April 25 was read the third time by title.

On motion by Senator Ring, **CS for CS for SB 770** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—1

Brandes

**CS for CS for HB 247**—A bill to be entitled An act relating to paper reduction; amending s. 97.052, F.S.; providing that the uniform statewide voter registration application be designed to elicit the e-mail address of an applicant and whether the applicant desires to receive sample ballots by e-mail; amending s. 101.20, F.S.; authorizing a su-

pervisor of elections to send a sample ballot to a registered elector by e-mail under certain circumstances; amending s. 125.66, F.S.; requiring the clerk of a board of county commissioners to electronically transmit enacted ordinances, amendments, and emergency ordinances to the Department of State; amending s. 194.034, F.S.; permitting a value adjustment board to electronically provide the taxpayer and property appraiser with notice of the decision of the board; creating s. 192.048, F.S.; allowing certain ad valorem communications to be sent electronically in lieu of regular mail; providing requirements and conditions applicable to such electronic communications; amending s. 903.14, F.S.; permitting the electronic filing of certain affidavits; amending s. 903.26, F.S.; authorizing a clerk of court to mail or electronically transmit a notice relating to a bond forfeiture proceeding; amending s. 903.27, F.S.; permitting a clerk of court to furnish certain required documents and notices relating to bond forfeitures by mail or electronic means; amending s. 903.31, F.S.; providing that a certificate of cancellation of an original bond may be furnished by mail or electronically; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Ring, **CS for CS for HB 247** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

## RECESS

The President declared the Senate in recess at 12:05 p.m. to reconvene at 1:30 p.m.

## AFTERNOON SESSION

The Senate was called to order by President Gaetz at 1:30 p.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

## BILLS ON THIRD READING

**CS for CS for HB 269**—A bill to be entitled An act relating to public construction projects; amending ss. 255.20 and 255.2575, F.S.; requiring governmental entities to specify certain products associated with public works projects; providing for applicability; amending s. 255.257, F.S.;

requiring state agencies to use certain building rating systems and building codes for each new construction and renovation project; providing an effective date.

—as amended April 29 was read the third time by title.

## RECONSIDERATION OF AMENDMENT

On motion by Senator Detert, the Senate reconsidered the vote by which **Amendment 1 (117882)** as amended was adopted April 29.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Altman moved the following amendment to **Amendment 1** which was adopted by two-thirds vote:

**Amendment 1D (206388) (with title amendment)**—Delete lines 5-64 and insert:

Section 1. Section 125.022, Florida Statutes, is amended to read:

125.022 Development permits.—When a county denies an application for a development permit, the county shall give written notice to the applicant. The notice must include a citation to the applicable portions of an ordinance, rule, statute, or other legal authority for the denial of the permit. As used in this section, the term “development permit” has the same meaning as in s. 163.3164. For any development permit application filed with the county after July 1, 2012, a county may not require as a condition of processing or issuing a development permit that an applicant obtain a permit or approval from any state or federal agency unless the agency has issued a final agency action that denies the federal or state permit before the county action on the local development permit. Issuance of a development permit by a county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. A county ~~shall~~ ~~may~~ attach such a disclaimer to the issuance of a development permit and ~~shall~~ ~~may~~ include a permit condition that all other applicable state or federal permits be obtained before commencement of the development. This section does not prohibit a county from providing information to an applicant regarding what other state or federal permits may apply.

Section 2. Section 162.12, Florida Statutes, is amended to read:

162.12 Notices.—

(1) All notices required by this part must be provided to the alleged violator by:

(a) Certified mail, *return receipt requested*, to the address listed in the tax collector's office for tax notices; or to ~~the address listed in the county property appraiser's database. The local government may also provide an additional notice to any other address it may find for~~ ~~provided by the property owner in writing to the local government for the purpose of receiving notices.~~ For property owned by a corporation, notices may be provided by certified mail to the registered agent of the corporation. If any notice sent by certified mail is not signed as received within 30 days after the *postmarked* date of mailing, notice may be provided by posting as described in subparagraphs (2)(b)1. and 2.;

(b) Hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the local governing body;

(c) Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or

(d) In the case of commercial premises, leaving the notice with the manager or other person in charge.

(2) In addition to providing notice as set forth in subsection (1), at the option of the code enforcement board ~~or the local government~~, notice may ~~also~~ be served by publication or posting, as follows:

(a)1. Such notice shall be published once during each week for 4 consecutive weeks (four publications being sufficient) in a newspaper of general circulation in the county where the code enforcement board is located. The newspaper shall meet such requirements as are prescribed under chapter 50 for legal and official advertisements.

2. Proof of publication shall be made as provided in ss. 50.041 and 50.051.

(b)1. In lieu of publication as described in paragraph (a), such notice may be posted at least 10 days prior to the hearing, or prior to the expiration of any deadline contained in the notice, in at least two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be, in the case of municipalities, at the primary municipal government office, and in the case of counties, at the front door of the courthouse or the main county governmental center in said county.

2. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.

(c) Notice by publication or posting may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under subsection (1).

Evidence that an attempt has been made to hand deliver or mail notice as provided in subsection (1), together with proof of publication or posting as provided in subsection (2), shall be sufficient to show that the notice requirements of this part have been met, without regard to whether or not the alleged violator actually received such notice.

Section 3. Section 166.033, Florida Statutes, is amended to read:

166.033 Development permits.—When a municipality denies an application for a development permit, the municipality shall give written notice to the applicant. The notice must include a citation to the applicable portions of an ordinance, rule, statute, or other legal authority for the denial of the permit. As used in this section, the term “development permit” has the same meaning as in s. 163.3164. For any development permit application filed with the municipality after July 1, 2012, a municipality may not require as a condition of processing or issuing a development permit that an applicant obtain a permit or approval from any state or federal agency unless the agency has issued a final agency action that denies the federal or state permit before the municipal action on the local development permit. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. A municipality ~~shall~~ ~~may~~ attach such a disclaimer to the issuance of development permits and ~~shall~~ ~~may~~ include a permit condition that all other applicable state or federal permits be obtained before commencement of the development. This section does not prohibit a municipality from providing information to an applicant regarding what other state or federal permits may apply.

And the title is amended as follows:

Delete lines 1328 and 1329 and insert: 125.022, F.S.; requiring counties to attach certain disclaimers and include certain permit conditions when issuing development permits; amending s. 162.12, F.S.; revising notice requirements in the Local Government Code Enforcement Boards Act; amending s. 166.033, F.S.; requiring municipalities to attach certain disclaimers and include certain permit conditions when issuing development permits;

**Amendment 1 (117882)** as amended was adopted by two-thirds vote.

On motion by Senator Detert, **CS for CS for HB 269** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bean	Brandes
Abruzzo	Benacquisto	Braynon
Altman	Bradley	Bullard

Clemens	Hays	Sachs
Dean	Hukill	Simmons
Detert	Joyner	Simpson
Diaz de la Portilla	Latvala	Smith
Evers	Lee	Sobel
Galvano	Legg	Soto
Garcia	Margolis	Stargel
Gardiner	Montford	Thompson
Gibson	Richter	Thrasher
Grimsley	Ring	

Nays—None

## SPECIAL ORDER CALENDAR

On motion by Senator Margolis—

**CS for SB 808**—A bill to be entitled An act relating to a needle and syringe exchange pilot program; amending s. 381.0038, F.S.; requiring the Department of Health to establish a needle and syringe exchange pilot program in Miami-Dade County; providing for administration of the pilot program by the department or a designee; establishing pilot program criteria; providing that the distribution of needles and syringes under the pilot program is not a violation of the Florida Comprehensive Drug Abuse Prevention and Control Act or any other law; providing conditions under which a pilot program staff member or participant may be prosecuted; prohibiting the collection of participant identifying information; providing for the pilot program to be funded through private grants and donations; providing for expiration of the pilot program; requiring a report to the Legislature; providing rulemaking authority; providing for severability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 808** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1840** was deferred.

## INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Dave Aronberg, Palm Beach County State Attorney, who was present in the chamber.

**CS for CS for SB 1392**—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; revising the definition of “vested” or “vesting”; providing that a member initially enrolled in the Florida Retirement System after a certain date is vested in the pension plan after 10 years of creditable service; amending s. 121.051, F.S.; providing for compulsory membership in the Florida Retirement System Investment Plan for employees in the Elected Officers’ Class or the Senior Management Service Class initially enrolled after a specified date; conforming cross-references to changes made by the act; amending s. 121.052, F.S.; prohibiting members of the Elected Officers’ Class from joining the Senior Management Service Class after a specified date; amending s. 121.055, F.S.; prohibiting an elected official eligible for membership in the Elected Officers’ Class from enrolling in the Senior Management Service Class or in the Senior Management Service Optional Annuity Program; closing the Senior Management Optional Annuity Program to new members after a specified date; amending s. 121.091, F.S.; providing that certain members are entitled to a monthly disability benefit; revising provisions to conform to changes made by the act; amending s. 121.4501, F.S.; requiring certain employees initially enrolled in the Florida Retirement System on or after a specified date to be compulsory members of the investment plan; revising the definition of “member” or “employee”; revising a provision relating to acknowledgement of an employee’s election to participate in the investment plan; placing certain employees in the pension plan from their date of hire until they are automatically enrolled in the investment plan or timely elect enrollment in the pension plan; authorizing certain employees to elect to participate in the pension plan, rather than the default investment plan, within a specified time; providing for the transfer of certain contributions; revising the education component; deleting the obligation

of system employers to communicate the existence of both retirement plans; conforming provisions and cross-references to changes made by the act; amending s. 121.591, F.S.; revising provisions relating to disability retirement benefits; amending s. 121.71, F.S.; decreasing the employee retirement contribution rates for investment plan members; amending ss. 121.35, 238.072, 413.051, and 1012.875, F.S.; conforming cross-references; providing that the act fulfills an important state interest; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1392**, on motion by Senator Simpson, by two-thirds vote **CS for CS for HB 7011** was withdrawn from the Committees on Governmental Oversight and Accountability; Community Affairs; and Appropriations.

On motion by Senator Simpson, the rules were waived and—

**CS for CS for HB 7011**—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.051, F.S.; limiting the ability of members of an optional retirement program to transfer to the Florida Retirement System; providing for compulsory membership in the Florida Retirement System Investment Plan for employees initially enrolled after a specified date; authorizing certain employees to participate in the investment plan; amending s. 121.052, F.S.; prohibiting members of the Elected Officers’ Class from joining the Senior Management Service Class after a specified date; amending s. 121.055, F.S.; closing the Senior Management Service Optional Annuity Program to new members after a specified date; prohibiting an elected official eligible for membership in the Elected Officers’ Class from enrolling in the Senior Management Service Class or in the Senior Management Service Optional Annuity Program; closing the Senior Management Service Optional Annuity Program to new members after a specified date; amending s. 121.35, F.S.; providing that certain participants in the optional retirement program for the State University System have a choice between the optional retirement program and the Florida Retirement System Investment Plan; providing for compulsory membership in the investment plan for certain employees; amending s. 121.4501, F.S.; requiring certain employees initially enrolled in the Florida Retirement System on or after a specified date to be compulsory members of the investment plan; providing for the transfer of certain contributions; revising a provision relating to acknowledgment of an employee’s election to participate in the investment plan; requiring the State Board of Administration to develop investment products to be offered in the investment plan; requiring the State Board of Administration to provide a self-directed brokerage account as an investment option; requiring the state board to contract with a provider to provide a self-directed brokerage account investment option; providing self-directed brokerage account requirements; revising the education component; deleting the obligation of system employers to communicate the existence of both retirement plans; providing the state board and the provider of the self-directed brokerage account investment option with certain responsibilities; providing that the state board is not required to deliver certain information regarding the self-directed brokerage account; making conforming changes; removing unnecessary language; amending s. 121.591, F.S.; providing an additional death benefit to specified members of the Special Risk Class; amending ss. 238.072 and 413.051, F.S.; conforming cross-references; adjusting the required employer contribution rates for the unfunded actuarial liability of the Florida Retirement System for select classes; providing a directive to the Division of Law Revision and Information; providing that the act does not modify or limit benefits available to current members except as specified; providing that the act fulfills an important state interest; requiring the State Board of Administration and the Department of Management Services to request a determination letter from the Internal Revenue Service; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1392** and read the second time by title.

Senator Simpson moved the following amendment:

**Amendment 1 (750668) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Subsection (45) of section 121.021, Florida Statutes, is amended to read:

121.021 Definitions.—The following words and phrases as used in this chapter have the respective meanings set forth unless a different meaning is plainly required by the context:

(45) “Vested” or “vesting” means the guarantee that a member is eligible to receive a future retirement benefit upon completion of the required years of creditable service for the employee’s class of membership, even though the member may have terminated covered employment before reaching normal or early retirement date. Being vested does not entitle a member to a disability benefit. Provisions governing entitlement to disability benefits are set forth under s. 121.091(4).

(a) Effective July 1, 2001, through June 30, 2011, a 6-year vesting requirement shall be implemented for the Florida Retirement System Pension Plan:

1. Any member employed in a regularly established position on July 1, 2001, who completes or has completed a total of 6 years of creditable service is considered vested.

2. Any member *initially enrolled in the Florida Retirement System before July 1, 2001, but not employed in a regularly established position on July 1, 2001*, shall be deemed vested upon completion of 6 years of creditable service if such member is employed in a covered position for at least 1 work year after July 1, 2001. However, a member is not required to complete more years of creditable service than would have been required for that member to vest under retirement laws in effect before July 1, 2001.

3. Any member initially enrolled in the Florida Retirement System on July 1, 2001, through June 30, 2011, shall be deemed vested upon completion of 6 years of creditable service.

(b) Any member initially enrolled in the Florida Retirement System ~~on or after~~ July 1, 2011, *through June 30, 2014*, shall be vested in the pension plan upon completion of 8 years of creditable service.

(c) *Any member initially enrolled in the Florida Retirement System on or after July 1, 2014, shall be vested in the pension plan upon completion of 10 years of creditable service.*

Section 2. Present subsections (3) through (9) of section 121.051, Florida Statutes, are renumbered as subsections (4) through (10), respectively, and a new subsection (3) is added to that section, to read:

121.051 Participation in the system.—

(3) **INVESTMENT PLAN MEMBERSHIP COMPULSORY.—**

(a) *Employees initially enrolled on or after July 1, 2014, in positions covered by the Elected Officers’ Class or the Senior Management Service Class are compulsory members of the investment plan, except those eligible to withdraw from the system under s. 121.052(3)(d) or s. 121.055(1)(b)2., or those eligible for optional retirement programs under paragraph (1)(a), paragraph (2)(c), or s. 121.35. Investment plan membership continues if there is subsequent employment in a position covered by another membership class. Membership in the pension plan is not permitted except as provided in s. 121.591(2). Employees initially enrolled in the Florida Retirement System prior to July 1, 2014, may retain their membership in the pension plan or investment plan and are eligible to use the election opportunity specified in s. 121.4501(4)(f). Employees initially enrolled on or after July 1, 2014, are not eligible to use the election opportunity specified in s. 121.4501(4)(f).*

(b) *Employees eligible to withdraw from the system under s. 121.052(3)(d) or s. 121.055(1)(b)2. may choose to withdraw from the system or to participate in the investment plan as provided in these sections. Employees eligible for optional retirement programs under paragraph (2)(c) or s. 121.35 may choose to participate in the optional retirement program or the investment plan as provided in this paragraph or this section. Eligible employees required to participate pursuant to (1)(a) in the optional retirement program as provided under s. 121.35 must participate in the investment plan when employed in a position not eligible for the optional retirement program.*

Section 3. Paragraph (c) of subsection (3) of section 121.052, Florida Statutes, is amended to read:

121.052 Membership class of elected officers.—

(3) **PARTICIPATION AND WITHDRAWAL, GENERALLY.—**Effective July 1, 1990, participation in the Elected Officers’ Class shall be compulsory for elected officers listed in paragraphs (2)(a)-(d) and (f) assuming office on or after said date, unless the elected officer elects membership in another class or withdraws from the Florida Retirement System as provided in paragraphs (3)(a)-(d):

(c) *Before July 1, 2014*, any elected officer may, within 6 months after assuming office, or within 6 months after this act becomes a law for serving elected officers, elect membership in the Senior Management Service Class as provided in s. 121.055 in lieu of membership in the Elected Officers’ Class. Any such election made by a county elected officer shall have no effect upon the statutory limit on the number of nonelective full-time positions that may be designated by a local agency employer for inclusion in the Senior Management Service Class under s. 121.055(1)(b)1.

Section 4. Paragraph (f) of subsection (1) and paragraph (c) of subsection (6) of section 121.055, Florida Statutes, are amended to read:

121.055 Senior Management Service Class.—There is hereby established a separate class of membership within the Florida Retirement System to be known as the “Senior Management Service Class,” which shall become effective February 1, 1987.

(1)

(f) *Effective July 1, 1997, through June 30, 2014:*

1. Except as provided in ~~subparagraphs~~ ~~subparagraph 3. and 4.,~~ an elected state officer eligible for membership in the Elected Officers’ Class under s. 121.052(2)(a), (b), or (c) who elects membership in the Senior Management Service Class under s. 121.052(3)(c) may, within 6 months after assuming office or within 6 months after this act becomes a law for serving elected state officers, elect to participate in the Senior Management Service Optional Annuity Program, as provided in subsection (6), in lieu of membership in the Senior Management Service Class.

2. Except as provided in ~~subparagraphs~~ ~~subparagraph 3. and 4.,~~ an elected officer of a local agency employer eligible for membership in the Elected Officers’ Class under s. 121.052(2)(d) who elects membership in the Senior Management Service Class under s. 121.052(3)(c) may, within 6 months after assuming office, or within 6 months after this act becomes a law for serving elected officers of a local agency employer, elect to withdraw from the Florida Retirement System, as provided in subparagraph (b)2., in lieu of membership in the Senior Management Service Class.

3. A retiree of a state-administered retirement system who is initially reemployed in a regularly established position on or after July 1, 2010, as an elected official eligible for the Elected Officers’ Class may not be enrolled in renewed membership in the Senior Management Service Class or in the Senior Management Service Optional Annuity Program as provided in subsection (6), and may not withdraw from the Florida Retirement System as a renewed member as provided in subparagraph (b)2., as applicable, in lieu of membership in the Senior Management Service Class.

4. *On or after July 1, 2014, an elected officer eligible for membership in the Elected Officers’ Class may not be enrolled in the Senior Management Service Class or in the Senior Management Service Optional Annuity Program as provided in subsection (6).*

(6)

(c) **Participation.—**

1. An eligible employee who is employed on or before February 1, 1987, may elect to participate in the optional annuity program in lieu of participating in the Senior Management Service Class. Such election must be made in writing and filed with the department and the personnel officer of the employer on or before May 1, 1987. An eligible employee who is employed on or before February 1, 1987, and who fails to make an election to participate in the optional annuity program by May 1, 1987, shall be deemed to have elected membership in the Senior Management Service Class.

2. Except as provided in subparagraph 6., an employee who becomes eligible to participate in the optional annuity program by reason of in-

initial employment commencing after February 1, 1987, may, within 90 days after the date of commencing employment, elect to participate in the optional annuity program. Such election must be made in writing and filed with the personnel officer of the employer. An eligible employee who does not within 90 days after commencing employment elect to participate in the optional annuity program shall be deemed to have elected membership in the Senior Management Service Class.

3. A person who is appointed to a position in the Senior Management Service Class and who is a member of an existing retirement system or the Special Risk or Special Risk Administrative Support Classes of the Florida Retirement System may elect to remain in such system or class in lieu of participating in the Senior Management Service Class or optional annuity program. Such election must be made in writing and filed with the department and the personnel officer of the employer within 90 days after such appointment. An eligible employee who fails to make an election to participate in the existing system, the Special Risk Class of the Florida Retirement System, the Special Risk Administrative Support Class of the Florida Retirement System, or the optional annuity program shall be deemed to have elected membership in the Senior Management Service Class.

4. Except as provided in subparagraph 5., an employee's election to participate in the optional annuity program is irrevocable if the employee continues to be employed in an eligible position and continues to meet the eligibility requirements set forth in this paragraph.

5. Effective from July 1, 2002, through September 30, 2002, an active employee in a regularly established position who has elected to participate in the Senior Management Service Optional Annuity Program has one opportunity to choose to move from the Senior Management Service Optional Annuity Program to the Florida Retirement System Pension Plan.

a. The election must be made in writing and must be filed with the department and the personnel officer of the employer before October 1, 2002, or, in the case of an active employee who is on a leave of absence on July 1, 2002, within 90 days after the conclusion of the leave of absence. This election is irrevocable.

b. The employee shall receive service credit under the pension plan equal to his or her years of service under the Senior Management Service Optional Annuity Program. The cost for such credit is the amount representing the present value of that employee's accumulated benefit obligation for the affected period of service.

c. The employee must transfer the total accumulated employer contributions and earnings on deposit in his or her Senior Management Service Optional Annuity Program account. If the transferred amount is not sufficient to pay the amount due, the employee must pay a sum representing the remainder of the amount due. The employee may not retain any employer contributions or earnings from the Senior Management Service Optional Annuity Program account.

6. A retiree of a state-administered retirement system who is initially reemployed on or after July 1, 2010, may not renew membership in the Senior Management Service Optional Annuity Program.

7. *Effective July 1, 2014, the Senior Management Service Optional Annuity Program is closed to new members. Members enrolled in the Senior Management Service Optional Annuity Program before July 1, 2014, may retain their membership in the annuity program.*

Section 5. Paragraph (a) of subsection (4) of section 121.091, Florida Statutes, is amended to read:

121.091 Benefits payable under the system.—Benefits may not be paid under this section unless the member has terminated employment as provided in s. 121.021(39)(a) or begun participation in the Deferred Retirement Option Program as provided in subsection (13), and a proper application has been filed in the manner prescribed by the department. The department may cancel an application for retirement benefits when the member or beneficiary fails to timely provide the information and documents required by this chapter and the department's rules. The department shall adopt rules establishing procedures for application for retirement benefits and for the cancellation of such application when the required information or documents are not received.

(4) DISABILITY RETIREMENT BENEFIT.—

(a) *Disability retirement; entitlement and effective date.*—

1.a. A member who becomes totally and permanently disabled, as defined in paragraph (b), after completing 5 years of creditable service, or a member who becomes totally and permanently disabled in the line of duty regardless of service, is entitled to a monthly disability benefit; except that any member with less than 5 years of creditable service on July 1, 1980, or any person who becomes a member of the Florida Retirement System on or after such date must have completed 10 years of creditable service before becoming totally and permanently disabled in order to receive disability retirement benefits for any disability which occurs other than in the line of duty. However, if a member employed on July 1, 1980, who has less than 5 years of creditable service as of that date becomes totally and permanently disabled after completing 5 years of creditable service and is found not to have attained fully insured status for benefits under the federal Social Security Act, such member is entitled to a monthly disability benefit.

b. Effective July 1, 2001, a member of the pension plan *initially enrolled before July 1, 2014*, who becomes totally and permanently disabled, as defined in paragraph (b), after completing 8 years of creditable service, or a member who becomes totally and permanently disabled in the line of duty regardless of service, is entitled to a monthly disability benefit.

c. *Effective July 1, 2014, a member of the pension plan initially enrolled on or after July 1, 2014, who becomes totally and permanently disabled, as defined in paragraph (b), after completing 10 years of creditable service, or a member who becomes totally and permanently disabled in the line of duty regardless of service, is entitled to a monthly disability benefit.*

2. If the division has received from the employer the required documentation of the member's termination of employment, the effective retirement date for a member who applies and is approved for disability retirement shall be established by rule of the division.

3. For a member who is receiving Workers' Compensation payments, the effective disability retirement date may not precede the date the member reaches Maximum Medical Improvement (MMI), unless the member terminates employment before reaching MMI.

Section 6. Subsection (1), paragraph (i) of subsection (2), paragraph (b) of subsection (3), subsection (4), paragraph (c) of subsection (5), subsection (8), and paragraphs (a), (b), (c), and (h) of subsection (10) of section 121.4501, Florida Statutes, are amended to read:

121.4501 Florida Retirement System Investment Plan.—

(1) The Trustees of the State Board of Administration shall establish a defined contribution program called the "Florida Retirement System Investment Plan" or "investment plan" for members of the Florida Retirement System under which retirement benefits will be provided for eligible employees who elect to participate in the program and *for employees initially enrolled on or after July 1, 2014, in positions covered by the Elected Officers' Class or the Senior Management Service Class and are compulsory members of the investment plan unless otherwise eligible to withdraw from the system under s. 121.052(3)(d) or s. 121.055(1)(b)2., or to participate in an optional retirement program under s. 121.051(1)(a), s. 121.051(2)(c), or s. 121.35. Investment plan membership continues if there is subsequent employment in a position covered by another membership class.* The retirement benefits shall be provided through member-directed investments, in accordance with s. 401(a) of the Internal Revenue Code and related regulations. The employer and employee shall make contributions, as provided in this section and ss. 121.571 and 121.71, to the Florida Retirement System Investment Plan Trust Fund toward the funding of benefits.

(2) DEFINITIONS.—As used in this part, the term:

(i) "Member" or "employee" means an eligible employee who enrolls in *or is defaulted into* the investment plan as provided in subsection (4), a terminated Deferred Retirement Option Program member as described in subsection (21), or a beneficiary or alternate payee of a member or employee.

## (3) RETIREMENT SERVICE CREDIT; TRANSFER OF BENEFITS.—

(b) Notwithstanding paragraph (a), an eligible employee who elects to participate in *or is defaulted into* the investment plan and establishes one or more individual member accounts may elect to transfer to the investment plan a sum representing the present value of the employee's accumulated benefit obligation under the pension plan, *except as provided in paragraph (4)(b)*. Upon transfer, all service credit earned under the pension plan is nullified for purposes of entitlement to a future benefit under the pension plan. A member may not transfer the accumulated benefit obligation balance from the pension plan after the time period for enrolling in the investment plan has expired.

1. For purposes of this subsection, the present value of the member's accumulated benefit obligation is based upon the member's estimated creditable service and estimated average final compensation under the pension plan, subject to recomputation under subparagraph 2. For state employees, initial estimates shall be based upon creditable service and average final compensation as of midnight on June 30, 2002; for district school board employees, initial estimates shall be based upon creditable service and average final compensation as of midnight on September 30, 2002; and for local government employees, initial estimates shall be based upon creditable service and average final compensation as of midnight on December 31, 2002. The dates specified are the "estimate date" for these employees. The actuarial present value of the employee's accumulated benefit obligation shall be based on the following:

a. The discount rate and other relevant actuarial assumptions used to value the Florida Retirement System Trust Fund at the time the amount to be transferred is determined, consistent with the factors provided in sub-subparagraphs b. and c.

b. A benefit commencement age, based on the member's estimated creditable service as of the estimate date.

c. Except as provided under sub-subparagraph d., for a member initially enrolled:

(I) Before July 1, 2011, the benefit commencement age is the younger of the following, but may not be younger than the member's age as of the estimate date:

(A) Age 62; or

(B) The age the member would attain if the member completed 30 years of service with an employer, assuming the member worked continuously from the estimate date, and disregarding any vesting requirement that would otherwise apply under the pension plan.

(II) On or after July 1, 2011, the benefit commencement age is the younger of the following, but may not be younger than the member's age as of the estimate date:

(A) Age 65; or

(B) The age the member would attain if the member completed 33 years of service with an employer, assuming the member worked continuously from the estimate date, and disregarding any vesting requirement that would otherwise apply under the pension plan.

d. For members of the Special Risk Class and for members of the Special Risk Administrative Support Class entitled to retain the special risk normal retirement date:

(I) Initially enrolled before July 1, 2011, the benefit commencement age is the younger of the following, but may not be younger than the member's age as of the estimate date:

(A) Age 55; or

(B) The age the member would attain if the member completed 25 years of service with an employer, assuming the member worked continuously from the estimate date, and disregarding any vesting requirement that would otherwise apply under the pension plan.

(II) Initially enrolled on or after July 1, 2011, the benefit commencement age is the younger of the following, but may not be younger than the member's age as of the estimate date:

(A) Age 60; or

(B) The age the member would attain if the member completed 30 years of service with an employer, assuming the member worked continuously from the estimate date, and disregarding any vesting requirement that would otherwise apply under the pension plan.

e. The calculation must disregard vesting requirements and early retirement reduction factors that would otherwise apply under the pension plan.

2. For each member who elects to transfer moneys from the pension plan to his or her account in the investment plan, the division shall recompute the amount transferred under subparagraph 1. within 60 days after the actual transfer of funds based upon the member's actual creditable service and actual final average compensation as of the initial date of participation in the investment plan. If the recomputed amount differs from the amount transferred by \$10 or more, the division shall:

a. Transfer, or cause to be transferred, from the Florida Retirement System Trust Fund to the member's account the excess, if any, of the recomputed amount over the previously transferred amount together with interest from the initial date of transfer to the date of transfer under this subparagraph, based upon the effective annual interest equal to the assumed return on the actuarial investment which was used in the most recent actuarial valuation of the system, compounded annually.

b. Transfer, or cause to be transferred, from the member's account to the Florida Retirement System Trust Fund the excess, if any, of the previously transferred amount over the recomputed amount, together with interest from the initial date of transfer to the date of transfer under this subparagraph, based upon 6 percent effective annual interest, compounded annually, pro rata based on the member's allocation plan.

3. If contribution adjustments are made as a result of employer errors or corrections, including plan corrections, following recomputation of the amount transferred under subparagraph 1., the member is entitled to the additional contributions or is responsible for returning any excess contributions resulting from the correction. However, any return of such erroneous excess pretax contribution by the plan must be made within the period allowed by the Internal Revenue Service. The present value of the member's accumulated benefit obligation shall not be recalculated.

4. As directed by the member, the state board shall transfer or cause to be transferred the appropriate amounts to the designated accounts within 30 days after the effective date of the member's participation in the investment plan unless the major financial markets for securities available for a transfer are seriously disrupted by an unforeseen event that causes the suspension of trading on any national securities exchange in the country where the securities were issued. In that event, the 30-day period may be extended by a resolution of the state board. Transfers are not commissionable or subject to other fees and may be in the form of securities or cash, as determined by the state board. Such securities are valued as of the date of receipt in the member's account.

5. If the state board or the division receives notification from the United States Internal Revenue Service that this paragraph or any portion of this paragraph will cause the retirement system, or a portion thereof, to be disqualified for tax purposes under the Internal Revenue Code, the portion that will cause the disqualification does not apply. Upon such notice, the state board and the division shall notify the presiding officers of the Legislature.

## (4) PARTICIPATION; ENROLLMENT.—

(a)1. *Effective June 1, 2002, through February 28, 2003, a 90-day election period was provided to each eligible employee participating in the Florida Retirement System, preceded by a 90-day education period, permitting each eligible employee to elect membership in the investment plan, and an employee who failed to elect the investment plan during the election period remained in the pension plan. An eligible employee who was employed in a regularly established position during the election period was granted the option to make one subsequent election, as provided in paragraph (f). With respect to an eligible employee who did not participate in the initial election period or who are initially employee who is employed in a regularly established position after the close of the in-*

~~initial election period but before July 1, 2014, on June 1, 2002, by a state employer:~~

~~a. Any such employee may elect to participate in the investment plan in lieu of retaining his or her membership in the pension plan. The election must be made in writing or by electronic means and must be filed with the third party administrator by August 31, 2002, or, in the case of an active employee who is on a leave of absence on April 1, 2002, by the last business day of the 5th month following the month the leave of absence concludes. This election is irrevocable, except as provided in paragraph (g). Upon making such election, the employee shall be enrolled as a member of the investment plan, the employee's membership in the Florida Retirement System is governed by the provisions of this part, and the employee's membership in the pension plan terminates. The employee's enrollment in the investment plan is effective the first day of the month for which a full month's employer contribution is made to the investment plan.~~

~~b. Any such employee who fails to elect to participate in the investment plan within the prescribed time period is deemed to have elected to retain membership in the pension plan, and the employee's option to elect to participate in the investment plan is forfeited.~~

~~2. With respect to employees who become eligible to participate in the investment plan by reason of employment in a regularly established position with a state employer commencing after April 1, 2002:~~

~~a. Any such employee shall, by default, be enrolled in the pension plan at the commencement of employment, and may, by the last business day of the 5th month following the employee's month of hire, elect to participate in the investment plan. The employee's election must be made in writing or by electronic means and must be filed with the third-party administrator. The election to participate in the investment plan is irrevocable, except as provided in paragraph (f)(g).~~

~~a.b. If the employee files such election within the prescribed time period, enrollment in the investment plan is effective on the first day of employment. The retirement contributions paid through the month of the employee plan change shall be transferred to the investment program, and, effective the first day of the next month, the employer and employee must pay the applicable contributions based on the employee membership class in the program.~~

~~b.e. An employee who fails to elect to participate in the investment plan within the prescribed time period is deemed to have elected to retain membership in the pension plan, and the employee's option to elect to participate in the investment plan is forfeited.~~

~~2.3. With respect to employees who become eligible to participate in the investment plan pursuant to s. 121.051(2)(c)3. or s. 121.35(3)(i), the employee may elect to participate in the investment plan in lieu of retaining his or her membership in the State Community College System Optional Retirement Program or the State University System Optional Retirement Program. The election must be made in writing or by electronic means and must be filed with the third-party administrator. This election is irrevocable, except as provided in paragraph (f) (g). Upon making such election, the employee shall be enrolled as a member in the investment plan, the employee's membership in the Florida Retirement System is governed by the provisions of this part, and the employee's participation in the State Community College System Optional Retirement Program or the State University System Optional Retirement Program terminates. The employee's enrollment in the investment plan is effective on the first day of the month for which a full month's employer and employee contribution is made to the investment plan.~~

~~(b) With respect to employees who become eligible to participate in the investment plan, except as provided in paragraph (g), by reason of employment in a regularly established position commencing on or after July 1, 2014, any such employee shall be enrolled in the pension plan at the commencement of employment and may, by the last business day of the 7th month following the employee's month of hire, elect to participate in the pension plan or the investment plan. Eligible employees may make a plan election only if they are earning service credit in an employer-employee relationship consistent with s. 121.021(17)(b), excluding leaves of absence without pay.~~

~~1. The employee's election must be made in writing or by electronic means and must be filed with the third-party administrator. The election~~

~~to participate in the pension plan or investment plan is irrevocable, except as provided in paragraph (f).~~

~~2. If the employee fails to make an election of the pension plan or investment plan within 7 months following the month of hire, the employee is deemed to have elected the investment plan and will be defaulted into the investment plan retroactively to the employee's date of employment. The employee's option to participate in the pension plan is forfeited, except as provided in paragraph (f).~~

~~3. The amount of the employee and employer contributions paid before the default to the investment plan shall be transferred to the investment plan and shall be placed in a default fund as designated by the State Board of Administration. The employee may move the contributions once an account is activated in the investment plan.~~

~~4. Effective the first day of the month after an eligible employee makes a plan election of the pension plan or investment plan, or after the month of default to the investment plan, the employee and employer shall pay the applicable contributions based on the employee membership class in the pension plan or investment plan.~~

~~4. For purposes of this paragraph, "state employer" means any agency, board, branch, commission, community college, department, institution, institution of higher education, or water management district of the state, which participates in the Florida Retirement System for the benefit of certain employees.~~

~~(b)1. With respect to an eligible employee who is employed in a regularly established position on September 1, 2002, by a district school board employer:~~

~~a. Any such employee may elect to participate in the investment plan in lieu of retaining his or her membership in the pension plan. The election must be made in writing or by electronic means and must be filed with the third party administrator by November 30, or, in the case of an active employee who is on a leave of absence on July 1, 2002, by the last business day of the 5th month following the month the leave of absence concludes. This election is irrevocable, except as provided in paragraph (g). Upon making such election, the employee shall be enrolled as a member of the investment plan, the employee's membership in the Florida Retirement System is governed by the provisions of this part, and the employee's membership in the pension plan terminates. The employee's enrollment in the investment plan is effective the first day of the month for which a full month's employer contribution is made to the investment program.~~

~~b. Any such employee who fails to elect to participate in the investment plan within the prescribed time period is deemed to have elected to retain membership in the pension plan, and the employee's option to elect to participate in the investment plan is forfeited.~~

~~2. With respect to employees who become eligible to participate in the investment plan by reason of employment in a regularly established position with a district school board employer commencing after July 1, 2002:~~

~~a. Any such employee shall, by default, be enrolled in the pension plan at the commencement of employment, and may, by the last business day of the 5th month following the employee's month of hire, elect to participate in the investment plan. The employee's election must be made in writing or by electronic means and must be filed with the third-party administrator. The election to participate in the investment plan is irrevocable, except as provided in paragraph (g).~~

~~b. If the employee files such election within the prescribed time period, enrollment in the investment plan is effective on the first day of employment. The employer retirement contributions paid through the month of the employee plan change shall be transferred to the investment plan, and, effective the first day of the next month, the employer shall pay the applicable contributions based on the employee membership class in the investment plan.~~

~~c. Any such employee who fails to elect to participate in the investment plan within the prescribed time period is deemed to have elected to retain membership in the pension plan, and the employee's option to elect to participate in the investment plan is forfeited.~~



~~3. For purposes of this paragraph, "district school board employer" means any district school board that participates in the Florida Retirement System for the benefit of certain employees, or a charter school or charter technical career center that participates in the Florida Retirement System as provided in s. 121.061(2)(d).~~

~~(c)1. With respect to an eligible employee who is employed in a regularly established position on December 1, 2002, by a local employer:~~

~~a. Any such employee may elect to participate in the investment plan in lieu of retaining his or her membership in the pension plan. The election must be made in writing or by electronic means and must be filed with the third party administrator by February 28, 2003, or, in the case of an active employee who is on a leave of absence on October 1, 2002, by the last business day of the 5th month following the month the leave of absence concludes. This election is irrevocable, except as provided in paragraph (g). Upon making such election, the employee shall be enrolled as a participant of the investment plan, the employee's membership in the Florida Retirement System is governed by the provisions of this part, and the employee's membership in the pension plan terminates. The employee's enrollment in the investment plan is effective the first day of the month for which a full month's employer contribution is made to the investment plan.~~

~~b. Any such employee who fails to elect to participate in the investment plan within the prescribed time period is deemed to have elected to retain membership in the pension plan, and the employee's option to elect to participate in the investment plan is forfeited.~~

~~2. With respect to employees who become eligible to participate in the investment plan by reason of employment in a regularly established position with a local employer commencing after October 1, 2002:~~

~~a. Any such employee shall, by default, be enrolled in the pension plan at the commencement of employment, and may, by the last business day of the 5th month following the employee's month of hire, elect to participate in the investment plan. The employee's election must be made in writing or by electronic means and must be filed with the third party administrator. The election to participate in the investment plan is irrevocable, except as provided in paragraph (g).~~

~~b. If the employee files such election within the prescribed time period, enrollment in the investment plan is effective on the first day of employment. The employer retirement contributions paid through the month of the employee plan change shall be transferred to the investment plan, and, effective the first day of the next month, the employer shall pay the applicable contributions based on the employee membership class in the investment plan.~~

~~c. Any such employee who fails to elect to participate in the investment plan within the prescribed time period is deemed to have elected to retain membership in the pension plan, and the employee's option to elect to participate in the investment plan is forfeited.~~

~~3. For purposes of this paragraph, "local employer" means any employer not included in paragraph (a) or paragraph (b).~~

~~(c)(d) Contributions available for self-direction by a member who has not selected one or more specific investment products shall be allocated as prescribed by the state board. The third-party administrator shall notify the member at least quarterly that the member should take an affirmative action to make an asset allocation among the investment products.~~

~~(d)(e) On or after July 1, 2011, a member of the pension plan who obtains a refund of employee contributions retains his or her prior plan choice upon return to employment in a regularly established position with a participating employer.~~

~~(e)(f) A member of the investment plan who takes a distribution of any contributions from his or her investment plan account is considered a retiree. A retiree who is initially reemployed in a regularly established position on or after July 1, 2010, is not eligible to be enrolled in renewed membership.~~

~~(f)(g) After the period during which an eligible employee had the choice to elect the pension plan or the investment plan, or the month following the receipt of the eligible employee's plan election, if sooner, the employee shall have one opportunity, at the employee's discretion, to~~

choose to move from the pension plan to the investment plan or from the investment plan to the pension plan. Eligible employees may elect to move between plans only if they are earning service credit in an employer-employee relationship consistent with s. 121.021(17)(b), excluding leaves of absence without pay. Effective July 1, 2005, such elections are effective on the first day of the month following the receipt of the election by the third-party administrator and are not subject to the requirements regarding an employer-employee relationship or receipt of contributions for the eligible employee in the effective month, except when the election is received by the third-party administrator. This paragraph is contingent upon approval by the Internal Revenue Service. *This paragraph does not apply to compulsory investment plan members under paragraph (g).*

1. If the employee chooses to move to the investment plan, the provisions of subsection (3) govern the transfer.

2. If the employee chooses to move to the pension plan, the employee must transfer from his or her investment plan account, and from other employee moneys as necessary, a sum representing the present value of that employee's accumulated benefit obligation immediately following the time of such movement, determined assuming that attained service equals the sum of service in the pension plan and service in the investment plan. Benefit commencement occurs on the first date the employee is eligible for unreduced benefits, using the discount rate and other relevant actuarial assumptions that were used to value the pension plan liabilities in the most recent actuarial valuation. For any employee who, at the time of the second election, already maintains an accrued benefit amount in the pension plan, the then-present value of the accrued benefit is deemed part of the required transfer amount. The division must ensure that the transfer sum is prepared using a formula and methodology certified by an enrolled actuary. A refund of any employee contributions or additional member payments made which exceed the employee contributions that would have accrued had the member remained in the pension plan and not transferred to the investment plan is not permitted.

3. Notwithstanding subparagraph 2., an employee who chooses to move to the pension plan and who became eligible to participate in the investment plan by reason of employment in a regularly established position with a state employer after June 1, 2002; a district school board employer after September 1, 2002; or a local employer after December 1, 2002, must transfer from his or her investment plan account, and from other employee moneys as necessary, a sum representing the employee's actuarial accrued liability. A refund of any employee contributions or additional ~~member participant~~ payments made which exceed the employee contributions that would have accrued had the member remained in the pension plan and not transferred to the investment plan is not permitted.

4. An employee's ability to transfer from the pension plan to the investment plan pursuant to ~~paragraphs (a) and (b) paragraphs (a)-(d)~~, and the ability of a current employee to have an option to later transfer back into the pension plan under subparagraph 2., shall be deemed a significant system amendment. Pursuant to s. 121.031(4), any resulting unfunded liability arising from actual original transfers from the pension plan to the investment plan must be amortized within 30 plan years as a separate unfunded actuarial base independent of the reserve stabilization mechanism defined in s. 121.031(3)(f). For the first 25 years, a direct amortization payment may not be calculated for this base. During this 25-year period, the separate base shall be used to offset the impact of employees exercising their second program election under this paragraph. The actuarial funded status of the pension plan will not be affected by such second program elections in any significant manner, after due recognition of the separate unfunded actuarial base. Following the initial 25-year period, any remaining balance of the original separate base shall be amortized over the remaining 5 years of the required 30-year amortization period.

5. If the employee chooses to transfer from the investment plan to the pension plan and retains an excess account balance in the investment plan after satisfying the buy-in requirements under this paragraph, the excess may not be distributed until the member retires from the pension plan. The excess account balance may be rolled over to the pension plan and used to purchase service credit or upgrade creditable service in the pension plan.

(g) All employees initially enrolled on or after July 1, 2014, in positions covered by the Elected Officers' Class or the Senior Management Service Class are compulsory members of the investment plan, except those eligible to withdraw from the system under s. 121.052(3)(d) or s. 121.055(1)(b)2., or those eligible for optional retirement programs under s. 121.051(1)(a), s. 121.051(2)(c), or s. 121.35. Employees eligible to withdraw from the system under s. 121.052(3)(d) or s. 121.055(1)(b)2., may choose to withdraw from the system or to participate in the investment plan as provided in those sections. Employees eligible for optional retirement programs under s. 121.051(2)(c) or s. 121.35, except as provided in s. 121.051(1)(a), may choose to participate in the optional retirement program or the investment plan as provided in those sections. Investment plan membership continues if there is subsequent employment in a position covered by another membership class. Membership in the pension plan is not permitted except as provided in s. 121.591(2). Employees initially enrolled in the Florida Retirement System prior to July 1, 2014, may retain their membership in the pension plan or investment plan and are eligible to use the election opportunity specified in s. 121.4501(4)(f).

1. Officers and employees initially enrolled on or after July 1, 2014, who are in positions within the Elected Officers' Class or the Senior Management Service Class are not permitted to use the election opportunity specified in paragraph (f).

2. The amount of retirement contributions paid by the employee and employer, as required under s. 121.72, shall be placed in a default fund as designated by the state board, until an account is activated in the investment plan, at which time the member may move the contributions from the default fund to other funds provided in the investment plan.

#### (5) CONTRIBUTIONS.—

(c) The state board, acting as plan fiduciary, must ensure that all plan assets are held in a trust, pursuant to s. 401 of the Internal Revenue Code. The fiduciary must ensure that such contributions are allocated as follows:

1. The employer and employee contribution portion earmarked for member accounts shall be used to purchase interests in the appropriate investment vehicles as specified by the member, or in accordance with paragraph (4)(c) ~~(4)(d)~~.

2. The employer contribution portion earmarked for administrative and educational expenses shall be transferred to the Florida Retirement System Investment Plan Trust Fund.

3. The employer contribution portion earmarked for disability benefits shall be transferred to the Florida Retirement System Trust Fund.

(8) INVESTMENT PLAN ADMINISTRATION.—The investment plan shall be administered by the state board and affected employers. The state board may require oaths, by affidavit or otherwise, and acknowledgments from persons in connection with the administration of its statutory duties and responsibilities for the investment plan. An oath, by affidavit or otherwise, may not be required of a member at the time of enrollment. Acknowledgment of an employee's election to participate in the program shall be no greater than necessary to confirm the employee's election *except for members initially enrolled on or after July 1, 2014, as provided in paragraph (4)(g)*. The state board shall adopt rules to carry out its statutory duties with respect to administering the investment plan, including establishing the roles and responsibilities of affected state, local government, and education-related employers, the state board, the department, and third-party contractors. The department shall adopt rules necessary to administer the investment plan in coordination with the pension plan and the disability benefits available under the investment plan.

(a)1. The state board shall select and contract with a third-party administrator to provide administrative services if those services cannot be competitively and contractually provided by the division. With the approval of the state board, the third-party administrator may subcontract to provide components of the administrative services. As a cost of administration, the state board may compensate any such contractor for its services, in accordance with the terms of the contract, as is deemed necessary or proper by the board. The third-party administrator may not be an approved provider or be affiliated with an approved provider.

2. These administrative services may include, but are not limited to, enrollment of eligible employees, collection of employer and employee contributions, disbursement of contributions to approved providers in accordance with the allocation directions of members; services relating to consolidated billing; individual and collective recordkeeping and accounting; asset purchase, control, and safekeeping; and direct disbursement of funds to and from the third-party administrator, the division, the state board, employers, members, approved providers, and beneficiaries. This section does not prevent or prohibit a bundled provider from providing any administrative or customer service, including accounting and administration of individual member benefits and contributions; individual member recordkeeping; asset purchase, control, and safekeeping; direct execution of the member's instructions as to asset and contribution allocation; calculation of daily net asset values; direct access to member account information; or periodic reporting to members, at least quarterly, on account balances and transactions, if these services are authorized by the state board as part of the contract.

(b)1. The state board shall select and contract with one or more organizations to provide educational services. With approval of the state board, the organizations may subcontract to provide components of the educational services. As a cost of administration, the state board may compensate any such contractor for its services in accordance with the terms of the contract, as is deemed necessary or proper by the board. The education organization may not be an approved provider or be affiliated with an approved provider.

2. Educational services shall be designed by the state board and department to assist employers, eligible employees, members, and beneficiaries in order to maintain compliance with United States Department of Labor regulations under s. 404(c) of the Employee Retirement Income Security Act of 1974 and to assist employees in their choice of pension plan or investment plan retirement alternatives. Educational services include, but are not limited to, disseminating educational materials; providing retirement planning education; explaining the pension plan and the investment plan; and offering financial planning guidance on matters such as investment diversification, investment risks, investment costs, and asset allocation. An approved provider may also provide educational information, including retirement planning and investment allocation information concerning its products and services.

(c)1. In evaluating and selecting a third-party administrator, the state board shall establish criteria for evaluating the relative capabilities and qualifications of each proposed administrator. In developing such criteria, the state board shall consider:

a. The administrator's demonstrated experience in providing administrative services to public or private sector retirement systems.

b. The administrator's demonstrated experience in providing daily valued recordkeeping to defined contribution programs.

c. The administrator's ability and willingness to coordinate its activities with employers, the state board, and the division, and to supply to such employers, the board, and the division the information and data they require, including, but not limited to, monthly management reports, quarterly member reports, and ad hoc reports requested by the department or state board.

d. The cost-effectiveness and levels of the administrative services provided.

e. The administrator's ability to interact with the members, the employers, the state board, the division, and the providers; the means by which members may access account information, direct investment of contributions, make changes to their accounts, transfer moneys between available investment vehicles, and transfer moneys between investment products; and any fees that apply to such activities.

f. Any other factor deemed necessary by the state board.

2. In evaluating and selecting an educational provider, the state board shall establish criteria under which it shall consider the relative capabilities and qualifications of each proposed educational provider. In developing such criteria, the state board shall consider:

a. Demonstrated experience in providing educational services to public or private sector retirement systems.

b. Ability and willingness to coordinate its activities with the employers, the state board, and the division, and to supply to such employers, the board, and the division the information and data they require, including, but not limited to, reports on educational contacts.

c. The cost-effectiveness and levels of the educational services provided.

d. Ability to provide educational services via different media, including, but not limited to, the Internet, personal contact, seminars, brochures, and newsletters.

e. Any other factor deemed necessary by the state board.

3. The establishment of the criteria shall be solely within the discretion of the state board.

(d) The state board shall develop the form and content of any contracts to be offered under the investment plan. In developing the contracts, the board shall consider:

1. The nature and extent of the rights and benefits to be afforded in relation to the contributions required under the plan.

2. The suitability of the rights and benefits provided and the interests of employers in the recruitment and retention of eligible employees.

(e)1. The state board may contract for professional services, including legal, consulting, accounting, and actuarial services, deemed necessary to implement and administer the investment plan. The state board may enter into a contract with one or more vendors to provide low-cost investment advice to members, supplemental to education provided by the third-party administrator. All fees under any such contract shall be paid by those members who choose to use the services of the vendor.

2. The department may contract for professional services, including legal, consulting, accounting, and actuarial services, deemed necessary to implement and administer the investment plan in coordination with the pension plan. The department, in coordination with the state board, may enter into a contract with the third-party administrator in order to coordinate services common to the various programs within the Florida Retirement System.

(f) The third-party administrator may not receive direct or indirect compensation from an approved provider, except as specifically provided for in the contract with the state board.

(g) The state board shall receive and resolve member complaints against the program, the third-party administrator, or any program vendor or provider; shall resolve any conflict between the third-party administrator and an approved provider if such conflict threatens the implementation or administration of the program or the quality of services to employees; and may resolve any other conflicts. The third-party administrator shall retain all member records for at least 5 years for use in resolving any member conflicts. The state board, the third-party administrator, or a provider is not required to produce documentation or an audio recording to justify action taken with regard to a member if the action occurred 5 or more years before the complaint is submitted to the state board. It is presumed that all action taken 5 or more years before the complaint is submitted was taken at the request of the member and with the member's full knowledge and consent. To overcome this presumption, the member must present documentary evidence or an audio recording demonstrating otherwise.

#### (10) EDUCATION COMPONENT.—

(a) The state board, in coordination with the department, shall provide for an education component for *eligible employees system members* in a manner consistent with the provisions of this *subsection section*. ~~The education component must be available to eligible employees at least 90 days prior to the beginning date of the election period for the employees of the respective types of employers.~~

(b) The education component must provide system members with impartial and balanced information about plan choices *except for members initially enrolled on or after July 1, 2014, as provided in paragraph (4)(g)*. The education component must involve multimedia formats. Program comparisons must, to the greatest extent possible, be based upon the retirement income that different retirement programs may

provide to the member. The state board shall monitor the performance of the contract to ensure that the program is conducted in accordance with the contract, applicable law, and the rules of the state board.

(c) The state board, in coordination with the department, shall provide for an initial and ongoing transfer education component to provide system members *except for those members initially enrolled on or after July 1, 2014, as provided in paragraph (4)(g)*, with information necessary to make informed plan choice decisions. The transfer education component must include, but is not limited to, information on:

1. The amount of money available to a member to transfer to the defined contribution program.

2. The features of and differences between the pension plan and the defined contribution program, both generally and specifically, as those differences may affect the member.

3. The expected benefit available if the member were to retire under each of the retirement programs, based on appropriate alternative sets of assumptions.

4. The rate of return from investments in the defined contribution program and the period of time over which such rate of return must be achieved to equal or exceed the expected monthly benefit payable to the member under the pension plan.

5. The historical rates of return for the investment alternatives available in the defined contribution programs.

6. The benefits and historical rates of return on investments available in a typical deferred compensation plan or a typical plan under s. 403(b) of the Internal Revenue Code for which the employee may be eligible.

7. The program choices available to employees of the State University System and the comparative benefits of each available program, if applicable.

8. Payout options available in each of the retirement programs.

~~(h) Pursuant to subsection (8), all Florida Retirement System employers have an obligation to regularly communicate the existence of the two Florida Retirement System plans and the plan choice in the natural course of administering their personnel functions, using the educational materials supplied by the state board and the Department of Management Services.~~

Section 7. Paragraph (b) of subsection (2) of section 121.591, Florida Statutes, is amended to read:

121.591 Payment of benefits.—Benefits may not be paid under the Florida Retirement System Investment Plan unless the member has terminated employment as provided in s. 121.021(39)(a) or is deceased and a proper application has been filed as prescribed by the state board or the department. Benefits, including employee contributions, are not payable under the investment plan for employee hardships, unforeseeable emergencies, loans, medical expenses, educational expenses, purchase of a principal residence, payments necessary to prevent eviction or foreclosure on an employee's principal residence, or any other reason except a requested distribution for retirement, a mandatory de minimis distribution authorized by the administrator, or a required minimum distribution provided pursuant to the Internal Revenue Code. The state board or department, as appropriate, may cancel an application for retirement benefits if the member or beneficiary fails to timely provide the information and documents required by this chapter and the rules of the state board and department. In accordance with their respective responsibilities, the state board and the department shall adopt rules establishing procedures for application for retirement benefits and for the cancellation of such application if the required information or documents are not received. The state board and the department, as appropriate, are authorized to cash out a de minimis account of a member who has been terminated from Florida Retirement System covered employment for a minimum of 6 calendar months. A de minimis account is an account containing employer and employee contributions and accumulated earnings of not more than \$5,000 made under the provisions of this chapter. Such cash-out must be a complete lump-sum liquidation of the account balance, subject to the provisions of the Internal Revenue Code, or a lump-sum direct rollover distribution paid directly to the custodian

of an eligible retirement plan, as defined by the Internal Revenue Code, on behalf of the member. Any nonvested accumulations and associated service credit, including amounts transferred to the suspense account of the Florida Retirement System Investment Plan Trust Fund authorized under s. 121.4501(6), shall be forfeited upon payment of any vested benefit to a member or beneficiary, except for de minimis distributions or minimum required distributions as provided under this section. If any financial instrument issued for the payment of retirement benefits under this section is not presented for payment within 180 days after the last day of the month in which it was originally issued, the third-party administrator or other duly authorized agent of the state board shall cancel the instrument and credit the amount of the instrument to the suspense account of the Florida Retirement System Investment Plan Trust Fund authorized under s. 121.4501(6). Any amounts transferred to the suspense account are payable upon a proper application, not to include earnings thereon, as provided in this section, within 10 years after the last day of the month in which the instrument was originally issued, after which time such amounts and any earnings attributable to employer contributions shall be forfeited. Any forfeited amounts are assets of the trust fund and are not subject to chapter 717.

(2) **DISABILITY RETIREMENT BENEFITS.**—Benefits provided under this subsection are payable in lieu of the benefits that would otherwise be payable under the provisions of subsection (1). Such benefits must be funded from employer contributions made under s. 121.571, transferred employee contributions and funds accumulated pursuant to paragraph (a), and interest and earnings thereon.

(b) *Disability retirement; entitlement.*—

1.a. A member of the investment plan *initially enrolled before July 1, 2014*, who becomes totally and permanently disabled, as defined in paragraph (d), after completing 8 years of creditable service, or a member who becomes totally and permanently disabled in the line of duty regardless of length of service, is entitled to a monthly disability benefit.

b. *A member of the investment plan initially enrolled on or after July 1, 2014, who becomes totally and permanently disabled, as defined in paragraph (d), after completing 10 years of creditable service, or a member who becomes totally and permanently disabled in the line of duty regardless of service, is entitled to a monthly disability benefit.*

2. In order for service to apply toward the 8 years of creditable service required for regular disability benefits, or toward the creditable service used in calculating a service-based benefit as provided under paragraph (g), the service must be creditable service as described below:

a. The member's period of service under the investment plan shall be considered creditable service, except as provided in subparagraph d.

b. If the member has elected to retain credit for service under the pension plan as provided under s. 121.4501(3), all such service shall be considered creditable service.

c. If the member elects to transfer to his or her member accounts a sum representing the present value of his or her retirement credit under the pension plan as provided under s. 121.4501(3), the period of service under the pension plan represented in the present value amounts transferred shall be considered creditable service, except as provided in subparagraph d.

d. If a member has terminated employment and has taken distribution of his or her funds as provided in subsection (1), all creditable service represented by such distributed funds is forfeited for purposes of this subsection.

Section 8. Section 238.072, Florida Statutes, is amended to read:

238.072 **Special service provisions for extension personnel.**—All state and county cooperative extension personnel holding appointments by the United States Department of Agriculture for extension work in agriculture and home economics in this state who are joint representatives of the University of Florida and the United States Department of Agriculture, as provided in s. 121.051(8) ~~121.051(7)~~, who are members of the Teachers' Retirement System, chapter 238, and who are prohibited from transferring to and participating in the Florida Retirement System, chapter 121, may retire with full benefits upon completion

of 30 years of creditable service and shall be considered to have attained normal retirement age under this chapter, any law to the contrary notwithstanding. In order to comply with the provisions of s. 14, Art. X of the State Constitution, any liability accruing to the Florida Retirement System Trust Fund as a result of the provisions of this section shall be paid on an annual basis from the General Revenue Fund.

Section 9. Subsection (11) of section 413.051, Florida Statutes, is amended to read:

413.051 **Eligible blind persons; operation of vending stands.**—

(11) Effective July 1, 1996, blind licensees who remain members of the Florida Retirement System pursuant to s. 121.051(7)(b)1., ~~121.051(6)(b)1.~~ shall pay any unappropriated retirement costs from their net profits or from program income. Within 30 days after the effective date of this act, each blind licensee who is eligible to maintain membership in the Florida Retirement System under s. 121.051(7)(b)1. ~~121.051(6)(b)1.~~, but who elects to withdraw from the system as provided in s. 121.051(7)(b)3. ~~121.051(6)(b)3.~~, must, on or before July 31, 1996, notify the Division of Blind Services and the Department of Management Services in writing of his or her election to withdraw. Failure to timely notify the divisions shall be deemed a decision to remain a compulsory member of the Florida Retirement System. However, if, at any time after July 1, 1996, sufficient funds are not paid by a blind licensee to cover the required contribution to the Florida Retirement System, that blind licensee shall become ineligible to participate in the Florida Retirement System on the last day of the first month for which no contribution is made or the amount contributed is insufficient to cover the required contribution. For any blind licensee who becomes ineligible to participate in the Florida Retirement System as described in this subsection, no creditable service shall be earned under the Florida Retirement System for any period following the month that retirement contributions ceased to be reported. However, any such person may participate in the Florida Retirement System in the future if employed by a participating employer in a covered position.

Section 10. *Effective July 1, 2013, the Pension Reform Study Committee is created for the purpose of reviewing, analyzing, and evaluating the sustainability of the Florida Retirement System and to recommend reforms to maintain and enhance the long-term viability and sustainability of the system.*

(1) *The study committee shall be composed of six members:*

(a) *Three members of the Senate appointed by the President of the Senate.*

(b) *Three members of the House of Representatives appointed by the Speaker of the House of Representatives.*

(2) *Members of the study committee must be appointed by July 31, 2013. By August 31, 2013, the study committee shall meet to establish procedures for the conduct of its business and to elect a chair and vice chair. The study committee shall meet at the call of the chair. A majority of the members constitutes a quorum, and a quorum is necessary for the purpose of voting on any action or recommendation of the study committee. All meetings shall be held in Tallahassee, unless otherwise decided by the study committee; however, no more than two such meetings may be held in other locations for the purpose of taking public testimony.*

(3) *The President of the Senate and the Speaker of the House of Representatives shall designate legislative staff knowledgeable in public pensions and the Florida Retirement System to assist the study committee and provide all necessary data collection, analysis, research, and support services.*

(4) *Study committee members shall serve without compensation but are entitled to be reimbursed for per diem and travel expenses as provided under s. 112.061, Florida Statutes.*

(5) *In reviewing, analyzing, and evaluating the sustainability of the Florida Retirement System, and recommending reforms to maintain and enhance the long-term viability and sustainability of the system, the study committee shall, at a minimum, consider the funding structure of the system, system funding levels, benefits provided, and the benefits of reforming the system structure, which must include the benefits of provid-*

ing a hybrid or cash-balance option in lieu of or in addition to the current plan choices.

(6) *The study committee shall submit a final report of its recommendations to the President of the Senate and the Speaker of the House of Representatives by January 1, 2014.*

Section 11. *The Legislature finds that a proper and legitimate state purpose is served when employees and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 12. Except as otherwise expressly provided in this act and except for this section, which shall take effect July 1, 2013, this act shall take effect July 1, 2014.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; revising the definition of “vested” or “vesting”; providing that a member initially enrolled in the Florida Retirement System after a certain date is vested in the pension plan after 10 years of creditable service; amending s. 121.051, F.S.; providing for compulsory membership in the Florida Retirement System Investment Plan for employees in the Elected Officers’ Class or the Senior Management Service Class initially enrolled after a specified date; amending s. 121.052, F.S.; prohibiting members of the Elected Officers’ Class from joining the Senior Management Service Class after a specified date; amending s. 121.055, F.S.; prohibiting an elected official eligible for membership in the Elected Officers’ Class from enrolling in the Senior Management Service Class or in the Senior Management Service Optional Annuity Program; closing the Senior Management Optional Annuity Program to new members after a specified date; amending s. 121.091, F.S.; providing that certain members are entitled to a monthly disability benefit; revising provisions to conform to changes made by the act; amending s. 121.4501, F.S.; requiring certain employees initially enrolled in the Florida Retirement System on or after a specified date to be compulsory members of the investment plan; revising the definition of “member” or “employee”; revising a provision relating to acknowledgement of an employee’s election to participate in the investment plan; placing certain employees in the pension plan from their date of hire until they are automatically enrolled in the investment plan or timely elect enrollment in the pension plan; authorizing certain employees to elect to participate in the pension plan, rather than the default investment plan, within a specified time; providing for the transfer of certain contributions; revising the education component; deleting the obligation of system employers to communicate the existence of both retirement plans; conforming provisions and cross-references to changes made by the act; amending s. 121.591, F.S.; revising provisions relating to disability retirement benefits; amending ss. 238.072 and 413.051, F.S.; conforming cross-references; creating a Pension Reform Study Committee to evaluate and provide recommendations relating to the Florida Retirement System; providing for membership; requiring a report to the Legislature; providing for termination; providing that the act fulfills an important state interest; providing effective dates.

Senator Simpson moved the following amendment which failed:

**Amendment 2 (268786) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (2) of section 121.051, Florida Statutes, is amended, subsections (3) through (9) of that section are renumbered as subsections (4) through (10), respectively, and a new subsection (3) is added to that section, to read:

121.051 Participation in the system.—

(2) OPTIONAL PARTICIPATION.—

(c) Employees of public community colleges or charter technical career centers sponsored by public community colleges, designated in s. 1000.21(3), who are members of the Regular Class of the Florida Retirement System and who comply with the criteria set forth in this paragraph and s. 1012.875 may, in lieu of participating in the Florida Retirement System, elect to withdraw from the system altogether and participate in the State Community College System Optional Retirement Program provided by the employing agency under s. 1012.875.

1.a. Through June 30, 2001, the cost to the employer for benefits under the optional retirement program equals the normal cost portion of the employer retirement contribution which would be required if the employee were a member of the pension plan’s Regular Class, plus the portion of the contribution rate required by s. 112.363(8) which would otherwise be assigned to the Retiree Health Insurance Subsidy Trust Fund.

b. Effective July 1, 2001, through June 30, 2011, each employer shall contribute on behalf of each member of the optional program an amount equal to 10.43 percent of the employee’s gross monthly compensation. The employer shall deduct an amount for the administration of the program.

c. Effective July 1, 2011, through June 30, 2012, each member shall contribute an amount equal to the employee contribution required under s. 121.71(3). The employer shall contribute on behalf of each program member an amount equal to the difference between 10.43 percent of the employee’s gross monthly compensation and the employee’s required contribution based on the employee’s gross monthly compensation.

d. Effective July 1, 2012, each member shall contribute an amount equal to the employee contribution required under s. 121.71(3). The employer shall contribute on behalf of each program member an amount equal to the difference between 8.15 percent of the employee’s gross monthly compensation and the employee’s required contribution based on the employee’s gross monthly compensation.

e. The employer shall contribute an additional amount to the Florida Retirement System Trust Fund equal to the unfunded actuarial accrued liability portion of the Regular Class contribution rate.

2. The decision to participate in the optional retirement program is irrevocable as long as the employee holds a position eligible for participation, except as provided in subparagraph 3. Any service creditable under the Florida Retirement System is retained after the member withdraws from the system; however, additional service credit in the system may not be earned while a member of the optional retirement program.

3. *Effective July 1, 2003, through December 31, 2014*, an employee who has elected to participate in the optional retirement program shall have one opportunity, at the employee’s discretion, to transfer from the optional retirement program to the pension plan of the Florida Retirement System or to the investment plan established under part II of this chapter, subject to the terms of the applicable optional retirement program contracts. *Except as provided in subsection (3), an employee participating in the optional retirement program on or after January 1, 2015, is not eligible to transfer to the Florida Retirement System.*

a. If the employee chooses to move to the investment plan, any contributions, interest, and earnings creditable to the employee under the optional retirement program are retained by the employee in the optional retirement program, and the applicable provisions of s. 121.4501(4) govern the election.

b. If the employee chooses to move to the pension plan of the Florida Retirement System, the employee shall receive service credit equal to his or her years of service under the optional retirement program.

(I) The cost for such credit is the amount representing the present value of the employee’s accumulated benefit obligation for the affected period of service. The cost shall be calculated as if the benefit commencement occurs on the first date the employee becomes eligible for unreduced benefits, using the discount rate and other relevant actuarial assumptions that were used to value the Florida Retirement System Pension Plan liabilities in the most recent actuarial valuation. The calculation must include any service already maintained under the pension plan in addition to the years under the optional retirement program. The

present value of any service already maintained must be applied as a credit to total cost resulting from the calculation. The division must ensure that the transfer sum is prepared using a formula and methodology certified by an enrolled actuary.

(II) The employee must transfer from his or her optional retirement program account and from other employee moneys as necessary, a sum representing the present value of the employee's accumulated benefit obligation immediately following the time of such movement, determined assuming that attained service equals the sum of service in the pension plan and service in the optional retirement program.

4. Participation in the optional retirement program is limited to employees who satisfy the following eligibility criteria:

a. The employee is otherwise eligible for membership or renewed membership in the Regular Class of the Florida Retirement System, as provided in s. 121.021(11) and (12) or s. 121.122.

b. The employee is employed in a full-time position classified in the Accounting Manual for Florida's Public Community Colleges as:

(I) Instructional; or

(II) Executive Management, Instructional Management, or Institutional Management and the community college determines that recruiting to fill a vacancy in the position is to be conducted in the national or regional market, and the duties and responsibilities of the position include the formulation, interpretation, or implementation of policies, or the performance of functions that are unique or specialized within higher education and that frequently support the mission of the community college.

c. The employee is employed in a position not included in the Senior Management Service Class of the Florida Retirement System as described in s. 121.055.

5. Members of the program are subject to the same reemployment limitations, renewed membership provisions, and forfeiture provisions applicable to regular members of the Florida Retirement System under ss. 121.091(9), 121.122, and 121.091(5), respectively. A member who receives a program distribution funded by employer and required employee contributions is deemed to be retired from a state-administered retirement system if the member is subsequently employed with an employer that participates in the Florida Retirement System.

6. Eligible community college employees are compulsory members of the Florida Retirement System until, pursuant to s. 1012.875, a written election to withdraw from the system and participate in the optional retirement program is filed with the program administrator and received by the division.

a. A community college employee whose program eligibility results from initial employment shall be enrolled in the optional retirement program retroactive to the first day of eligible employment. The employer and employee retirement contributions paid through the month of the employee plan change shall be transferred to the community college to the employee's optional program account, and, effective the first day of the next month, the employer shall pay the applicable contributions based upon subparagraph 1.

b. A community college employee whose program eligibility is due to the subsequent designation of the employee's position as one of those specified in subparagraph 4., or due to the employee's appointment, promotion, transfer, or reclassification to a position specified in subparagraph 4., must be enrolled in the program on the first day of the first full calendar month that such change in status becomes effective. The employer and employee retirement contributions paid from the effective date through the month of the employee plan change must be transferred to the community college to the employee's optional program account, and, effective the first day of the next month, the employer shall pay the applicable contributions based upon subparagraph 1.

7. Effective July 1, 2003, through December 31, 2008, any member of the optional retirement program who has service credit in the pension plan of the Florida Retirement System for the period between his or her first eligibility to transfer from the pension plan to the optional retirement program and the actual date of transfer may, during employment, transfer to the optional retirement program a sum representing the

present value of the accumulated benefit obligation under the defined benefit retirement program for the period of service credit. Upon transfer, all service credit previously earned under the pension plan during this period is nullified for purposes of entitlement to a future benefit under the pension plan.

### (3) INVESTMENT PLAN MEMBERSHIP COMPULSORY.-

(a) All eligible employees, except those eligible to withdraw from the system under s. 121.052(3)(d) or s. 121.055(1)(b)2., or those eligible for optional retirement programs under s. 121.051(1)(a), s. 121.051(2)(c), or s. 121.35, initially enrolled on or after January 1, 2015, are compulsory members of the investment plan, and membership in the pension plan is not permitted. Employees initially enrolled on or after January 1, 2015, are not eligible to use the election opportunity specified in s. 121.4501(4)(e).

(b) Employees eligible to withdraw from the system under s. 121.052(3)(d) or s. 121.055(1)(b)2., may choose to withdraw from the system or to participate in the investment plan as provided in those sections. Employees eligible for optional retirement programs under s. 121.051(2)(c) or s. 121.35, may choose to participate in the optional retirement program or the investment plan as provided in those sections. Eligible employees required to participate in the optional retirement program under s. 121.35, pursuant to s. 121.051(1)(a), must participate in the investment plan when employed in a position not eligible for the optional retirement program.

Section 2. Paragraph (c) of subsection (3) of section 121.052, Florida Statutes, is amended to read:

121.052 Membership class of elected officers.—

(3) PARTICIPATION AND WITHDRAWAL, GENERALLY.—Effective July 1, 1990, participation in the Elected Officers' Class shall be compulsory for elected officers listed in paragraphs (2)(a)-(d) and (f) assuming office on or after said date, unless the elected officer elects membership in another class or withdraws from the Florida Retirement System as provided in paragraphs (3)(a)-(d):

(c) Before January 1, 2014, any elected officer may, within 6 months after assuming office, or within 6 months after this act becomes a law for serving elected officers, elect membership in the Senior Management Service Class as provided in s. 121.055 in lieu of membership in the Elected Officers' Class. Any such election made by a county elected officer shall have no effect upon the statutory limit on the number of nonelective full-time positions that may be designated by a local agency employer for inclusion in the Senior Management Service Class under s. 121.055(1)(b)1.

Section 3. Paragraph (f) of subsection (1) and paragraph (c) of subsection (6) of section 121.055, Florida Statutes, are amended to read:

121.055 Senior Management Service Class.—There is hereby established a separate class of membership within the Florida Retirement System to be known as the "Senior Management Service Class," which shall become effective February 1, 1987.

(1)

(f) Effective July 1, 1997, through December 31, 2013:

1. Except as provided in ~~subparagraphs 3. and 4.,~~ an elected state officer eligible for membership in the Elected Officers' Class under s. 121.052(2)(a), (b), or (c) who elects membership in the Senior Management Service Class under s. 121.052(3)(c) may, within 6 months after assuming office or within 6 months after this act becomes a law for serving elected state officers, elect to participate in the Senior Management Service Optional Annuity Program, as provided in subsection (6), in lieu of membership in the Senior Management Service Class.

2. Except as provided in ~~subparagraphs 3. and 4.,~~ an elected officer of a local agency employer eligible for membership in the Elected Officers' Class under s. 121.052(2)(d) who elects membership in the Senior Management Service Class under s. 121.052(3)(c) may, within 6 months after assuming office, or within 6 months after this act becomes a law for serving elected officers of a local agency employer, elect to withdraw from the Florida Retirement System, as provided in sub-

paragraph (b)2., in lieu of membership in the Senior Management Service Class.

3. A retiree of a state-administered retirement system who is initially reemployed in a regularly established position on or after July 1, 2010, as an elected official eligible for the Elected Officers' Class may not be enrolled in renewed membership in the Senior Management Service Class or in the Senior Management Service Optional Annuity Program as provided in subsection (6), and may not withdraw from the Florida Retirement System as a renewed member as provided in subparagraph (b)2., as applicable, in lieu of membership in the Senior Management Service Class.

4. *On or after January 1, 2014, an elected official eligible for membership in the Elected Officers' Class may not be enrolled in the Senior Management Service Class or in the Senior Management Service Optional Annuity Program as provided in subsection (6).*

(6)

(c) *Participation.*—

1. An eligible employee who is employed on or before February 1, 1987, may elect to participate in the optional annuity program in lieu of participating in the Senior Management Service Class. Such election must be made in writing and filed with the department and the personnel officer of the employer on or before May 1, 1987. An eligible employee who is employed on or before February 1, 1987, and who fails to make an election to participate in the optional annuity program by May 1, 1987, shall be deemed to have elected membership in the Senior Management Service Class.

2. Except as provided in subparagraph 6., an employee who becomes eligible to participate in the optional annuity program by reason of initial employment commencing after February 1, 1987, may, within 90 days after the date of commencing employment, elect to participate in the optional annuity program. Such election must be made in writing and filed with the personnel officer of the employer. An eligible employee who does not within 90 days after commencing employment elect to participate in the optional annuity program shall be deemed to have elected membership in the Senior Management Service Class.

3. A person who is appointed to a position in the Senior Management Service Class and who is a member of an existing retirement system or the Special Risk or Special Risk Administrative Support Classes of the Florida Retirement System may elect to remain in such system or class in lieu of participating in the Senior Management Service Class or optional annuity program. Such election must be made in writing and filed with the department and the personnel officer of the employer within 90 days after such appointment. An eligible employee who fails to make an election to participate in the existing system, the Special Risk Class of the Florida Retirement System, the Special Risk Administrative Support Class of the Florida Retirement System, or the optional annuity program shall be deemed to have elected membership in the Senior Management Service Class.

4. Except as provided in subparagraph 5., an employee's election to participate in the optional annuity program is irrevocable if the employee continues to be employed in an eligible position and continues to meet the eligibility requirements set forth in this paragraph.

5. Effective from July 1, 2002, through September 30, 2002, an active employee in a regularly established position who has elected to participate in the Senior Management Service Optional Annuity Program has one opportunity to choose to move from the Senior Management Service Optional Annuity Program to the Florida Retirement System Pension Plan.

a. The election must be made in writing and must be filed with the department and the personnel officer of the employer before October 1, 2002, or, in the case of an active employee who is on a leave of absence on July 1, 2002, within 90 days after the conclusion of the leave of absence. This election is irrevocable.

b. The employee shall receive service credit under the pension plan equal to his or her years of service under the Senior Management Service Optional Annuity Program. The cost for such credit is the amount re-

presenting the present value of that employee's accumulated benefit obligation for the affected period of service.

c. The employee must transfer the total accumulated employer contributions and earnings on deposit in his or her Senior Management Service Optional Annuity Program account. If the transferred amount is not sufficient to pay the amount due, the employee must pay a sum representing the remainder of the amount due. The employee may not retain any employer contributions or earnings from the Senior Management Service Optional Annuity Program account.

6. A retiree of a state-administered retirement system who is initially reemployed on or after July 1, 2010, may not renew membership in the Senior Management Service Optional Annuity Program.

7. *Effective January 1, 2014, the Senior Management Service Optional Annuity Program is closed to new members. Members enrolled in the Senior Management Service Optional Annuity Program before January 1, 2014, may retain their membership in the annuity program.*

Section 4. Paragraph (c) of subsection (3) of section 121.35, Florida Statutes, is amended to read:

121.35 Optional retirement program for the State University System.—

(3) **ELECTION OF OPTIONAL PROGRAM.**—

(c) Any employee who becomes eligible to participate in the optional retirement program on or after January 1, 1993, shall be a compulsory participant of the program unless such employee elects membership in the Florida Retirement System. Such election shall be made in writing and filed with the personnel officer of the employer. Any eligible employee who fails to make such election within the prescribed time period shall be deemed to have elected to participate in the optional retirement program.

1. Any employee whose optional retirement program eligibility results from initial employment shall be enrolled in the program at the commencement of employment. If, within 90 days after commencement of employment, the employee elects membership in the Florida Retirement System, such membership shall be effective retroactive to the date of commencement of employment *as provided in s. 121.4501(4).*

2. Any employee whose optional retirement program eligibility results from a change in status due to the subsequent designation of the employee's position as one of those specified in paragraph (2)(a) or due to the employee's appointment, promotion, transfer, or reclassification to a position specified in paragraph (2)(a) shall be enrolled in the optional retirement program upon such change in status and shall be notified by the employer of such action. If, within 90 days after the date of such notification, the employee elects to retain membership in the Florida Retirement System, such continuation of membership shall be retroactive to the date of the change in status.

3. ~~Notwithstanding subparagraphs 1. and 2. the provisions of this paragraph,~~ effective July 1, 1997, any employee who is eligible to participate in the Optional Retirement Program and who fails to execute a contract with one of the approved companies and to notify the department in writing as provided in subsection (4) within 90 days after the date of eligibility shall be deemed to have elected membership in the Florida Retirement System, except as provided in s. 121.051(1)(a). This provision shall also apply to any employee who terminates employment in an eligible position before executing the required ~~investment annuity~~ contract and notifying the department. Such membership shall be retroactive to the date of eligibility, and all appropriate contributions shall be transferred to the Florida Retirement System Trust Fund and the Health Insurance Subsidy Trust Fund. *If a member is initially enrolled on or after January 1, 2015, the member is deemed to have elected membership in the Florida Retirement System Investment Plan and such membership shall be retroactive to the date of eligibility. All contributions required under s. 121.72, shall be transferred to a default fund in the investment plan as provided in s. 121.4501(4)(f), and the Health Insurance Subsidy Trust Fund.*

Section 5. Subsections (1) and (4), paragraph (c) of subsection (5), subsection (8), paragraph (a) of subsection (9), paragraphs (a), (b), (c), and (h) of subsection (10), and paragraphs (a) and (c) of subsection (15) of



section 121.4501, Florida Statutes, are amended, and paragraph (h) is added to subsection (9) of that section, to read:

121.4501 Florida Retirement System Investment Plan.—

(1) The Trustees of the State Board of Administration shall establish a defined contribution program called the “Florida Retirement System Investment Plan” or “investment plan” for members of the Florida Retirement System under which retirement benefits will be provided for eligible employees *initially enrolled before January 1, 2015*, who elect to participate in the program, *and for all eligible employees initially enrolled on or after January 1, 2015, who shall be compulsory members unless otherwise eligible to withdraw from the system under s. 121.052(3)(d) or s. 121.055(1)(b)2., or to participate in an optional retirement program under s. 121.051(1)(a), s. 121.051(2)(c), or s. 121.35.* The retirement benefits shall be provided through member-directed investments, in accordance with s. 401(a) of the Internal Revenue Code and related regulations. The employer and employee shall make contributions, as provided in this section and ss. 121.571 and 121.71, to the Florida Retirement System Investment Plan Trust Fund toward the funding of benefits.

(4) PARTICIPATION; ENROLLMENT.—

(a)1. *Effective June 1, 2002, through February 28, 2003, a 90-day election period is provided to each eligible employee participating in the Florida Retirement System, preceded by a 90-day education period, permitting each eligible employee to elect membership in the investment plan, and an employee who fails to elect the investment plan during the election period remains in the pension plan. An eligible employee employed in a regularly established position during the election period is granted the option to make one subsequent election, as provided in paragraph (e).* With respect to an eligible employee who does not participate in the initial election period or who is initially employed in a regularly established position after the close of the initial election period but before January 1, 2015, ~~on June 1, 2002, by a state employer:~~

~~a.—Any such employee may elect to participate in the investment plan in lieu of retaining his or her membership in the pension plan. The election must be made in writing or by electronic means and must be filed with the third party administrator by August 31, 2002, or, in the case of an active employee who is on a leave of absence on April 1, 2002, by the last business day of the 5th month following the month the leave of absence concludes. This election is irrevocable, except as provided in paragraph (g). Upon making such election, the employee shall be enrolled as a member of the investment plan, the employee’s membership in the Florida Retirement System is governed by the provisions of this part, and the employee’s membership in the pension plan terminates. The employee’s enrollment in the investment plan is effective the first day of the month for which a full month’s employer contribution is made to the investment plan.~~

~~b.—Any such employee who fails to elect to participate in the investment plan within the prescribed time period is deemed to have elected to retain membership in the pension plan, and the employee’s option to elect to participate in the investment plan is forfeited.~~

~~2.—With respect to employees who become eligible to participate in the investment plan by reason of employment in a regularly established position with a state employer commencing after April 1, 2002:~~

~~a.—Any such employee shall, by default, be enrolled in the pension plan at the commencement of employment, and may, by the last business day of the 5th month following the employee’s month of hire, elect to participate in the investment plan. The employee’s election must be made in writing or by electronic means and must be filed with the third party administrator. The election to participate in the investment plan is irrevocable, except as provided in paragraph (e) (g).~~

~~a.b.—If the employee files such election within the prescribed time period, enrollment in the investment plan is effective on the first day of employment. The retirement contributions paid through the month of the employee plan change shall be transferred to the investment program, and, effective the first day of the next month, the employer and employee must pay the applicable contributions based on the employee membership class in the program.~~

~~b.e.—An employee who fails to elect to participate in the investment plan within the prescribed time period is deemed to have elected to retain membership in the pension plan, and the employee’s option to elect to participate in the investment plan is forfeited.~~

~~2.3.—With respect to employees who become eligible to participate in the investment plan pursuant to s. 121.051(2)(c)3. or s. 121.35(3)(i), the employee may elect to participate in the investment plan in lieu of retaining his or her membership in the State Community College System Optional Retirement Program or the State University System Optional Retirement Program. The election must be made in writing or by electronic means and must be filed with the third party administrator. This election is irrevocable, except as provided in paragraph (e) (g). Upon making such election, the employee shall be enrolled as a member in the investment plan, the employee’s membership in the Florida Retirement System is governed by the provisions of this part, and the employee’s participation in the State Community College System Optional Retirement Program or the State University System Optional Retirement Program terminates. The employee’s enrollment in the investment plan is effective on the first day of the month for which a full month’s employer and employee contribution is made to the investment plan.~~

~~4.—For purposes of this paragraph, “state employer” means any agency, board, branch, commission, community college, department, institution, institution of higher education, or water management district of the state, which participates in the Florida Retirement System for the benefit of certain employees.~~

~~(b)1.—With respect to an eligible employee who is employed in a regularly established position on September 1, 2002, by a district school board employer:~~

~~a.—Any such employee may elect to participate in the investment plan in lieu of retaining his or her membership in the pension plan. The election must be made in writing or by electronic means and must be filed with the third party administrator by November 30, or, in the case of an active employee who is on a leave of absence on July 1, 2002, by the last business day of the 5th month following the month the leave of absence concludes. This election is irrevocable, except as provided in paragraph (g). Upon making such election, the employee shall be enrolled as a member of the investment plan, the employee’s membership in the Florida Retirement System is governed by the provisions of this part, and the employee’s membership in the pension plan terminates. The employee’s enrollment in the investment plan is effective the first day of the month for which a full month’s employer contribution is made to the investment program.~~

~~b.—Any such employee who fails to elect to participate in the investment plan within the prescribed time period is deemed to have elected to retain membership in the pension plan, and the employee’s option to elect to participate in the investment plan is forfeited.~~

~~2.—With respect to employees who become eligible to participate in the investment plan by reason of employment in a regularly established position with a district school board employer commencing after July 1, 2002:~~

~~a.—Any such employee shall, by default, be enrolled in the pension plan at the commencement of employment, and may, by the last business day of the 5th month following the employee’s month of hire, elect to participate in the investment plan. The employee’s election must be made in writing or by electronic means and must be filed with the third party administrator. The election to participate in the investment plan is irrevocable, except as provided in paragraph (g).~~

~~b.—If the employee files such election within the prescribed time period, enrollment in the investment plan is effective on the first day of employment. The employer retirement contributions paid through the month of the employee plan change shall be transferred to the investment plan, and, effective the first day of the next month, the employer shall pay the applicable contributions based on the employee membership class in the investment plan.~~

~~e.—Any such employee who fails to elect to participate in the investment plan within the prescribed time period is deemed to have elected to retain membership in the pension plan, and the employee’s option to elect to participate in the investment plan is forfeited.~~



~~3. For purposes of this paragraph, "district school board employer" means any district school board that participates in the Florida Retirement System for the benefit of certain employees, or a charter school or charter technical career center that participates in the Florida Retirement System as provided in s. 121.051(2)(d).~~

~~(c)1. With respect to an eligible employee who is employed in a regularly established position on December 1, 2002, by a local employer:~~

~~a. Any such employee may elect to participate in the investment plan in lieu of retaining his or her membership in the pension plan. The election must be made in writing or by electronic means and must be filed with the third party administrator by February 28, 2003, or, in the case of an active employee who is on a leave of absence on October 1, 2002, by the last business day of the 5th month following the month the leave of absence concludes. This election is irrevocable, except as provided in paragraph (g). Upon making such election, the employee shall be enrolled as a participant of the investment plan, the employee's membership in the Florida Retirement System is governed by the provisions of this part, and the employee's membership in the pension plan terminates. The employee's enrollment in the investment plan is effective the first day of the month for which a full month's employer contribution is made to the investment plan.~~

~~b. Any such employee who fails to elect to participate in the investment plan within the prescribed time period is deemed to have elected to retain membership in the pension plan, and the employee's option to elect to participate in the investment plan is forfeited.~~

~~2. With respect to employees who become eligible to participate in the investment plan by reason of employment in a regularly established position with a local employer commencing after October 1, 2002:~~

~~a. Any such employee shall, by default, be enrolled in the pension plan at the commencement of employment, and may, by the last business day of the 5th month following the employee's month of hire, elect to participate in the investment plan. The employee's election must be made in writing or by electronic means and must be filed with the third party administrator. The election to participate in the investment plan is irrevocable, except as provided in paragraph (g).~~

~~b. If the employee files such election within the prescribed time period, enrollment in the investment plan is effective on the first day of employment. The employer retirement contributions paid through the month of the employee plan change shall be transferred to the investment plan, and, effective the first day of the next month, the employer shall pay the applicable contributions based on the employee membership class in the investment plan.~~

~~c. Any such employee who fails to elect to participate in the investment plan within the prescribed time period is deemed to have elected to retain membership in the pension plan, and the employee's option to elect to participate in the investment plan is forfeited.~~

~~3. For purposes of this paragraph, "local employer" means any employer not included in paragraph (a) or paragraph (b).~~

~~(b)(d) Contributions available for self-direction by a member who has not selected one or more specific investment products shall be allocated as prescribed by the state board. The third-party administrator shall notify the member at least quarterly that the member should take an affirmative action to make an asset allocation among the investment products.~~

~~(c)(e) On or after July 1, 2011, a member of the pension plan who obtains a refund of employee contributions retains his or her prior plan choice upon return to employment in a regularly established position with a participating employer.~~

~~(d)(f) A member of the investment plan who takes a distribution of any contributions from his or her investment plan account is considered a retiree. A retiree who is initially reemployed in a regularly established position on or after July 1, 2010, is not eligible to be enrolled in renewed membership.~~

~~(e)(g) After the period during which an eligible employee initially enrolled before January 1, 2015, had the choice to elect the pension plan or the investment plan, or the month following the receipt of the eligible employee's plan election, if sooner, the employee shall have one oppor-~~

tunity, at the employee's discretion, to choose to move from the pension plan to the investment plan or from the investment plan to the pension plan. Eligible employees may elect to move between plans only if they are earning service credit in an employer-employee relationship consistent with s. 121.021(17)(b), excluding leaves of absence without pay. Effective July 1, 2005, such elections are effective on the first day of the month following the receipt of the election by the third-party administrator and are not subject to the requirements regarding an employer-employee relationship or receipt of contributions for the eligible employee in the effective month, except when the election is received by the third-party administrator. This paragraph is contingent upon approval by the Internal Revenue Service.

1. If the employee chooses to move to the investment plan, the provisions of subsection (3) govern the transfer.

2. If the employee chooses to move to the pension plan, the employee must transfer from his or her investment plan account, and from other employee moneys as necessary, a sum representing the present value of that employee's accumulated benefit obligation immediately following the time of such movement, determined assuming that attained service equals the sum of service in the pension plan and service in the investment plan. Benefit commencement occurs on the first date the employee is eligible for unreduced benefits, using the discount rate and other relevant actuarial assumptions that were used to value the pension plan liabilities in the most recent actuarial valuation. For any employee who, at the time of the second election, already maintains an accrued benefit amount in the pension plan, the then-present value of the accrued benefit is deemed part of the required transfer amount. The division must ensure that the transfer sum is prepared using a formula and methodology certified by an enrolled actuary. A refund of any employee contributions or additional member payments made which exceed the employee contributions that would have accrued had the member remained in the pension plan and not transferred to the investment plan is not permitted.

3. Notwithstanding subparagraph 2., an employee who chooses to move to the pension plan and who became eligible to participate in the investment plan by reason of employment in a regularly established position with a state employer after June 1, 2002; a district school board employer after September 1, 2002; or a local employer after December 1, 2002, must transfer from his or her investment plan account, and from other employee moneys as necessary, a sum representing the employee's actuarial accrued liability. A refund of any employee contributions or additional member participant payments made which exceed the employee contributions that would have accrued had the member remained in the pension plan and not transferred to the investment plan is not permitted.

4. An employee's ability to transfer from the pension plan to the investment plan pursuant to ~~paragraph (a)~~ paragraphs (a)-(d), and the ability of a current employee to have an option to later transfer back into the pension plan under subparagraph 2., shall be deemed a significant system amendment. Pursuant to s. 121.031(4), any resulting unfunded liability arising from actual original transfers from the pension plan to the investment plan must be amortized within 30 plan years as a separate unfunded actuarial base independent of the reserve stabilization mechanism defined in s. 121.031(3)(f). For the first 25 years, a direct amortization payment may not be calculated for this base. During this 25-year period, the separate base shall be used to offset the impact of employees exercising their second program election under this paragraph. The actuarial funded status of the pension plan will not be affected by such second program elections in any significant manner, after due recognition of the separate unfunded actuarial base. Following the initial 25-year period, any remaining balance of the original separate base shall be amortized over the remaining 5 years of the required 30-year amortization period.

5. If the employee chooses to transfer from the investment plan to the pension plan and retains an excess account balance in the investment plan after satisfying the buy-in requirements under this paragraph, the excess may not be distributed until the member retires from the pension plan. The excess account balance may be rolled over to the pension plan and used to purchase service credit or upgrade creditable service in the pension plan.

(f) All eligible employees, except those eligible to withdraw from the system under s. 121.052(3)(d) or s. 121.055(1)(b)2., or those eligible for

*optional retirement programs under s. 121.051(1)(a), s. 121.051(2)(c), or s. 121.35, initially enrolled on or after January 1, 2015, are compulsory members of the investment plan. Employees eligible to withdraw from the system under s. 121.052(3)(d) or s. 121.055(1)(b)2., may choose to withdraw from the system or to participate in the investment plan as provided in those sections. Employees eligible for optional retirement programs under s. 121.051(2)(c) or s. 121.35, except as provided in s. 121.051(1)(a), may choose to participate in the optional retirement program or the investment plan as provided in those sections. Membership in the pension plan is not permitted except as provided in s. 121.591(2).*

1. Employees initially enrolled on or after January 1, 2015, are not permitted to use the election opportunity specified in paragraph (e).

2. The amount of retirement contributions paid by the employee and employer, as required under s. 121.72, shall be placed in a default fund as designated by the state board, until an account is activated in the investment plan, at which time the member may move the contributions from the default fund to other funds provided in the investment plan.

#### (5) CONTRIBUTIONS.—

(c) The state board, acting as plan fiduciary, must ensure that all plan assets are held in a trust, pursuant to s. 401 of the Internal Revenue Code. The fiduciary must ensure that such contributions are allocated as follows:

1. The employer and employee contribution portion earmarked for member accounts shall be used to purchase interests in the appropriate investment vehicles as specified by the member, or in accordance with paragraph (4)(b) ~~(4)(d)~~.

2. The employer contribution portion earmarked for administrative and educational expenses shall be transferred to the Florida Retirement System Investment Plan Trust Fund.

3. The employer contribution portion earmarked for disability benefits shall be transferred to the Florida Retirement System Trust Fund.

(8) INVESTMENT PLAN ADMINISTRATION.—The investment plan shall be administered by the state board and affected employers. The state board may require oaths, by affidavit or otherwise, and acknowledgments from persons in connection with the administration of its statutory duties and responsibilities for the investment plan. An oath, by affidavit or otherwise, may not be required of a member at the time of enrollment. For members initially enrolled before January 1, 2015, acknowledgment of an employee's election to participate in the program shall be no greater than necessary to confirm the employee's election. The state board shall adopt rules to carry out its statutory duties with respect to administering the investment plan, including establishing the roles and responsibilities of affected state, local government, and education-related employers, the state board, the department, and third-party contractors. The department shall adopt rules necessary to administer the investment plan in coordination with the pension plan and the disability benefits available under the investment plan.

(a)1. The state board shall select and contract with a third-party administrator to provide administrative services if those services cannot be competitively and contractually provided by the division. With the approval of the state board, the third-party administrator may subcontract to provide components of the administrative services. As a cost of administration, the state board may compensate any such contractor for its services, in accordance with the terms of the contract, as is deemed necessary or proper by the board. The third-party administrator may not be an approved provider or be affiliated with an approved provider.

2. These administrative services may include, but are not limited to, enrollment of eligible employees, collection of employer and employee contributions, disbursement of contributions to approved providers in accordance with the allocation directions of members; services relating to consolidated billing; individual and collective recordkeeping and accounting; asset purchase, control, and safekeeping; and direct disbursement of funds to and from the third-party administrator, the division, the state board, employers, members, approved providers, and beneficiaries. This section does not prevent or prohibit a bundled provider from providing any administrative or customer service, including accounting and administration of individual member benefits and con-

tributions; individual member recordkeeping; asset purchase, control, and safekeeping; direct execution of the member's instructions as to asset and contribution allocation; calculation of daily net asset values; direct access to member account information; or periodic reporting to members, at least quarterly, on account balances and transactions, if these services are authorized by the state board as part of the contract.

(b)1. The state board shall select and contract with one or more organizations to provide educational services. With approval of the state board, the organizations may subcontract to provide components of the educational services. As a cost of administration, the state board may compensate any such contractor for its services in accordance with the terms of the contract, as is deemed necessary or proper by the board. The education organization may not be an approved provider or be affiliated with an approved provider.

2. Educational services shall be designed by the state board and department to assist employers, eligible employees, members, and beneficiaries in order to maintain compliance with United States Department of Labor regulations under s. 404(c) of the Employee Retirement Income Security Act of 1974 and to assist employees in their choice of pension plan or investment plan retirement alternatives. Educational services include, but are not limited to, disseminating educational materials; providing retirement planning education; explaining the pension plan and the investment plan; and offering financial planning guidance on matters such as investment diversification, investment risks, investment costs, and asset allocation. An approved provider may also provide educational information, including retirement planning and investment allocation information concerning its products and services.

(c)1. In evaluating and selecting a third-party administrator, the state board shall establish criteria for evaluating the relative capabilities and qualifications of each proposed administrator. In developing such criteria, the state board shall consider:

a. The administrator's demonstrated experience in providing administrative services to public or private sector retirement systems.

b. The administrator's demonstrated experience in providing daily valued recordkeeping to defined contribution programs.

c. The administrator's ability and willingness to coordinate its activities with employers, the state board, and the division, and to supply to such employers, the board, and the division the information and data they require, including, but not limited to, monthly management reports, quarterly member reports, and ad hoc reports requested by the department or state board.

d. The cost-effectiveness and levels of the administrative services provided.

e. The administrator's ability to interact with the members, the employers, the state board, the division, and the providers; the means by which members may access account information, direct investment of contributions, make changes to their accounts, transfer moneys between available investment vehicles, and transfer moneys between investment products; and any fees that apply to such activities.

f. Any other factor deemed necessary by the state board.

2. In evaluating and selecting an educational provider, the state board shall establish criteria under which it shall consider the relative capabilities and qualifications of each proposed educational provider. In developing such criteria, the state board shall consider:

a. Demonstrated experience in providing educational services to public or private sector retirement systems.

b. Ability and willingness to coordinate its activities with the employers, the state board, and the division, and to supply to such employers, the board, and the division the information and data they require, including, but not limited to, reports on educational contacts.

c. The cost-effectiveness and levels of the educational services provided.

d. Ability to provide educational services via different media, including, but not limited to, the Internet, personal contact, seminars, brochures, and newsletters.

- e. Any other factor deemed necessary by the state board.
- 3. The establishment of the criteria shall be solely within the discretion of the state board.

(d) The state board shall develop the form and content of any contracts to be offered under the investment plan. In developing the contracts, the board shall consider:

- 1. The nature and extent of the rights and benefits to be afforded in relation to the contributions required under the plan.
- 2. The suitability of the rights and benefits provided and the interests of employers in the recruitment and retention of eligible employees.

(e)1. The state board may contract for professional services, including legal, consulting, accounting, and actuarial services, deemed necessary to implement and administer the investment plan. The state board may enter into a contract with one or more vendors to provide low-cost investment advice to members, supplemental to education provided by the third-party administrator. All fees under any such contract shall be paid by those members who choose to use the services of the vendor.

2. The department may contract for professional services, including legal, consulting, accounting, and actuarial services, deemed necessary to implement and administer the investment plan in coordination with the pension plan. The department, in coordination with the state board, may enter into a contract with the third-party administrator in order to coordinate services common to the various programs within the Florida Retirement System.

(f) The third-party administrator may not receive direct or indirect compensation from an approved provider, except as specifically provided for in the contract with the state board.

(g) The state board shall receive and resolve member complaints against the program, the third-party administrator, or any program vendor or provider; shall resolve any conflict between the third-party administrator and an approved provider if such conflict threatens the implementation or administration of the program or the quality of services to employees; and may resolve any other conflicts. The third-party administrator shall retain all member records for at least 5 years for use in resolving any member conflicts. The state board, the third-party administrator, or a provider is not required to produce documentation or an audio recording to justify action taken with regard to a member if the action occurred 5 or more years before the complaint is submitted to the state board. It is presumed that all action taken 5 or more years before the complaint is submitted was taken at the request of the member and with the member's full knowledge and consent. To overcome this presumption, the member must present documentary evidence or an audio recording demonstrating otherwise.

#### (9) INVESTMENT OPTIONS OR PRODUCTS; PERFORMANCE REVIEW.—

(a) The state board shall develop policy and procedures for selecting, evaluating, and monitoring the performance of approved providers and investment products under the investment plan. In accordance with such policy and procedures, the state board shall designate and contract for a number of investment products as determined by the board. The board shall also select one or more bundled providers, each of which may offer multiple investment options and related services, if such approach is determined by the board to provide value to the members otherwise not available through individual investment products. Each approved bundled provider may offer investment options that provide members with the opportunity to invest in each of the following asset classes, to be composed of individual options that represent a single asset class or a combination thereof: money markets, United States fixed income, United States equities, and foreign stock. The state board shall review and manage all educational materials, contract terms, fee schedules, and other aspects of the approved provider relationships to ensure that no provider is unduly favored or penalized by virtue of its status within the investment plan. *Additionally, the state board, consistent with its fiduciary responsibilities, shall develop one or more investment products to be offered in the investment plan.*

(h) *A self-directed brokerage account shall be offered as a service to investment plan members.*

*1. Notwithstanding any other provision of this section, the state board shall select a provider to offer investment plan members additional investment alternatives by providing a self-directed brokerage account.*

*2. The state board shall contract with a provider to offer a self-directed brokerage account. In selecting the provider, the state board shall consider the following:*

*a. Financial strength and stability as evidenced by the highest ratings assigned by nationally recognized rating services when comparing proposed providers that are so rated.*

*b. Reasonableness of fees compared to other providers taking into consideration the quantity and quality of services being offered.*

*c. Compliance with the Internal Revenue Code and all applicable federal and state securities laws.*

*d. Available methods for members to interact with the provider and the means by which members may access account information, direct investment of funds, transfer funds, and receive funds prospectuses and related investment materials as required by state and federal regulations.*

*e. The ability to provide prompt, efficient, and accurate responses to member directions, as well as providing confirmations and quarterly account statements in a timely fashion.*

*f. The process by which assets are invested, as well as any waiting periods when monies are transferred.*

*g. Organizational factors, including, but not limited to, financial solvency, organizational depth, and experience in providing self-directed brokerage account services to public defined contribution plans.*

*3. The provider of the self-directed brokerage account shall:*

*a. Make the self-directed brokerage account available under the most beneficial terms available to any customer.*

*b. Agree not to sell or distribute member lists generated through services rendered to the investment plan.*

*c. Not be a bundled provider.*

*d. Provide for an education component approved by the state board that is available in multimedia formats and that provides impartial and balanced information about investment options and fees associated with participation in the self-directed brokerage account.*

*4. The provider, as well as any of its related entities, may not offer any proprietary products as investment alternatives in the self-directed brokerage account.*

*5. The state board shall monitor the selected provider to ensure continued compliance with established selection criteria, board policy and procedures, state and federal regulations, and any contractual provisions.*

*6. The provider shall ensure that a member opening a self-directed brokerage account is provided a quarterly statement that details member investments in the self-directed brokerage account. The statement shall be in lieu of, and satisfy the requirements of, subsection (11) with respect to the member investments in the self-directed brokerage account. The provider shall include in the statement the following details:*

*a. Account investment options.*

*b. The market value of the account at the close of the current quarter and the previous quarter.*

*c. Account gains and losses.*

*d. Transfers into and out of the account.*

*e. Any fees, charges, penalties, and deductions that apply to the account.*

*7. The self-directed brokerage account may include the following securities as investment alternatives:*

a. *Stocks listed on a Securities and Exchange Commission regulated national exchange.*

b. *Exchange traded funds.*

c. *Mutual funds.*

8. *The self-directed brokerage account may not include the following as investment alternatives:*

a. *Illiquid investments.*

b. *Over-the-Counter Bulletin Board securities.*

c. *Pink Sheet securities.*

d. *Leveraged exchange traded funds.*

e. *Direct ownership of foreign securities.*

f. *Derivatives, including, but not limited to, futures and options contracts on securities, market indexes, and commodities.*

g. *Buying or trading on margin.*

h. *Investment plan products.*

i. *Any investment that would jeopardize the investment plan's tax qualified status.*

9. *A member may participate in the self-directed brokerage account if the member:*

a. *Maintains a minimum balance of \$5,000 in the products offered under the investment plan.*

b. *Makes a minimum initial transfer of funds into the self-directed brokerage account of \$1,000.*

c. *Makes subsequent transfers of funds into the self-directed brokerage account in amounts of \$1,000 or greater.*

d. *Pays all trading fees, commissions, administrative fees, and any other expenses associated with participating in the self-directed brokerage account from the funds in the self-directed brokerage account.*

e. *Does not violate any trading restrictions established by the provider, the investment plan, or state or federal law.*

10. *Employer and employee contributions shall be initially deposited into investment plan products and may be transferred to the self-directed brokerage account.*

11. *Distributions are not permissible directly from assets in the self-directed brokerage account. Assets must first be transferred to investment plan products. A distribution may be requested after the transfer is completed and all investment plan distribution requirements are met.*

12. *The state board must notify members that:*

a. *The state board is not responsible for managing the self-directed brokerage account beyond administrative requirements as established between the state board and the provider of the self-directed brokerage account.*

b. *Investment alternatives available through the self-directed brokerage account have not been subjected to any selection process, are not monitored by the state board, require investment expertise to prudently buy, manage, or dispose of, and have a risk of substantial loss.*

c. *The member is responsible for all administrative, investment, and trading fees associated with participating in the self-directed brokerage account.*

#### (10) EDUCATION COMPONENT.—

(a) The state board, in coordination with the department, shall provide for an education component for *eligible employees* ~~system members~~ in a manner consistent with the provisions of this ~~subsection~~ ~~section~~. ~~The education component must be available to eligible employees at least 90~~

~~days prior to the beginning date of the election period for the employees of the respective types of employers.~~

(b) The education component must provide system members with impartial and balanced information about plan choices *for members initially enrolled before January 1, 2015*. The education component must involve multimedia formats. Program comparisons must, to the greatest extent possible, be based upon the retirement income that different retirement programs may provide to the member. The state board shall monitor the performance of the contract to ensure that the program is conducted in accordance with the contract, applicable law, and the rules of the state board.

(c) The state board, in coordination with the department, shall provide for an initial and ongoing transfer education component to provide system members *initially enrolled before January 1, 2015*, with information necessary to make informed plan choice decisions. The transfer education component must include, but is not limited to, information on:

1. The amount of money available to a member to transfer to the defined contribution program.

2. The features of and differences between the pension plan and the defined contribution program, both generally and specifically, as those differences may affect the member.

3. The expected benefit available if the member were to retire under each of the retirement programs, based on appropriate alternative sets of assumptions.

4. The rate of return from investments in the defined contribution program and the period of time over which such rate of return must be achieved to equal or exceed the expected monthly benefit payable to the member under the pension plan.

5. The historical rates of return for the investment alternatives available in the defined contribution programs.

6. The benefits and historical rates of return on investments available in a typical deferred compensation plan or a typical plan under s. 403(b) of the Internal Revenue Code for which the employee may be eligible.

7. The program choices available to employees of the State University System and the comparative benefits of each available program, if applicable.

8. Payout options available in each of the retirement programs.

~~(h) Pursuant to subsection (8), all Florida Retirement System employers have an obligation to regularly communicate the existence of the two Florida Retirement System plans and the plan choice in the natural course of administering their personnel functions, using the educational materials supplied by the state board and the Department of Management Services.~~

#### (15) STATEMENT OF FIDUCIARY STANDARDS AND RESPONSIBILITIES.—

(a) Investment of *investment* ~~defined contribution~~ plan assets shall be made for the sole interest and exclusive purpose of providing benefits to members and beneficiaries and defraying reasonable expenses of administering the plan. The program's assets shall be invested on behalf of the program members with the care, skill, and diligence that a prudent person acting in a like manner would undertake. The performance of the investment duties set forth in this paragraph shall comply with the fiduciary standards set forth in the Employee Retirement Income Security Act of 1974 at 29 U.S.C. s. 1104(a)(1)(A)-(C). In case of conflict with other provisions of law authorizing investments, the investment and fiduciary standards set forth in this subsection shall prevail.

(c) Subparagraph (8)(b)2. and paragraph (b) incorporate the federal law concept of participant control, established by regulations of the United States Department of Labor under s. 404(c) of the Employee Retirement Income Security Act of 1974 (ERISA). The purpose of this paragraph is to assist employers and the state board in maintaining compliance with s. 404(c), while avoiding unnecessary costs and eroding member benefits under the investment plan. Pursuant to 29 C.F.R. s.

~~2550.404a-5(d)(4) 2550.404a-1(b)(2)(i)(B)(1)(viii), the state board or its designated agents shall deliver to members of the investment plan a copy of the prospectus most recently provided to the plan, and, pursuant to 29 C.F.R. s. 2550.404a-1(b)(2)(i)(B)(2)(ii), shall provide such members an opportunity to obtain this information, except that:~~

1. The requirement to deliver a prospectus shall be satisfied by delivery of a fund profile or summary profile that contains the information that would be included in a summary prospectus as described by Rule 498 under the Securities Act of 1933, 17 C.F.R. s. 230.498. If the transaction fees, expense information or other information provided by a mutual fund in the prospectus does not reflect terms negotiated by the state board or its designated agents, the requirement is satisfied by delivery of a separate document described by Rule 498 substituting accurate information; and

2. Delivery shall be effected if delivery is through electronic means and the following standards are satisfied:

a. Electronically-delivered documents are prepared and provided consistent with style, format, and content requirements applicable to printed documents;

b. Each member is provided timely and adequate notice of the documents that are to be delivered, and their significance, and of the member's right to obtain a paper copy of such documents free of charge;

c. Members have adequate access to the electronic documents, at locations such as their worksites or public facilities, and have the ability to convert the documents to paper free of charge by the state board, and the board or its designated agents take appropriate and reasonable measures to ensure that the system for furnishing electronic documents results in actual receipt. Members have provided consent to receive information in electronic format, which consent may be revoked; and

d. The state board, or its designated agent, actually provides paper copies of the documents free of charge, upon request.

3. *The state board is not required to deliver a prospectus or other information for the underlying investments available through the self-directed brokerage account authorized by paragraph (9)(h).*

Section 6. Subsection (3) of section 121.591, Florida Statutes, is amended to read:

121.591 Payment of benefits.—Benefits may not be paid under the Florida Retirement System Investment Plan unless the member has terminated employment as provided in s. 121.021(39)(a) or is deceased and a proper application has been filed as prescribed by the state board or the department. Benefits, including employee contributions, are not payable under the investment plan for employee hardships, unforeseeable emergencies, loans, medical expenses, educational expenses, purchase of a principal residence, payments necessary to prevent eviction or foreclosure on an employee's principal residence, or any other reason except a requested distribution for retirement, a mandatory de minimis distribution authorized by the administrator, or a required minimum distribution provided pursuant to the Internal Revenue Code. The state board or department, as appropriate, may cancel an application for retirement benefits if the member or beneficiary fails to timely provide the information and documents required by this chapter and the rules of the state board and department. In accordance with their respective responsibilities, the state board and the department shall adopt rules establishing procedures for application for retirement benefits and for the cancellation of such application if the required information or documents are not received. The state board and the department, as appropriate, are authorized to cash out a de minimis account of a member who has been terminated from Florida Retirement System covered employment for a minimum of 6 calendar months. A de minimis account is an account containing employer and employee contributions and accumulated earnings of not more than \$5,000 made under the provisions of this chapter. Such cash-out must be a complete lump-sum liquidation of the account balance, subject to the provisions of the Internal Revenue Code, or a lump-sum direct rollover distribution paid directly to the custodian of an eligible retirement plan, as defined by the Internal Revenue Code, on behalf of the member. Any nonvested accumulations and associated service credit, including amounts transferred to the suspense account of the Florida Retirement System Investment Plan Trust Fund authorized under s. 121.4501(6), shall be forfeited upon payment of any vested

benefit to a member or beneficiary, except for de minimis distributions or minimum required distributions as provided under this section. If any financial instrument issued for the payment of retirement benefits under this section is not presented for payment within 180 days after the last day of the month in which it was originally issued, the third-party administrator or other duly authorized agent of the state board shall cancel the instrument and credit the amount of the instrument to the suspense account of the Florida Retirement System Investment Plan Trust Fund authorized under s. 121.4501(6). Any amounts transferred to the suspense account are payable upon a proper application, not to include earnings thereon, as provided in this section, within 10 years after the last day of the month in which the instrument was originally issued, after which time such amounts and any earnings attributable to employer contributions shall be forfeited. Any forfeited amounts are assets of the trust fund and are not subject to chapter 717.

(3) DEATH BENEFITS.—Under the Florida Retirement System Investment Plan:

(a)1. Survivor benefits are payable in accordance with the following terms and conditions:

a.1. To the extent vested, benefits are payable only to a member's beneficiary or beneficiaries as designated by the member as provided in s. 121.4501(20).

b.2. Benefits shall be paid by the third-party administrator or designated approved providers in accordance with the law, the contracts, and any applicable state board rule or policy.

c.2. To receive benefits, the member must be deceased.

2.(b) In the event of a member's death, all vested accumulations as described in s. 121.4501(6), less withholding taxes remitted to the Internal Revenue Service, shall be distributed, as provided in *subparagraph 3. paragraph (c)* or as described in s. 121.4501(20), as if the member retired on the date of death. No other death benefits are available for survivors of members, except for benefits, or coverage for benefits, as are otherwise provided by law or separately provided by the employer, at the employer's discretion.

3.(c) Upon receipt by the third-party administrator of a properly executed application for distribution of benefits, the total accumulated benefit is payable by the third-party administrator to the member's surviving beneficiary or beneficiaries, as:

a.1. A lump-sum distribution payable to the beneficiary or beneficiaries, or to the deceased member's estate;

b.2. An eligible rollover distribution, if permitted, on behalf of the surviving spouse of a deceased member, whereby all accrued benefits, plus interest and investment earnings, are paid from the deceased member's account directly to the custodian of an eligible retirement plan, as described in s. 402(c)(8)(B) of the Internal Revenue Code, on behalf of the surviving spouse; or

c.2. A partial lump-sum payment whereby a portion of the accrued benefit is paid to the deceased member's surviving spouse or other designated beneficiaries, less withholding taxes remitted to the Internal Revenue Service, and the remaining amount is transferred directly to the custodian of an eligible retirement plan, if permitted, as described in s. 402(c)(8)(B) of the Internal Revenue Code, on behalf of the surviving spouse. The proportions must be specified by the member or the surviving beneficiary.

(b) *Each employer participating in the Florida Retirement System shall purchase a life insurance policy from a state term contract for each member of the Special Risk Class of the investment plan who is initially enrolled in the Florida Retirement System on or after January 1, 2015.*

1. *The Department of Management Services shall procure a life insurance product on a state term contract with the following attributes:*

a. *The benefit must be limited to Special Risk Class members who are killed in the line of duty.*

b. *The benefit must be equal to 10 times the employee's annual salary at the time of death or \$500,000, whichever is greater.*

c. *The benefit must provide for monthly benefit payments, including interest, to be paid to the designated beneficiary or beneficiaries over a 20-year period.*

d. *The product must be guaranteed issue.*

e. *The product must provide level premium rates for the term of the policy.*

f. *Any administrative fees shall be the responsibility of the employer.*

2. *Survivor benefits provided by the life insurance policy are payable in addition to the survivor benefit provided under paragraph (a).*

This subsection ~~paragraph~~ does not abrogate other applicable provisions of state or federal law providing for payment of death benefits.

Section 7. Section 238.072, Florida Statutes, is amended to read:

238.072 Special service provisions for extension personnel.—All state and county cooperative extension personnel holding appointments by the United States Department of Agriculture for extension work in agriculture and home economics in this state who are joint representatives of the University of Florida and the United States Department of Agriculture, as provided in s. 121.051(8) ~~121.051(7)~~, who are members of the Teachers' Retirement System, chapter 238, and who are prohibited from transferring to and participating in the Florida Retirement System, chapter 121, may retire with full benefits upon completion of 30 years of creditable service and shall be considered to have attained normal retirement age under this chapter, any law to the contrary notwithstanding. In order to comply with the provisions of s. 14, Art. X of the State Constitution, any liability accruing to the Florida Retirement System Trust Fund as a result of the provisions of this section shall be paid on an annual basis from the General Revenue Fund.

Section 8. Subsection (11) of section 413.051, Florida Statutes, is amended to read:

413.051 Eligible blind persons; operation of vending stands.—

(11) Effective July 1, 1996, blind licensees who remain members of the Florida Retirement System pursuant to s. 121.051(7)(b)1. ~~121.051(6)(b)1.~~ shall pay any unappropriated retirement costs from their net profits or from program income. Within 30 days after the effective date of this act, each blind licensee who is eligible to maintain membership in the Florida Retirement System under s. 121.051(7)(b)1. ~~121.051(6)(b)1.~~, but who elects to withdraw from the system as provided in s. 121.051(7)(b)3. ~~121.051(6)(b)3.~~, must, on or before July 31, 1996, notify the Division of Blind Services and the Department of Management Services in writing of his or her election to withdraw. Failure to timely notify the divisions shall be deemed a decision to remain a compulsory member of the Florida Retirement System. However, if, at any time after July 1, 1996, sufficient funds are not paid by a blind licensee to cover the required contribution to the Florida Retirement System, that blind licensee shall become ineligible to participate in the Florida Retirement System on the last day of the first month for which no contribution is made or the amount contributed is insufficient to cover the required contribution. For any blind licensee who becomes ineligible to participate in the Florida Retirement System as described in this subsection, no creditable service shall be earned under the Florida Retirement System for any period following the month that retirement contributions ceased to be reported. However, any such person may participate in the Florida Retirement System in the future if employed by a participating employer in a covered position.

Section 9. *Pension Reform Study Committee.*—

(1) *The Pension Reform Study Committee is created for the purpose of reviewing, analyzing, and evaluating the sustainability of the Florida Retirement System and to recommend reforms to maintain and enhance the long-term viability and sustainability of the system.*

(2) *The study committee shall be composed of six members:*

(a) *Three members of the Senate appointed by the President of the Senate.*

(b) *Three members of the House of Representatives appointed by the Speaker of the House of Representatives.*

(3) *Members of the study committee must be appointed by July 31, 2013. By August 31, 2013, the study committee shall meet to establish procedures for the conduct of its business and to elect a chair and vice chair. The study committee shall meet at the call of the chair. A majority of the members constitutes a quorum, and a quorum is necessary for the purpose of voting on any action or recommendation of the study committee. All meetings shall be held in Tallahassee, unless otherwise decided by the study committee; however, no more than two such meetings may be held in other locations for the purpose of taking public testimony.*

(4) *The President of the Senate and the Speaker of the House of Representatives shall designate legislative staff knowledgeable in public pensions and the Florida Retirement System to assist the study committee and provide all necessary data collection, analysis, research, and support services.*

(5) *Study committee members shall serve without compensation but are entitled to be reimbursed for per diem and travel expenses as provided under s. 112.061, Florida Statutes.*

(6) *In reviewing, analyzing, and evaluating the sustainability of the Florida Retirement System, and recommending reforms to maintain and enhance the long-term viability and sustainability of the system, the study committee shall, at a minimum, consider the funding structure of the system, system funding levels, benefits provided, and the benefits of reforming the system structure, which must include the benefits of providing a hybrid or cash-balance option in lieu of or in addition to the current plan choices.*

(7) *The study committee shall submit a final report of its recommendations to the President of the Senate and the Speaker of the House of Representatives by January 1, 2014.*

(8) *The study committee is terminated June 30, 2014.*

Section 10. (1) *Effective January 1, 2015, in order to fund the benefit changes provided in this act, the required employer contribution rates for the unfunded actuarial liability of the Florida Retirement System established in section 121.71(5), Florida Statutes, shall be adjusted as follows:*

(a) *Elected Officers' Class.—Legislators, the Governor, the Lieutenant Governor, Cabinet Officers, State Attorneys, and Public Defenders shall be increased by 0.02 percentage points.*

(b) *Elected Officers' Class.—County Elected Officers shall be increased by 0.02 percentage points.*

(c) *Senior Management Service Class.—The Senior Management Service Class shall be increased by 0.01 percentage points.*

(2) *The adjustments provided in subsection (1) shall be in addition to all other changes to such contribution rates which may be enacted into law to take effect on July 1, 2014, and July 1, 2015. The Division of Law Revision and Information is requested to adjust accordingly the contribution rates provided in section 121.71, Florida Statutes.*

Section 11. *Except for the amendments made by this act to ss. 121.051, 121.052, and 121.055, Florida Statutes, which apply only to members of the State Community College System Optional Retirement Program, Elected Officers' Class, and the Senior Management Service Class, respectively, this act does not modify or limit any retirement benefit or plan choice currently available to members who first enrolled in the Florida Retirement System before January 1, 2015.*

Section 12. *The Legislature finds that a proper and legitimate state purpose is served when employees and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 13. (1) *Effective upon this act becoming a law, the State Board of Administration and the Department of Management Services shall request, as soon as practicable, a determination letter from the United States Internal Revenue Service. If the Internal Revenue Service*

*refuses to act upon a request for a determination letter, then a legal opinion from a qualified tax attorney or firm may be substituted for such letter.*

(2) *If the board or the department receives notification from the United States Internal Revenue Service that this act or any portion of this act will cause the Florida Retirement System, or a portion thereof, to be disqualified for tax purposes under the Internal Revenue Code, then the portion that will cause the disqualification does not apply. Upon such notice, the state board and the department shall notify the presiding officers of the Legislature.*

Section 14. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.051, F.S.; limiting the ability of members of an optional retirement program to transfer to the Florida Retirement System; providing for compulsory membership in the Florida Retirement System Investment Plan for employees initially enrolled after a specified date; authorizing certain employees to participate in the investment plan; amending s. 121.052, F.S.; prohibiting members of the Elected Officers' Class from joining the Senior Management Service Class after a specified date; amending s. 121.055, F.S.; closing the Senior Management Service Optional Annuity Program to new members after a specified date; prohibiting an elected official eligible for membership in the Elected Officers' Class from enrolling in the Senior Management Service Class or in the Senior Management Service Optional Annuity Program; closing the Senior Management Service Optional Annuity Program to new members after a specified date; amending s. 121.35, F.S.; providing that certain participants in the optional retirement program for the State University System have a choice between the optional retirement program and the Florida Retirement System Investment Plan; providing for compulsory membership in the investment plan for certain employees; amending s. 121.4501, F.S.; requiring certain employees initially enrolled in the Florida Retirement System on or after a specified date to be compulsory members of the investment plan; providing for the transfer of certain contributions; revising a provision relating to acknowledgment of an employee's election to participate in the investment plan; requiring the State Board of Administration to develop investment products to be offered in the investment plan; requiring the State Board of Administration to provide a self-directed brokerage account as an investment option; requiring the state board to contract with a provider to provide a self-directed brokerage account investment option; providing self-directed brokerage account requirements; revising the education component; deleting the obligation of system employers to communicate the existence of both retirement plans; providing the state board and the provider of the self-directed brokerage account investment option with certain responsibilities; providing that the state board is not required to deliver certain information regarding the self-directed brokerage account; making conforming changes; removing unnecessary language; amending s. 121.591, F.S.; providing an additional death benefit to specified members of the Special Risk Class; amending ss. 238.072 and 413.051, F.S.; conforming cross-references; creating a Pension Reform Study Committee to evaluate and provide recommendations relating to the Florida Retirement System; providing for membership; requiring a report to the Legislature; providing for termination; adjusting the required employer contribution rates for the unfunded actuarial liability of the Florida Retirement System for select classes; providing a directive to the Division of Law Revision and Information; providing that the act does not modify or limit benefits available to current members except as specified; providing that the act fulfills an important state interest; requiring the State Board of Administration and the Department of Management Services to request a determination letter from the Internal Revenue Service; providing effective dates.

On motion by Senator Simpson, further consideration of **CS for CS for HB 7011** with pending **Amendment 1 (750668)** was deferred.

Consideration of **CS for CS for SB 904**, **CS for CS for SB 1628**, and **CS for CS for SB 1458** was deferred.

**SB 1680**—A bill to be entitled An act relating to public records and public meetings exemptions; amending s. 383.412, F.S.; eliminating requirements that the closed portion of a meeting of the State Child Abuse Death Review Committee or a local committee at which specified identifying information is discussed be recorded, that no portion of such closed meeting be off the record, and that the recording be maintained by the state committee or a local committee; providing an effective date.

—was read the second time by title.

Pending further consideration of **SB 1680**, on motion by Senator Altman, by two-thirds vote **HB 725** was withdrawn from the Committees on Children, Families, and Elder Affairs; Governmental Oversight and Accountability; and Rules.

On motion by Senator Altman—

**HB 725**—A bill to be entitled An act relating to public records and public meetings exemptions; amending s. 383.412, F.S.; eliminating requirements that the closed portion of a meeting of the State Child Abuse Death Review Committee or a local committee at which specified identifying information is discussed be recorded, that no portion of such closed meeting be off the record, and that the recording be maintained by the state committee or a local committee; providing an effective date.

—a companion measure, was substituted for **SB 1680** and read the second time by title.

Pursuant to Rule 4.19, **HB 725** was placed on the calendar of Bills on Third Reading.

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Consideration of **CS for CS for SB 966** was deferred.

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**CS for SB 1630**—A bill to be entitled An act relating to education; amending s. 1002.33, F.S.; requiring a charter school sponsor to submit an annual report that includes specified information; allowing a school district to enter into certain interlocal agreements and allowing charter schools to use the school district for certain related services; modifying the application process for charter schools; prohibiting a sponsor from requiring a charter school to have a certificate of occupancy before the first day of school; requiring a sponsor to make student academic achievement for all students a priority in deciding whether to renew a charter; modifying charter school requirements for financial records; imposing rules that follow the closing of a charter school or termination of a charter; requiring a charter school to maintain a public website with certain information; modifying statutory exemptions for charter schools; restricting the membership of a charter school governing board; amending s. 1002.331, F.S.; modifying a limitation for increasing student enrollment; providing that the sponsor may deny a request to increase enrollment under certain circumstances; establishing timeframes for a charter school requesting that multiple charters be consolidated; requiring that full implementation of online assessments for Next Generation Sunshine State Standards in English/language arts and mathematics for all kindergarten through grade 12 public school students occur only after the technology infrastructure, connectivity, and capacity of all public schools and school districts have been load tested and independently verified as ready for successful deployment and implementation; requiring that the technology infrastructure, connectivity, and capacity of all public schools and school districts that administer statewide standardized assessments pursuant to s. 1008.22, F.S., be load tested and independently verified as appropriate, adequate, efficient, and sustainable; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 1630**, on motion by Senator Legg, by two-thirds vote **CS for CS for HB 7009** was withdrawn from the Committees on Education; Judiciary; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Legg, the rules were waived and—

**CS for CS for HB 7009**—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; clarifying enforcement of policies agreed to by the sponsor and charter school that are subsequently amended; requiring a sponsor to annually report specific in-



formation regarding charter applications; authorizing a charter school operated by a Florida College System institution to serve students in kindergarten through grade 12 if certain criteria are met; providing disclosure requirements for applicants of previous charter schools subject to corrective action or financial recovery plans; revising provisions relating to the timely submission of charter school applications; providing requirements relating to the appeal of a denied application submitted by a high-performing charter school; reducing the amount of time for negotiation of a charter; revising provisions relating to the issuance of a final order in contract dispute cases; clarifying instructional methods for blended learning courses; providing a restriction relating to a required certificate of occupancy; authorizing the consolidation of multiple charters into a single charter in certain circumstances; establishing student academic achievement as a priority in determining charter renewals and terminations; revising the timeline for charter schools to submit waiver of termination requests to the Department of Education; restricting expenditures upon nonrenewal, closure, or termination of a charter school; requiring an independent audit within a specified time after notification of nonrenewal, closure, or termination; prohibiting certain actions by a charter school; providing penalties; requiring a charter school to maintain specified information on a website; revising provisions relating to determination of a charter school's student enrollment; revising provisions requiring charter school compliance with statutes relating to education personnel compensation, contracts, and performance evaluations and workforce reductions; providing requirements for the reimbursement of federal funds to charter schools; providing restrictions on the membership of a governing board; amending s. 1002.331, F.S.; revising criteria for classification as a high-performing charter school; providing requirements for modification of the charter of a high-performing charter school; requiring the Commissioner of Education to annually review a high-performing charter school's eligibility for high-performing status; authorizing declassification as a high-performing charter school; amending s. 1002.332, F.S.; revising requirements for classification as a high-performing charter school system; authorizing an entity operating outside the state to obtain high-performing charter school system status under certain circumstances; requiring the commissioner to annually review a high-performing charter school system's eligibility for high-performing status; authorizing declassification as a high-performing charter school system; requiring the department to develop a proposed statewide, standard charter contract; providing an effective date.

—a companion measure, was substituted for **CS for SB 1630** and read the second time by title.

Senator Legg moved the following amendments which were adopted:

**Amendment 1 (541520) (with title amendment)**—Delete lines 67-634 and insert:

Section 1. Paragraph (b) of subsection (5), paragraphs (b), (c), and (h) of subsection (6), paragraphs (a) and (c) of subsection (7), and paragraph (a) of subsection (8) of section 1002.33, Florida Statutes, are amended, to read:

1002.33 Charter schools.—

(5) SPONSOR; DUTIES.—

(b) *Sponsor duties.*—

1.a. The sponsor shall monitor and review the charter school in its progress toward the goals established in the charter.

b. The sponsor shall monitor the revenues and expenditures of the charter school and perform the duties provided in s. 1002.345.

c. The sponsor may approve a charter for a charter school before the applicant has identified space, equipment, or personnel, if the applicant indicates approval is necessary for it to raise working funds.

d. The ~~sponsor~~ ~~sponsor's policies~~ shall not apply ~~its policies~~ to a charter school unless mutually agreed to by both the sponsor and the charter school. *If the sponsor subsequently amends any agreed-upon sponsor policy, the version of the policy in effect at the time of the execution of the charter, or any subsequent modification thereof, shall remain in effect and the sponsor may not hold the charter school responsible for any*

*provision of a newly revised policy until the revised policy is mutually agreed upon.*

e. The sponsor shall ensure that the charter is innovative and consistent with the state education goals established by s. 1000.03(5).

f. The sponsor shall ensure that the charter school participates in the state's education accountability system. If a charter school falls short of performance measures included in the approved charter, the sponsor shall report such shortcomings to the Department of Education.

g. The sponsor shall not be liable for civil damages under state law for personal injury, property damage, or death resulting from an act or omission of an officer, employee, agent, or governing body of the charter school.

h. The sponsor shall not be liable for civil damages under state law for any employment actions taken by an officer, employee, agent, or governing body of the charter school.

i. The sponsor's duties to monitor the charter school shall not constitute the basis for a private cause of action.

j. The sponsor shall not impose additional reporting requirements on a charter school without providing reasonable and specific justification in writing to the charter school.

*k. The sponsor shall submit an annual report to the Department of Education in a web-based format to be determined by the department.*

*(I) The report shall include the following information:*

*(A) The number of draft applications received on or before May 1 and each applicant's contact information.*

*(B) The number of final applications received on or before August 1 and each applicant's contact information.*

*(C) The date each application was approved, denied, or withdrawn.*

*(D) The date each final contract was executed.*

*(II) Beginning August 31, 2013, and each year thereafter, the sponsor shall submit to the department the information for the applications submitted the previous year.*

*(III) The department shall compile an annual report, by district, and post the report on its website by November 1 of each year.*

2. Immunity for the sponsor of a charter school under subparagraph 1. applies only with respect to acts or omissions not under the sponsor's direct authority as described in this section.

3. This paragraph does not waive a district school board's sovereign immunity.

4. A Florida College System institution may work with the school district or school districts in its designated service area to develop charter schools that offer secondary education. These charter schools must include an option for students to receive an associate degree upon high school graduation. *If a Florida College System institution operates an approved teacher preparation program under s. 1004.04 or s. 1004.85, the institution may operate no more than one charter school that serves students in kindergarten through grade 12. In kindergarten through grade 8, the charter school shall implement innovative blended learning instructional models in which, for a given course, a student learns in part through online delivery of content and instruction with some element of student control over time, place, path, or pace and in part at a supervised brick-and-mortar location away from home. A student in a blended learning course must be a full-time student of the charter school and receive the online instruction in a classroom setting at the charter school. District school boards shall cooperate with and assist the Florida College System institution on the charter application. Florida College System institution applications for charter schools are not subject to the time deadlines outlined in subsection (6) and may be approved by the district school board at any time during the year. Florida College System institutions may not report FTE for any students who receive FTE funding through the Florida Education Finance Program.*



5. *A school district may enter into nonexclusive interlocal agreements with federal and state agencies, counties, municipalities, and other governmental entities that operate within the geographical borders of the school district to act on behalf of such governmental entities in the inspection, issuance, and other necessary activities for all necessary permits, licenses, and other permissions that a charter school needs in order for development, construction, or operation. A charter school may use, but may not be required to use, a school district for these services. The interlocal agreement must include, but need not be limited to, the identification of fees that charter schools will be charged for such services. The fees must consist of the governmental entity's fees plus a fee for the school district to recover no more than actual costs for providing such services. These services and fees are not included within the services to be provided pursuant to subsection (20).*

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(b) A sponsor shall receive and review all applications for a charter school using an evaluation instrument developed by the Department of Education. A sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district's next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may not refuse to receive a charter school application submitted before August 1 and may receive an application submitted ~~applications~~ later than August 1 ~~this date~~ if it chooses. *In order to facilitate greater collaboration in the application process, an applicant may submit a draft charter school application on or before May 1 with an application fee of \$500. If a draft application is timely submitted, the sponsor shall review and provide feedback as to material deficiencies in the application by July 1. The applicant shall then have until August 1 to resubmit a revised and final application. The sponsor may approve the draft application.* A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of a ~~final an~~ application upon the promise of future payment of any kind. Before approving or denying any final application, the sponsor shall allow the applicant, upon receipt of written notification, at least 7 calendar days to make technical or nonsubstantive corrections and clarifications, including, but not limited to, corrections of grammatical, typographical, and like errors or missing signatures, if such errors are identified by the sponsor as cause to deny the final application.

1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.

3.a. A sponsor shall by a majority vote approve or deny an application no later than 60 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days after such denial, articulate in writing the specific reasons, based upon good cause, supporting its denial of the charter application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education.

b. An application submitted by a high-performing charter school identified pursuant to s. 1002.331 may be denied by the sponsor only if the sponsor demonstrates by clear and convincing evidence that:

(I) The application does not materially comply with the requirements in paragraph (a);

(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9)(a)-(f);

(III) The proposed charter school's educational program does not substantially replicate that of the applicant or one of the applicant's high-performing charter schools;

(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or

(V) The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.

Material noncompliance is a failure to follow requirements or a violation of prohibitions applicable to charter school applications, which failure is quantitatively or qualitatively significant either individually or when aggregated with other noncompliance. An applicant is considered to be replicating a high-performing charter school if the proposed school is substantially similar to at least one of the applicant's high-performing charter schools and the organization or individuals involved in the establishment and operation of the proposed school are significantly involved in the operation of replicated schools.

c. If the sponsor denies an application submitted by a high-performing charter school, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons, based upon the criteria in sub-subparagraph b., supporting its denial of the application and must provide the letter of denial and supporting documentation to the applicant and to the Department of Education. The applicant may appeal the sponsor's denial of the application directly to the State Board of Education pursuant to sub-subparagraph (c)3.b.

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of a charter application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

5. Upon approval of a charter application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted unless the sponsor allows a waiver of this subparagraph for good cause.

(c1). An applicant may appeal any denial of that applicant's application or failure to act on an application to the State Board of Education no later than 30 calendar days after receipt of the sponsor's decision or failure to act and shall notify the sponsor of its appeal. Any response of the sponsor shall be submitted to the State Board of Education within 30 calendar days after notification of the appeal. Upon receipt of notification from the State Board of Education that a charter school applicant is filing an appeal, the Commissioner of Education shall convene a meeting of the Charter School Appeal Commission to study and make recommendations to the State Board of Education regarding its pending decision about the appeal. The commission shall forward its recommendation to the state board ~~at least no later than~~ 7 calendar days before ~~prior to~~ the date on which the appeal is to be heard. *An appeal regarding the denial of an application submitted by a high-performing charter school pursuant to s. 1002.331 shall be conducted by the State Board of Education in accordance with this paragraph, except that the commission shall not convene to make recommendations regarding the appeal. However, the Commissioner of Education shall review the appeal and make a recommendation to the state board.*

2. The Charter School Appeal Commission or, in the case of an appeal regarding an application submitted by a high-performing charter school, the State Board of Education may reject an appeal submission for failure to comply with procedural rules governing the appeals process. The rejection shall describe the submission errors. The appellant shall have 15 calendar days after notice of rejection in which to resubmit an appeal that meets the requirements set forth in State Board of Education rule. An appeal submitted subsequent to such rejection is considered timely if the original appeal was filed within 30 calendar days after receipt of

notice of the specific reasons for the sponsor's denial of the charter application.

3.a. The State Board of Education shall by majority vote accept or reject the decision of the sponsor no later than 90 calendar days after an appeal is filed in accordance with State Board of Education rule. The State Board of Education shall remand the application to the sponsor with its written decision that the sponsor approve or deny the application. The sponsor shall implement the decision of the State Board of Education. The decision of the State Board of Education is not subject to the provisions of the Administrative Procedure Act, chapter 120.

b. If an appeal concerns an application submitted by a high-performing charter school identified pursuant to s. 1002.331, the State Board of Education shall determine whether the sponsor has shown, by clear and convincing evidence, that:

(I) The application does not materially comply with the requirements in paragraph (a);

(II) The charter school proposed in the application does not materially comply with the requirements in paragraphs (9)(a)-(f);

(III) The proposed charter school's educational program does not substantially replicate that of the applicant or one of the applicant's high-performing charter schools;

(IV) The applicant has made a material misrepresentation or false statement or concealed an essential or material fact during the application process; or

(V) The proposed charter school's educational program and financial management practices do not materially comply with the requirements of this section.

The State Board of Education shall approve or reject the sponsor's denial of an application no later than 90 calendar days after an appeal is filed in accordance with State Board of Education rule. The State Board of Education shall remand the application to the sponsor with its written decision that the sponsor approve or deny the application. The sponsor shall implement the decision of the State Board of Education. The decision of the State Board of Education is not subject to the Administrative Procedure Act, chapter 120.

(h) The terms and conditions for the operation of a charter school shall be set forth by the sponsor and the applicant in a written contractual agreement, called a charter. The sponsor ~~may~~ **shall** not impose unreasonable rules or regulations that violate the intent of giving charter schools greater flexibility to meet educational goals. The sponsor ~~has 30 days after approval of the application to provide an initial proposed charter contract to the charter school.~~ The applicant and the sponsor ~~have 40 days thereafter to negotiate and notice the charter contract for final approval by the sponsor unless both parties agree to an extension.~~ The proposed charter contract shall be provided to the charter school at least 7 calendar days prior to the date of the meeting at which the charter is scheduled to be voted upon by the sponsor. The Department of Education shall provide mediation services for any dispute regarding this section subsequent to the approval of a charter application and for any dispute relating to the approved charter, except disputes regarding charter school application denials. If the Commissioner of Education determines that the dispute cannot be settled through mediation, the dispute may be appealed to an administrative law judge appointed by the Division of Administrative Hearings. The administrative law judge ~~has final order authority to~~ **may** rule on issues of equitable treatment of the charter school as a public school, whether proposed provisions of the charter violate the intended flexibility granted charter schools by statute, or on any other matter regarding this section except a charter school application denial, a charter termination, or a charter nonrenewal and shall award the prevailing party reasonable attorney's fees and costs incurred to be paid by the losing party. The costs of the administrative hearing shall be paid by the party whom the administrative law judge rules against.

(7) CHARTER.—The major issues involving the operation of a charter school shall be considered in advance and written into the charter. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the *Next Generation Sunshine State Standards* and grounded in scientifically based reading research.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school and receive the online instruction in a classroom setting at the charter school. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1003.428, s. 1003.429, or s. 1003.43.

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct.

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location. *The sponsor may not require a charter school to have a certificate of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of school.*

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school that is being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means

father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

(c) A charter may be modified during its initial term or any renewal term upon the recommendation of the sponsor or the charter school's governing board and the approval of both parties to the agreement. *Modification may include, but is not limited to, consolidation of multiple charters into a single charter if the charters are operated under the same governing board and physically located on the same campus, regardless of the renewal cycle.*

#### (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

(a) *The sponsor shall make student academic achievement for all students the most important factor when determining whether to renew or terminate the charter. The sponsor may also choose not to renew or may terminate the charter for any of the following grounds:*

1. Failure to participate in the state's education accountability system created in s. 1008.31, as required in this section, or failure to meet the requirements for student performance stated in the charter.
2. Failure to meet generally accepted standards of fiscal management.
3. Violation of law.
4. Other good cause shown.

And the title is amended as follows:

Delete lines 2-26 and insert: An act relating to education; amending s. 1002.33, F.S.; clarifying enforcement of policies agreed to by the sponsor and charter school which are subsequently amended; requiring a charter school sponsor to submit an annual report that includes specified information; authorizing a charter school operated by a Florida College System institution to serve students in kindergarten through grade 12 if certain criteria are met; authorizing a school district to enter into certain interlocal agreements and authorizing charter schools to use the school district for certain related services; revising provisions relating to the timely submission of charter school applications; providing requirements relating to the appeal of a denied application submitted by a high-performing charter school; prohibiting a sponsor from requiring a charter school to have a certificate of occupancy before the first day of school or to identify the students who will be enrolled; providing for modification of a charter; requiring a sponsor to make student academic achievement for all students a priority in deciding whether to renew a charter; revising the

**Amendment 2 (906024) (with title amendment)**—Delete lines 635-1068 and insert:

Section 1. Paragraphs (g) and (n) of subsection (9), paragraph (i) of subsection (10), paragraph (a) of subsection (21), and subsection (27) of section 1002.33, Florida Statutes, are amended, paragraphs (o) and (p) are added to subsection (9) of that section, paragraph (c) is added to subsection (16) of that section, and paragraph (c) is added to subsection (26) of that section, to read:

1002.33 Charter schools.—

#### (9) CHARTER SCHOOL REQUIREMENTS.—

(g)1. In order to provide financial information that is comparable to that reported for other public schools, charter schools are to maintain all financial records that constitute their accounting system:

~~a.1.~~ In accordance with the accounts and codes prescribed in the most recent issuance of the publication titled "Financial and Program Cost Accounting and Reporting for Florida Schools"; or

~~b.2.~~ At the discretion of the charter school's governing board, a charter school may elect to follow generally accepted accounting standards for not-for-profit organizations, but must reformat this information for reporting according to this paragraph.

2. Charter schools shall provide annual financial report and program cost report information in the state-required formats for inclusion in district reporting in compliance with s. 1011.60(1). Charter schools that are operated by a municipality or are a component unit of a parent nonprofit organization may use the accounting system of the municipality or the parent but must reformat this information for reporting according to this paragraph.

3. *A charter school shall provide the sponsor with a concise, uniform, monthly financial statement summary sheet that contains a balance sheet and a statement of revenue, expenditures, and changes in fund balance. The balance sheet and the statement of revenue, expenditures, and changes in fund balance shall be in the governmental funds format prescribed by the Governmental Accounting Standards Board.* ~~A charter school shall provide a monthly financial statement to the sponsor unless the charter school is designated as a high-performing charter school pursuant to s. 1002.331, in which case the high-performing charter school may provide a quarterly financial statement in the same format and requirements as the uniform monthly financial statement summary sheet. The financial statement required under this paragraph shall be in a form prescribed by the Department of Education.~~

4. *A charter school shall maintain and provide financial information as required in this paragraph. The financial statement required in subparagraph 3. must be in a form prescribed by the Department of Education.*

(n)1. The director and a representative of the governing board of a charter school that has earned a grade of "D" or "F" pursuant to s. 1008.34(2) shall appear before the sponsor to present information concerning each contract component having noted deficiencies. The director and a representative of the governing board shall submit to the sponsor for approval a school improvement plan to raise student achievement. Upon approval by the sponsor, the charter school shall begin implementation of the school improvement plan. The department shall offer technical assistance and training to the charter school and its governing board and establish guidelines for developing, submitting, and approving such plans.

2.a. If a charter school earns three consecutive grades of "D," two consecutive grades of "D" followed by a grade of "F," or two non-consecutive grades of "F" within a 3-year period, the charter school governing board shall choose one of the following corrective actions:

(I) Contract for educational services to be provided directly to students, instructional personnel, and school administrators, as prescribed in state board rule;

(II) Contract with an outside entity that has a demonstrated record of effectiveness to operate the school;

(III) Reorganize the school under a new director or principal who is authorized to hire new staff; or

(IV) Voluntarily close the charter school.

b. The charter school must implement the corrective action in the school year following receipt of a third consecutive grade of "D," a grade of "F" following two consecutive grades of "D," or a second non-consecutive grade of "F" within a 3-year period.

c. The sponsor may annually waive a corrective action if it determines that the charter school is likely to improve a letter grade if additional time is provided to implement the intervention and support strategies prescribed by the school improvement plan. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of "F" is subject to subparagraph 4.

d. A charter school is no longer required to implement a corrective action if it improves by at least one letter grade. However, the charter

school must continue to implement strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school's continued improvement pursuant to subparagraph 5.

e. A charter school implementing a corrective action that does not improve by at least one letter grade after 2 full school years of implementing the corrective action must select a different corrective action. Implementation of the new corrective action must begin in the school year following the implementation period of the existing corrective action, unless the sponsor determines that the charter school is likely to improve a letter grade if additional time is provided to implement the existing corrective action. Notwithstanding this sub-subparagraph, a charter school that earns a second consecutive grade of "F" while implementing a corrective action is subject to subparagraph 4.

3. A charter school with a grade of "D" or "F" that improves by at least one letter grade must continue to implement the strategies identified in the school improvement plan. The sponsor must annually review implementation of the school improvement plan to monitor the school's continued improvement pursuant to subparagraph 5.

4. The sponsor shall terminate a charter if the charter school earns two consecutive grades of "F" unless:

a. The charter school is established to turn around the performance of a district public school pursuant to s. 1008.33(4)(b)3. Such charter schools shall be governed by s. 1008.33;

b. The charter school serves a student population the majority of which resides in a school zone served by a district public school that earned a grade of "F" in the year before the charter school opened and the charter school earns at least a grade of "D" in its third year of operation. The exception provided under this sub-subparagraph does not apply to a charter school in its fourth year of operation and thereafter; or

c. The state board grants the charter school a waiver of termination. The charter school must request the waiver within 15 ~~30~~ days after the department's official release ~~completion~~ of school grades ~~grade appeals~~. The state board may waive termination if the charter school demonstrates that the learning gains of its students on statewide assessments are comparable to or better than the learning gains of similarly situated students enrolled in nearby district public schools. The waiver is valid for 1 year and may only be granted once. Charter schools that have been in operation for more than 5 years are not eligible for a waiver under this sub-subparagraph.

5. The director and a representative of the governing board of a graded charter school that has implemented a school improvement plan under this paragraph shall appear before the sponsor at least once a year to present information regarding the progress of intervention and support strategies implemented by the school pursuant to the school improvement plan and corrective actions, if applicable. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

6. Notwithstanding any provision of this paragraph except sub-subparagraphs 4.a.-c., the sponsor may terminate the charter at any time pursuant to subsection (8).

(o)1. *Upon initial notification of nonrenewal, closure, or termination of its charter, a charter school may not expend more than \$10,000 per expenditure without prior written approval from the sponsor unless such expenditure was included within the annual budget submitted to the sponsor pursuant to the charter contract, is for reasonable attorney fees and costs during the pendency of any appeal, or is for reasonable fees and costs to conduct an independent audit.*

2. *An independent audit shall be completed within 30 days after notice of nonrenewal, closure, or termination to account for all public funds and assets.*

3. *A provision in a charter contract that contains an acceleration clause requiring the expenditure of funds based upon closure or upon notification of nonrenewal or termination is void and unenforceable.*

4. *A charter school may not enter into a contract with an employee that exceeds the term of the school's charter contract with its sponsor.*

5. A violation of this paragraph triggers a reversion or clawback power by the sponsor allowing for collection of an amount equal to or less than the accelerated amount that exceeds normal expenditures. The reversion or clawback plus legal fees and costs shall be levied against the person or entity receiving the accelerated amount.

(p) Each charter school shall maintain a website that enables the public to obtain information regarding the school; the school's academic performance; the names of the governing board members; the programs at the school; any management companies, service providers, or education management corporations associated with the school; the school's annual budget and its annual independent fiscal audit; the school's grade pursuant to s. 1008.34; and, on a quarterly basis, the minutes of governing board meetings.

#### (10) ELIGIBLE STUDENTS.—

(i) The capacity of a high-performing charter school identified pursuant to s. 1002.331 shall be determined annually by the governing board of the charter school. The governing board shall notify the sponsor of any increase in enrollment by March 1 of the school year preceding the increase. A sponsor may not require a charter school to identify the names of students to be enrolled or to enroll those students before the start of the school year as a condition of approval or renewal of a charter.

#### (16) EXEMPTION FROM STATUTES.—

(c) For purposes of subparagraphs (b)4.-7.:

1. The duties assigned to a district school superintendent apply to charter school administrative personnel, as defined in s. 1012.01(3)(a) and (b), and the charter school governing board shall designate at least one administrative person to be responsible for such duties.

2. The duties assigned to a district school board apply to a charter school governing board.

3. A charter school may hire instructional personnel and other employees on an at-will basis.

4. Notwithstanding any provision to the contrary, instructional personnel and other employees on contract may be suspended or dismissed any time during the term of the contract without cause.

#### (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

(a) The Department of Education shall provide information to the public, directly and through sponsors, on how to form and operate a charter school and how to enroll in a charter school once it is created. This information shall include a ~~model standard application form for mat~~, standard charter contract ~~format~~, standard evaluation instrument, and standard charter renewal contract ~~format~~, which shall include the information specified in subsection (7) and shall be developed by consulting and negotiating with both school districts and charter schools before implementation. The charter and charter renewal ~~contracts for mats~~ shall be used by charter school sponsors.

#### (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

(c) An employee of the charter school, or his or her spouse, or an employee of a charter management organization, or his or her spouse, may not be a member of the governing board of the charter school.

(27) RULEMAKING.—The Department of Education, after consultation with school districts and charter school directors, shall recommend that the State Board of Education adopt rules to implement specific subsections of this section. Such rules shall require minimum paperwork and shall not limit charter school flexibility authorized by statute. The State Board of Education shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to implement a charter model application form, standard evaluation instrument, and standard charter and charter renewal ~~contracts formats~~ in accordance with this section.

Section 2. Subsections (2) and (5) of section 1002.331, Florida Statutes, are amended to read:

1002.331 High-performing charter schools.—

(2) A high-performing charter school is authorized to:

(a) Increase its student enrollment once per school year ~~by up to 15 percent~~ more than the capacity identified in the charter, but student enrollment may not exceed the current facility capacity.

(b) Expand grade levels within kindergarten through grade 12 to add grade levels not already served if any annual enrollment increase resulting from grade level expansion is within the limit established in paragraph (a).

(c) Submit a quarterly, rather than a monthly, financial statement to the sponsor pursuant to s. 1002.33(9)(g).

(d) Consolidate under a single charter the charters of multiple high-performing charter schools operated in the same school district by the charter schools' governing board regardless of the renewal cycle.

(e) Receive a modification of its charter to a term of 15 years or a 15-year charter renewal. The charter may be modified or renewed for a shorter term at the option of the high-performing charter school. The charter must be consistent with s. 1002.33(7)(a)19. and (10)(h) and (i), is subject to annual review by the sponsor, and may be terminated during its term pursuant to s. 1002.33(8).

A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable. If a charter school notifies the sponsor of its intent to expand, the sponsor shall modify the charter within 90 days to include the new enrollment maximum and may not make any other changes. The sponsor may deny a request to increase the enrollment of a high-performing charter school if the commissioner has declassified the charter school as high-performing. If a high-performing charter school requests to consolidate multiple charters, the sponsor shall have 40 days after receipt of that request to provide an initial draft charter to the charter school. The sponsor and charter school shall have 50 days thereafter to negotiate and notice the charter contract for final approval by the sponsor.

(5) The Commissioner of Education, upon request by a charter school, shall verify that the charter school meets the criteria in subsection (1) and provide a letter to the charter school and the sponsor stating that the charter school is a high-performing charter school pursuant to this section. The commissioner shall annually determine whether a high-performing charter school under subsection (1) continues to meet the criteria in that subsection. Such high-performing charter school shall maintain its high-performing status unless the commissioner determines that the charter school no longer meets the criteria in subsection (1), at which time the commissioner shall send a letter providing notification of its declassification as a high-performing charter school.

Section 3. Paragraph (b) of subsection (1) and paragraph (a) of subsection (2) of section 1002.332, Florida Statutes, are amended to read:

1002.332 High-performing charter school system.—

(1) For purposes of this section, the term:

(b) "High-performing charter school system" means an entity that:

1. Operated ~~Operates~~ at least three high-performing charter schools in the state during each of the previous 3 school years;

2. Operated ~~Operates~~ a system of charter schools in which at least 50 percent of the charter schools ~~were~~ ~~are~~ high-performing charter schools pursuant to s. 1002.331 and no charter school earned a school grade of "D" or "F" pursuant to s. 1008.34 in any of the previous 3 school years regardless of whether the entity currently operates the charter school, except that:

a. If the entity ~~has~~ assumed operation of a public school pursuant to s. 1008.33(4)(b)3. with a school grade of "F," that school's grade may not be considered in determining high-performing charter school system status for a period of 3 years.

b. If the entity ~~established~~ ~~establishes~~ a new charter school that ~~served~~ ~~serves~~ a student population the majority of which ~~resided~~ ~~resides~~ in a school zone served by a public school that earned a grade of "F" or

three consecutive grades of “D” pursuant to s. 1008.34, that charter school’s grade may not be considered in determining high-performing charter school system status if it ~~attained~~ ~~attains~~ and ~~maintained~~ ~~maintains~~ a school grade that was is higher than that of the public school serving that school zone within 3 years after establishment; and

3. ~~Did Has~~ not receive ~~received~~ a financial audit that revealed one or more of the financial emergency conditions set forth in s. 218.503(1) for any charter school assumed or established by the entity in the most recent 3 fiscal years for which such audits are available.

(2)(a) The Commissioner of Education, ~~upon request by an entity,~~ shall verify ~~all charter schools served by an entity and verify that the entity meets the criteria in this section subsection (1) for the previous~~ prior school year and provide a letter to the entity stating that it is a high-performing charter school system.

1. As part of the commissioner’s verification, the entity shall identify all charter schools in this state which the entity has operated or provided services for the previous 3 years, regardless of whether the entity currently operates or provides services for the charter school. For all such charter schools that the entity no longer operates, the entity shall identify the reasons the entity terminated the operation or services or grounds stated by the charter school’s governing board in terminating the operation or services of the entity.

2. The commissioner shall annually determine whether a high-performing charter school system continues to meet the criteria in this section. A high-performing charter school system shall maintain its high-performing status unless the commissioner determines that the charter school system no longer meets the criteria in this section, at which time the commissioner shall send a letter providing notification of its declassification as a high-performing charter school system.

And the title is amended as follows:

Delete lines 26-60 and insert: charter renewals and terminations; modifying charter school requirements for financial records; imposing rules that follow the closing of a charter school or termination of a charter; requiring a charter school to maintain a public website with certain information; providing that certain district school duties also apply to charter schools; restricting the membership of a charter school governing board; amending s. 1002.331, F.S.; modifying a limitation for increasing student enrollment; providing that the sponsor may deny a request to increase enrollment under certain circumstances; establishing timeframes for a charter school requesting that multiple charters be consolidated; requiring the Commissioner of Education to annually review a high-performing charter school’s eligibility for high-performing status; authorizing declassification as a high-performing charter school; amending s. 1002.332, F.S.; revising requirements for classification as a high-performing charter school system; requiring the commissioner to annually review a high-performing charter school system’s eligibility for high-performing status; authorizing declassification as a high-performing charter school system; requiring

Senator Legg moved the following amendment:

**Amendment 3 (270732) (with title amendment)**—Delete lines 1069-1074 and insert:

Section 4. Full implementation of online assessments for Next Generation Sunshine State Standards in English/language arts and mathematics adopted under s. 1003.41, Florida Statutes, for all kindergarten through grade 12 public school students shall occur only after the technology infrastructure, connectivity, and capacity of all public schools and school districts have been load tested and independently verified as ready for successful deployment and implementation.

Section 5. The technology infrastructure, connectivity, and capacity of all public schools and school districts that administer statewide standardized assessments pursuant to s. 1008.22, Florida Statutes, including online assessments, shall be load tested and independently verified as appropriate, adequate, efficient, and sustainable.

Section 6. The Department of Education shall develop a proposed statewide, standard charter contract and a proposed definition of the term “management company” by consulting and negotiating with school districts and charter schools and provide the proposed charter contract to the

Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2013.

And the title is amended as follows:

Delete lines 60-62 and insert: as a high-performing charter school system; requiring that full implementation of online assessments for Next Generation Sunshine State Standards in English/language arts and mathematics for all kindergarten through grade 12 public school students occur only after the technology infrastructure, connectivity, and capacity of all public schools and school districts have been load tested and independently verified as ready for successful deployment and implementation; requiring that the technology infrastructure, connectivity, and capacity of all public schools and school districts that administer statewide standardized assessments pursuant to s. 1008.22, F.S., be load tested and independently verified as appropriate, adequate, efficient, and sustainable; requiring the Department of Education to develop a proposed statewide, standard charter contract; providing an effective

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Montford moved the following amendment to **Amendment 3** which failed:

**Amendment 3A (482450) (with title amendment)**—Delete lines 19-25.

And the title is amended as follows:

Delete lines 46-48 and insert: sustainable; providing an effective

The question recurred on **Amendment 3 (270732)** which was adopted.

Senator Montford moved the following amendment:

**Amendment 4 (589856) (with title amendment)**—Between lines 1074 and 1075 insert:

Section 5. Subsection (9) is added to section 1002.31, Florida Statutes, to read:

1002.31 Public school parental choice.—

(9) For a school or program that is a public school of choice under this section, the calculation for compliance with maximum class size pursuant to s. 1003.03 is the average number of students at the school level.

Section 6. Section 1002.451, Florida Statutes, is created to read:

1002.451 District innovation school of technology program.—

(1) DISTRICT INNOVATION SCHOOL OF TECHNOLOGY.—

(a) A district school board may operate an innovation school of technology for the purpose of developing the innovative use of industry-leading technology while requiring high student academic achievement and accountability in exchange for flexibility and exemption from specified statutes and rules. The innovation school of technology shall operate within existing resources.

(b) An innovation school of technology is a school that has, on a schoolwide basis, adopted and implemented a blended learning program. A blended learning program is an education program in which a student learns in part through online delivery of content and instruction with some element of student control over time, place, path, or pace and in part at a supervised brick-and-mortar location away from home. Blended learning models must include major components such as differentiated instruction, data-driven placement, flexible scheduling, differentiated teaching, and self-paced learning. The school may use one of the following blended learning models:

1. Flipped classroom model in which students use online instructional videos and practice concepts in the classroom with the support of the teacher;

2. Flex model in which students learn primarily online and teachers act as facilitators; or

3. *Rotation model in which students move between different learning modalities, such as online instruction, teacher-directed instruction, seminar or group projects, and one-on-one teacher coaching. Rotation models include individual, station, and laboratory models.*

(c) *An innovation school of technology must be open to any student covered in an interdistrict agreement or residing in the school district in which the innovation school of technology is located. An innovation school of technology shall enroll an eligible student who submits a timely application if the number of applications does not exceed the capacity of a program, class, grade level, or building. If the number of applications exceeds capacity, all applicants shall have an equal chance of being admitted through a public random selection process. However, a district may give enrollment preference to students who identify the innovation school of technology as the student's preferred choice pursuant to the district's controlled open enrollment plan.*

(2) **GUIDING PRINCIPLES.**—*An innovation school of technology shall be guided by the following principles:*

(a) *Meet high standards of student achievement in exchange for flexibility with respect to statutes or rules.*

(b) *Implement innovative learning methods and assessment tools to implement a schoolwide transformation regarding industry-leading technology to improve student learning and academic achievement.*

(c) *Promote enhanced academic success and financial efficiency by aligning responsibility with accountability and industry-leading technology.*

(d) *Measure student performance based on student learning growth, or based on student achievement if student learning growth cannot be measured.*

(e) *Provide a parent with sufficient information as to whether his or her child is reading at grade level and making learning gains each year.*

(f) *Incorporate industry certifications and similar recognitions into performance expectations.*

(g) *Focus on utilizing industry-leading hardware and software technology for student individual use and to develop the school's infrastructure in furtherance of this section.*

(3) **TERM OF PERFORMANCE CONTRACT.**—*An innovation school of technology may operate pursuant to a performance contract with the State Board of Education for a period of 5 years.*

(a) *Before expiration of the performance contract, the school's performance shall be evaluated against the eligibility criteria, purpose, guiding principles, and compliance with the contract to determine whether the contract may be renewed. The contract may be renewed every 5 years.*

(b) *The performance contract shall be terminated by the State Board of Education if:*

1. *The school receives a grade of "F" as an innovation school of technology for 2 consecutive years;*
2. *The school or district fails to comply with the criteria in this section;*
3. *The school or district does not comply with terms of the contract which specify that a violation results in termination; or*
4. *Other good cause is shown.*

(4) **FUNDING.**—*A district school board operating an innovation school of technology shall report full-time equivalent students to the department in a manner prescribed by the department, and funding shall be provided through the Florida Education Finance Program as provided in ss. 1011.61 and 1011.62. An innovation school of technology may seek and receive additional funding through incentive grants or public or private partnerships.*

(5) **EXEMPTION FROM STATUTES.**—

(a) *An innovation school of technology is exempt from chapters 1000-1013. However, an innovation school of technology shall comply with the following provisions of those chapters:*

1. *Laws pertaining to the following:*

- a. *Schools of technology, including this section.*
- b. *Student assessment program and school grading system.*
- c. *Services to students who have disabilities.*
- d. *Civil rights, including s. 1000.05, relating to discrimination.*
- e. *Student health, safety, and welfare.*

2. *Laws governing the election and compensation of district school board members and election or appointment and compensation of district school superintendents.*

3. *Section 1003.03, governing maximum class size, except that the calculation for compliance pursuant to s. 1003.03 is the average at the school level.*

4. *Sections 1012.22(1)(c) and 1012.27(2), relating to compensation and salary schedules.*

5. *Section 1012.33(5), relating to workforce reductions, for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.*

6. *Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011, for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.*

(b) *An innovation school of technology shall also comply with chapter 119 and s. 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.*

(c) *An innovation school of technology is exempt from ad valorem taxes and the State Requirements for Educational Facilities when leasing facilities.*

(6) **APPLICATION PROCESS AND PERFORMANCE CONTRACT.**—

(a) *A district school board may apply to the State Board of Education for an innovation school of technology if the district:*

1. *Has at least 20 percent of its total enrollment in public school choice programs or at least 5 percent of its total enrollment in charter schools;*
2. *Has no material weaknesses or instances of material non-compliance noted in the annual financial audit conducted pursuant to s. 218.39; and*
3. *Has received a district grade of "A" or "B" in each of the past 3 years.*

(b) *A district school board may operate one innovation school of technology upon an application being approved by the State Board of Education.*

1. *A district school board may apply to the State Board of Education to establish additional schools of technology if each existing innovation school of technology in the district:*

- a. *Meets all requirements in this section and in the performance contract;*
- b. *Has a grade of "A" or "B"; and*
- c. *Has at least 50 percent of its students exceed the state average on the statewide assessment program pursuant to s. 1008.22. This comparison may take student subgroups, as defined in the federal Elementary and Secondary Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II), into specific consideration so that at least 50 percent of students in each student subgroup meet or exceed the statewide average performance, rounded to the nearest whole number, of that particular subgroup.*



2. Notwithstanding subparagraph 1., the number of schools of technology in a school district may not exceed:

- a. Seven in a school district that has 100,000 or more students.
- b. Five in a school district that has 50,000 to 99,999 students.
- c. Three in a school district that has fewer than 50,000 students.

(c) A school district that meets the eligibility requirements of paragraph (a) may apply to the State Board of Education at any time to enter into a performance contract to operate an innovation school of technology. The application must, at a minimum:

1. Demonstrate how the school district meets and will continue to meet the requirements of this section;
2. Identify how the school will accomplish the purposes and guiding principles of this section;
3. Identify the statutes or rules from which the district is seeking a waiver for the school;

4. Identify and provide supporting documentation for the purpose and impact of each waiver, how each waiver would enable the school to achieve the purpose and guiding principles of this section, and how the school would not be able to achieve the purpose and guiding principles of this section without each waiver; and

5. Confirm that the school board remains responsible for the operation, control, and supervision of the school in accordance with all applicable laws, rules, and district procedures not waived pursuant to this section or waived pursuant to other applicable law.

(d) The State Board of Education shall approve or deny the application within 90 days or, with the agreement of the school district, at a later date.

(e) The performance contract must address the terms under which the State Board of Education may cancel the contract and, at a minimum, the methods by which:

1. Upon execution of the performance contract, the school district will plan the program during the first year, begin at least partial implementation of the program during the second year, and fully implement the program by the third year. A district may implement the program sooner than specified in this subparagraph if authorized in the performance contract.

2. The school will integrate industry-leading technology into instruction, assessment, and professional development. The school may also restructure the school day or school year in a way that allows it to best accomplish its goals.

3. The school and district will monitor performance progress based on skills that help students succeed in college and careers, including problem solving, research, interpretation, and communication.

4. The school will incorporate industry certifications and similar recognitions into performance expectations.

5. The school and district will comply with this section and the performance contract.

(f) Three or more contiguous school districts may apply to enter into a joint performance contract as a Region of Technology, subject to terms and conditions contained in this section for a single school district.

(g) The State Board of Education shall monitor schools of technology to ensure that the respective school district is in compliance with this section and the performance contract.

(h) The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section, including, but not limited to, an application, evaluation instrument, and renewal evaluation instrument.

(i) This section does not supersede the provisions of s. 768.28.

(7) **REPORTS.**—The school district of an innovation school of technology shall submit to the State Board of Education, the President of the Senate, and the Speaker of the House of Representatives an annual report by December 1 of each year which delineates the performance of the innovation school of technology as it relates to the academic performance of students. The annual report shall be submitted in a format prescribed by the Department of Education and must include, but need not be limited to, the following:

(a) Evidence of compliance with this section.

(b) Efforts to close the achievement gap.

(c) Longitudinal performance of students, by grade level and subgroup, in mathematics, reading, writing, science, and any other subject that is included as a part of the statewide assessment program in s. 1008.22.

(d) Longitudinal performance for students who take an Advanced Placement Examination, organized by age, gender, and race, and for students who participate in the National School Lunch Program.

(e) Number and percentage of students who take an Advanced Placement Examination.

(f) Identification and analysis of industry-leading technology used to comply with this section, including, but not limited to, recommendations and lessons learned from such use.

And the title is amended as follows:

Delete line 62 and insert: standard charter contract; amending s. 1002.31, F.S.; providing a calculation for compliance with class size maximums for a public school of choice; creating s. 1002.451, F.S.; creating schools of technology to allow school districts to be innovative with industry-leading technology and earn flexibility for high academic achievement; describing permissible learning models; specifying student eligibility requirements; providing guiding principles for schools of innovation; providing guiding principles for schools of technology; specifying requirements of a performance contract between the State Board of Education and an innovation school of technology; establishing the term of the performance contract; providing for funding; exempting schools of technology from ch. 1000-1013, F.S., subject to certain exceptions; exempting such schools from certain ad valorem taxes and other requirements; specifying school district eligibility; establishing an application process; limiting the number of schools of technology that may be operated and established in a school district; providing for a Region of Technology in which three or more school districts enter into a joint performance contract; requiring the State Board of Education to monitor schools of technology for compliance with the act and performance contracts; requiring the State Board of Education to adopt rules; requiring a school district with an innovation school of technology to submit an annual report to the State Board of Education and the Legislature; specifying requirements for such report; providing an effective

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Montford moved the following amendment to **Amendment 4** which was adopted:

**Amendment 4A (741640)**—Between lines 130 and 131 insert:

7. Section 1012.34, relating to requirements for performance evaluations of instructional personnel and school administrators.

**Amendment 4 (589856)** as amended was adopted.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Flores moved the following amendment which was adopted:

**Amendment 5 (150830) (with title amendment)**—Between lines 1068 and 1069 insert:

Section 4. Subsection (6) is added to section 1012.2315, Florida Statutes, to read:



1012.2315 Assignment of teachers.—

(6) *ASSIGNMENT OF TEACHERS BASED UPON PERFORMANCE*

*EVALUATIONS.—*

(a) *If a high school or middle school student is currently taught by a classroom teacher who, during that school year, receives a performance evaluation rating of “needs improvement” or “unsatisfactory” under s. 1012.34, the student may not be assigned the following school year to a classroom teacher in the same subject area who received a performance evaluation rating of “needs improvement” or “unsatisfactory” in the preceding school year.*

(b) *If an elementary school student is currently taught by a classroom teacher who, during that school year, receives a performance evaluation rating of “needs improvement” or “unsatisfactory” under s. 1012.34, the student may not be assigned the following school year to a classroom teacher who received a performance evaluation rating of “needs improvement” or “unsatisfactory” in the preceding school year.*

(c) *For a student enrolling in an extracurricular course as defined in s. 1003.01(15), a parent may choose to have the student taught by a teacher who received a performance evaluation of “needs improvement” or “unsatisfactory” in the preceding school year if the student and the student’s parent receive an explanation of the impact of teacher effectiveness on student learning and the principal receives written consent from the parent.*

And the title is amended as follows:

Delete line 60 and insert: as a high-performing charter school system; amending s. 1012.2315, F.S.; providing that a student may not be assigned to an unsatisfactory teacher, particularly in a single subject if the student is in high school or middle school, for two consecutive school years; allowing a parent to choose for his or her child to be taught by a particular teacher in an extracurricular course under certain circumstances; requiring

Pursuant to Rule 4.19, **CS for CS for HB 7009** as amended was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1722** was deferred.

**CS for CS for SB 150**—A bill to be entitled An act relating to deaf and hard-of-hearing students; amending s. 1003.55, F.S.; requiring that a student’s language and communication needs, including certain opportunities, be considered in the development of an individual education plan for a deaf or hard-of-hearing student; requiring the Department of Education to develop a model communication plan to be used in the development of an individual education plan for deaf or hard-of-hearing students; requiring the department to disseminate the model communication plan to each school district and provide technical assistance; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 150**, on motion by Senator Altman, by two-thirds vote **CS for HB 461** was withdrawn from the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Altman—

**CS for HB 461**—A bill to be entitled An act relating to deaf and hard-of-hearing students; amending s. 1003.55, F.S.; requiring the Department of Education to develop a model communication plan to be used in the development of an individual education plan for deaf or hard-of-hearing students; requiring the department to disseminate the model to each school district and provide technical assistance; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 150** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 461** was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 1132**—A bill to be entitled An act relating to the Department of Transportation; repealing s. 11.45(3)(m), F.S., relating to the authority of the Auditor General to conduct audits of transportation corporations under the Florida Transportation Corporation Act; amending s. 20.23, F.S.; requiring the Transportation Commission to also monitor authorities created under ch. 345, F.S., relating to the Florida Regional Transportation Finance Authority Act; amending s. 110.205, F.S.; changing a title to the State Freight and Logistics Administrator from the State Public Transportation and Modal Administrator, which is an exempt position not covered under career service; amending s. 311.22, F.S.; establishing the Department of Transportation as the agency responsible for administering the section, instead of the Florida Seaport Transportation and Economic Development Council; providing for the future repeal of the section; amending s. 316.515, F.S.; providing that a straight truck may attach a forklift to the rear of the cargo bed if it does not exceed a specified length; repealing s. 316.530(3), F.S., relating to load limits for certain towed vehicles; amending s. 316.545, F.S.; increasing the weight amount used for penalty calculations; conforming terminology; amending s. 331.360, F.S.; reordering provisions; providing for a spaceport system plan; providing funding for space transportation projects from the State Transportation Trust Fund; requiring Space Florida to provide the Department of Transportation with specific project information and to demonstrate transportation and aerospace benefits; specifying the information to be provided; providing funding criteria; amending s. 332.007, F.S.; authorizing the Department of Transportation to fund strategic airport investments; providing criteria; amending s. 334.044, F.S.; prohibiting the department from entering into a lease-purchase agreement with certain transportation authorities after a specified time; providing an exception from the requirement to purchase all plant materials from Florida commercial nursery stock when prohibited by applicable federal law or regulation; amending s. 335.0415, F.S.; creating a pilot program in the City of Miami to transfer department responsibilities for public road maintenance to the city; requiring the department to enter into an interlocal agreement with the City of Miami; specifying requirements of the interlocal agreement; requiring the Florida Transportation Commission to conduct a study at the conclusion of the pilot program and provide the study to the Governor and the Legislature; requiring the department to pay the expenses of the study’s experts; amending s. 335.06, F.S.; revising the responsibilities of the Department of Transportation, a county, or a municipality to improve or maintain a road that provides access to property within the state park system; creating s. 336.71, F.S.; authorizing counties to enter into public-private partnership agreements for construction of transportation facilities; providing requirements and limitations for such agreements; providing procurement procedures; providing for applicability; amending s. 337.11, F.S.; removing the requirement that a contractor provide a notarized affidavit as proof of registration; amending s. 337.14, F.S.; revising the criteria for bidding certain construction contracts to require a proposed budget estimate if a contract is more than a specified amount; amending s. 337.168, F.S.; providing that a document that reveals the identity of a person who has requested or received certain information before a certain time is a public record; amending s. 337.25, F.S.; authorizing the Department of Transportation to use auction services in the conveyance of certain property or leasehold interests; revising certain inventory requirements; revising provisions and providing criteria for the department to dispose of certain excess property; providing such criteria for the disposition of donated property, property used for a public purpose, or property acquired to provide replacement housing for certain displaced persons; providing value offsets for property that requires significant maintenance costs or exposes the department to significant liability; providing procedures for the sale of property to abutting property owners; deleting provisions to conform to changes made by the act; providing monetary restrictions and criteria for the conveyance of certain leasehold interests; providing exceptions to restrictions for leases entered into for a public purpose; providing criteria for the preparation of estimates of value prepared by the department; providing that the requirements of s. 73.013, F.S., relating to eminent domain, are not modified; amending s. 337.251, F.S.; revising criteria for leasing particular department property; increasing the time the department must accept proposals for lease after a notice is published; authorizing the department to establish an application fee by rule; providing criteria for the fee; providing criteria that the lease must meet; amending s. 338.161, F.S.; authorizing the

department to enter into agreements with owners of public or private transportation facilities under which the department uses its electronic toll collection and video billing systems to collect for the owner certain charges for use of the owners' transportation facilities; amending s. 338.165, F.S.; removing the Beeline-East Expressway and the Navarre Bridge from the list of facilities that have toll revenues to secure their bonds; amending s. 338.26, F.S.; revising the uses of fees that are generated from tolls to include the design and construction of a fire station that may be used by certain local governments in accordance with a specified memorandum; removing authority of a district to issue bonds or notes; amending s. 339.175, F.S.; revising the criteria that qualify a local government for participation in a metropolitan planning organization; revising the criteria to determine voting membership of a metropolitan planning organization; providing that each metropolitan planning organization shall review its membership and reapportion it as necessary; providing criteria; relocating the requirement that the Governor review and apportion the voting membership among the various governmental entities within the metropolitan planning area; amending s. 339.2821, F.S.; authorizing Enterprise Florida, Inc., to be a consultant to the Department of Transportation for consideration of expenditures associated with and contracts for transportation projects; revising the requirements for economic development transportation project contracts between the department and a governmental entity; repealing the Florida Transportation Corporation Act; repealing s. 339.401, F.S., relating to the short title; repealing s. 339.402, F.S., relating to definitions; repealing s. 339.403, F.S., relating to legislative findings and purpose; repealing s. 339.404, F.S., relating to authorization of corporations; repealing s. 339.405, F.S., relating to type and structure of the corporation and income; repealing s. 339.406, F.S., relating to contracts between the department and the corporation; repealing s. 339.407, F.S., relating to articles of incorporation; repealing s. 339.408, F.S., relating to the board of directors and advisory directors; repealing s. 339.409, F.S., relating to bylaws; repealing s. 339.410, F.S., relating to notice of meetings and open records; repealing s. 339.411, F.S., relating to the amendment of articles; repealing s. 339.412, F.S., relating to the powers of the corporation; repealing s. 339.414, F.S., relating to use of state property; repealing s. 339.415, F.S., relating to exemptions from taxation; repealing s. 339.416, F.S., relating to the authority to alter or dissolve corporations; repealing s. 339.417, F.S., relating to the dissolution of a corporation upon the completion of purposes; repealing s. 339.418, F.S., relating to transfer of funds and property upon dissolution; repealing s. 339.419, F.S., relating to department rules; repealing s. 339.420, F.S., relating to construction; repealing s. 339.421, F.S., relating to issuance of debt; amending s. 339.55, F.S.; adding spaceports to the list of facility types for which the state-funded infrastructure bank may lend capital costs or provide credit enhancements; amending s. 341.031, F.S.; revising the definition of the term "intercity bus service"; amending s. 341.053, F.S.; revising the types of eligible projects and criteria of the intermodal development program; amending s. 343.80, F.S.; renaming the Northwest Florida Transportation Corridor Authority Law as the Northwest Florida Regional Transportation Finance Authority Law; amending s. 343.805, F.S., defining "Northwest Florida Regional Transportation Finance Authority System" or "system"; deleting definitions of "U.S. 98 corridor" and "U.S. 98 corridor system"; amending s. 343.81, F.S.; renaming the Northwest Florida Transportation Corridor Authority as the Northwest Florida Regional Transportation Finance Authority; revising the composition of the governing board of the authority from eight to five voting members, two from Okaloosa County and one each from Walton, Bay, and Gulf Counties; removing from the governing body of the authority voting members from Escambia, Santa Rosa, Franklin, and Wakulla Counties; revising quorum requirements and the number of votes necessary for any action by the authority; removing the authority's authorization to establish a technical advisory committee and related provisions; amending s. 343.82, F.S.; authorizing the authority to acquire, hold, construct, improve, maintain, operate, own, and lease the Northwest Florida Regional Transportation Finance Authority System; removing references to intended improvement of mobility along the U.S. 98 corridor and to the Santa Rosa Sound; removing direction to the authority to adopt a corridor master plan, to annually update and present the plan, to undertake projects or other improvements in the plan, and to request certain funding and technical assistance; conforming terminology; removing a prohibition against the authority imposing tolls or other charges; providing the authority may dispose of property which the authority and the Department of Transportation have determined is not needed for the system; removing the authority's authorization to enter into lease-purchase agreements with the department; removing the authority's power to borrow money from

any federal agency, the state, any agency of the state, or any other public body of the state; amending s. 343.83, F.S.; conforming terminology; amending s. 343.835, F.S.; making conforming changes; replacing a reference to facilities "constructed" by the authority to facilities "owned or provided"; amending s. 343.84, F.S.; providing that the department is the agent of the authority for the purpose of constructing, operating, and maintaining system facilities; providing for alternative appointment of a specified local agency as construction agent with the consent and approval of the department; providing for reimbursement from revenues of the system of costs incurred by the department to operate and maintain the system; providing that the department has no independent obligation to operate and maintain the system; providing the authority remains obligated as to operate and maintain its system; directing the authority to establish and collect tolls and other charges for the authority's facilities; amending s. 343.85, F.S.; conforming terminology; repealing s. 343.875, F.S., removing the authority's authorization to enter into public-private partnership agreements; removing project criteria; removing department authorization to use state resources to participate in projects; removing authorization to request proposals and to receive unsolicited proposals, removing related notice provisions, and removing procedural provisions related to consideration of such proposals; removing authorization for the public-private entity to impose tolls or fares, to exercise its powers, including eminent domain, and to adopt rules; amending s. 343.89, F.S.; conforming terminology; amending s. 343.922, F.S.; removing a reference to advances from the Toll Facilities Revolving Trust Fund as a source of funding for certain projects by an authority; creating ch. 345, F.S., relating to the Florida Regional Transportation Finance Authority; creating s. 345.0001, F.S.; providing a short title; creating s. 345.0002, F.S.; providing definitions; creating s. 345.0003, F.S.; authorizing counties to form a regional transportation finance authority that can construct, maintain, or operate transportation projects in a region of the state; providing for governance of the authority; creating s. 345.0004, F.S.; providing for the powers and duties of a regional transportation finance authority; limiting an authority's power with respect to an existing system; prohibiting an authority from pledging the credit or taxing power of the state or any political subdivision or agency of the state; requiring that an authority comply with certain reporting and documentation requirements; creating s. 345.0005, F.S.; allowing bonds to be issued on behalf of an authority pursuant to the State Bond Act; authorizing an authority to issue bonds for certain purposes; providing that the issued bonds must meet certain requirements; requiring that the bonds be sold at a public sale; authorizing the issuing of temporary bonds or interim certificates; providing that the resolution that authorizes the issuance of bonds may contain specified provisions; authorizing an authority to enter into deeds of trust, indentures, or other agreements with a bank or trust company as security for issued bonds; providing that the issued bonds are negotiable instruments; providing that a resolution authorizing the issuance of bonds and pledging of revenues of the system must require that revenues be deposited to pay operating and maintenance costs of the system and to reimburse the department for certain costs; prohibiting the use or pledge of state funds to pay principal or interest of an authority's bonds and requiring bonds to contain a statement to this effect; creating s. 345.0006, F.S.; providing for the rights and remedies granted to certain bondholders; providing the actions a trustee may take on behalf of the bondholders; providing for the appointment of a receiver; providing for the authority of the receiver; providing limitations to the receiver's authority; creating s. 345.0007, F.S.; providing that the Department of Transportation is the agent of each authority for specified purposes; providing for the administration and management of projects by the department; providing limits on the department as an agent; providing for the fiscal responsibilities of the authority; creating s. 345.0008, F.S.; authorizing the department to provide for or commit its resources for an authority project or system, included in the 10-year Strategic Intermodal Plan, if included in a specific plan and approved by the Legislature; providing for feasibility studies; requiring certain criteria to be met before department approval; providing for payment of expenses incurred by the department on behalf of an authority; requiring the department to receive a share of the revenue from the authority; providing calculations for disbursement of revenues; creating s. 345.0009, F.S.; authorizing the authority to acquire private or public property and property rights for a project or plan; authorizing the authority to exercise the right of eminent domain; providing for the rights and liabilities and remedial actions relating to property acquired for a transportation project or corridor; creating s. 345.0010, F.S.; providing for contracts between governmental entities and an authority; creating s. 345.0011, F.S.; providing that the state will not limit or alter the vested rights of a bondholder with regard

to any issued bonds or rights relating to the bonds under certain conditions; creating s. 345.0012, F.S.; relieving the authority from the obligation of paying certain taxes or assessments for property acquired or used for certain public purposes or for revenues received relating to the issuance of bonds; providing exceptions; creating s. 345.0013, F.S.; providing that the bonds or obligations issued are legal investments of specified entities; creating s. 345.0014, F.S.; providing applicability; creating s. 345.0015, F.S.; creating the Santa Rosa-Escambia Regional Transportation Finance Authority; creating s. 345.0016, F.S.; creating the Suncoast Regional Transportation Finance Authority; providing for the transfer of the governance and control of the Mid-Bay Bridge Authority System to the Northwest Florida Regional Transportation Finance Authority; providing for the disposition of bonds, the protection of the bondholders, the effect on the rights and obligations under a contract or the bonds, and the revenues associated with the bonds; amending ss. 348.751 and 348.752, F.S.; renaming the Orlando-Orange County Expressway System as the "Central Florida Expressway System"; revising definitions; making technical changes; amending s. 348.753, F.S.; creating the Central Florida Expressway Authority; providing for the transfer of governance and control, legal rights and powers, responsibilities, terms, and obligations to the authority; providing conditions for the transfer; revising the composition of the governing body of the authority; providing for appointment of officers of the authority; revising quorum and voting requirements; conforming terminology and making technical changes; amending s. 348.754, F.S.; providing that the area served by the authority is within the geopolitical boundaries of Orange, Seminole, Lake, and Osceola Counties; requiring the authority to have prior consent from the Secretary of the Department of Transportation to construct an extension, addition, or improvement to the expressway system in Lake County; extending, to 99 years from 40 years, the term of a lease agreement; limiting the authority's authority to enter into a lease-purchase agreement; limiting the use of certain toll-revenues; providing exceptions; removing the requirement that the route of a project must be approved by a municipality before the right-of-way can be acquired; requiring that the authority encourage the inclusion of local-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities; removing the authority and criteria for an authority to waive payment and performance bonds for certain public works projects that are awarded pursuant to an economic development program; conforming terminology and making technical changes; amending ss. 348.7543, 348.7544, 348.7545, 348.7546, 348.7547, 348.755, and 348.756, F.S.; conforming terminology and making technical changes; amending s. 348.757, F.S.; providing that upon termination of the lease-purchase agreement of the former Orlando-Orange County Expressway System, title in fee simple to the system will be retained by the authority; conforming terminology and making technical changes; amending ss. 348.758, 348.759, 348.760, 348.761, 348.765, and 369.317, F.S.; conforming terminology and making technical changes; amending s. 369.324, F.S.; revising the membership of the Wekiva River Basin Commission; conforming terminology; providing criteria for the transfer of the Osceola County Expressway System to the Central Florida Expressway Authority; providing for the repeal of part V of ch. 348, F.S., when the Osceola County Expressway System is transferred to the Central Florida Expressway Authority; requiring the Central Florida Expressway Authority to reimburse other governmental entities for obligations related to the Osceola County Expressway System; providing for reimbursement after payment of other obligations; amending s. 373.4137, F.S.; providing legislative intent that mitigation be implemented in a manner that promotes efficiency, timeliness, and cost-effectiveness in project delivery; revising the criteria of the environmental impact inventory; revising the criteria for mitigation of projected impacts identified in the environmental impact inventory; requiring the Department of Transportation to include funding for environmental mitigation for its projects in its work program; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the requirements for the payment to a water management district or the Department of Environmental Protection of the costs of mitigation planning and implementation of the mitigation required by a permit; revising the payment criteria for preparing and implementing mitigation plans adopted by water management districts for transportation impacts based on the environmental impact inventory; adding federal requirements for the development of a mitigation plan; providing for transportation projects in the environmental mitigation plan for which mitigation has not been specified; revising a water management district's responsibilities relating to a mitigation plan; amending s. 373.618,

F.S.; revising the outdoor advertisement exemption criteria for a public information system; amending s. 341.052, F.S.; prohibiting an eligible public transit provider from using public transit block grant funds to pursue or promote the levying of new or additional taxes through public referenda; requiring the amount of the provider's grant to be reduced by any amount so spent; defining the term "public funds" for purposes of the prohibition; providing an exception; requiring the Florida Transportation Commission to study the potential for state revenue from parking meters and other parking time-limit devices; authorizing the commission to retain experts; requiring the department to pay for the experts; requiring certain information from municipalities and counties; requiring certain information to be considered in the study; requiring a written report; providing for a moratorium on new parking meters or other parking time-limit devices on the state right-of-way; prohibiting the sale of unsafe used tires by used tire retailers under certain circumstances; providing an exception; providing what constitutes an unsafe used tire; providing that a person who violates this section commits an unfair and deceptive trade practice; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1132**, on motion by Senator Brandes, by two-thirds vote **CS for CS for HB 7127** was withdrawn from the Committees on Transportation; Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

On motion by Senator Brandes—

**CS for CS for HB 7127**—A bill to be entitled An act relating to the Department of Transportation; amending s. 11.45, F.S.; removing a provision for audits of certain transportation corporations by the Auditor General; amending s. 20.23, F.S.; revising provisions relating to functions of the Florida Transportation Commission to add certain monitoring of Regional Transportation Finance Authorities and the Mid-Bay Bridge Authority; removing Secretary of Transportation review of the expenses of the Florida Statewide Passenger Rail Commission; revising the administrative support requirement for the Florida Statewide Passenger Rail Commission; designating an executive director and assistant executive director of the statewide passenger rail commission; amending s. 110.205, F.S., relating to career service exempt positions; revising the title of an existing department position; amending s. 125.35, F.S.; authorizing counties to lease real or personal property belonging to the county; amending s. 125.42, F.S.; providing that an entity granted a license to construct and maintain utility or television lines shall move or remove such lines at no cost to the county if the lines are found by the county to be unreasonably interfering with road widening, repair, or reconstruction; creating s. 316.01, F.S.; providing that a local governmental entity may not prevent vehicular ingress or egress on a transportation facility into or out of a state university facility; amending s. 316.530, F.S., relating to towing requirements; removing a provision that prohibits assessment of a penalty for the combined weights of a disabled vehicle and a wrecker or tow truck; amending s. 316.545, F.S.; revising the maximum amount the gross vehicle weight may be reduced for calculation of a penalty for excess weight when an auxiliary power unit is installed on a commercial motor vehicle; amending s. 320.08058, F.S.; revising provisions for distribution and use of fees collected from the sale of the Florida Salutes Veterans license plate; amending s. 331.360, F.S., relating to aerospace facilities; removing provisions for a spaceport master plan; directing Space Florida to develop a spaceport system plan for certain purposes; providing for content of the plan; directing Space Florida to submit the plan to metropolitan planning organizations for review of intermodal impact and to the department; authorizing the department to include relevant portions in the 5-year work program; revising responsibilities of the department relating to aerospace facilities; authorizing the department to administratively house its space transportation responsibilities within an existing division or office; authorizing the department to enter into an agreement with Space Florida for specified purposes; authorizing the department to allocate certain funds under specified conditions; requiring Space Florida to provide certain information to the department before an agreement is executed; amending s. 332.007, F.S.; authorizing the department to fund strategic airport investment projects that meet specified criteria; amending s. 334.044, F.S.; prohibiting the department from entering into any lease-purchase agreement with any expressway authority, regional transportation authority, or other entity; providing the prohibition does not invalidate existing specified lease-purchase agreements or limit the department's authority relating to certain public-private

transportation facilities; authorizing the department to enter into a concession agreement for commercial sponsorship displays on certain multiuse trails and facilities and providing for use of the revenue received; providing an exception from the requirement to purchase all plant materials from Florida commercial nursery stock when prohibited by applicable federal law or regulation; amending s. 335.055, F.S.; authorizing the department to enter into contracts with community development districts to perform routine maintenance work on the State Highway System; limiting liability; amending s. 335.06, F.S.; authorizing the department to improve and maintain any road that is part of a county road system or city street system that provides access to property within the state park system; requiring the county or city to maintain such road if the department does not; amending s. 337.11, F.S.; removing the requirement that a contractor provide a notarized affidavit as proof of motor vehicle registration; amending s. 337.14, F.S.; revising requirements for a person desiring to bid for the performance of certain department construction contracts to be prequalified; amending s. 337.168, F.S., relating to confidentiality of bid information; providing that a document that reveals the identity of a person who has requested or received certain information before a certain time is a public record; amending s. 337.25, F.S.; revising provisions for disposition of property by the department; authorizing the department to contract for auction services for conveyance of property; revising requirements for an inventory of property; amending s. 337.251, F.S.; revising provisions for lease of property; requiring the department to publish a notice of receipt of a proposal for lease of particular department property and accept other proposals; revising notice procedures; requiring the department to establish by rule an application fee for lease proposals; authorizing the department to engage the services of private consultants to assist in evaluating proposals; requiring the department to make specified determinations before approving a proposed lease; amending s. 337.403, F.S., relating to interference by a utility of the use of a public road or publicly owned rail corridor; providing for an authority to bear certain costs to eliminate interference when the utility certifies that it cannot prove or disprove it has a compensable property right where the utility is located; requiring the department to pay for utility work related to commuter rail or intercity passenger rail under certain circumstances; providing an exception; authorizing the department to pay for utility relocation in rural areas of critical economic concern under certain circumstances; requiring the Florida Transportation Commission to study the potential for state revenue from parking meters and other parking time-limit devices; authorizing the commission to retain experts; requiring the department to pay for the experts; requiring certain information from municipalities and counties; requiring certain information to be considered in the study; requiring a written report; providing for the removal of parking meters and parking time-limit devices under certain circumstance; providing for municipalities and counties to pay the cost of removal; providing for a moratorium on new parking meters of other parking time-limit devices on the state right-of-way; providing an exception; amending s. 338.161, F.S.; revising provisions for the department to enter into agreements for certain purposes with public or private transportation facility owners whose systems become interoperable with the department's systems; amending s. 338.165, F.S.; removing references to certain facilities from the list of facilities the department is authorized to request bond issuance secured by facility revenues amending s. 338.26, F.S.; revising the uses of fees generated from tolls to include the design and construction of a fire station that may be used by certain local governments in accordance with a specified memorandum; removing a provision that authorizes a district to issue bonds or notes; amending s. 339.175, F.S.; revising provisions for designation of metropolitan planning organizations and provisions for voting membership; revising the criteria that qualify a local government for participation in a metropolitan planning organization; providing that certain counties shall be designated separate metropolitan planning organizations; revising the criteria to determine voting membership of a metropolitan planning organization; providing that each metropolitan planning organization shall review its membership and reapportion it as necessary; providing criteria; removing the requirement that the Governor review and apportion the voting membership among the various governmental entities within the metropolitan planning area; amending s. 339.2821, F.S.; authorizing Enterprise Florida, Inc., to be a consultant to the department for consideration of expenditures associated with and contracts for transportation projects; revising the requirements for economic development transportation project contracts between the department and a governmental entity; repealing ss. 339.401-339.421, F.S., relating to the Florida Transportation Corporation Act, definitions, legislative findings and purpose, authorization of corporations, type and structure

and income of corporation, contract between the department and the corporation, articles of incorporation, boards of directors and advisory directors, bylaws, meetings and records, amendment of articles of incorporation, powers of corporations, use of state property, exemption from taxation, authority to alter or dissolve corporation, dissolution upon completion of purposes, transfer of funds and property upon dissolution, department rules, construction of provisions, and issuance of debt; amending s. 339.55, F.S.; providing for the state-funded infrastructure bank to lend capital costs or provide credit enhancements for projects that provide intermodal connectivity with spaceports and to make emergency loans for damages to public-use spaceports; revising criteria the department may consider for evaluation of projects for assistance from the bank; amending s. 341.031, F.S.; revising the definition of the term "intercity bus service," as used in the Florida Public Transit Act; amending s. 341.052, F.S.; prohibiting an eligible public transit provider from using public transit block grant funds to pursue or promote the levying of new or additional taxes through public referendum; requiring the amount of the provider's grant to be reduced by any amount so spent; defining the term "public funds" for purposes of the prohibition; amending s. 341.053, F.S.; revising provisions for use of Intermodal Development Program funds; amending s. 341.8203, F.S.; defining "communication facilities" and "railroad company" as used in the Florida Rail Enterprise Act; amending s. 341.822, F.S.; requiring the rail enterprise to establish a process to issue permits for railroad companies to construct communication facilities within a high speed rail system; providing rulemaking authority; providing for fees for issuing a permit; providing that copies of the permit application will be sent to municipalities and counties who will have an opportunity to comment on the application; creating s. 341.825, F.S.; providing for a permit authorizing the permittee to locate, construct, operate, and maintain communication facilities within a new or existing high speed rail system; providing for application procedures and fees; providing for the effects of a permit; providing an exemption from local land use and zoning regulations; authorizing the enterprise to permit variances and exemptions from rules of the enterprise or other agencies; providing that a permit is in lieu of licenses, permits, certificates, or similar documents; providing for a modification of a permit; amends s. 341.840, F.S.; conforming a cross-reference; amending ss. 343.82 and 343.922, F.S.; removing reference to advances from the Toll Facilities Revolving Trust Fund as a source of funding for certain projects by an authority; creating ch. 345, F.S., relating to the Florida Regional Transportation Finance Authority Act; creating s. 345.0001, F.S.; providing a short title; creating s. 345.0002, F.S.; providing definitions; creating s. 345.0003, F.S.; providing for counties to form a regional transportation finance authority to construct, maintain, or operate transportation projects in a region of the state; providing for governance of an authority; providing for membership and organization of an authority; creating s. 345.0004, F.S.; providing for the powers and duties of an authority; limiting an authority's power with respect to an existing system; prohibiting an authority from pledging the credit or taxing power of the state or any political subdivision or agency of the state; requiring that an authority comply with certain reporting and documentation requirements; creating s. 345.0005, F.S.; authorizing an authority to issue bonds; providing that the issued bonds must meet certain requirements; providing that the resolution that authorizes the issuance of bonds meet certain requirements; authorizing an authority to enter into security agreements for issued bonds with a bank or trust company; providing that the issued bonds are negotiable instruments and have certain qualities; providing that a resolution authorizing the issuance of bonds and pledging of revenues of the system must meet certain requirements; prohibiting the use or pledge of state funds to pay principal or interest of an authority's bonds; creating s. 345.0006, F.S.; providing rights and remedies granted to certain bondholders; providing actions a trustee may take on behalf of the bondholders; providing for the appointment of a receiver; providing for the authority of the receiver; providing limitations to a receiver's authority; creating s. 345.0007, F.S.; providing that the Department of Transportation is the agent of each authority for specified purposes; providing for the administration and management of projects by the department; providing limits on the department as an agent; providing for the fiscal responsibilities of the authority; creating s. 345.0008, F.S.; authorizing the department to provide resources for an authority project or system if included in a specific plan and approved by the Legislature; providing for feasibility studies; requiring certain criteria to be met before department approval; providing for payment of expenses incurred by the department on behalf of an authority; requiring the department to receive a share of the revenue from the authority; providing for disbursement of revenues; creating s. 345.0009, F.S.; authorizing the authority to acquire private or

public property and property rights for a project or plan; authorizing the authority to exercise the right of eminent domain; providing for the rights and liabilities and remedial actions relating to property acquired for a transportation project or corridor; creating s. 345.0010, F.S.; providing for contracts between certain entities and an authority; creating s. 345.0011, F.S.; providing that the state will not limit or alter the vested rights of a bondholder with regard to any issued bonds or rights relating to the bonds under certain conditions; creating s. 345.0012, F.S.; exempting the authority from paying certain taxes or assessments for property acquired or used for certain public purposes or for revenues received relating to the issuance of bonds; providing exceptions; creating s. 345.0013, F.S.; providing that the bonds or obligations issued are legal investments of specified entities; creating s. 345.0014, F.S.; providing applicability; amending s. 348.754, F.S.; revising the term limitation for leases that the Orlando-Orange County Expressway Authority may enter; amending s. 373.406, F.S.; exempting specified ponds, ditches, and wetlands from surface water management and storage requirements; exempting certain water control districts from certain wetlands regulation; amending s. 373.4137, F.S.; providing legislative intent that mitigation be implemented in a manner that promotes efficiency, timeliness, and cost-effectiveness in project delivery; revising the criteria of the environmental impact inventory; revising the criteria for mitigation of projected impacts identified in the environmental impact inventory; requiring the Department of Transportation to include funding for environmental mitigation for its projects in its work program; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the requirements for the payment to a water management district or the Department of Environmental Protection of the costs of mitigation planning and implementation of the mitigation required by a permit; revising the payment criteria for preparing and implementing mitigation plans adopted by water management districts for transportation impacts based on the environmental impact inventory; adding federal requirements for the development of a mitigation plan; providing for transportation projects in the environmental mitigation plan for which mitigation has not been specified; revising a water management district's responsibilities relating to a mitigation plan; creating s. 373.6053, F.S., authorizing water management districts to reassess the designation of positions for inclusion in the Senior Management Service Class; authorizing the removal of positions from the class; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1132** and read the second time by title.

Senator Brandes moved the following amendment:

**Amendment 1 (740626) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. *Paragraph (m) of subsection (3) of section 11.45, Florida Statutes, is repealed.*

Section 2. Paragraph (b) of subsection (2) and subsection (3) of section 20.23, Florida Statutes, are amended, and present subsections (4) through (7) of that section are renumbered as subsections (3) through (6), to read:

20.23 Department of Transportation.—There is created a Department of Transportation which shall be a decentralized agency.

(2)

(b) The commission shall ~~have the primary functions to:~~

1. Recommend major transportation policies for the Governor's approval, and assure that approved policies and any revisions ~~thereto~~ are properly executed.

2. Periodically review the status of the state transportation system including highway, transit, rail, seaport, intermodal development, and aviation components of the system and recommend improvements therein to the Governor and the Legislature.

3. Perform an in-depth evaluation of the annual department budget request, the Florida Transportation Plan, and the tentative work program for compliance with all applicable laws and established depart-

mental policies. Except as specifically provided in s. 339.135(4)(c)2., (d), and (f), the commission may not consider individual construction projects, but shall consider methods of accomplishing the goals of the department in the most effective, efficient, and businesslike manner.

4. Monitor the financial status of the department on a regular basis to assure that the department is managing revenue and bond proceeds responsibly and in accordance with law and established policy.

5. Monitor on at least a quarterly basis, the efficiency, productivity, and management of the department, using performance and production standards developed by the commission pursuant to s. 334.045.

6. Perform an in-depth evaluation of the factors causing disruption of project schedules in the adopted work program and recommend to the Legislature and the Governor methods to eliminate or reduce the disruptive effects of these factors.

7. Recommend to the Governor and the Legislature improvements to the department's organization in order to streamline and optimize the efficiency of the department. In reviewing the department's organization, the commission shall determine if the current district organizational structure is responsive to Florida's changing economic and demographic development patterns. The initial report by the commission must be delivered to the Governor and Legislature by December 15, 2000, and each year thereafter, as appropriate. The commission may retain ~~such~~ experts ~~that as~~ are reasonably necessary to effectuate this subparagraph, and the department shall pay the expenses of ~~the such~~ experts.

8. Monitor the efficiency, productivity, and management of the authorities created under chapters 345, 348, and 349, including any authority formed using the provisions of part I of chapter 348, and any authority formed under chapter 343 ~~which is not monitored under subsection (3)~~. The commission shall also conduct periodic reviews of each authority's operations and budget, acquisition of property, management of revenue and bond proceeds, and compliance with applicable laws and generally accepted accounting principles.

~~(3) There is created the Florida Statewide Passenger Rail Commission.~~

~~(a)1. The commission shall consist of nine voting members appointed as follows:~~

~~a. Three members shall be appointed by the Governor, one of whom must have a background in the area of environmental concerns, one of whom must have a legislative background, and one of whom must have a general business background.~~

~~b. Three members shall be appointed by the President of the Senate, one of whom must have a background in civil engineering, one of whom must have a background in transportation construction, and one of whom must have a general business background.~~

~~c. Three members shall be appointed by the Speaker of the House of Representatives, one of whom must have a legal background, one of whom must have a background in financial matters, and one of whom must have a general business background.~~

~~2. The initial term of each member appointed by the Governor shall be for 4 years. The initial term of each member appointed by the President of the Senate shall be for 3 years. The initial term of each member appointed by the Speaker of the House of Representatives shall be for 2 years. Succeeding terms for all members shall be for 4 years.~~

~~3. A vacancy occurring during a term shall be filled by the respective appointing authority in the same manner as the original appointment and only for the balance of the unexpired term. An appointment to fill a vacancy shall be made within 60 days after the occurrence of the vacancy.~~

~~4. The commission shall elect one of its members as chair of the commission. The chair shall hold office at the will of the commission. Five members of the commission shall constitute a quorum, and the vote of five members shall be necessary for any action taken by the commission. The commission may meet upon the constitution of a quorum. A vacancy in the commission does not impair the right of a quorum to exercise all rights and perform all duties of the commission.~~

~~5. The members of the commission are not entitled to compensation but are entitled to reimbursement for travel and other necessary expenses as provided in s. 112.061.~~

~~(b) The commission shall have the primary functions of:~~

~~1. Monitoring the efficiency, productivity, and management of all publicly funded passenger rail systems in the state, including, but not limited to, any authority created under chapter 343, chapter 349, or chapter 163 if the authority receives public funds for the provision of passenger rail service. The commission shall advise each monitored authority of its findings and recommendations. The commission shall also conduct periodic reviews of each monitored authority's passenger rail and associated transit operations and budget, acquisition of property, management of revenue and bond proceeds, and compliance with applicable laws and generally accepted accounting principles. The commission may seek the assistance of the Auditor General in conducting such reviews and shall report the findings of such reviews to the Legislature. This paragraph does not preclude the Florida Transportation Commission from conducting its performance and work program monitoring responsibilities.~~

~~2. Advising the department on policies and strategies used in planning, designing, building, operating, financing, and maintaining a coordinated statewide system of passenger rail services.~~

~~3. Evaluating passenger rail policies and providing advice and recommendations to the Legislature on passenger rail operations in the state.~~

~~(c) The commission or a member of the commission may not enter into the day to day operation of the department or a monitored authority and is specifically prohibited from taking part in:~~

~~1. The awarding of contracts.~~

~~2. The selection of a consultant or contractor or the prequalification of any individual consultant or contractor. However, the commission may recommend to the secretary standards and policies governing the procedure for selection and prequalification of consultants and contractors.~~

~~3. The selection of a route for a specific project.~~

~~4. The specific location of a transportation facility.~~

~~5. The acquisition of rights of way.~~

~~6. The employment, promotion, demotion, suspension, transfer, or discharge of any department personnel.~~

~~7. The granting, denial, suspension, or revocation of any license or permit issued by the department.~~

~~(d) The commission is assigned to the Office of the Secretary of the Department of Transportation for administrative and fiscal accountability purposes, but it shall otherwise function independently of the control and direction of the department except that reasonable expenses of the commission shall be subject to approval by the Secretary of Transportation. The department shall provide administrative support and service to the commission.~~

Section 3. Paragraphs (j) and (m) of subsection (2) of section 110.205, Florida Statutes, are amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(j) The appointed secretaries and the State Surgeon General, assistant secretaries, deputy secretaries, and deputy assistant secretaries of all departments; the executive directors, assistant executive directors, deputy executive directors, and deputy assistant executive directors of all departments; the directors of all divisions and those positions determined by the department to have managerial responsibilities comparable to such positions, which positions include, but are not limited to, program directors, assistant program directors, district administrators, deputy district administrators, the Director of Central Operations Ser-

vices of the Department of Children and Family Services, the State Transportation Development Administrator, State *Freight and Logistics* ~~Public Transportation and Modal~~ Administrator, district secretaries, district directors of transportation development, transportation operations, transportation support, and the managers of the offices specified in s. 20.23(3)(b) ~~20.23(4)(b)~~, of the Department of Transportation. Unless otherwise fixed by law, the department shall set the salary and benefits of these positions in accordance with the rules of the Senior Management Service; and the county health department directors and county health department administrators of the Department of Health.

(m) All assistant division director, deputy division director, and bureau chief positions in any department, and those positions determined by the department to have managerial responsibilities comparable to such positions, which include, but are not limited to:

1. Positions in the Department of Health and the Department of Children and Family Services that are assigned primary duties of serving as the superintendent or assistant superintendent of an institution.

2. Positions in the Department of Corrections that are assigned primary duties of serving as the warden, assistant warden, colonel, or major of an institution or that are assigned primary duties of serving as the circuit administrator or deputy circuit administrator.

3. Positions in the Department of Transportation that are assigned primary duties of serving as regional toll managers and managers of offices, as defined in s. 20.23(3)(b) and (4)(c) ~~20.23(4)(b) and (5)(e)~~.

4. Positions in the Department of Environmental Protection that are assigned the duty of an Environmental Administrator or program administrator.

5. Positions in the Department of Health that are assigned the duties of Environmental Administrator, Assistant County Health Department Director, and County Health Department Financial Administrator.

Unless otherwise fixed by law, the department shall set the salary and benefits of the positions listed in this paragraph in accordance with the rules established for the Selected Exempt Service.

Section 4. Section 311.22, Florida Statutes, is amended to read:

311.22 Additional authorization for funding certain dredging projects.—

(1) The ~~Department of Transportation~~ ~~Florida Seaport Transportation and Economic Development Council~~ shall establish a program to fund dredging projects in counties having a population of fewer than 300,000 according to the last official census. Funds made available under this program may be used to fund approved projects for the dredging or deepening of channels, turning basins, or harbors on a 25-percent local matching basis with any port authority, as such term is defined in s. 315.02(2), which complies with the permitting requirements in part IV of chapter 373 and the local financial management and reporting provisions of part III of chapter 218.

(2) The ~~department council~~ shall adopt rules for evaluating the projects that may be funded pursuant to this section. The rules must provide criteria for evaluating the economic benefit of the project. The rules must include the creation of an administrative review process by the ~~department council~~ which is similar to the process described in s. 311.09(5)-(11), and provide for a review by the ~~Department of Transportation and the Department of Economic Opportunity~~ of all projects submitted for funding under this section.

(3) *This section expires on July 1, 2018.*

Section 5. Paragraph (a) of subsection (3) of section 316.515, Florida Statutes, is amended to read:

316.515 Maximum width, height, length.—

(3) LENGTH LIMITATION.—Except as otherwise provided in this section, length limitations apply solely to a semitrailer or trailer, and not to a truck tractor or to the overall length of a combination of vehicles. No combination of commercial motor vehicles coupled together and operating on the public roads may consist of more than one truck tractor and two trailing units. Unless otherwise specifically provided for in this

section, a combination of vehicles not qualifying as commercial motor vehicles may consist of no more than two units coupled together; such nonqualifying combination of vehicles may not exceed a total length of 65 feet, inclusive of the load carried thereon, but exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. Notwithstanding any other provision of this section, a truck tractor-semitrailer combination engaged in the transportation of automobiles or boats may transport motor vehicles or boats on part of the power unit; and, except as may otherwise be mandated under federal law, an automobile or boat transporter semitrailer may not exceed 50 feet in length, exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer. The 50-foot length limitation does not apply to non-stinger-steered automobile or boat transporters that are 65 feet or less in overall length, exclusive of the load carried thereon, or to stinger-steered automobile or boat transporters that are 75 feet or less in overall length, exclusive of the load carried thereon. For purposes of this subsection, a "stinger-steered automobile or boat transporter" is an automobile or boat transporter configured as a semitrailer combination wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit. Notwithstanding paragraphs (a) and (b), any straight truck or truck tractor-semitrailer combination engaged in the transportation of horticultural trees may allow the load to extend up to an additional 10 feet beyond the rear of the vehicle, provided said trees are resting against a retaining bar mounted above the truck bed so that the root balls of the trees rest on the floor and to the front of the truck bed and the tops of the trees extend up over and to the rear of the truck bed, and provided the overhanging portion of the load is covered with protective fabric.

(a) *Straight trucks.*—A straight truck may not exceed a length of 40 feet in extreme overall dimension, exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. A straight truck may attach a forklift to the rear of the cargo bed, provided the overall combined length of the vehicle and the forklift does not exceed 50 feet. A straight truck may tow no more than one trailer, and the overall length of the truck-trailer combination may not exceed 68 feet, including the load thereon. Notwithstanding any other provisions of this section, a truck-trailer combination engaged in the transportation of boats, or boat trailers whose design dictates a front-to-rear stacking method may not exceed the length limitations of this paragraph exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer.

Section 6. Subsection (3) of section 316.530, Florida Statutes, is repealed.

Section 7. Subsection (3) of section 316.545, Florida Statutes, is amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(3) Any person who violates the overloading provisions of this chapter shall be conclusively presumed to have damaged the highways of this state by reason of such overloading, which damage is hereby fixed as follows:

(a) *If When* the excess weight is 200 pounds or less than the maximum ~~herein~~ provided by this chapter, the penalty is ~~shall be~~ \$10;

(b) Five cents per pound for each pound of weight in excess of the maximum ~~herein~~ provided in this chapter if ~~when~~ the excess weight exceeds 200 pounds. However, *if whenever* the gross weight of the vehicle or combination of vehicles does not exceed the maximum allowable gross weight, the maximum fine for the first 600 pounds of unlawful axle weight is ~~shall be~~ \$10;

(c) For a vehicle equipped with fully functional idle-reduction technology, any penalty shall be calculated by reducing the actual gross vehicle weight or the internal bridge weight by the certified weight of the idle-reduction technology or by 550 400 pounds, whichever is less. The vehicle operator must present written certification of the weight of the idle-reduction technology and must demonstrate or certify that the idle-reduction technology is fully functional at all times. This calculation is not allowed for vehicles described in s. 316.535(6);

(d) An apportioned motor vehicle, as defined in s. 320.01, operating on the highways of this state without being properly licensed and registered shall be subject to the penalties as ~~herein~~ provided in this section; and

(e) Vehicles operating on the highways of this state from nonmember International Registration Plan jurisdictions which are not in compliance with the provisions of s. 316.605 shall be subject to the penalties as ~~herein~~ provided in this section.

Section 8. Section 331.360, Florida Statutes, is reordered and amended to read:

331.360 ~~Joint participation agreement or assistance; Spaceport system master plan.~~—

(2)(1) ~~It shall be the duty, function, and responsibility of~~ The department ~~shall of Transportation to~~ promote the further development and improvement of aerospace transportation facilities; to address intermodal requirements and impacts of the launch ranges, spaceports, and other space transportation facilities; to assist in the development of joint-use facilities and technology that support aviation and aerospace operations; to coordinate and cooperate in the development of spaceport infrastructure and related transportation facilities contained in the Strategic Intermodal System Plan; to encourage, where appropriate, the cooperation and integration of airports and spaceports in order to meet transportation-related needs; and to facilitate and promote cooperative efforts between federal and state government entities to improve space transportation capacity and efficiency. In carrying out this duty and responsibility, the department may assist and advise, cooperate with, and coordinate with federal, state, local, or private organizations and individuals. The department may administratively house its space transportation responsibilities within an existing division or office.

(3)(2) Notwithstanding any other provision of law, the department ~~of Transportation~~ may enter into an ~~a joint participation~~ agreement with, or otherwise assist, Space Florida as necessary to effectuate the provisions of this chapter and may allocate funds for such purposes in its 5-year work program. However, the department may not fund the administrative or operational costs of Space Florida.

(1)(3) Space Florida shall develop a spaceport system ~~master~~ plan that identifies statewide spaceport goals and the need for expansion and modernization of space transportation facilities within spaceport territories as defined in s. 331.303. The plan ~~must~~ ~~shall~~ contain recommended projects ~~that to~~ meet current and future commercial, national, and state space transportation requirements. Space Florida shall submit the plan to ~~each any~~ appropriate metropolitan planning organization for review of intermodal impacts. Space Florida shall submit the spaceport system ~~master~~ plan to the department ~~of Transportation, which may include those portions of the system plan which are relevant to the Department of Transportation's mission and such plan may be included~~ within the department's 5-year work program of qualifying projects ~~aerospace discretionary capacity improvement under subsection (4). The plan must shall identify appropriate funding levels for each project and include recommendations on appropriate sources of revenue that may be developed to contribute to the State Transportation Trust Fund.~~

(4)(a) Beginning in fiscal year 2013-2014, a minimum of \$15 million annually is authorized to be made available from the State Transportation Trust Fund to fund space transportation projects. The funds for this initiative shall be from the funds dedicated to public transportation projects pursuant to s. 206.46(3).

(b) Before executing an agreement, Space Florida must provide project-specific information to the department in order to demonstrate that the project includes transportation and aerospace benefits. The project-specific information must include, but need not be limited to:

1. The description, characteristics, and scope of the project.
2. The funding sources for and costs of the project.
3. The financing considerations that emphasize federal, local, and private participation.
4. A financial feasibility and risk analysis, including a description of the efforts to protect the state's investment and to ensure that project goals are realized.



5. *A demonstration that the project will encourage, enhance, or create economic benefits for the state.*

(c) *The department may fund up to 50 percent of eligible project costs. If the project meets the following criteria, the department may fund up to 100 percent of eligible project costs. The project must:*

1. *Provide important access and on-spaceport capacity improvements;*
2. *Provide capital improvements to strategically position the state to maximize opportunities in the aerospace industry or foster growth and development of a sustainable and world-leading aerospace industry in the state;*
3. *Meet state goals of an integrated intermodal transportation system; and*
4. *Demonstrate the feasibility and availability of matching funds through federal, local, or private partners* ~~Subject to the availability of appropriated funds, the department may participate in the capital cost of eligible spaceport discretionary capacity improvement projects. The annual legislative budget request shall be based on the proposed funding requested for approved spaceport discretionary capacity improvement projects.~~

Section 9. Subsection (11) is added to section 332.007, Florida Statutes, to read:

332.007 Administration and financing of aviation and airport programs and projects; state plan.—

(11) *The department may fund strategic airport investment projects at up to 100 percent of the project's cost if all the following criteria are met:*

- (a) *Important access and on-airport capacity improvements are provided.*
- (b) *Capital improvements that strategically position the state to maximize opportunities in international trade, logistics, and the aviation industry are provided.*
- (c) *Goals of an integrated intermodal transportation system for the state are achieved.*
- (d) *Feasibility and availability of matching funds through federal, local, or private partners are demonstrated.*

Section 10. Subsections (16) and (26) of section 334.044, Florida Statutes, are amended to read:

334.044 Department; powers and duties.—The department shall have the following general powers and duties:

(16) To plan, acquire, lease, construct, maintain, and operate toll facilities; to authorize the issuance and refunding of bonds; and to fix and collect tolls or other charges for travel on any such facilities. *Effective July 1, 2013, and notwithstanding any other law to the contrary, the department may not enter into a lease-purchase agreement with an expressway authority, regional transportation authority, or other entity. This provision does not invalidate a lease-purchase agreement authorized under chapter 348 or chapter 2000-411, Laws of Florida, and existing as of July 1, 2013, and does not limit the department's authority under s. 334.30.*

(26) To provide for the enhancement of environmental benefits, including air and water quality; to prevent roadside erosion; to conserve the natural roadside growth and scenery; and to provide for the implementation and maintenance of roadside conservation, enhancement, and stabilization programs. No less than 1.5 percent of the amount contracted for construction projects shall be allocated by the department on a statewide basis for the purchase of plant materials. Department districts may not expend funds for landscaping in connection with any project that is limited to resurfacing existing lanes unless the expenditure has been approved by the department's secretary or the secretary's designee. To the greatest extent practical, a minimum of 50 percent of the funds allocated under this subsection shall be allocated for large plant materials and the remaining funds for other plant materials. *Except as prohibited by applicable federal law or regulation, all plant materials shall be purchased from Florida commercial nursery stock in*

this state on a uniform competitive bid basis. The department shall develop grades and standards for landscaping materials purchased through this process. To accomplish these activities, the department may contract with nonprofit organizations having the primary purpose of developing youth employment opportunities.

Section 11. Subsection (6) is added to section 335.0415, Florida Statutes, to read:

335.0415 Public road jurisdiction and transfer process.—

(6) *Notwithstanding the provisions of subsections (1)–(5) or any other provision of law to the contrary, it is the intent of the Legislature that, as a pilot program, the City of Miami be provided and assume certain responsibilities for the maintenance of State Road 5/Brickell Avenue/Biscayne Boulevard within defined limits in the City of Miami.*

(a) *The department shall enter into an interlocal agreement with the City of Miami which must provide that the City of Miami be responsible for street cleaning, landscaping, and maintenance of the right-of-way of State Road 5/Brickell Avenue/Biscayne Boulevard, from its intersection with Interstate 95 to its intersection with Northeast 15th Street, excluding the Brickell Bridge and its approaches, for a 5-year period. The interlocal agreement must:*

1. *Contain performance measures to ensure that the facility and landscaping are maintained in accordance with applicable department standards.*
2. *Require the city to meet or exceed the performance measures as a condition of payment by the department for the work performed by the city.*
3. *Indemnify and hold the department harmless from any liability arising out of the city's exercise of, or failure to exercise, the transferred responsibilities.*

(b) *During the final year of the 5-year pilot program, the Florida Transportation Commission shall conduct a study to evaluate the effectiveness and benefits of the pilot program. The commission may retain such experts as are reasonably necessary to complete the study, and the department shall pay the expenses of such experts. The commission shall complete the study within 60 days after the end of the 5-year pilot program and shall provide a written report of its findings and conclusions to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of each of the appropriations committees of the Legislature.*

Section 12. Section 335.06, Florida Statutes, is amended to read:

335.06 Access roads to the state park system.—~~A~~ ~~Any~~ ~~road that~~ ~~which~~ ~~provides access to property within the state park system must~~ ~~shall~~ be maintained by the department if the road is a part of the State Highway System and may be improved and maintained by the department if the road is part of a county road system or city street system. If the department does not maintain a county or city road that is a part of the county road system or the city street system and that provides access to the state park system, the road must ~~or shall~~ be maintained by the appropriate county or municipality ~~if the road is a part of the county road system or the city street system.~~

Section 13. Section 336.71, Florida Statutes, is created to read:

336.71 Public-private cooperation in construction of county roads.—

(1) *If a county receives a proposal, solicited or unsolicited, from a private entity seeking to construct, extend, or improve a county road or portion thereof, the county may enter into an agreement with the private entity for completion of the road construction project, which agreement may provide for payment to the private entity, from public funds, if the county conducts a noticed public hearing and finds that the proposed county road construction project:*

- (a) *Is in the best interest of the public.*
- (b) *Would only use county funds for portions of the project that will be part of the county road system.*



(c) *Would have adequate safeguards to ensure that additional costs or unreasonable service disruptions are not realized by the traveling public and residents of the state.*

(d) *Upon completion, would be a part of the county road system owned by the county.*

(e) *Would result in a financial benefit to the public by completing the subject project at a cost to the public significantly lower than if the project were constructed by the county using the normal procurement process.*

(2) *The notice for the public hearing provided for in subsection (1) must be published at least 14 days before the date of the public meeting at which the governing board takes final action. The notice must identify the project and the estimated cost of the project, and specify that the purpose for the public meeting is to consider whether it is in the public's best interest to accept the proposal and enter into an agreement. The determination of cost savings pursuant to paragraph (1)(e) must be supported by a cost estimate of a professional engineer which is made available to the public at least 14 days before the public meeting and placed in the record for that meeting.*

(3) *The project and agreement are exempt from s. 255.20 pursuant to s. 255.20(1)(c)11, if the process in subsection (1) is followed.*

(4) *Except as otherwise expressly provided in this section, this section does not affect existing law by granting additional powers to or imposing further restrictions on local government entities.*

Section 14. Subsection (13) of section 337.11, Florida Statutes, is amended to read:

337.11 Contracting authority of department; bids; emergency repairs, supplemental agreements, and change orders; combined design and construction contracts; progress payments; records; requirements of vehicle registration.—

(13) Each contract let by the department for the performance of road or bridge construction or maintenance work shall ~~require contain a provision requiring the contractor to provide proof to the department, in the form of a notarized affidavit from the contractor, that~~ all motor vehicles that the contractor ~~he or she~~ operates or causes to be operated in this state ~~to be~~ are registered in compliance with chapter 320.

Section 15. Subsection (1) of section 337.14, Florida Statutes, is amended to read:

337.14 Application for qualification; certificate of qualification; restrictions; request for hearing.—

(1) ~~A~~ ~~Any~~ person who desires ~~desiring~~ to bid for the performance of any construction contract with a proposed budget estimate in excess of \$250,000 which the department proposes to let must first be certified by the department as qualified pursuant to this section and rules of the department. The rules of the department ~~must shall~~ address the qualification of a person ~~persons~~ to bid on construction contracts with a proposed budget estimate that is in excess of \$250,000 and ~~must shall~~ include requirements with respect to the equipment, past record, experience, financial resources, and organizational personnel of the applicant necessary to perform the specific class of work for which the person seeks certification. The department may limit the dollar amount of any contract upon which a person is qualified to bid or the aggregate total dollar volume of contracts such person ~~may is allowed to~~ have under contract at any one time. Each applicant ~~who seeks seeking~~ qualification to bid on construction contracts with a proposed budget estimate in excess of \$250,000 ~~must shall~~ furnish the department a statement under oath, on such forms as the department may prescribe, setting forth detailed information as required on the application. Each application for certification ~~must shall~~ be accompanied by the latest annual financial statement of the applicant completed within the last 12 months. If the application or the annual financial statement shows the financial condition of the applicant more than 4 months ~~before prior to~~ the date on which the application is received by the department, ~~then~~ an interim financial statement must be submitted and be accompanied by an updated application. The interim financial statement must cover the period from the end date of the annual statement and must show the financial condition of the applicant no more than 4 months ~~before prior to~~ the date the interim financial statement is received by the department.

However, upon request by the applicant, an application and accompanying annual or interim financial statement received by the department within 15 days after either 4-month period *provided pursuant to under* this subsection ~~must shall~~ be considered timely. Each required annual or interim financial statement must be audited and accompanied by the opinion of a certified public accountant. An applicant desiring to bid exclusively for the performance of construction contracts with proposed budget estimates of less than \$1 million may submit reviewed annual or reviewed interim financial statements prepared by a certified public accountant. The information required by this subsection is confidential and exempt from the provisions of s. 119.07(1). The department shall act upon the application for qualification within 30 days after the department determines that the application is complete. The department may waive the requirements of this subsection for projects having a contract price of \$500,000 or less if the department determines that the project is of a noncritical nature and the waiver will not endanger public health, safety, or property.

Section 16. Subsection (2) of section 337.168, Florida Statutes, is amended to read:

337.168 Confidentiality of official estimates, identities of potential bidders, and bid analysis and monitoring system.—

(2) A document that reveals ~~revealing~~ the identity of a person who has ~~persons who have~~ requested or obtained a bid package, plan packages, plans, or specifications pertaining to any project to be let by the department is confidential and exempt from the provisions of s. 119.07(1) for the period that ~~which~~ begins 2 working days ~~before prior to~~ the deadline for obtaining bid packages, plans, or specifications and ends with the letting of the bid. A document that reveals the identity of a person who has requested or obtained a bid package, plan, or specifications pertaining to any project to be let by the department before the 2 working days before the deadline for obtaining bid packages, plans, or specifications remains a public record subject to the provisions of s. 119.07(1).

Section 17. Section 337.25, Florida Statutes, is amended to read:

337.25 Acquisition, lease, and disposal of real and personal property.—

(1)(a) The department may purchase, lease, exchange, or otherwise acquire any land, property interests, or buildings or other improvements, including personal property within such buildings or on such lands, necessary to secure or utilize transportation rights-of-way for existing, proposed, or anticipated transportation facilities on the State Highway System, on the State Park Road System, in a rail corridor, or in a transportation corridor designated by the department. Such property shall be held in the name of the state.

(b) The department may accept donations of any land or buildings or other improvements, including personal property within such buildings or on such lands with or without such conditions, reservations, or reverter provisions as are acceptable to the department. Such donations may be used as transportation rights-of-way or to secure or utilize transportation rights-of-way for existing, proposed, or anticipated transportation facilities on the State Highway System, on the State Park Road System, or in a transportation corridor designated by the department.

(c) When lands, buildings, or other improvements are needed for transportation purposes, but are held by a federal, state, or local governmental entity and utilized for public purposes other than transportation, the department may compensate the entity for such properties by providing functionally equivalent replacement facilities. The providing of replacement facilities under this subsection may only be undertaken with the agreement of the governmental entity affected.

(d) *The department may contract pursuant to s. 287.055 for auction services used in the conveyance of real or personal property or the conveyance of leasehold interests under the provisions of subsections (4) and (5). The contract may allow for the contractor to retain a portion of the proceeds as compensation for the contractor's services.*

(2) A complete inventory shall be made of all real or personal property immediately upon possession or acquisition. Such inventory shall include a statement of the location or site of each piece of realty, structure,

or severable item an itemized listing of all appliances, fixtures, and other severable items; a statement of the location or site of each piece of realty, structure, or severable item; and the serial number assigned to each. Copies of each inventory shall be filed in the district office in which the property is located. Such inventory shall be carried forward to show the final disposition of each item of property, both real and personal.

(3) The inventory of real property which was acquired by the state after December 31, 1988, which has been owned by the state for 10 or more years, and which is not within a transportation corridor or within the right-of-way of a transportation facility shall be evaluated to determine the necessity for retaining the property. If the property is not needed for the construction, operation, and maintenance of a transportation facility, or is not located within a transportation corridor, the department may dispose of the property pursuant to subsection (4).

(4) The department may convey sell, in the name of the state, any land, building, or other property, real or personal, which was acquired under the provisions of subsection (1) and which the department has determined is not needed for the construction, operation, and maintenance of a transportation facility. ~~With the exception of any parcel governed by paragraph (c), paragraph (d), paragraph (f), paragraph (g), or paragraph (i), the department shall afford first right of refusal to the local government in the jurisdiction of which the parcel is situated.~~ When such a determination has been made, property may be disposed of through negotiations, sealed competitive bids, auctions, or any other means the department deems to be in its best interest, with due advertisement for property valued by the department at greater than \$10,000. A sale may not occur at a price less than the department's current estimate of value, except as provided in paragraphs (a)-(d). The department may afford a right of first refusal to the local government or other political subdivision in the jurisdiction in which the parcel is situated, except in conveyances transacted under paragraph (a), paragraph (c), or paragraph (e). ~~in the following manner:~~

(a) ~~If the value of the property has been donated to the state for transportation purposes and a facility has not been constructed for a period of at least 5 years, plans have not been prepared for the construction of such facility, and the property is not located in a transportation corridor, the governmental entity may authorize reconveyance of the donated property for no consideration to the original donor or the donor's heirs, successors, assigns, or representatives is \$10,000 or less as determined by department estimate, the department may negotiate the sale.~~

(b) ~~If the value of the property is to be used for a public purpose, the property may be conveyed without consideration to a governmental entity exceeds \$10,000 as determined by department estimate, such property may be sold to the highest bidder through receipt of sealed competitive bids, after due advertisement, or by public auction held at the site of the improvement which is being sold.~~

(c) ~~If the property was originally acquired specifically to provide replacement housing for persons displaced by transportation projects, the department may negotiate for the sale of such property as replacement housing. As compensation, the state shall receive no less than its investment in such property or the department's current estimate of value, whichever is lower. It is expressly intended that this benefit be extended only to persons actually displaced by the project. Dispositions to any other person must be for no less than the department's current estimate of value; in the discretion of the department, public sale would be inequitable, properties may be sold by negotiation to the owner holding title to the property abutting the property to be sold, provided such sale is at a negotiated price not less than fair market value as determined by an independent appraisal, the cost of which shall be paid by the owner of the abutting land. If negotiations do not result in the sale of the property to the owner of the abutting land and the property is sold to someone else, the cost of the independent appraisal shall be borne by the purchaser; and the owner of the abutting land shall have the cost of the appraisal refunded to him or her. If, however, no purchase takes place, the owner of the abutting land shall forfeit the sum paid by him or her for the independent appraisal. If, due to action of the department, the property is removed from eligibility for sale, the cost of any appraisal prepared shall be refunded to the owner of the abutting land.~~

(d) ~~If the department determines that the property will require significant costs to be incurred or that continued ownership of the property exposes the department to significant liability risks, the department may~~

~~use the projected maintenance costs over the next 10 years to offset the property's value in establishing a value for disposal of the property, even if that value is zero property acquired for use as a borrow pit is no longer needed, the department may sell such property to the owner of the parcel of abutting land from which the borrow pit was originally acquired, provided the sale is at a negotiated price not less than fair market value as determined by an independent appraisal, the cost of which shall be paid by the owner of such abutting land.~~

(e) ~~If, in the discretion of the department, a sale to anyone other than an abutting property owner would be inequitable, the property may be sold to the abutting owner for the department's current estimate of value. the department begins the process for disposing of the property on its own initiative, either by negotiation under the provisions of paragraph (a), paragraph (c), paragraph (d), or paragraph (i), or by receipt of sealed competitive bids or public auction under the provisions of paragraph (b) or paragraph (i), a department staff appraiser may determine the fair market value of the property by an appraisal.~~

(f) ~~Any property which was acquired by a county or by the department using constitutional gas tax funds for the purpose of a right of way or borrow pit for a road on the State Highway System, State Park Road System, or county road system and which is no longer used or needed by the department may be conveyed without consideration to that county. The county may then sell such surplus property upon receipt of competitive bids in the same manner prescribed in this section.~~

(g) ~~If a property has been donated to the state for transportation purposes and the facility has not been constructed for a period of at least 5 years and no plans have been prepared for the construction of such facility and the property is not located in a transportation corridor, the governmental entity may authorize reconveyance of the donated property for no consideration to the original donor or the donor's heirs, successors, assigns, or representatives.~~

(h) ~~If property is to be used for a public purpose, the property may be conveyed without consideration to a governmental entity.~~

(i) ~~If property was originally acquired specifically to provide replacement housing for persons displaced by transportation projects, the department may negotiate for the sale of such property as replacement housing. As compensation, the state shall receive no less than its investment in such properties or fair market value, whichever is lower. It is expressly intended that this benefit be extended only to those persons actually displaced by such project. Dispositions to any other persons must be for fair market value.~~

(j) ~~If the department determines that the property will require significant costs to be incurred or that continued ownership of the property exposes the department to significant liability risks, the department may use the projected maintenance costs over the next 5 years to offset the market value in establishing a value for disposal of the property, even if that value is zero.~~

(5) The department may convey a leasehold interest for commercial or other purposes, in the name of the state, to any land, building, or other property, real or personal, which was acquired under the provisions of subsection (1). ~~However, a lease may not be entered into at a price less than the department's current estimate of value.~~

(a) ~~A lease may be through negotiations, sealed competitive bids, auctions, or any other means the department deems to be in its best interest. The department may negotiate such a lease at the prevailing market value with the owner from whom the property was acquired; with the holders of leasehold estates existing at the time of the department's acquisition; or, if public bidding would be inequitable, with the owner holding title to privately owned abutting property, if reasonable notice is provided to all other owners of abutting property. The department may allow an outdoor advertising sign to remain on the property acquired, or be relocated on department property, and such sign shall not be considered a nonconforming sign pursuant to chapter 479.~~

(b) ~~If, in the discretion of the department, a lease to a person other than an abutting property owner or tenant with a leasehold interest in the abutting property would be inequitable, the property may be leased to the abutting owner or tenant for no less than the department's current estimate of value. All other leases shall be by competitive bid.~~

(c) No lease signed pursuant to paragraph (a) ~~or paragraph (b)~~ shall be for a period of more than 5 years; however, the department may renegotiate *or extend* such a lease for an additional term of 5 years *as the department deems appropriate without rebidding*.

(d) Each lease shall provide that, *unless otherwise directed by the lessor*, any improvements made to the property during the term of the lease shall be removed at the lessee's expense.

(e) If property is to be used for a public purpose, ~~including a fair, art show, or other educational, cultural, or fundraising activity~~, the property may be leased without consideration to a governmental entity ~~or school board~~. *A lease for a public purpose is exempt from the term limits in paragraph (c).*

(f) Paragraphs (c) and (e) ~~(d)~~ do not apply to leases entered into pursuant to s. 260.0161(3), except as provided in such a lease.

(g) No lease executed under this subsection may be utilized by the lessee to establish the ~~4 years'~~ standing required by s. 73.071(3)(b) if the business had not been established for *the specified number of 4 years* on the date title passed to the department.

(h) The department may enter into a long-term lease without compensation with a public port listed in s. 403.021(9)(b) for rail corridors used for the operation of a short-line railroad to the port.

(6) Nothing in this chapter prevents the joint use of right-of-way for alternative modes of transportation; provided that the joint use does not impair the integrity and safety of the transportation facility.

(7) *The department's estimate of value, required by subsections (4) and (5), shall be prepared in accordance with department procedures, guidelines, and rules for valuation of real property. If the value of the property exceeds \$50,000, as determined by the department estimate, the sale or lease must be at a negotiated price not less than the estimate of value as determined by an appraisal prepared in accordance with department procedures, guidelines, and rules for valuation of real property, the cost of which shall be paid by the party seeking the purchase or lease of the property. Appraisal required by paragraphs (4)(e) and (d) shall be prepared in accordance with department guidelines and rules by an independent appraiser who has been certified by the department. If federal funds were used in the acquisition of the property, the appraisal shall also be subject to the approval of the Federal Highway Administration.*

(8) A "due advertisement" under this section is an advertisement in a newspaper of general circulation in the area of the improvements of not less than 14 calendar days prior to the date of the receipt of bids or the date on which a public auction is to be held.

(9) The department, with the approval of the Chief Financial Officer, is authorized to disburse state funds for real estate closings in a manner consistent with good business practices and in a manner minimizing costs and risks to the state.

(10) The department is authorized to purchase title insurance in those instances where it is determined that such insurance is necessary to protect the public's investment in property being acquired for transportation purposes. The department shall adopt procedures to be followed in making the determination to purchase title insurance for a particular parcel or group of parcels which, at a minimum, shall set forth criteria which the parcels must meet.

(11) *This section does not modify the requirements of s. 73.013.*

Section 18. Subsection (2) of section 337.251, Florida Statutes, is amended to read:

337.251 Lease of property for joint public-private development and areas above or below department property.—

(2) The department may request proposals for the lease of such property or, if the department receives a proposal for ~~to negotiate~~ a lease of a particular department property *that the department desires to consider, the department must* ~~it shall~~ publish a notice in a newspaper of general circulation at least once a week for 2 weeks, stating that it has received the proposal and will accept, for ~~120~~ *60* days after the date of publication, other proposals for ~~lease of the particular property use of the~~

~~space~~. A copy of the notice must be mailed to each local government in the affected area. *The department shall, by rule, establish an application fee for the submission of proposals pursuant to this section. The fee must be sufficient to pay the anticipated costs of evaluating the proposals. The department may engage the services of private consultants to assist in the evaluation. Before approval, the department must determine that the proposed lease:*

(a) *Is in the public's best interest;*

(b) *Does not require state funds to be used; and*

(c) *Has adequate safeguards in place to ensure that no additional costs are borne and no service disruptions are experienced by the traveling public and residents of the state in the event of default by the private lessee or upon termination or expiration of the lease.*

Section 19. Subsection (5) of section 338.161, Florida Statutes, is amended to read:

338.161 Authority of department or toll agencies to advertise and promote electronic toll collection; expanded uses of electronic toll collection system; authority of department to collect tolls, fares, and fees for private and public entities.—

(5) If the department finds that it can increase nontoll revenues or add convenience or other value for its customers, and if a public or private transportation facility owner agrees that its facility will become interoperable with the department's electronic toll collection and video billing systems, the department ~~may be authorized to enter into an agreement with the owner of such facility under which the department uses private or public entities for the department's use of its electronic toll collection and video billing systems to collect and enforce for the owner tolls, fares, administrative fees, and other applicable charges due imposed in connection with use of the owner's facility transportation facilities of the private or public entities that become interoperable with the department's electronic toll collection system.~~ The department may modify its rules regarding toll collection procedures and the imposition of administrative charges to be applicable to toll facilities that are not part of the turnpike system or otherwise owned by the department. This subsection may not be construed to limit the authority of the department under any other provision of law or under any agreement entered into ~~before~~ *prior to July 1, 2012.*

Section 20. Subsection (4) of section 338.165, Florida Statutes, is amended to read:

338.165 Continuation of tolls.—

(4) Notwithstanding any other law to the contrary, pursuant to s. 11, Art. VII of the State Constitution, and subject to the requirements of subsection (2), the Department of Transportation may request the Division of Bond Finance to issue bonds secured by toll revenues collected on the Alligator Alley, the Sunshine Skyway Bridge, ~~the Beeline East Expressway, the Navarre Bridge, and the Pinellas Bayway~~ to fund transportation projects located within the county or counties in which the ~~revenue-producing~~ project is located and contained in the adopted work program of the department.

Section 21. Subsections (3) and (4) of section 338.26, Florida Statutes, are amended to read:

338.26 Alligator Alley toll road.—

(3) Fees generated from tolls shall be deposited in the State Transportation Trust Fund, and any amount of funds generated annually in excess of that required to reimburse outstanding contractual obligations, to operate and maintain the highway and toll facilities, including reconstruction and restoration, to pay for those projects that are funded with Alligator Alley toll revenues and that are contained in the 1993-1994 adopted work program or the 1994-1995 tentative work program submitted to the Legislature on February 22, 1994, and to ~~design and construct~~ *develop and operate* a fire station at mile marker 63 on Alligator Alley, *which may be used by Collier County or other appropriate local governmental entity to provide fire, rescue, and emergency management services to the adjacent counties along Alligator Alley, may be transferred to the Everglades Fund of the South Florida Water Management District in accordance with the memorandum of understanding of June 30, 1997, between the district and the department.* The South

Florida Water Management District shall deposit funds for projects undertaken pursuant to s. 373.4592 in the Everglades Trust Fund pursuant to s. 373.45926(4)(a). Any funds remaining in the Everglades Fund may be used for environmental projects to restore the natural values of the Everglades, subject to compliance with any applicable federal laws and regulations. Projects ~~must~~ *shall* be limited to:

(a) Highway redesign to allow for improved sheet flow of water across the southern Everglades.

(b) Water conveyance projects to enable more water resources to reach Florida Bay to replenish marine estuary functions.

(c) Engineering design plans for wastewater treatment facilities as recommended in the Water Quality Protection Program Document for the Florida Keys National Marine Sanctuary.

(d) Acquisition of lands to move STA 3/4 out of the Toe of the Boot, provided such lands are located within 1 mile of the northern border of STA 3/4.

(e) Other Everglades Construction Projects as described in the February 15, 1994, conceptual design document.

~~(4) The district may issue revenue bonds or notes under s. 373.584 and pledge the revenue from the transfers from the Alligator Alley toll revenues as security for such bonds or notes. The proceeds from such revenue bonds or notes shall be used for environmental projects; at least 50 percent of said proceeds must be used for projects that benefit Florida Bay, as described in this section subject to resolutions approving such activity by the Board of Trustees of the Internal Improvement Trust Fund and the governing board of the South Florida Water Management District and the remaining proceeds must be used for restoration activities in the Everglades Protection Area.~~

Section 22. Subsections (2) through (4) of section 339.175, Florida Statutes, are amended to read:

339.175 Metropolitan planning organization.—

(2) DESIGNATION.—

(a)1. An M.P.O. shall be designated for each urbanized area of the state; however, this does not require that an individual M.P.O. be designated for each such area. ~~The M.P.O. Such~~ designation shall be accomplished by agreement between the Governor and units of general-purpose local government ~~that together represent representing~~ at least 75 percent of the population, ~~including the largest incorporated municipality, based on population, of the urbanized area; however, the unit of general-purpose local government that represents the central city or cities within the M.P.O. jurisdiction, as named defined by the United States Bureau of the Census, must be a party to such agreement.~~

2. To the extent possible, only one M.P.O. shall be designated for each urbanized area or group of contiguous urbanized areas. More than one M.P.O. may be designated within an existing urbanized area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing urbanized area makes the designation of more than one M.P.O. for the area appropriate.

(b) Each M.P.O. designated in a manner prescribed by Title 23 of the United States Code shall be created and operated under the provisions of this section pursuant to an interlocal agreement entered into pursuant to s. 163.01. The signatories to the interlocal agreement shall be the department and the governmental entities designated by the Governor for membership on the M.P.O. Each M.P.O. shall be considered separate from the state or the governing body of a local government that is represented on the governing board of the M.P.O. or that is a signatory to the interlocal agreement creating the M.P.O. and shall have such powers and privileges that are provided under s. 163.01. If there is a conflict between this section and s. 163.01, this section prevails.

(c) The jurisdictional boundaries of an M.P.O. shall be determined by agreement between the Governor and the applicable M.P.O. The boundaries must include at least the metropolitan planning area, which is the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period, and may encompass the entire metropolitan statistical area or the consolidated metropolitan statistical area.

(d) In the case of an urbanized area designated as a nonattainment area for ozone or carbon monoxide under the Clean Air Act, 42 U.S.C. ss. 7401 et seq., the boundaries of the metropolitan planning area in existence as of the date of enactment of this paragraph shall be retained, except that the boundaries may be adjusted by agreement of the Governor and affected metropolitan planning organizations in the manner described in this section. If more than one M.P.O. has authority within a metropolitan area or an area that is designated as a nonattainment area, each M.P.O. shall consult with other M.P.O.'s designated for such area and with the state in the coordination of plans and programs required by this section.

(e) The governing body of the M.P.O. shall designate, at a minimum, a chair, vice chair, and agency clerk. The chair and vice chair shall be selected from among the member delegates comprising the governing board. The agency clerk shall be charged with the responsibility of preparing meeting minutes and maintaining agency records. The clerk shall be a member of the M.P.O. governing board, an employee of the M.P.O., or other natural person.

Each M.P.O. required under this section must be fully operative no later than 6 months following its designation.

(3) VOTING MEMBERSHIP.—

(a) The voting membership of an M.P.O. shall consist of not fewer than 5 or more than 19 apportioned members, the exact number to be determined on an equitable geographic-population ratio ~~basis by the Governor~~, based on an agreement among the affected units of general-purpose local government ~~and the Governor~~ as required by federal ~~rules~~ and regulations. ~~The voting membership of an M.P.O. that is re-designated after the effective date of this act as a result of the expansion of the M.P.O. to include a new urbanized area or the consolidation of two or more M.P.O.'s may consist of no more than 25 members.~~ The Governor, in accordance with 23 U.S.C. s. 134, may also provide for M.P.O. members who represent municipalities to alternate with representatives from other municipalities within the metropolitan planning area that do not have members on the M.P.O. County commission members shall compose not less than one-third of the M.P.O. membership, except for an M.P.O. with more than 15 members located in a county with a 5-member county commission or an M.P.O. with 19 members located in a county with no more than 6 county commissioners, in which case county commission members may compose less than one-third percent of the M.P.O. membership, but all county commissioners must be members. All voting members shall be elected officials of general-purpose local governments, except that an M.P.O. may include, as part of its apportioned voting members, a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of Space Florida. As used in this section, the term "elected officials of a general-purpose local government" ~~excludes shall exclude~~ constitutional officers, including sheriffs, tax collectors, supervisors of elections, property appraisers, clerks of the court, and similar types of officials. County commissioners shall compose not less than 20 percent of the M.P.O. membership if an official of an agency that operates or administers a major mode of transportation has been appointed to an M.P.O.

(b) In metropolitan areas in which authorities or other agencies have been or may be created by law to perform transportation functions and are performing transportation functions that are not under the jurisdiction of a general-purpose local government represented on the M.P.O., ~~they may shall~~ be provided voting membership on the M.P.O. In all other M.P.O.'s where transportation authorities or agencies are to be represented by elected officials from general-purpose local governments, the M.P.O. shall establish a process by which the collective interests of such authorities or other agencies are expressed and conveyed.

(c) Any other provision of this section to the contrary notwithstanding, a chartered county with a ~~population of more than over~~ 1 million ~~population~~ may elect to reapportion the membership of an M.P.O. whose jurisdiction is wholly within the county. The charter county may exercise the provisions of this paragraph if:

1. The M.P.O. approves the reapportionment plan by a three-fourths vote of its membership;

2. The M.P.O. and the charter county determine that the reapportionment plan is needed to fulfill specific goals and policies applicable to that metropolitan planning area; and

3. The charter county determines the reapportionment plan otherwise complies with all federal requirements pertaining to M.P.O. membership.

A ~~any~~ charter county that elects to exercise the provisions of this paragraph shall notify the Governor in writing.

(d) Any other provision of this section to the contrary notwithstanding, a ~~any~~ county chartered under s. 6(e), Art. VIII of the State Constitution may elect to have its county commission serve as the M.P.O., if the M.P.O. jurisdiction is wholly contained within the county. A ~~any~~ charter county that elects to exercise the provisions of this paragraph shall so notify the Governor in writing. Upon receipt of ~~the~~ ~~such~~ notification, the Governor must designate the county commission as the M.P.O. The Governor must appoint four additional voting members to the M.P.O., one of whom must be an elected official representing a municipality within the county, one of whom must be an expressway authority member, one of whom must be a person who does not hold elected public office and who resides in the unincorporated portion of the county, and one of whom must be a school board member.

#### (4) APPORTIONMENT.—

(a) *Each M.P.O. in the state shall review the composition of its membership in conjunction with the decennial census, as prepared by the United States Department of Commerce, Bureau of the Census, and, with the agreement of the affected units of general-purpose local government and the Governor, reapportion the membership as necessary to comply with subsection (3).* ~~The Governor shall, with the agreement of the affected units of general-purpose local government as required by federal rules and regulations, apportion the membership on the applicable M.P.O. among the various governmental entities within the area.~~

(b) At the request of a majority of the affected units of general-purpose local government comprising an M.P.O., the Governor and a majority of units of general-purpose local government serving on an M.P.O. shall cooperatively agree upon and prescribe who may serve as an alternate member and a method for appointing alternate members who may vote at any M.P.O. meeting that an alternate member attends in place of a regular member. The method ~~must~~ ~~shall~~ be set forth as a part of the interlocal agreement describing the M.P.O.'s membership or in the M.P.O.'s operating procedures and bylaws. The governmental entity so designated shall appoint the appropriate number of members to the M.P.O. from eligible officials. Representatives of the department shall serve as nonvoting advisers to the M.P.O. governing board. Additional nonvoting advisers may be appointed by the M.P.O. as deemed necessary; however, to the maximum extent feasible, each M.P.O. shall seek to appoint nonvoting representatives of various multimodal forms of transportation not otherwise represented by voting members of the M.P.O. An M.P.O. shall appoint nonvoting advisers representing major military installations located within the jurisdictional boundaries of the M.P.O. upon the request of the aforesaid major military installations and subject to the agreement of the M.P.O. All nonvoting advisers may attend and participate fully in governing board meetings but may not vote or be members of the governing board. ~~The Governor shall review the composition of the M.P.O. membership in conjunction with the decennial census as prepared by the United States Department of Commerce, Bureau of the Census, and reapportion it as necessary to comply with subsection (3).~~

(c)(b) Except for members who represent municipalities on the basis of alternating with representatives from other municipalities that do not have members on the M.P.O. as provided in paragraph (3)(a), the members of an M.P.O. shall serve 4-year terms. Members who represent municipalities on the basis of alternating with representatives from other municipalities that do not have members on the M.P.O. as provided in paragraph (3)(a) may serve terms of up to 4 years as further provided in the interlocal agreement described in paragraph (2)(b). The membership of a member who is a public official automatically terminates upon the member's leaving his or her elective or appointive office for any reason, or may be terminated by a majority vote of the total membership of the entity's governing board represented by the member. A vacancy shall be filled by the original appointing entity. A member may be reappointed for one or more additional 4-year terms.

(d)(e) If a governmental entity fails to fill an assigned appointment to an M.P.O. within 60 days after notification by the Governor of its duty to appoint, that appointment ~~must~~ ~~shall~~ be made by the Governor from the eligible representatives of that governmental entity.

Section 23. Paragraph (a) of subsection (1) and subsections (4) and (5) of section 339.2821, Florida Statutes, are amended to read:

#### 339.2821 Economic development transportation projects.—

(1)(a) The department, in consultation with the Department of Economic Opportunity and Enterprise Florida, Inc., may make and approve expenditures and contract with the appropriate governmental body for the direct costs of transportation projects. The Department of Economic Opportunity and the Department of Environmental Protection may formally review and comment on recommended transportation projects, although the department has final approval authority for any project authorized under this section.

(4) A contract between the department and a governmental body for a transportation project must:

(a) Specify that the transportation project is for the construction of a new or expanding business and specify the number of full-time permanent jobs that will result from the project.

(b) Identify the governmental body and require that the governmental body award the construction of the particular transportation project to the lowest and best bidder in accordance with applicable state and federal statutes or rules unless the transportation project can be constructed using existing local governmental employees within the contract period specified by the department.

(c) Require that the governmental body provide the department with ~~quarterly~~ progress reports. Each ~~quarterly~~ progress report must contain:

1. A narrative description of the work completed and whether the work is proceeding according to the transportation project schedule;

2. A description of each change order executed by the governmental body;

3. A budget summary detailing planned expenditures compared to actual expenditures; and

4. The identity of each small or minority business used as a contractor or subcontractor.

(d) Require that the governmental body make and maintain records in accordance with accepted governmental accounting principles and practices for each progress payment made for work performed in connection with the transportation project, each change order executed by the governmental body, and each payment made pursuant to a change order. The records are subject to financial audit as required by law.

(e) Require that the governmental body, upon completion and acceptance of the transportation project, certify to the department that the transportation project has been completed in compliance with the terms and conditions of the contract between the department and the governmental body and meets the minimum construction standards established in accordance with s. 336.045.

(f) Specify that ~~the department transfer funds will not be transferred to the governmental body unless construction has begun on the facility of the not more often than quarterly, upon receipt of a request for funds from the governmental body and consistent with the needs of the transportation project. The governmental body shall expend funds received from the department in a timely manner. The department may not transfer funds unless construction has begun on the facility of a business on whose behalf the award was made. If construction of the transportation project does not begin within 4 years after the date of the initial grant award, the grant award is terminated. A contract totaling less than \$200,000 is exempt from the transfer requirement.~~

(g) Require that funds be used only on a transportation project that has been properly reviewed and approved in accordance with the criteria set forth in this section.

(h) Require that the governing board of the governmental body adopt a resolution accepting future maintenance and other attendant costs occurring after completion of the transportation project if the transportation project is constructed on a county or municipal system.

(5) For purposes of this section, Space Florida may serve as the governmental body or as the contracting agency for a ~~transportation~~ project within a spaceport territory as defined by s. 331.304.

Section 24. *Section 339.401, Florida Statutes, is repealed.*

Section 25. *Section 339.402, Florida Statutes, is repealed.*

Section 26. *Section 339.403, Florida Statutes, is repealed.*

Section 27. *Section 339.404, Florida Statutes, is repealed.*

Section 28. *Section 339.405, Florida Statutes, is repealed.*

Section 29. *Section 339.406, Florida Statutes, is repealed.*

Section 30. *Section 339.407, Florida Statutes, is repealed.*

Section 31. *Section 339.408, Florida Statutes, is repealed.*

Section 32. *Section 339.409, Florida Statutes, is repealed.*

Section 33. *Section 339.410, Florida Statutes, is repealed.*

Section 34. *Section 339.411, Florida Statutes, is repealed.*

Section 35. *Section 339.412, Florida Statutes, is repealed.*

Section 36. *Section 339.414, Florida Statutes, is repealed.*

Section 37. *Section 339.415, Florida Statutes, is repealed.*

Section 38. *Section 339.416, Florida Statutes, is repealed.*

Section 39. *Section 339.417, Florida Statutes, is repealed.*

Section 40. *Section 339.418, Florida Statutes, is repealed.*

Section 41. *Section 339.419, Florida Statutes, is repealed.*

Section 42. *Section 339.420, Florida Statutes, is repealed.*

Section 43. *Section 339.421, Florida Statutes, is repealed.*

Section 44. Paragraphs (a) and (c) of subsection (2) and paragraph (i) of subsection (7) of section 339.55, Florida Statutes, are amended to read:

339.55 State-funded infrastructure bank.—

(2) The bank may lend capital costs or provide credit enhancements for:

(a) A transportation facility project that is on the State Highway System or that provides for increased mobility on the state's transportation system or provides intermodal connectivity with airports, seaports, *spaceports*, rail facilities, and other transportation terminals, pursuant to s. 341.053, for the movement of people and goods.

(c)1. Emergency loans for damages incurred to public-use commercial deepwater seaports, public-use airports, *public-use spaceports*, and other public-use transit and intermodal facilities that are within an area that is part of an official state declaration of emergency pursuant to chapter 252 and all other applicable laws. Such loans:

a. May not exceed 24 months in duration except in extreme circumstances, for which the Secretary of Transportation may grant up to 36 months upon making written findings specifying the conditions requiring a 36-month term.

b. Require application from the recipient to the department that includes documentation of damage claims filed with the Federal Emergency Management Agency or an applicable insurance carrier and documentation of the recipient's overall financial condition.

c. Are subject to approval by the Secretary of Transportation and the Legislative Budget Commission.

2. Loans provided under this paragraph must be repaid upon receipt by the recipient of eligible program funding for damages in accordance with the claims filed with the Federal Emergency Management Agency or an applicable insurance carrier, but no later than the duration of the loan.

(7) The department may consider, but is not limited to, the following criteria for evaluation of projects for assistance from the bank:

(i) The extent to which the project will provide for connectivity between the State Highway System and airports, seaports, *spaceports*, rail facilities, and other transportation terminals and intermodal options pursuant to s. 341.053 for the increased accessibility and movement of people and goods.

Section 45. Subsection (11) of section 341.031, Florida Statutes, is amended to read:

341.031 Definitions relating to Florida Public Transit Act.—As used in ss. 341.011-341.061, the term:

(11) "Intercity bus service" means regularly scheduled bus service for the general public which operates with limited stops over fixed routes connecting two or more urban areas not in close proximity; has the capacity for transporting baggage carried by passengers; *and* makes meaningful connections with scheduled intercity bus service to more distant points, if such service is available; ~~maintains scheduled information in the National Official Bus Guide; and provides package express service incidental to passenger transportation.~~

Section 46. Section 341.053, Florida Statutes, is amended to read:

341.053 Intermodal Development Program; administration; eligible projects; limitations.—

(1) There is created within the Department of Transportation an Intermodal Development Program to provide for major capital investments in fixed-guideway transportation systems, access to seaports, airports, *spaceports*, and other transportation terminals, providing for the construction of intermodal or multimodal terminals; and to *plan or fund construction of airport, spaceport, seaport, transit, and rail projects that otherwise* facilitate the intermodal or multimodal movement of people and goods.

(2) *The Intermodal Development Program shall be used for projects that support statewide goals as outlined in the Florida Transportation Plan, the Strategic Intermodal System Plan, the Freight Mobility and Trade Plan, or the appropriate department modal plan. In recognition of the department's role in the economic development of this state, the department shall develop a proposed intermodal development plan to connect Florida's airports, deepwater seaports, rail systems serving both passenger and freight, and major intermodal connectors to the Strategic Intermodal System highway corridors as the primary system for the movement of people and freight in this state in order to make the intermodal development plan a fully integrated and interconnected system. The intermodal development plan must:*

~~(a) Define and assess the state's freight intermodal network, including airports, seaports, rail lines and terminals, intercity bus lines and terminals, and connecting highways.~~

~~(b) Prioritize statewide infrastructure investments, including the acceleration of current projects, which are found by the Freight Stakeholders Task Force to be priority projects for the efficient movement of people and freight.~~

~~(c) Be developed in a manner that will assure maximum use of existing facilities and optimum integration and coordination of the various modes of transportation, including both government owned and privately owned resources, in the most cost effective manner possible.~~

(3) The Intermodal Development Program shall be administered by the department.

(4) The department shall review funding requests from a rail authority created pursuant to chapter 343. The department may include

projects of the authorities, including planning and design, in the tentative work program.

(5) ~~No single transportation authority operating a fixed guideway transportation system, or single fixed guideway transportation system not administered by a transportation authority, receiving funds under the Intermodal Development Program shall receive more than 23 <sup>1</sup>/<sub>2</sub> percent of the total intermodal development funds appropriated between July 1, 1990, and June 30, 2015. In determining the distribution of funds under the Intermodal Development Program in any fiscal year, the department shall assume that future appropriation levels will be equal to the current appropriation level.~~

(6) The department ~~may is authorized to~~ fund projects within the Intermodal Development Program, which are consistent, to the maximum extent feasible, with approved local government comprehensive plans of the units of local government in which the project is located. Projects that are eligible for funding under this program include *planning studies*, major capital investments in public rail and fixed-guideway transportation or freight facilities and systems which provide intermodal access; road, rail, intercity bus service, or fixed-guideway access to, from, or between seaports, airports, *spaceports*, *intermodal logistics centers*, and other transportation terminals; construction of intermodal or multimodal terminals, *including projects on airports, spaceports, intermodal logistics centers, or seaports which assist in the movement or transfer of people or goods*; development and construction of dedicated bus lanes; and projects which otherwise facilitate the intermodal or multimodal movement of people and goods.

Section 47. Section 343.80, Florida Statutes, is amended to read:

343.80 Short title.—This part may be cited as the “Northwest Florida *Regional Transportation Finance Corridor* Authority Law.”

Section 48. Section 343.805, Florida Statutes, is amended to read:

343.805 Definitions.—As used in this part, the term:

(1) “Agency of the state” means the state and any department of, or corporation, agency, or instrumentality heretofore or hereafter created, designated, or established by, the state.

(2) “Authority” means the body politic and corporate and agency of the state created by this part.

(3) “Bonds” means the notes, bonds, refunding bonds, or other evidences of indebtedness or obligations, in either temporary or definitive form, which the authority is authorized to issue pursuant to this part.

(4) “Department” means the Department of Transportation existing under chapters 334-339.

(5) “Federal agency” means the United States, the President of the United States, and any department of, or corporation, agency, or instrumentality heretofore or hereafter created, designated, or established by, the United States.

(6) “Limited access expressway” or “expressway” means a street or highway especially designed for through traffic and over, from, or to which a person does not have the right of easement, use, or access except in accordance with the rules adopted and established by the authority for the use of such facility. Such highway or street may be a parkway, from which trucks, buses, and other commercial vehicles are excluded, or it may be a freeway open to use by all customary forms of street and highway traffic.

(7) “Members” means the governing body of the authority, and the term “member” means one of the individuals constituting such governing body.

(8) “Northwest Florida *Regional Transportation Finance Authority System*” or “system” means any and all expressways and appurtenant facilities thereto owned by the Authority, including, but not limited to, all approaches, roads, bridges, and avenues of access for said expressway or expressways.

(9)(8) “State Board of Administration” means the body corporate existing under the provisions of s. 9, Art. XII of the State Constitution, or any successor thereto.

(9) “U.S. 98 corridor” means U.S. Highway 98 and any feeder roads, reliever roads, connector roads, bridges, and other transportation appurtenances, existing or constructed in the future, that support U.S. Highway 98 in Escambia, Santa Rosa, Okaloosa, Walton, Bay, Gulf, Franklin, and Wakulla Counties.

(10) “U.S. 98 corridor system” means any and all expressways and appurtenant facilities, including, but not limited to, all approaches, roads, bridges, and avenues of access for the expressways that are either built by the authority or whose ownership is transferred to the authority by other governmental or private entities.

Terms importing singular number include the plural number in each case and vice versa, and terms importing persons include firms and corporations.

Section 49. Section 343.81, Florida Statutes, is amended to read:

343.81 Northwest Florida *Regional Transportation Finance Corridor* Authority.—

(1) There is created and established a body politic and corporate, an agency of the state, to be known as the Northwest Florida *Regional Transportation Finance Corridor* Authority, hereinafter referred to as “the authority.”

(2)(a) The governing body of the authority shall consist of ~~five~~ <sup>eight</sup> voting members, ~~two from Okaloosa County and one each from Escambia, Santa Rosa, Walton, Okaloosa, Bay, and Gulf, Franklin, and Wakulla Counties~~, appointed by the Governor to a 4-year term. The appointees shall be residents of their respective counties and may not hold an elected office. Upon the effective date of his or her appointment, or as soon thereafter as practicable, each appointed member of the authority shall enter upon his or her duties. Each appointed member shall hold office until his or her successor has been appointed and has qualified. A vacancy occurring during a term shall be filled only for the balance of the unexpired term. Any member of the authority shall be eligible for reappointment. Members of the authority may be removed from office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(b) The district secretary of the Department of Transportation serving Northwest Florida shall serve as an ex officio, nonvoting member.

(3)(a) The authority shall elect one of its members as chair and shall also elect a secretary and a treasurer who may or may not be members of the authority. The chair, secretary, and treasurer shall hold such offices at the will of the authority.

(b) ~~Three~~ <sup>Five</sup> members of the authority shall constitute a quorum, and the vote of at least ~~three~~ <sup>five</sup> members shall be necessary for any action taken by the authority. A vacancy in the authority does not impair the right of a quorum of the authority to exercise all of the rights and perform all of the duties of the authority.

(c) The authority shall meet at least quarterly but may meet more frequently upon the call of the chair. The authority should alternate the locations of its meetings among the seven counties.

(4) Members of the authority shall serve without compensation but shall be entitled to receive from the authority their travel expenses and per diem incurred in connection with the business of the authority, as provided in s. 112.061.

(5) The authority may employ an executive director, an executive secretary, its own counsel and legal staff, technical experts, engineers, and such employees, permanent or temporary, as it may require. The authority shall determine the qualifications and fix the compensation of such persons, firms, or corporations and may employ a fiscal agent or agents; however, the authority shall solicit sealed proposals from at least three persons, firms, or corporations for the performance of any services as fiscal agents. The authority may delegate to one or more of its agents or employees its power as it shall deem necessary to carry out the purposes of this part, subject always to the supervision and control of the authority.

(6) ~~The authority may establish technical advisory committees to provide guidance and advice on corridor-related issues. The authority shall establish the size, composition, and focus of any technical advisory~~



~~committee created. A member appointed to a technical advisory committee shall serve without compensation but shall be entitled to per diem or travel expenses, as provided in s. 112.061.~~

Section 50. Section 343.82, Florida Statutes, is amended to read:

343.82 Purposes and powers.—

(1) *The authority created and established by the provisions of this part is hereby granted and shall have the right to acquire, hold, construct, improve, maintain, operate, own and lease in the capacity of lessor, the Northwest Florida Regional Transportation Finance Authority System. The primary purpose of the authority is to improve mobility on the U.S. 98 corridor in Northwest Florida to enhance traveler safety, identify and develop hurricane evacuation routes, promote economic development along the corridor, and implement transportation projects to alleviate current or anticipated traffic congestion.*

(2)(a) The authority, *in the construction of the Northwest Florida Regional Transportation Finance Authority System*, is authorized to construct any feeder roads, reliever roads, connector roads, bypasses, or appurtenant facilities ~~that are intended to improve mobility along the U.S. 98 corridor~~. The transportation improvement projects may also include all necessary approaches, roads, bridges, and avenues of access that are desirable and proper with the concurrence, where applicable, of the department if the project is to be part of the State Highway System or the respective county or municipal governing boards. Any transportation facilities constructed by the authority may be tolled.

(b) Notwithstanding any special act to the contrary, the authority shall plan for and study the feasibility of constructing, operating, and maintaining a bridge or bridges spanning Choctawhatchee Bay ~~or Santa Rosa Sound, or both~~, and access roads to such bridge or bridges, including studying the environmental and economic feasibility of such bridge or bridges and access roads, and such other transportation facilities that become part of such bridge system. The authority may construct, operate, and maintain the bridge system if the authority determines that the bridge system project is feasible and consistent with the authority's primary purpose and master plan.

(3)(a) ~~The authority shall develop and adopt a corridor master plan no later than July 1, 2007. The goals and objectives of the master plan are to identify areas of the corridor where mobility, traffic safety, and efficient hurricane evacuation need to be improved; evaluate the economic development potential of the corridor and consider strategies to develop that potential; develop methods of building partnerships with local governments, other state and federal entities, the private sector business community, and the public in support of corridor improvements; and to identify projects that will accomplish these goals and objectives.~~

~~(b) After its adoption, the master plan shall be updated annually before July 1 of each year.~~

~~(c) The authority shall present the original master plan and updates to the governing bodies of the counties within the corridor and to the legislative delegation members representing those counties within 90 days after adoption.~~

~~(d) The authority may undertake projects or other improvements in the master plan in phases as particular projects or segments thereof become feasible, as determined by the authority. In carrying out its purposes and powers, the authority may request funding and technical assistance from the department and appropriate federal and local agencies, including, but not limited to, state infrastructure bank loans, advances from the Toll Facilities Revolving Trust Fund, and from any other sources.~~

(3)(4) The authority is granted and shall have and may exercise all powers necessary, appurtenant, convenient, or incidental to the carrying out of the aforesaid purposes, including, but not limited to, the following rights and powers:

(a) To acquire, hold, construct, improve, maintain, operate, own, and lease in the capacity of lessor transportation facilities ~~within the U.S. 98 corridor~~.

(b) To borrow money and to make and issue negotiable notes, bonds, refunding bonds, and other evidences of indebtedness or obligations,

either in temporary or definitive form, hereinafter in this chapter sometimes called "revenue bonds" of the authority, for the purpose of financing all or part of the *Northwest Florida Regional Transportation Finance Authority System* ~~mobility improvements within the U.S. 98 corridor~~, as well as the appurtenant facilities, including all approaches, streets, roads, bridges, and avenues of access authorized by this part, the bonds to mature not exceeding 40 years after the date of the issuance thereof, and to secure the payment of such bonds or any part thereof by a pledge of any or all of its revenues, rates, fees, rentals, or other charges.

(c) To fix, alter, charge, establish, and collect tolls, rates, fees, rentals, and other charges for the services and facilities of the Northwest Florida Regional Transportation Finance Authority ~~Corridor~~ System, which rates, fees, rentals, and other charges shall always be sufficient to comply with any covenants made with the holders of any bonds issued pursuant to this part; however, such right and power may be assigned or delegated by the authority to the department. ~~The authority may not impose tolls or other charges on existing highways and other transportation facilities within the corridor.~~

(d) To acquire by donation or otherwise, purchase, hold, lease as lessee, and use any franchise, property, real, personal, or mixed, tangible or intangible, or any options thereof in its own name or in conjunction with others, or interest therein, necessary or desirable for carrying out the purposes of the authority and to sell, lease as lessor, transfer, and dispose of any property or interest therein at any time acquired by *the authority, which the authority and the department have determined is not needed for the construction, operation, and maintenance of the system* ~~it~~.

(e) To sue and be sued, implead and be impleaded, complain, and defend in all courts.

(f) To adopt, use, and alter at will a corporate seal.

(g) To enter into and make leases.

~~(h) To enter into and make lease purchase agreements with the department for terms not exceeding 40 years or until any bonds secured by a pledge of rentals thereunder, and any refundings thereof, are fully paid as to both principal and interest, whichever is longer.~~

(h)(i) To make contracts of every name and nature, including, but not limited to, partnerships providing for participation in ownership and revenues, and to execute all instruments necessary or convenient for the carrying on of its business.

(i)(j) Without limitation of the foregoing, to ~~borrow money and~~ accept grants from and to enter into contracts, leases, or other transactions with any federal agency, the state, any agency of the state, or any other public body of the state.

~~(j)(k)~~ To have the power of eminent domain, including the procedural powers granted under chapters 73 and 74.

(k)(l) To pledge, hypothecate, or otherwise encumber all or any part of the revenues, rates, fees, rentals, or other charges or receipts of the authority.

~~(l)(m)~~ To enter into partnership and other agreements respecting ownership and revenue participation in order to facilitate financing and constructing any project or portions thereof.

~~(m)(n)~~ To participate in agreements with private entities and to receive private contributions.

~~(n)(o)~~ To contract with the department or with a private entity for the operation of traditional and electronic toll collection facilities ~~along the U.S. 98 corridor~~.

~~(o)(p)~~ To do all acts and things necessary or convenient for the conduct of its business and the general welfare of the authority in order to carry out the powers granted to it by this part or any other law.

~~(p)(q)~~ To construct, operate, and maintain roads, bridges, avenues of access, thoroughfares, and boulevards and to construct, repair, replace, operate, install, and maintain electronic toll payment systems thereon, with all necessary and incidental powers to accomplish the foregoing.



(4)(6) The authority does not have power at any time or in any manner to pledge the credit or taxing power of the state or any political subdivision or agency thereof, nor shall any of the authority's obligations be deemed to be obligations of the state or of any political subdivision or agency thereof, nor shall the state or any political subdivision or agency thereof, except the authority, be liable for the payment of the principal of or interest on such obligations.

Section 51. Section 343.83, Florida Statutes, is amended to read:

343.83 Improvements, bond financing authority.—Pursuant to s. 11(f), Art. VII of the State Constitution, the Legislature approves bond financing by the Northwest Florida *Regional Transportation Finance Corridor* Authority for improvements to toll collection facilities, interchanges to the legislatively approved system, and any other facility appurtenant, necessary, or incidental to the approved system. Subject to terms and conditions of applicable revenue bond resolutions and covenants, such costs may be financed in whole or in part by revenue bonds issued pursuant to s. 343.835(1)(a) or (b) whether currently issued or issued in the future or by a combination of such bonds.

Section 52. Subsections (2) and (3) of section 343.835, Florida Statutes, are amended to read:

343.835 Bonds of the authority.—

(2) Any such resolution or resolutions authorizing any bonds hereunder may contain provisions that are part of the contract with the holders of such bonds, as to:

(a) The pledging of all or any part of the revenues, rates, fees, rentals, or other charges or receipts of the authority, ~~derived by the authority for the U.S. 98 corridor improvements.~~

(b) The completion, improvement, operation, extension, maintenance, repair, or lease of the system, and the duties of the authority and others with reference thereto.

(c) Limitations on the purposes to which the proceeds of the bonds, then or thereafter to be issued, or of any loan or grant by the United States or the state may be applied.

(d) The fixing, charging, establishing, and collecting of rates, fees, rentals, or other charges for use of the services and facilities ~~owned or provided constructed~~ by the authority.

(e) The setting aside of reserves or sinking funds or repair and replacement funds and the regulation and disposition thereof.

(f) Limitations on the issuance of additional bonds.

(g) The terms and provisions of any lease-purchase agreement, deed of trust, or indenture securing the bonds or under which the same may be issued.

(h) Any other or additional agreements with the holders of the bonds which the authority may deem desirable and proper.

(3) The authority may employ fiscal agents as provided by this part or the State Board of Administration may, upon request of the authority, act as fiscal agent for the authority in the issuance of any bonds that are issued pursuant to this part, and the State Board of Administration may, upon request of the authority, take over the management, control, administration, custody, and payment of any or all debt services or funds or assets now or hereafter available for any bonds issued pursuant to this part. The authority may enter into any deeds of trust, indentures, or other agreements with its fiscal agent, or with any bank or trust company within or without the state, as security for such bonds and may, under such agreements, sign and pledge all or any of the revenues, rates, fees, rentals, or other charges or receipts of the authority. Such deed of trust, indenture, or other agreement may contain such provisions as are customary in such instruments or, as the authority authorizes, including, but without limitation, provisions as to:

(a) The completion, improvement, operation, extension, maintenance, repair, and lease of ~~the system U.S. 98 corridor improvements~~ and the duties of the authority and others with reference thereto.

(b) The application of funds and the safeguarding of funds on hand or on deposit.

(c) The rights and remedies of the trustee and the holders of the bonds.

(d) The terms and provisions of the bonds or the resolutions authorizing the issuance of the bonds.

Section 53. Section 343.84, Florida Statutes, is amended to read:

343.84 Department *to construct, operate, and maintain facilities* ~~may be appointed agent of authority for construction.~~—

(1) The department ~~is the agent of~~ ~~may be appointed by~~ the authority ~~as its agent~~ for the purpose of constructing improvements and extensions to the system and for the completion thereof. ~~In such event,~~ The authority shall provide the department with complete copies of all documents, agreements, resolutions, contracts, and instruments relating thereto, shall request the department to do such construction work, including the planning, surveying, and actual construction of the completion, extensions, and improvements to the system, and shall transfer to the credit of an account of the department in the treasury of the state the necessary funds therefor. The department shall proceed with such construction and use the funds for such purpose in the same manner that it is now authorized to use the funds otherwise provided by law for its use in construction of roads and bridges. *The authority may alternatively, with the consent and approval of the department, elect to appoint a local agency certified by the department to administer federal aid projects in accordance with federal law as the authority's agent for the purpose of performing each phase of a project.*

(2) *Notwithstanding the provisions of subsection (1), the department is the agent of the authority for the purpose of operating and maintaining the system. The department shall operate and maintain the system, and the costs incurred by the department for operation and maintenance shall be reimbursed from revenues of the system. The appointment of the department as agent for the authority does not create an independent obligation of the department to operate and maintain the system. The authority shall remain obligated as principal to operate and maintain its system, and, except as otherwise provided by the lease-purchase agreement between the department and the Mid-Bay Bridge Authority in connection with its issuance of bonds, the authority's bondholders do not have an independent right to compel the department to operate and maintain any part of the authority's system.*

(3) *The authority shall fix, alter, charge, establish, and collect tolls, rates, fees, rentals, and other charges for the authority's facilities, as otherwise provided in this part.*

Section 54. Subsection (1) of section 343.85, Florida Statutes, is amended to read:

343.85 Acquisition of lands and property.—

(1) For the purposes of this part, the Northwest Florida *Regional Transportation Finance Corridor* Authority may acquire private or public property and property rights, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation by eminent domain proceedings, as the authority may deem necessary for any purpose of this part, including, but not limited to, any lands reasonably necessary for securing applicable permits, areas necessary for management of access, borrow pits, drainage ditches, water retention areas, rest areas, replacement access for landowners whose access is impaired due to the construction of a facility, and replacement rights-of-way for relocated rail and utility facilities; for existing, proposed, or anticipated transportation facilities ~~within the U.S. 98 transportation corridor designated by the authority;~~ or for the purposes of screening, relocation, removal, or disposal of junkyards and scrap metal processing facilities. The authority may condemn any material and property necessary for such purposes.

Section 55. *Section 343.875, Florida Statutes, is repealed.*

Section 56. Subsection (3) of section 343.89, Florida Statutes, is amended to read:

343.89 Complete and additional statutory authority.—

(3) This part does not preclude the department from acquiring, holding, constructing, improving, maintaining, operating, or owning tolled or nontolled facilities funded and constructed from nonauthority sources that are part of the State Highway System within the geographical boundaries of the Northwest Florida Regional Transportation Finance ~~Corridor~~ Authority.

Section 57. Subsection (4) of section 343.922, Florida Statutes, is amended to read:

**343.922 Powers and duties.—**

(4) The authority may undertake projects or other improvements in the master plan in phases as particular projects or segments become feasible, as determined by the authority. The authority shall coordinate project planning, development, and implementation with the applicable local governments. The authority's projects that are transportation oriented shall be consistent to the maximum extent feasible with the adopted local government comprehensive plans at the time they are funded for construction. Authority projects that are not transportation oriented and meet the definition of development pursuant to s. 380.04 shall be consistent with the local comprehensive plans. In carrying out its purposes and powers, the authority may request funding and technical assistance from the department and appropriate federal and local agencies, including, but not limited to, state infrastructure bank loans, ~~advances from the Toll Facilities Revolving Trust Fund~~, and funding and technical assistance from any other source.

Section 58. Chapter 345, Florida Statutes, consisting of sections 345.0001, 345.0002, 345.0003, 345.0004, 345.0005, 345.0006, 345.0007, 345.0008, 345.0009, 345.0010, 345.0011, 345.0012, 345.0013, 345.0014, 345.0015, and 345.0016, is created to read:

**345.0001 Short title.**—This act may be cited as the “Florida Regional Transportation Finance Authority Act.”

**345.0002 Definitions.**—As used in this chapter, the term:

(1) “Agency of the state” means the state and any department of, or any corporation, agency, or instrumentality heretofore or hereafter created, designated, or established by, the state.

(2) “Area served” means the geographical area of the counties for which an authority is established.

(3) “Authority” means a regional transportation finance authority, a body politic and corporate, and an agency of the state, established pursuant to the Florida Regional Transportation Finance Authority Act.

(4) “Bonds” means the notes, bonds, refunding bonds, or other evidences of indebtedness or obligations, in temporary or definitive form, which an authority may issue pursuant to this act.

(5) “Department” means the Department of Transportation of Florida and any successor thereto.

(6) “Division” means the Division of Bond Finance of the State Board of Administration.

(7) “Federal agency” means the United States, the President of the United States, and any department of, or any bureau, corporation, agency, or instrumentality heretofore or hereafter created, designated, or established by, the United States.

(8) “Members” means the governing body of an authority, and the term “member” means one of the individuals constituting such governing body.

(9) “Regional system” or “system” means, generally, a modern tolled highway system of roads, bridges, causeways, and tunnels within any area of the authority, with access limited or unlimited as an authority may determine, and the buildings and structures and appurtenances and facilities related to the system, including all approaches, streets, roads, bridges, and avenues of access for the system.

(10) “Revenues” means the tolls, revenues, rates, fees, charges, receipts, rentals, contributions, and other income derived from or in connection with the operation or ownership of a regional system, including the proceeds of any use and occupancy insurance on any portion of the

system but excluding state funds available to an authority and any other municipal or county funds available to an authority under an agreement with a municipality or county.

**345.0003 Regional transportation finance authority; formation; membership.—**

(1) A county, or two or more contiguous counties, may, after the approval of the Legislature, form a regional transportation finance authority for the purposes of financing, constructing, maintaining, and operating transportation projects in a region of this state. An authority shall be governed in accordance with the provisions of this chapter. An authority may not be created without the approval of the Legislature and the approval of the county commission of each county that will be a part of the authority. An authority may not be created to serve a particular area of this state as provided by this subsection if a regional transportation finance authority has been created and is operating within all or a portion of the same area served pursuant to an act of the Legislature. Each authority shall be the only authority created and operating pursuant to this chapter within the area served by the authority.

(2) The governing body of an authority shall consist of a board of voting members as follows:

(a) The county commission of each county in the area served by the authority shall each appoint a member who must be a resident of the county from which he or she is appointed. The county commission of each county with a total population of more than 250,000 shall appoint a second member who must be a resident of the county. If possible, the member must represent the business and civic interests of the community.

(b) The Governor shall appoint an equal number of members to the board as those appointed by the county commissions. The members appointed by the Governor must be residents of the area served by the authority.

(c) The secretary of the Department of Transportation shall appoint one of the district secretaries, or his or her designee, for the districts within which the area served by the authority is located.

(3) The term of office of each member shall be for 4 years or until his or her successor is appointed and qualified.

(4) A member may not hold an elected office.

(5) A vacancy occurring in the governing body before the expiration of the member's term shall be filled by the respective appointing authority in the same manner as the original appointment and only for the balance of the unexpired term.

(6) Each member, before entering upon his or her official duties, must take and subscribe to an oath before an official authorized by law to administer oaths that he or she will honestly, faithfully, and impartially perform the duties devolving upon him or her in office as a member of the governing body of the authority and that he or she will not neglect any duties imposed upon him or her by this chapter.

(7) A member of an authority may be removed from office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(8) The members of the authority shall designate one of its members as chair.

(9) The members of the authority shall serve without compensation, but shall be entitled to reimbursement for per diem and other expenses in accordance with s. 112.061 while in performance of their duties.

(10) A majority of the members of the authority constitutes a quorum, and resolutions enacted or adopted by a vote of a majority of the members present and voting at any meeting become effective without publication, posting, or any further action of the authority.

**345.0004 Powers and duties.—**

(1)(a) An authority created and established, or governed, by the Florida Regional Transportation Finance Authority Act shall plan, develop, finance, construct, reconstruct, improve, own, operate, and maintain a regional system in the area served by the authority.

(b) An authority may not exercise the powers in paragraph (a) with respect to an existing system for transporting people and goods by any means that is owned by another entity without the consent of that entity. If an authority acquires, purchases, or inherits an existing entity, the authority shall also inherit and assume all rights, assets, appropriations, privileges, and obligations of the existing entity.

(2) Each authority may exercise all powers necessary, appurtenant, convenient, or incidental to the carrying out of the purposes of this section, including, but not limited to, the following rights and powers:

(a) To sue and be sued, implead and be impleaded, and complain and defend in all courts in its own name.

(b) To adopt and use a corporate seal.

(c) To have the power of eminent domain, including the procedural powers granted under chapters 73 and 74.

(d) To acquire, purchase, hold, lease as a lessee, and use any property, real, personal, or mixed, tangible or intangible, or any interest therein, necessary or desirable for carrying out the purposes of the authority.

(e) To sell, convey, exchange, lease, or otherwise dispose of any real or personal property acquired by the authority, which the authority and the department have determined is not needed for the construction, operation, and maintenance of the system, including air rights.

(f) To fix, alter, charge, establish, and collect rates, fees, rentals, and other charges for the use of any system owned or operated by the authority, which rates, fees, rentals, and other charges must always be sufficient to comply with any covenants made with the holders of any bonds issued pursuant to this act; however, such right and power may be assigned or delegated by the authority to the department.

(g) To borrow money, make and issue negotiable notes, bonds, refunding bonds, and other evidences of indebtedness or obligations, in temporary or definitive form, for the purpose of financing all or part of the improvement of the authority's system and appurtenant facilities, including the approaches, streets, roads, bridges, and avenues of access for the system and for any other purpose authorized by this chapter, the bonds to mature in not exceeding 30 years after the date of the issuance thereof, and to secure the payment of such bonds or any part thereof by a pledge of its revenues, rates, fees, rentals, or other charges, including municipal or county funds received by the authority pursuant to the terms of an agreement between the authority and a municipality or county; and, in general, to provide for the security of the bonds and the rights and remedies of the holders of the bonds; however, municipal or county funds may not be pledged for the construction of a project for which a toll is to be charged unless the anticipated tolls are reasonably estimated by the governing board of the municipality or county, at the date of its resolution pledging said funds, to be sufficient to cover the principal and interest of such obligations during the period when the pledge of funds is in effect. An authority shall reimburse a municipality or county for sums expended from municipal or county funds used for the payment of the bond obligations.

(h) To make contracts of every name and nature, including, but not limited to, partnerships providing for participation in ownership and revenues, and to execute each instrument necessary or convenient for the conduct of its business.

(i) Without limitation of the foregoing, to cooperate with, accept grants from, and to enter into contracts or other transactions with any federal agency, the state, or any agency or any other public body of the state.

(j) To employ an executive director, attorney, staff, and consultants. Upon the request of an authority, the department shall furnish the services of a department employee to act as the executive director of the authority.

(k) To accept funds or other property from private donations.

(l) To do all acts and things necessary or convenient for the conduct of its business and the general welfare of the authority, in order to carry out the powers granted to it by this act or any other law.

(3) An authority does not have the power at any time or in any manner to pledge the credit or taxing power of the state or any political subdivi-

sion or agency thereof. Obligations of the authority may not be deemed to be obligations of the state or of any other political subdivision or agency thereof. The state or any political subdivision or agency thereof, except the authority, is not liable for the payment of the principal of or interest on such obligations.

(4) An authority has no power, other than by consent of the affected county or an affected municipality, to enter into an agreement that would legally prohibit the construction of a road by the county or the municipality.

(5) An authority formed pursuant to this chapter shall comply with the statutory requirements of general application which relate to the filing of a report or documentation required by law, including the requirements of ss. 189.4085, 189.415, 189.417, and 189.418.

#### 345.0005 Bonds.—

(1)(a) Bonds may be issued on behalf of an authority pursuant to the State Bond Act.

(b) An authority may also issue bonds in such principal amount as is necessary, in the opinion of the authority, to provide sufficient moneys for achieving its corporate purposes, including construction, reconstruction, improvement, extension, and repair of the system; the cost of acquisition of all real property; interest on bonds during construction and for a reasonable period thereafter, and establishment of reserves to secure bonds; and all other expenditures of the authority incident to and necessary or convenient to carry out its corporate purposes and powers.

(2)(a) Bonds issued by an authority pursuant to paragraph (1)(a) or paragraph (1)(b) must be authorized by resolution of the members of the authority and must bear such date or dates; mature at such time or times, not exceeding 30 years after their respective dates; bear interest at such rate or rates, not exceeding the maximum rate fixed by general law for authorities; be in such denominations; be in such form, either coupon or fully registered; carry such registration, exchangeability and interchangeability privileges; be payable in such medium of payment and at such place or places; be subject to such terms of redemption; and be entitled to such priorities of lien on the revenues and other available moneys as such resolution or any resolution subsequent to the bonds' issuance may provide. The bonds shall be executed either by manual or facsimile signature by such officers as the authority shall determine, provided that such bonds bear at least one signature that is manually executed thereon. The coupons attached to such bonds shall bear the facsimile signature or signatures of such officer or officers as designated by the authority. Such bonds shall have the seal of the authority affixed, imprinted, reproduced, or lithographed thereon.

(b) Bonds issued pursuant to paragraph (1)(a) or paragraph (1)(b) must be sold at public sale in the same manner provided in the State Bond Act. Pending the preparation of definitive bonds, temporary bonds or interim certificates may be issued to the purchaser or purchasers of such bonds and may contain terms and conditions as the authority may determine.

(3) A resolution that authorizes any bonds may contain provisions that must be part of the contract with the holders of the bonds, as to:

(a) The pledging of all or any part of the revenues, available municipal or county funds, or other charges or receipts of the authority derived from the regional system.

(b) The construction, reconstruction, improvement, extension, repair, maintenance, and operation of the system, or any part or parts of the system, and the duties and obligations of the authority with reference thereto.

(c) Limitations on the purposes to which the proceeds of the bonds, then or thereafter issued, or of any loan or grant by any federal agency or the state or any political subdivision of the state may be applied.

(d) The fixing, charging, establishing, revising, increasing, reducing, and collecting of tolls, rates, fees, rentals, or other charges for use of the services and facilities of the system or any part of the system.

(e) The setting aside of reserves or of sinking funds and the regulation and disposition of the reserves or sinking funds.

- (f) *Limitations on the issuance of additional bonds.*
- (g) *The terms and provisions of any deed of trust or indenture securing the bonds, or under which the bonds may be issued.*
- (h) *Any other or additional matters, of like or different character, which in any way affect the security or protection of the bonds.*
- (4) *The authority may enter into any deeds of trust, indentures, or other agreements with any bank or trust company within or without the state, as security for such bonds, and may, under such agreements, assign and pledge any of the revenues and other available moneys, including any available municipal or county funds, pursuant to the terms of this chapter. The deed of trust, indenture, or other agreement may contain provisions that are customary in such instruments or that the authority may authorize, including, but without limitation, provisions that:*
  - (a) *Pledge any part of the revenues or other moneys lawfully available therefor.*
  - (b) *Apply funds and safeguard funds on hand or on deposit.*
  - (c) *Provide for the rights and remedies of the trustee and the holders of the bonds.*
  - (d) *Provide for the terms and provisions of the bonds or for resolutions authorizing the issuance of the bonds.*
  - (e) *Provide for any other or additional matters, of like or different character, which affect the security or protection of the bonds.*
- (5) *Any bonds issued pursuant to this act are negotiable instruments and have all the qualities and incidents of negotiable instruments under the law merchant and the negotiable instruments law of the state.*

(6) *A resolution that authorizes the issuance of authority bonds and pledges the revenues of the system must require that revenues of the system be periodically deposited into appropriate accounts in such sums as are sufficient to pay the costs of operation and maintenance of the system for the current fiscal year as set forth in the annual budget of the authority and to reimburse the department for any unreimbursed costs of operation and maintenance of the system from prior fiscal years before revenues of the system are deposited into accounts for the payment of interest or principal owing or that may become owing on such bonds.*

(7) *State funds may not be used or pledged to pay the principal or interest of any authority bonds, and all such bonds must contain a statement on their face to this effect.*

#### 345.0006 Remedies of bondholders.—

(1) *The rights and the remedies granted to authority bondholders under this chapter are in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or indenture providing for the issuance of bonds, or by any deed of trust, indenture, or other agreement under which the bonds may be issued or secured. If an authority defaults in the payment of the principal of or interest on any of the bonds issued pursuant to this chapter after such principal of or interest on the bonds becomes due, whether at maturity or upon call for redemption, as provided in the resolution or indenture, and such default continues for 30 days, or in the event that the authority fails or refuses to comply with the provisions of this chapter or any agreement made with, or for the benefit of, the holders of the bonds, the holders of 25 percent in aggregate principal amount of the bonds then outstanding shall be entitled as of right to the appointment of a trustee to represent such bondholders for the purposes of the default provided that the holders of 25 percent in aggregate principal amount of the bonds then outstanding first gave written notice of their intention to appoint a trustee, to the authority and to the department.*

(2) *The trustee, and any trustee under any deed of trust, indenture, or other agreement, may, and upon written request of the holders of 25 percent, or such other percentages specified in any deed of trust, indenture, or other agreement, in principal amount of the bonds then outstanding, shall, in any court of competent jurisdiction, in his, her, or its own name:*

- (a) *By mandamus or other suit, action, or proceeding at law, or in equity, enforce all rights of the bondholders, including the right to require*

*the authority to fix, establish, maintain, collect, and charge rates, fees, rentals, and other charges, adequate to carry out any agreement as to, or pledge of, the revenues, and to require the authority to carry out any other covenants and agreements with or for the benefit of the bondholders, and to perform its and their duties under this chapter.*

- (b) *Bring suit upon the bonds.*

(c) *By action or suit in equity, require the authority to account as if it were the trustee of an express trust for the bondholders.*

(d) *By action or suit in equity, enjoin any acts or things that may be unlawful or in violation of the rights of the bondholders.*

(3) *A trustee, if appointed pursuant to this section or acting under a deed of trust, indenture, or other agreement, and whether or not all bonds have been declared due and payable, shall be entitled as of right to the appointment of a receiver. The receiver may enter upon and take possession of the system or the facilities or any part or parts of the system, the revenues and other pledged moneys, for and on behalf of and in the name of, the authority and the bondholders. The receiver may collect and receive all revenues and other pledged moneys in the same manner as the authority. The receiver shall deposit all such revenues and moneys in a separate account and apply all such revenues and moneys remaining after allowance for payment of all costs of operation and maintenance of the system in such manner as the court directs. In a suit, action, or proceeding by the trustee, the fees, counsel fees, and expenses of the trustee, and said receiver, if any, and all costs and disbursements allowed by the court must be a first charge on any revenues after payment of the costs of operation and maintenance of the system. The trustee also has all other powers necessary or appropriate for the exercise of any functions specifically set forth in this section or incident to the representation of the bondholders in the enforcement and protection of their rights.*

(4) *This section or any other section of this chapter does not authorize a receiver appointed pursuant to this section for the purpose of operating and maintaining the system or any facilities or parts thereof to sell, assign, mortgage, or otherwise dispose of any of the assets belonging to the authority. The powers of the receiver are limited to the operation and maintenance of the system, or any facility or parts thereof and to the collection and application of revenues and other moneys due the authority, in the name and for and on behalf of the authority and the bondholders. A holder of bonds or any trustee does not have the right in any suit, action, or proceeding, at law or in equity, to compel a receiver, or a receiver may not be authorized or a court may not direct a receiver to, sell, assign, mortgage, or otherwise dispose of any assets of whatever kind or character belonging to the authority.*

#### 345.0007 Department to construct, operate, and maintain facilities.—

(1) *The department is the agent of each authority for the purpose of performing each phase of a project, including, but not limited to, constructing improvements and extensions to the system. The authority shall provide to the department complete copies of the documents, agreements, resolutions, contracts, and instruments that relate to the project and shall request that the department perform the construction work, including the planning, surveying, design, and actual construction of the completion, extensions, and improvements to the system. After the issuance of bonds to finance construction of an improvement or addition to the system, the authority shall transfer to the credit of an account of the department in the State Treasury the necessary funds for construction. The department shall proceed with construction and use the funds for the purpose authorized and as otherwise provided by law for construction of roads and bridges. An authority may alternatively, with the consent and approval of the department, elect to appoint a local agency certified by the department to administer federal aid projects in accordance with federal law as the authority's agent for the purpose of performing each phase of a project.*

(2) *Notwithstanding the provisions of subsection (1), the department is the agent of each authority for the purpose of operating and maintaining the system. The department shall operate and maintain the system, and the costs incurred by the department for operation and maintenance shall be reimbursed from revenues of the system. The appointment of the department as agent for each authority does not create an independent obligation of the department to operate and maintain a system. Each authority shall remain obligated as principal to operate and maintain its system, and an authority's bondholders do not have an in-*

dependent right to compel the department to operate or maintain the authority's system.

(3) Each authority shall fix, alter, charge, establish, and collect tolls, rates, fees, rentals, and other charges for the authority's facilities, as otherwise provided in this chapter.

**345.0008 Department contributions to authority projects.—**

(1) The department may agree with an authority to provide for or contribute to the payment of costs of financial or engineering and traffic feasibility studies and the design, financing, acquisition, or construction of an authority project or system included in the 10-year Strategic Intermodal Plan, subject to appropriation by the Legislature.

(a) In the manner required by chapter 216, the department shall include any issue in its legislative budget request for funding the payment of costs of financial or engineering and traffic feasibility studies and the design, financing, acquisition, or construction of an authority project or system. The request for funding may be included as part of the 5-year Tentative Work Program; however, it will be decided upon separately as a distinct funding item for consideration by the Legislature. The department shall include a financial feasibility test to accompany such legislative budget request for consideration of funding any authority project.

(b) As determined by the Legislature in the General Appropriations Act, funding provided for authority projects must be appropriated in a specific fixed capital outlay appropriation category that clearly identifies the authority project.

(c) The department may not request legislative approval of acquisition or construction of a proposed authority project unless the estimated net revenues of the proposed project will be sufficient to pay at least 50 percent of the annual debt service on the bonds associated with the project by the end of the 12th year of operation and to pay at least 100 percent of the debt service on the bonds by the end of the 30th year of operation.

(2) The department may use its engineering and other personnel, including consulting engineers and traffic engineers, to conduct feasibility studies under subsection (1). The department may participate in authority-funded projects that, at a minimum:

(a) Serve national, statewide, or regional functions and function as part of an integrated regional transportation system.

(b) Are identified in the capital improvements element of a comprehensive plan that has been determined to be in compliance with part II of chapter 163. Further, the project must be in compliance with local government comprehensive plan policies relative to corridor management.

(c) Are consistent with the Strategic Intermodal System Plan developed under s. 339.64.

(d) Have a commitment for local, regional, or private financial matching funds as a percentage of the overall project cost.

(3) Before approval, the department must determine that the proposed project:

(a) Is in the public's best interest;

(b) Would not require state funds to be used unless the project is on the State Highway System;

(c) Would have adequate safeguards in place to ensure that additional costs or service disruptions would not be realized by the traveling public and residents of the state in the event of default or cancellation of the agreement by the department; and

(d) Would have adequate safeguards in place to ensure that the department and the regional transportation finance authority have the opportunity to add capacity to the proposed project and other transportation facilities serving similar origins and destinations.

(4) An obligation or expense incurred by the department under this section is a part of the cost of the authority project for which the obligation or expense was incurred. The department may require money contributed by the department under this section to be repaid from tolls of the project

on which the money was spent, other revenue of the authority, or other sources of funds.

(5) The department shall receive from an authority a share of the authority's net revenues equal to the ratio of the department's total contributions to the authority under this section to the sum of: the department's total contributions under this section; contributions by any local government to the cost of revenue producing authority projects; and the sale proceeds of authority bonds after payment of costs of issuance. For the purpose of this subsection, net revenues are gross revenues of an authority after payment of debt service, administrative expenses, operations and maintenance expenses, and all reserves required to be established under any resolution under which authority bonds are issued.

**345.0009 Acquisition of lands and property.—**

(1) For the purposes of this chapter, an authority may acquire private or public property and property rights, including rights of access, air, view, and light, by gift, devise, purchase, condemnation by eminent domain proceedings, or transfer from another political subdivision of the state, as the authority may deem necessary for any of the purposes of this chapter, including, but not limited to, any lands reasonably necessary for securing applicable permits, areas necessary for management of access, borrow pits, drainage ditches, water retention areas, rest areas, replacement access for landowners whose access is impaired due to the construction of a facility, and replacement rights-of-way for relocated rail and utility facilities; for existing, proposed, or anticipated transportation facilities on the system or in a transportation corridor designated by the authority; or for the purposes of screening, relocation, removal, or disposal of junkyards and scrap metal processing facilities. Each authority shall also have the power to condemn any material and property necessary for such purposes.

(2) An authority shall exercise the right of eminent domain conferred under this section in the manner provided by law.

(3) If an authority acquires property for a transportation facility or in a transportation corridor, it is not subject to any liability imposed by chapter 376 or chapter 403 for preexisting soil or groundwater contamination due solely to its ownership. This section does not affect the rights or liabilities of any past or future owners of the acquired property or affect the liability of any governmental entity for the results of its actions which create or exacerbate a pollution source. An authority and the Department of Environmental Protection may enter into interagency agreements for the performance, funding, and reimbursement of the investigative and remedial acts necessary for property acquired by the authority.

**345.0010 Cooperation with other units, boards, agencies, and individuals.—**A county, municipality, drainage district, road and bridge district, school district, or any other political subdivision, board, commission, or individual in, or of, the state may make and enter into a contract, lease, conveyance, partnership, or other agreement with an authority within the provisions and purposes of this chapter. Each authority may make and enter into contracts, leases, conveyances, partnerships, and other agreements with any political subdivision, agency, or instrumentality of the state and any federal agency, corporation, and individual, to carry out the purposes of this chapter.

**345.0011 Covenant of the state.—**The state pledges to, and agrees with, any person, firm, or corporation, or federal or state agency subscribing to, or acquiring the bonds to be issued by an authority for the purposes of this chapter that the state will not limit or alter the rights vested by this chapter in the authority and the department until all bonds at any time issued, together with the interest thereon, are fully paid and discharged insofar as the rights vested in the authority and the department affect the rights of the holders of bonds issued pursuant to this chapter. The state further pledges to, and agrees with, the United States that if a federal agency constructs or contributes any funds for the completion, extension, or improvement of the system, or any parts of the system, the state will not alter or limit the rights and powers of the authority and the department in any manner that is inconsistent with the continued maintenance and operation of the system or the completion, extension, or improvement of the system, or which would be inconsistent with the due performance of any agreements between the authority and any such federal agency, and the authority and the department shall continue to have and may exercise all powers granted in this section, so long as the powers are necessary or desirable to carry out the purposes of this chapter and the

purposes of the United States in the completion, extension, or improvement of the system, or any part of the system.

**345.0012 Exemption from taxation.**—The authority created under this chapter is for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions, and because the authority will be performing essential governmental functions pursuant to this chapter, the authority is not required to pay any taxes or assessments of any kind or nature whatsoever upon any property acquired or used by it for such purposes, or upon any rates, fees, rentals, receipts, income, or charges received by it, and the bonds issued by the authority, their transfer and the income from their issuance, including any profits made on the sale of the bonds, shall be free from taxation by the state or by any political subdivision, taxing agency, or instrumentality of the state. The exemption granted by this section does not apply to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations.

**345.0013 Eligibility for investments and security.**—Any bonds or other obligations issued pursuant to this chapter are legal investments for banks, savings banks, trustees, executors, administrators, and all other fiduciaries, and for all state, municipal, and other public funds and are also securities eligible for deposit as security for all state, municipal, or other public funds, notwithstanding the provisions of any other law to the contrary.

**345.0014 Applicability.**—

(1) The powers conferred by this chapter are in addition to the powers conferred by other law and do not repeal the provisions of any other general or special law or local ordinance, but supplement such other laws in the exercise of the powers provided in this chapter, and provide a complete method for the exercise of the powers granted in this chapter. The extension and improvement of a system, and the issuance of bonds pursuant to this chapter to finance all or part of the cost thereof, may be accomplished upon compliance with the provisions of this chapter without regard to or necessity for compliance with the provisions, limitations, or restrictions contained in any other general, special, or local law, including, but not limited to, s. 215.821, and approval of any bonds issued under this act by the qualified electors or qualified electors who are freeholders in the state or in any political subdivision of the state is not required for the issuance of such bonds pursuant to this chapter.

(2) This act does not repeal, rescind, or modify any other law or laws relating to the State Board of Administration, the Department of Transportation, or the Division of Bond Finance of the State Board of Administration, but supersedes any other law that is inconsistent with the provisions of this chapter, including, but not limited to, s. 215.821.

**345.0015 Santa Rosa-Escambia Regional Transportation Finance Authority.**—

(1) There is hereby created and established a body politic and corporate, an agency of the state, to be known as the Santa Rosa-Escambia Regional Transportation Finance Authority, hereinafter referred to as the “authority.”

(2) The area served by the authority shall be Escambia and Santa Rosa Counties.

(3) The purposes and powers of the authority are as identified in the Florida Regional Transportation Finance Authority Act for the area served by the authority, and the authority operates in the manner provided by the Florida Regional Transportation Finance Authority Act.

**345.0016 Suncoast Regional Transportation Finance Authority.**—

(1) There is hereby created and established a body politic and corporate, an agency of the state, to be known as the Suncoast Regional Transportation Finance Authority, hereinafter referred to as the “authority.”

(2) The area served by the authority shall be Citrus, Levy, Marion, and Alachua Counties.

(3) The purposes and powers of the authority are as identified in the Florida Regional Transportation Finance Authority Act for the area served by the authority, and the authority operates in the manner provided by the Florida Regional Transportation Finance Authority Act.

**Section 59. Transfer to the Northwest Florida Regional Transportation Finance Authority.**—The governance and control of the Mid-Bay Bridge Authority System, created pursuant to chapter 2000-411, Laws of Florida, is transferred to the Northwest Florida Regional Transportation Finance Authority.

(1) The assets, facilities, tangible and intangible property and any rights in such property, and any other legal rights of the Mid-Bay Bridge Authority, including the bridge system operated by the authority, are transferred to the Northwest Florida Regional Transportation Finance Authority. All powers of the Mid-Bay Bridge Authority shall succeed to the Northwest Florida Regional Transportation Finance Authority, and the operations and maintenance of the bridge system shall be under the control of the Northwest Florida Regional Transportation Finance Authority, pursuant to this section. Revenues collected on the bridge system may be considered Northwest Florida Regional Transportation Finance Authority revenues, and the Mid-Bay Bridge may be considered part of the authority system, if bonds of the Mid-Bay Bridge Authority are not outstanding. The Northwest Florida Regional Transportation Finance Authority also assumes all liability for bonds of the Mid-Bay Bridge Authority pursuant to the provisions of subsection (2). The Northwest Florida Regional Transportation Finance Authority may review other contracts, financial obligations, and contractual obligations and liabilities of the Mid-Bay Bridge Authority and may assume legal liability for the obligations that are determined to be necessary for the continued operation of the bridge system.

(2) The transfer pursuant to this section is subject to the terms and covenants provided for the protection of the holders of the Mid-Bay Bridge Authority bonds in the lease-purchase agreement and the resolutions adopted in connection with the issuance of the bonds. Further, the transfer does not impair the terms of the contract between the Mid-Bay Bridge Authority and the bondholders, does not act to the detriment of the bondholders, and does not diminish the security for the bonds. After the transfer, until the bonds of the Mid-Bay Bridge Authority are fully defeased or paid in full, the department shall operate and maintain the bridge system and any other facilities of the authority in accordance with the terms, conditions, and covenants contained in the bond resolutions and lease-purchase agreement securing the bonds of the bridge authority. The Department of Transportation, as the agent of the Northwest Florida Regional Transportation Finance Authority, shall collect toll revenues and apply them to the payment of debt service as provided in the bond resolution securing the bonds. The Northwest Florida Regional Transportation Finance Authority shall expressly assume all obligations relating to the bonds to ensure that the transfer will have no adverse impact on the security for the bonds of the Mid-Bay Bridge Authority. The transfer does not make the obligation to pay the principal and interest on the bonds a general liability of the Northwest Florida Regional Transportation Finance Authority or pledge the authority system revenues to payment of the Mid-Bay Bridge Authority bonds. Revenues that are generated by the bridge system and other facilities of the Mid-Bay Bridge Authority and that were pledged by the Mid-Bay Bridge Authority to the payment of the bonds remain subject to the pledge for the benefit of the bondholders. The transfer does not modify or eliminate any prior obligation of the Department of Transportation to pay certain costs of the bridge system from sources other than revenues of the bridge system. With regard to the bridge authority's current long-term debt of \$9.5 million due to the department as of June 30, 2012, and to the extent permitted by the bond resolutions and lease-purchase agreement securing the bonds, the Northwest Florida Regional Transportation Finance Authority shall make payment annually to the State Transportation Trust Fund, for the purpose of repaying the Mid-Bay Bridge Authority's long-term debt due to the department, from any bridge system revenues obtained under this section which remain after the payment of the costs of operations, maintenance, renewal, and replacement of the bridge system; the payment of current debt service; and other payments required in relation to the bonds. The Northwest Florida Regional Transportation Finance Authority shall make the annual payments, not to exceed \$1 million per year, to the State Transportation Trust Fund until all remaining authority long-term debt due to the department has been repaid.

(3) Any remaining toll revenue from the facilities of the Mid-Bay Bridge Authority collected by the Northwest Florida Regional Transportation Finance Authority after meeting the requirements of subsections (1) and (2) shall be used for the construction, maintenance, or improvement of any toll facility of the Northwest Florida Regional Transportation Finance Authority within the county or counties in which the revenue was collected.

Section 60. Section 348.751, Florida Statutes, is amended to read:

348.751 Short title.—This part ~~shall be known and~~ may be cited as the “*Central Florida Orlando-Orange County Expressway Authority Law*.”

Section 61. Section 348.752, Florida Statutes, is amended to read:

348.752 Definitions.—~~As used in this chapter the following terms, whenever used or referred to in this law, shall have the following meanings, except in those instances where the context clearly indicates otherwise:~~

(1) The term “agency of the state” means ~~and includes~~ the state and any department of, or corporation, agency, or instrumentality heretofore ~~or hereafter~~ created, designated, or established by, the state.

(2) The term “authority” means the body politic and corporate, and agency of the state created by this part.

(3) The term “bonds” means ~~and includes~~ the notes, bonds, refunding bonds, or other evidences of indebtedness or obligations, in either temporary or definitive form, which the authority is authorized to issue pursuant to this part.

(4) *The term “Central Florida Expressway Authority” means the body politic and corporate, and agency of the state created by this chapter. The term “city” means the City of Orlando.*

(5) *The term “Central Florida Expressway System” means any expressway and appurtenant facilities, including all approaches, roads, bridges, and avenues for the expressway and any rapid transit, trams, or fixed guideways located within the right-of-way of an expressway. The term “county” means the County of Orange.*

(6) The term “department” means the Department of Transportation ~~existing under chapters 334-339.~~

(7) The term “expressway” ~~has the same meaning is the same as~~ limited access expressway.

(8) The term “federal agency” means and includes the United States, the President of the United States, and any department of, or corporation, agency, or instrumentality heretofore ~~or hereafter~~ created, designated, or established by, the United States.

(9) The term “lease-purchase agreement” means the lease-purchase agreements ~~that which~~ the authority is authorized ~~pursuant to this part~~ to enter into with the Department of Transportation *pursuant to this part.*

(10) The term “limited access expressway” means a street or highway ~~specifically especially~~ designed for through traffic, and over, from, or to which, ~~a no~~ person does not ~~shall~~ have the right of easement, use, or access except in accordance with the rules of ~~and regulations promulgated and established by~~ the authority *governing its use for the use of such facility.* Such highways or streets may be parkways *that do not allow traffic by, from which* trucks, buses, and other commercial vehicles ~~shall be excluded, or they may be~~ freeways open to use by all customary forms of street and highway traffic.

(11) The term “members” ~~means the governing body of the authority, and the term “member” means an individual who serves on the one of the individuals constituting such governing body of the authority.~~

(12) The term “Orange County gasoline tax funds” means ~~all~~ the revenue derived from the 80-percent surplus gasoline tax funds accruing in each year to the Department of Transportation for use in Orange County under the provisions of s. 9, Art. XII of the State Constitution, ~~after deducting deduction only of~~ any amounts of said gasoline tax funds ~~previously heretofore~~ pledged by the department or the county for outstanding obligations.

~~(13) The term “Orlando-Orange County Expressway System” means any and all expressways and appurtenant facilities thereto, including, but not limited to, all approaches, roads, bridges, and avenues of access for said expressway or expressways.~~

~~(13)(14) The term “State Board of Administration” means the body corporate existing under the provisions of s. 9, Art. XII of the State Constitution, or any successor thereto.~~

~~(14) The term “transportation facilities” means and includes the mobile and fixed assets, and the associated real or personal property or rights, used in the transportation of persons or property by any means of conveyance, and all appurtenances, such as, but not limited to, highways; limited or controlled access lanes, avenues of access, and facilities; vehicles; fixed guideway facilities, including maintenance facilities; and administrative and other office space for the exercise by the authority of the powers and obligations granted in this part.~~

~~(15) Words importing singular number include the plural number in each case and vice versa, and words importing persons include firms and corporations.~~

Section 62. Section 348.753, Florida Statutes, is amended to read:

348.753 *Central Florida Orlando-Orange County Expressway Authority.*—

(1) There is ~~hereby~~ created and established a body politic and corporate, an agency of the state, to be known as the *Central Florida Orlando-Orange County Expressway Authority*, ~~hereinafter referred to as “authority.”~~

(2)(a) Effective July 1, 2014, the Central Florida Expressway Authority shall assume the governance and control of the Orlando-Orange County Expressway Authority System, including its assets, personnel, contracts, obligations, liabilities, facilities, and tangible and intangible property. Any rights in such property, and other legal rights of the authority, are transferred to the Central Florida Expressway Authority. The powers, responsibilities, and obligations of the Orlando-Orange County Expressway Authority shall succeed to and be assumed by the Central Florida Expressway Authority on July 1, 2014.

(b) The transfer pursuant to this subsection is subject to the terms and covenants provided for the protection of the holders of the Orlando-Orange County Expressway Authority bonds in the lease-purchase agreement and the resolutions adopted in connection with the issuance of the bonds. Further, the transfer does not impair the terms of the contract between the Orlando-Orange County Expressway Authority and the bondholders, does not act to the detriment of the bondholders, and does not diminish the security for the bonds. After the transfer, the Central Florida Expressway Authority shall operate and maintain the expressway system and any other facilities of the Orlando-Orange County Expressway Authority in accordance with the terms, conditions, and covenants contained in the bond resolutions and lease-purchase agreement securing the bonds of the authority. The Central Florida Expressway Authority shall collect toll revenues and apply them to the payment of debt service as provided in the bond resolution securing the bonds, and expressly assumes all obligations relating to the bonds to ensure that the transfer will have no adverse impact on the security for the bonds. The transfer does not make the obligation to pay the principal and interest on the bonds a general liability of the Central Florida Expressway Authority or pledge additional expressway system revenues to payment of the bonds. Revenues that are generated by the expressway system and other facilities of the Central Florida Expressway Authority which were pledged by the Orlando-Orange County Expressway Authority for payment of the bonds remains subject to the pledge for the benefit of the bondholders. The transfer does not modify or eliminate any prior obligation of the department to pay certain costs of the expressway system from sources other than revenues of the expressway system.

~~(3)(2) The governing body of the authority shall consist of 11 five members. The chairs of the boards of the county commissions of Seminole, Lake, and Osceola Counties shall each appoint one member, who may be a commission member or chair. The Governor shall appoint six citizen members. Of the Governor’s appointments, two Three members must shall be citizens of Orange County, one member each must be a citizen of Seminole, Lake, and Osceola Counties, and one member may be a citizen of any of the identified counties who shall be appointed by the Governor. The 10th fourth member must shall be, ex officio, the Mayor of chair of the County Commissioners of Orange County. The 11th member must be the Mayor of the City of Orlando. The executive director of Florida Turnpike Enterprise shall serve as a nonvoting advisor to the governing body of the authority, and the fifth member shall be, ex officio,~~



~~the district secretary of the Department of Transportation serving in the district that contains Orange County. The term of Each appointed member appointed by the Governor shall serve be for 4 years. Each county-appointed member shall serve for 2 years. Standing board members shall complete their terms. Each appointed member shall hold office until his or her successor has been appointed and has qualified. A vacancy occurring during a term must shall be filled only for the balance of the unexpired term. Each appointed member of the authority shall be a person of outstanding reputation for integrity, responsibility, and business ability, but, except as provided in this subsection, a no person who is an officer or employee of a municipality or any city or of Orange county may not in any other capacity shall be an appointed member of the authority. Any member of the authority is shall be eligible for re-appointment.~~

(4)(3)(a) The authority shall elect one of its members as chair of the authority. The authority shall also elect *one of its members as vice chair, one of its members as a secretary, and one of its members as a treasurer who may or may not be members of the authority.* The chair, vice chair, secretary, and treasurer shall hold such offices at the will of the authority. *Six Three* members of the authority shall constitute a quorum, and the vote of *six three* members is shall be necessary for any action taken by the authority. A No vacancy in the authority does not shall impair the right of a quorum of the authority to exercise all of the rights and perform all of the duties of the authority.

(b) Upon the effective date of his or her appointment, or as soon thereafter as practicable, each appointed member of the authority shall enter upon his or her duties.

(5)(4)(a) The authority may employ an executive secretary, an executive director, its own counsel and legal staff, technical experts, *and the such* engineers, and *such* employees ~~that, permanent or temporary, as it requires. The authority may require and~~ may determine the qualifications and fix the compensation of such persons, firms, or corporations, and may employ a fiscal agent or agents; ~~provided, however, that~~ the authority shall solicit sealed proposals from at least three persons, firms, or corporations for the performance of any services as fiscal agents. The authority may delegate to one or more of its agents or employees *the such of its power as it deems shall deem* necessary to carry out the purposes of this part, ~~subject always to the supervision and control of the authority.~~ Members of the authority may be removed from their office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(b) Members of the authority ~~are shall be~~ entitled to receive from the authority their travel and other necessary expenses incurred in connection with the business of the authority as provided in s. 112.061, but ~~may not they shall draw no~~ salaries or other compensation.

Section 63. Section 348.754, Florida Statutes, is amended to read:

348.754 Purposes and powers.—

(1)(a) The authority created and established ~~under by the provisions of this part is hereby granted and has shall have~~ the right to acquire, hold, construct, improve, maintain, operate, own, and lease in the capacity of lessor, ~~the Central Florida Orlando-Orange County Expressway System, hereinafter referred to as "system."~~ *Except as otherwise specifically provided by law, including paragraph (2)(n), the area served by the authority shall be within the geographical boundaries of Orange, Seminole, Lake, and Osceola Counties.*

(b) ~~It is the express intention of this part that said authority, In the construction of the Central Florida said Orlando-Orange County Expressway System, the authority may shall be authorized to construct any extensions, additions, or improvements to the said system or appurtenant facilities, including all necessary approaches, roads, bridges, and avenues of access, rapid transit, trams, fixed guideways, thoroughfares, and boulevards with any such changes, modifications, or revisions of the said project which are as shall be deemed desirable and proper.~~

(c) *Notwithstanding any provision of this part to the contrary, to ensure the continued financial feasibility of the portion of the Wekiva Parkway to be constructed by the department, the authority may not, without the prior consent of the secretary of the department, construct an extension, addition, or improvement to the expressway system in Lake County.*

(2) The authority ~~is hereby granted, and shall have and~~ may exercise all powers necessary, appurtenant, convenient, or incidental to the ~~implementation carrying out of the stated aforesaid~~ purposes, including, but ~~not without being~~ limited to, the following rights and powers:

(a) To sue and be sued, implead and be impleaded, complain and defend in all courts.

(b) To adopt, use, and alter at will a corporate seal.

(c) To acquire by donation or otherwise, purchase, hold, lease as lessee, and use any franchise ~~or any~~, property, real, personal, ~~or mixed~~, or tangible or intangible, or any options ~~thereof~~ in its own name or in conjunction with others, or interest in those options ~~therein~~, necessary or desirable ~~to carry for carrying out~~ the purposes of the authority, and to sell, lease as lessor, transfer, and dispose of any property or interest ~~in the property therein~~ at any time acquired by it.

(d) To enter into and make leases for terms not exceeding ~~99 40~~ years, as ~~either~~ lessee or lessor, in order to carry out the right to lease as ~~specified set forth~~ in this part.

(e) To enter into and make lease-purchase agreements with the department for terms not exceeding 40 years, or until any bonds secured by a pledge of rentals ~~pursuant to the agreement thereunder~~, and any refundings pursuant to the agreement ~~thereof~~, are fully paid as to both principal and interest, whichever is longer. *The authority is a party to a lease-purchase agreement between the department and the authority dated December 23, 1985, as supplemented by a first supplement to the lease-purchase agreement dated November 25, 1986, and a second supplement to the lease-purchase agreement dated October 27, 1988. The authority may not enter into other lease-purchase agreements with the department and may not amend the existing agreement in a manner that expands or increases the department's obligations unless the department determines that the agreement or amendment is necessary to permit the refunding of bonds issued before July 1, 2012.*

(f) To fix, alter, charge, establish, and collect rates, fees, rentals, and other charges for the services and facilities of the ~~Central Florida Orlando-Orange County Expressway System; which must rates, fees, rentals and other charges shall~~ always be sufficient to comply with any covenants made with the holders of any bonds issued pursuant to this part; ~~provided, however, that~~ such right and power may be assigned or delegated, by the authority, to the department. *Toll revenues attributable to an increase in the toll rates charged on or after July 1, 2014, for the use of a facility or portion of a facility may not be used to construct or expand a different facility unless a two-thirds majority of the members of the authority votes to approve such use. This requirement does not apply if, and to the extent that:*

1. *Application of the requirement would violate any covenant established in a resolution or trust indenture under which bonds were issued by the Orlando-Orange County Expressway Authority on or before July 1, 2014; or*

2. *Application of the requirement would cause the authority to be unable to meet its obligations under the terms of the memorandum of understanding between the authority and the department as ratified by the Orlando-Orange County Expressway Authority board on February 22, 2012.*

*Notwithstanding s. 338.165, and except as otherwise prohibited by this part, to the extent revenues of the expressway system exceed amounts required to comply with any covenants made with the holders of bonds issued pursuant to this part, revenues may be used for purposes enumerated in subsection (6), if the expenditures are consistent with the metropolitan planning organization's adopted long-range plan.*

(g) To borrow money, make and issue negotiable notes, bonds, refunding bonds, and other evidences of indebtedness or obligations, either in temporary or definitive form, ~~hereinafter in this chapter sometimes called "bonds" of the authority,~~ for the purpose of financing all or part of the improvement or extension of the ~~Central Florida Orlando-Orange County Expressway System, and appurtenant facilities, including all approaches, streets, roads, bridges, and avenues of access for the Central Florida said Orlando-Orange County Expressway System and for any other purpose authorized by this part, said bonds to mature in not exceeding 40 years from the date of the issuance thereof,~~ and to secure the



payment of such bonds or any part thereof by a pledge of any or all of its revenues, rates, fees, rentals, or other charges, including all or any portion of the Orange County gasoline tax funds received by the authority pursuant to the terms of any lease-purchase agreement between the authority and the department; and in general to provide for the security of the said bonds and the rights and remedies of the holders thereof. ~~Provided, That no portion of the Orange County gasoline tax funds may shall be pledged for the construction of any project for which a toll is to be charged unless the anticipated toll is tolls are reasonably estimated by the board of county commissioners, at the date of its resolution pledging the said funds, to be sufficient to cover the principal and interest of such obligations during the period when the said pledge of funds is shall be in effect. The bonds issued under this paragraph must mature not more than 40 years after their issue date.~~

1. The authority shall reimburse Orange County for any sums expended from the said gasoline tax funds used for the payment of such obligations. Any gasoline tax funds so disbursed ~~must shall~~ be repaid when the authority deems it practicable, together with interest at the highest rate applicable to any obligations of the authority.

2. ~~If, pursuant to this section, In the event the authority funds shall determine to fund or refund any bonds previously theretofore issued by the said authority, or the by said commission before the bonds mature as aforesaid prior to the maturity thereof, the proceeds of such funding or refunding must bonds shall, pending the prior redemption of these the bonds to be funded or refunded, be invested in direct obligations of the United States, and it is the express intention of this part that such outstanding bonds may be funded or refunded by the issuance of bonds pursuant to this part.~~

(h) To make contracts ~~of every name and nature~~, including, but not limited to, partnerships providing for participation in ownership and revenues, and to execute all instruments necessary or convenient for conducting ~~the carrying on of~~ its business.

(i) ~~Notwithstanding paragraphs (a)-(h), Without limitation of the foregoing,~~ to borrow money and accept grants from, and to enter into contracts, leases, or other transactions with any federal agency, the state, any agency of the state, the County of Orange, the City of Orlando, or with any other public body of the state.

(j) To have the power of eminent domain, including the procedural powers granted under both chapters 73 and 74.

(k) To pledge, hypothecate, or otherwise encumber ~~all or~~ any part of the revenues, rates, fees, rentals, or other charges or receipts of the authority, including all or any portion of the Orange County gasoline tax funds received by the authority pursuant to the terms of any lease-purchase agreement between the authority and the department, as security for ~~all or~~ any of the obligations of the authority.

(l) To enter into partnership and other agreements respecting ownership and revenue participation in order to facilitate financing and constructing the Western Beltway, or portions thereof.

(m) To do ~~everything all acts and things~~ necessary or convenient for the conduct of its business and the general welfare of the authority, in order to ~~comply with carry out the powers granted to it by~~ this part or any other law.

(n) With the consent of the county within whose jurisdiction the following activities occur, the authority shall have the right to construct, operate, and maintain roads, bridges, avenues of access, ~~transportation facilities, thoroughfares, and boulevards outside the jurisdictional boundaries of Orange, Seminole, Lake, and Osceola Counties County,~~ together with the right to construct, repair, replace, operate, install, and maintain electronic toll payment systems thereon, ~~with all necessary and incidental powers to accomplish the foregoing.~~

(3) The authority ~~does not shall have the no power at any time or in any manner~~ to pledge the credit or taxing power of the state or any political subdivision or agency thereof, including ~~any city and any county the City of Orlando and the County of Orange, nor may nor shall~~ any of the authority's obligations be deemed to be obligations of the state or of any political subdivision or agency thereof, ~~nor may nor shall~~ the state or any political subdivision or agency thereof, except the authority, be liable for the payment of the principal of or interest on such obligations.

~~(4) Anything in this part to the contrary notwithstanding, acquisition of right-of-way for a project of the authority which is within the boundaries of any municipality in Orange County shall not be begun unless and until the route of said project within said municipality has been given prior approval by the governing body of said municipality.~~

~~(4)(5) The authority has shall have~~ no power other than by consent of an affected Orange county or any affected city, to enter into any agreement which would legally prohibit the construction of a ~~any~~ road by the respective county or city ~~Orange County or by any city within Orange County.~~

(5) The authority shall encourage the inclusion of local-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities.

~~(6)(a) The authority may, within the right-of-way of the expressway system, finance or refinance the planning, design, acquisition, construction, extension, rehabilitation, equipping, preservation, maintenance, or improvement of an intermodal facility or facilities, a multimodal corridor or corridors, or any programs or projects that will improve the levels of service on the expressway system. Notwithstanding s. 255.05, the Orlando Orange County Expressway Authority may waive payment and performance bonds on construction contracts for the construction of a public building, for the prosecution and completion of a public work, or for repairs on a public building or public work that has a cost of \$500,000 or less and when the project is awarded pursuant to an economic development program for the encouragement of local small businesses that has been adopted by the governing body of the Orlando Orange County Expressway Authority pursuant to a resolution or policy.~~

(b) The authority's adopted criteria for participation in the economic development program for local small businesses requires that a participant:

- ~~1. Be an independent business.~~
- ~~2. Be principally domiciled in the Orange County Standard Metropolitan Statistical Area.~~
- ~~3. Employ 25 or fewer full-time employees.~~
- ~~4. Have gross annual sales averaging \$3 million or less over the immediately preceding 3 calendar years with regard to any construction element of the program.~~
- ~~5. Be accepted as a participant in the Orlando Orange County Expressway Authority's microcontracts program or such other small business program as may be hereinafter enacted by the Orlando Orange County Expressway Authority.~~
- ~~6. Participate in an educational curriculum or technical assistance program for business development that will assist the small business in becoming eligible for bonding.~~

~~(c) The authority's adopted procedures for waiving payment and performance bonds on projects with values not less than \$200,000 and not exceeding \$500,000 shall provide that payment and performance bonds may only be waived on projects that have been set aside to be competitively bid on by participants in an economic development program for local small businesses. The authority's executive director or his or her designee shall determine whether specific construction projects are suitable for:~~

- ~~1. Bidding under the authority's microcontracts program by registered local small businesses; and~~
- ~~2. Waiver of the payment and performance bond.~~

The decision of the authority's executive director or deputy executive director to waive the payment and performance bond shall be based upon his or her investigation and conclusion that there exists sufficient competition so that the authority receives a fair price and does not undertake any unusual risk with respect to such project.

~~(d) For any contract for which a payment and performance bond has been waived pursuant to the authority set forth in this section, the Orlando Orange County Expressway Authority shall pay all persons defined in s. 713.01 who furnish labor, services, or materials for the pro-~~

~~secution of the work provided for in the contract to the same extent and upon the same conditions that a surety on the payment bond under s. 255.05 would have been obligated to pay such persons if the payment and performance bond had not been waived. The authority shall record notice of this obligation in the manner and location that surety bonds are recorded. The notice shall include the information describing the contract that s. 255.05(1) requires be stated on the front page of the bond. Notwithstanding that s. 255.05(9) generally applies when a performance and payment bond is required, s. 255.05(9) shall apply under this subsection to any contract on which performance or payment bonds are waived and any claim to payment under this subsection shall be treated as a contract claim pursuant to s. 255.05(9).~~

~~(c) A small business that has been the successful bidder on six projects for which the payment and performance bond was waived by the authority pursuant to paragraph (a) shall be ineligible to bid on additional projects for which the payment and performance bond is to be waived. The local small business may continue to participate in other elements of the economic development program for local small businesses as long as it is eligible.~~

~~(f) The authority shall conduct bond eligibility training for businesses qualifying for bond waiver under this subsection to encourage and promote bond eligibility for such businesses.~~

~~(g) The authority shall prepare a biennial report on the activities undertaken pursuant to this subsection to be submitted to the Orange County legislative delegation. The initial report shall be due December 31, 2010.~~

Section 64. Section 348.7543, Florida Statutes, is amended to read:

348.7543 Improvements, bond financing authority for.—Pursuant to s. 11(f), Art. VII of the State Constitution, the Legislature hereby approves for bond financing by the *Central Florida Orlando-Orange County Expressway Authority* improvements to toll collection facilities, interchanges to the legislatively approved expressway system, and any other facility appurtenant, necessary, or incidental to the approved system. Subject to terms and conditions of applicable revenue bond resolutions and covenants, such costs may be financed in whole or in part by revenue bonds issued pursuant to s. 348.755(1)(a) or (b) whether currently issued or issued in the future, or by a combination of such bonds.

Section 65. Section 348.7544, Florida Statutes, is amended to read:

348.7544 Northwest Beltway Part A, construction authorized; financing.—Notwithstanding s. 338.2275, the *Central Florida Orlando-Orange County Expressway Authority* ~~may is hereby authorized to~~ construct, finance, operate, own, and maintain that portion of the Western Beltway known as the Northwest Beltway Part A, extending from Florida's Turnpike near Ocoee north to U.S. 441 near Apopka, as part of the authority's 20-year capital projects plan. This project may be financed with any funds available to the authority for such purpose or revenue bonds issued by the Division of Bond Finance of the State Board of Administration on behalf of the authority pursuant to s. 11, Art. VII of the State Constitution and the State Bond Act, ss. 215.57-215.83.

Section 66. Section 348.7545, Florida Statutes, is amended to read:

348.7545 Western Beltway Part C, construction authorized; financing.—Notwithstanding s. 338.2275, the *Central Florida Orlando-Orange County Expressway Authority* ~~may is authorized to~~ exercise its condemnation powers, construct, finance, operate, own, and maintain that portion of the Western Beltway known as the Western Beltway Part C, extending from Florida's Turnpike near Ocoee in Orange County southerly through Orange and Osceola Counties to an interchange with I-4 near the Osceola-Polk County line, as part of the authority's 20-year capital projects plan. This project may be financed with any funds available to the authority for such purpose or revenue bonds issued by the Division of Bond Finance of the State Board of Administration on behalf of the authority pursuant to s. 11, Art. VII of the State Constitution and the State Bond Act, ss. 215.57-215.83. This project may be refinanced with bonds issued by the authority pursuant to s. 348.755(1)(d).

Section 67. Section 348.7546, Florida Statutes, is amended to read:

348.7546 Wekiva Parkway, construction authorized; financing.—

(1) The *Central Florida Orlando-Orange County Expressway Authority* ~~may is authorized to~~ exercise its condemnation powers and to construct, finance, operate, own, and maintain those portions of the Wekiva Parkway which are identified by agreement between the authority and the department and which are included as part of the authority's long-range capital improvement plan. The "Wekiva Parkway" means any limited access highway or expressway constructed between State Road 429 and Interstate 4 specifically incorporating the corridor alignment recommended by Recommendation 2 of the Wekiva River Basin Area Task Force final report dated January 15, 2003, and the recommendations of the SR 429 Working Group, which were adopted January 16, 2004. This project may be financed with any funds available to the authority for such purpose or revenue bonds issued by the authority under s. 11, Art. VII of the State Constitution and s. 348.755(1)(b). This section does not invalidate the exercise by the authority of its condemnation powers or the acquisition of any property for the Wekiva Parkway before July 1, 2012.

(2) Notwithstanding any other provision of law ~~to the contrary~~, in order to ensure that funds are available to the department for its portion of the Wekiva Parkway, beginning July 1, 2012, the authority shall repay the expenditures by the department for costs of operation and maintenance of the *Central Florida Orlando-Orange County Expressway System* in accordance with the terms of the memorandum of understanding between the authority and the department as ratified by the authority board on February 22, 2012, which requires the authority to pay the department \$10 million on July 1, 2012, and \$20 million on each successive July 1 until the department has been fully reimbursed for all costs of the *Central Florida Orlando-Orange County Expressway System* which were paid, advanced, or reimbursed to the authority by the department, with a final payment in the amount of the balance remaining. Notwithstanding any other law ~~to the contrary~~, the funds paid to the department pursuant to this subsection ~~must shall~~ be allocated by the department for construction of the Wekiva Parkway.

(3) The department's obligation to construct its portions of the Wekiva Parkway is contingent upon the timely payment by the authority of the annual payments required of the authority and receipt of all required environmental permits and approvals by the Federal Government.

Section 68. Section 348.7547, Florida Statutes, is amended to read:

348.7547 Maitland Boulevard Extension and Northwest Beltway Part A Realignment construction authorized; financing.—Notwithstanding s. 338.2275, the *Central Florida Orlando-Orange County Expressway Authority* ~~may is hereby authorized to~~ exercise its condemnation powers, construct, finance, operate, own, and maintain the portion of State Road 414 known as the Maitland Boulevard Extension and the realigned portion of the Northwest Beltway Part A as part of the authority's long-range capital improvement plan. The Maitland Boulevard Extension ~~extends will extend~~ from the current terminus of State Road 414 at U.S. 441 west to State Road 429 in west Orange County. The realigned portion of the Northwest Beltway Part A ~~runs will run~~ from the point at or near where the Maitland Boulevard Extension ~~connects will connect~~ with State Road 429 and ~~proceeds will proceed~~ to the west and then north resulting in the northern terminus of State Road 429 moving farther west before reconnecting with U.S. 441. However, under no circumstances ~~may shall~~ the realignment of the Northwest Beltway Part A conflict ~~with or contradict~~ with the alignment of the Wekiva Parkway as defined in s. 348.7546. This project may be financed with any funds available to the authority for such purpose or revenue bonds issued by the authority under s. 11, Art. VII of the State Constitution and s. 348.755(1)(b).

Section 69. Subsections (2) and (3) of section 348.755, Florida Statutes, are amended to read:

348.755 Bonds of the authority.—

(2) Any ~~such resolution that authorizes or resolutions authorizing~~ any bonds ~~issued under this section hereunder~~ may contain provisions ~~that must which shall~~ be part of the contract with the holders of such bonds, ~~relating as to:~~

(a) The pledging of ~~all or~~ any part of the revenues, rates, fees, rentals, ~~(including all or~~ any portion of the Orange County gasoline tax funds received by the authority pursuant to the terms of any lease-purchase agreement between the authority and the department, or any

part thereof, or other charges or receipts of the authority, derived by the authority, from the ~~Central Florida Orlando-Orange County~~ Expressway System.

(b) The completion, improvement, operation, extension, maintenance, repair, lease or lease-purchase agreement of ~~the said~~ system, and the duties of the authority and others, including the department, ~~with reference thereto.~~

(c) Limitations on the purposes to which the proceeds of the bonds, then or thereafter to be issued, or of any loan or grant by the United States or the state may be applied.

(d) The fixing, charging, establishing, and collecting of rates, fees, rentals, or other charges for use of the services and facilities of the ~~Central Florida Orlando-Orange County~~ Expressway System or any part thereof.

(e) The setting aside of reserves or sinking funds or repair and replacement funds and the regulation and disposition thereof.

(f) Limitations on the issuance of additional bonds.

(g) The terms and provisions of any lease-purchase agreement, deed of trust or indenture securing the bonds, or under which the same may be issued.

(h) Any other or additional agreements with the holders of the bonds which the authority may deem desirable and proper.

(3) The authority may employ fiscal agents as provided by this part or the State Board of Administration of Florida may upon request of the authority act as fiscal agent for the authority in the issuance of any bonds ~~that which~~ may be issued pursuant to this part, and the State Board of Administration may upon request of the authority take over the management, control, administration, custody, and payment of any ~~or all~~ debt services or funds or assets now or hereafter available for any bonds issued pursuant to this part. The authority may enter into any deeds of trust, indentures or other agreements with its fiscal agent, or with any bank or trust company within or without the state, as security for such bonds, and may, under such agreements, sign and pledge ~~all or~~ any of the revenues, rates, fees, rentals or other charges or receipts of the authority, including ~~all or~~ any portion of the Orange County gasoline tax funds received by the authority pursuant to the terms of any lease-purchase agreement between the authority and the department, ~~thereunder.~~ Such deed of trust, indenture, or other agreement may contain such provisions as are customary in such instruments, or, as the authority may authorize, including but without limitation, provisions as to:

(a) The completion, improvement, operation, extension, maintenance, repair, and lease of, or lease-purchase agreement relating to the ~~Central Florida Orlando-Orange County~~ Expressway System, and the duties of the authority and others including the department, with reference thereto.

(b) The application of funds and the safeguarding of funds on hand or on deposit.

(c) The rights and remedies of the trustee and the holders of the bonds.

(d) The terms and provisions of the bonds or the resolutions authorizing the issuance of same.

Section 70. Subsections (3) and (4) of section 348.756, Florida Statutes, are amended to read:

348.756 Remedies of the bondholders.—

(3) ~~When a~~ ~~Any~~ trustee is ~~when~~ appointed pursuant to subsection (1) ~~as aforesaid,~~ or is acting under a deed of trust, indenture, or other agreement, and whether or not all bonds have been declared due and payable, ~~the trustee is shall be entitled as of right~~ to the appointment of a receiver, who may enter upon and take possession of the ~~Central Florida Orlando-Orange County~~ Expressway System or the facilities or any part of the system or facilities or parts thereof, the rates, fees, rentals, or other revenues, charges, or receipts ~~that from which~~ are, or may be, applicable to the payment of the bonds so in default, and subject to and in compliance with the provisions of any lease-purchase agreement between

the authority and the department operate and maintain the same, for and on behalf of and in the name of, the authority, the department, and the bondholders, and collect and receive all rates, fees, rentals, and other charges or receipts or revenues arising therefrom in the same manner as the authority or the department might do, and shall deposit all such moneys in a separate account and apply the same in such manner as the court ~~directs shall direct.~~ In any suit, action, or proceeding by the trustee, the fees, counsel fees, and expenses of the trustee, and ~~the said~~ receiver, if any, and all costs and disbursements allowed by the court ~~must shall~~ be a first charge on any rates, fees, rentals, or other charges, revenues, or receipts, derived from the ~~Central Florida Orlando-Orange County~~ Expressway System, or the facilities or services or any part of the system or facilities or parts thereof, including payments under any such lease-purchase agreement ~~as aforesaid~~ which ~~said~~ rates, fees, rentals, or other charges, revenues, or receipts ~~shall or~~ may be applicable to the payment of the bonds that are so in default. ~~The Such trustee has shall, in addition to the foregoing, have and possess~~ all of the powers necessary or appropriate for the exercise of any functions specifically set forth ~~in this section herein~~ or incident to the representation of the bondholders in the enforcement and protection of their rights.

(4) ~~Nothing in~~ This section or any other section of this part ~~does not shall~~ authorize any receiver appointed ~~pursuant hereto~~ for the purpose, subject to and in compliance with the provisions of any lease-purchase agreement between the authority and the department, of operating and maintaining the ~~Central Florida Orlando-Orange County~~ Expressway System or any facilities or part of the system or facilities or parts thereof, to sell, assign, mortgage, or otherwise dispose of any of the assets of whatever kind and character belonging to the authority. ~~It is the intention of this part to limit~~ The powers of ~~the such~~ receiver, subject to and in compliance with the provisions of any lease-purchase agreement between the authority and the department, ~~are limited to~~ the operation and maintenance of the ~~Central Florida Orlando-Orange County~~ Expressway System, or any facility, or part or parts thereof, as the court may direct, in the name and for and on behalf of the authority, the department, and the bondholders, and no holder of bonds on the authority nor any trustee, ~~has shall ever have~~ the right in any suit, action, or proceeding at law or in equity, to compel a receiver, nor ~~may shall~~ any receiver be authorized or any court be empowered to direct the receiver to sell, assign, mortgage, or otherwise dispose of any assets of ~~whatever kind or character~~ belonging to the authority.

Section 71. Subsections (1) through (7) of section 348.757, Florida Statutes, are amended to read:

348.757 Lease-purchase agreement.—

(1) ~~In order to effectuate the purposes of this part and as authorized by this part,~~ The authority may enter into a lease-purchase agreement with the department relating to and covering the ~~former~~ Orlando-Orange County Expressway System.

(2) ~~The Such~~ lease-purchase agreement ~~must shall~~ provide for the leasing of the ~~former~~ Orlando-Orange County Expressway System, by the authority, as lessor, to the department, as lessee, ~~must shall~~ prescribe the term of such lease and the rentals to be paid ~~thereunder,~~ and ~~must shall~~ provide that upon the completion of the faithful performance ~~thereunder~~ and the termination of the ~~such~~ lease-purchase agreement, title in fee simple absolute to the ~~former~~ Orlando-Orange County Expressway System as then constituted shall be transferred in accordance with law by the authority, to the state and the authority shall deliver to the department such deeds and conveyances as shall be necessary or convenient to vest title in fee simple absolute in the state.

(3) ~~The Such~~ lease-purchase agreement may include ~~such~~ other provisions, agreements, and covenants ~~that as~~ the authority and the department deem advisable or required, including, but not limited to, provisions as to the bonds to be issued under, and for the purposes of, this part, the completion, extension, improvement, operation, and maintenance of the ~~former~~ Orlando-Orange County Expressway System and the expenses and the cost of operation of ~~the said~~ authority, the charging and collection of tolls, rates, fees, and other charges for the use of the services and facilities of the system ~~thereof,~~ the application of federal or state grants or aid ~~that which~~ may be made or given to assist the authority in the completion, extension, improvement, operation, and maintenance of the ~~former~~ Orlando-Orange County ~~Orlando~~ Expressway System, which the authority is ~~hereby~~ authorized to accept and apply to such purposes, the enforcement of payment and collection of rentals and

any other terms, provisions, or covenants necessary, incidental, or appurtenant to the making of and full performance under ~~the such~~ lease-purchase agreement.

(4) The department as lessee under ~~the such~~ lease-purchase agreement, ~~may is hereby authorized to~~ pay as rentals under the agreement ~~thereunder~~ any rates, fees, charges, funds, moneys, receipts, or income accruing to the department from the operation of the former Orlando-Orange County Expressway System and the Orange County gasoline tax funds and may also pay as rentals any appropriations received by the department pursuant to any act of the Legislature of the state heretofore or hereafter enacted; ~~provided, however, this part or the that nothing herein nor in such~~ lease-purchase agreement is not intended to and does not ~~nor shall this part or such lease-purchase agreement~~ require the making or continuance of such appropriations, and ~~nor shall~~ any holder of bonds issued pursuant to this part ~~does not ever~~ have any right to compel the making or continuance of such appropriations.

(5) A ~~No~~ pledge of the ~~said~~ Orange County gasoline tax funds as rentals under a ~~such~~ lease-purchase agreement ~~may not shall~~ be made without the consent of the County of Orange evidenced by a resolution duly adopted by the board of county commissioners of said county at a public hearing held pursuant to due notice thereof published at least once a week for 3 consecutive weeks before the hearing in a newspaper of general circulation in Orange County. ~~The Said~~ resolution, among other things, ~~must shall~~ provide that any excess of the ~~said~~ pledged gasoline tax funds which is not required for debt service or reserves for the ~~such~~ debt service for any bonds issued by the ~~said~~ authority shall be returned annually to the department for distribution to Orange County as provided by law. Before making any application for a ~~such~~ pledge of gasoline tax funds, the authority shall present the plan of its proposed project to the Orange County planning and zoning commission for its comments and recommendations.

(6) ~~The Said~~ department ~~may shall have power to~~ covenant in any lease-purchase agreement that it will pay all or any part of the cost of the operation, maintenance, repair, renewal, and replacement of the ~~said~~ system, and any part of the cost of completing the ~~said~~ system to the extent that the proceeds of bonds issued ~~therefor~~ are insufficient, from sources other than the revenues derived from the operation of the ~~said~~ system and the ~~said~~ Orange County gasoline tax funds. ~~The said~~ department may also agree to make such other payments from any moneys available to the ~~said~~ commission, the ~~said~~ county, or the ~~said~~ city in connection with the construction or completion of the ~~said~~ system as shall be deemed by the ~~said~~ department to be fair and proper under any ~~such~~ covenants ~~heretofore or hereafter~~ entered into.

(7) ~~The said~~ system ~~must shall~~ be a part of the state road system and the ~~said~~ department ~~may is hereby authorized~~, upon the request of the authority, ~~to~~ expend out of any funds available for the purpose ~~the such~~ moneys, and ~~to~~ use ~~such~~ of its engineering and other forces, as may be necessary ~~and desirable in the judgment of said department~~, for the operation of the ~~said~~ authority and for traffic surveys, borings, surveys, preparation of plans and specifications, estimates of cost, and other preliminary engineering and other studies; provided, however, that the aggregate amount of moneys expended for the ~~said~~ purposes by the ~~said~~ department ~~do shall~~ not exceed the sum of \$375,000.

Section 72. Section 348.758, Florida Statutes, is amended to read:

348.758 *Appointment of department as ~~may be appointed~~ agent of authority for construction.*—The department may be appointed by the ~~said~~ authority as its agent for the purpose of constructing improvements and extensions to the Central Florida ~~Orlando-Orange County~~ Expressway System and for ~~its the~~ completion thereof. In such event, the authority shall provide the department with complete copies of all documents, agreements, resolutions, contracts, and instruments relating thereto and shall request the department to do such construction work, including the planning, surveying, and actual construction of the completion, extensions, and improvements to the Central Florida ~~Orlando-Orange County~~ Expressway System and shall transfer to the credit of an account of the department in the State Treasury of the state the necessary funds, ~~therefor~~ and the department ~~may shall thereupon be authorized, empowered and directed to~~ proceed with such construction and ~~to~~ use the ~~said~~ funds for such purpose in the same manner that it is ~~now~~ authorized to use the funds ~~otherwise provided by law for the its use in~~ construction of roads and bridges.

Section 73. Section 348.759, Florida Statutes, is amended to read:

348.759 Acquisition of lands and property.—

(1) For the purposes of this part, the ~~Central Florida Orlando-Orange County~~ Expressway Authority may acquire private or public property and property rights, including rights of access, air, view, and light, by gift, devise, purchase, or condemnation by eminent domain proceedings, as the authority ~~deems may deem~~ necessary for any of the purposes of this part, including, but not limited to, any lands reasonably necessary for securing applicable permits, areas necessary for management of access, borrow pits, drainage ditches, water retention areas, rest areas, replacement access for landowners whose access is impaired due to the construction of a facility, and replacement rights-of-way for relocated rail and utility facilities; for existing, proposed, or anticipated transportation facilities on the Central Florida ~~Orlando-Orange County~~ Expressway System or in a transportation corridor designated by the authority; or for the purposes of screening, relocation, removal, or disposal of junkyards and scrap metal processing facilities. The authority ~~may shall also have the power to~~ condemn any material and property necessary for such purposes.

(2) ~~The right of eminent domain herein conferred shall be exercised by the~~ authority ~~shall exercise the right of eminent domain~~ in the manner provided by law.

(3) When the authority acquires property for a transportation facility or in a transportation corridor, it is not subject to any liability imposed by chapter 376 or chapter 403 for preexisting soil or groundwater contamination due solely to its ownership. This section does not affect the rights or liabilities of any past or future owners of the acquired property ~~and nor does not it~~ affect the liability of any governmental entity for the results of its actions which create or exacerbate a pollution source. The authority and the Department of Environmental Protection may enter into interagency agreements for the performance, funding, and reimbursement of the investigative and remedial acts necessary for property acquired by the authority.

Section 74. Section 348.760, Florida Statutes, is amended to read:

348.760 Cooperation with other units, boards, agencies, and individuals.—~~A Express authority and power is hereby given and granted any county, municipality, drainage district, road and bridge district, school district or any other political subdivision, board, commission, or individual in, or of, the state may to~~ make and enter into with the authority, contracts, leases, conveyances, partnerships, or other agreements ~~pursuant to within the provisions and purposes of this part. The authority may is hereby expressly authorized to~~ make and enter into contracts, leases, conveyances, partnerships, and other agreements with any political subdivision, agency, or instrumentality of the state and any ~~and all~~ federal agencies, corporations, and individuals, for the purpose of carrying out the provisions of this part ~~or with the consent of the Seminole County Expressway Authority, for the purpose of carrying out and implementing part VIII of this chapter.~~

Section 75. Section 348.761, Florida Statutes, is amended to read:

348.761 Covenant of the state.—The state ~~pledges does hereby~~ pledge to, and agrees, with any person, firm or corporation, or federal or state agency subscribing to, or acquiring the bonds to be issued by the authority for the purposes of this part that the state will not limit or alter the rights that are ~~hereby~~ vested in the authority and the department until all ~~issued bonds and interest at any time issued, together with the interest thereon,~~ are fully paid and discharged insofar as the ~~pledge same~~ affects the rights of the holders of bonds issued ~~pursuant to this part hereunder~~. The state does further pledge to, and agree, with the United States that in the event any federal agency ~~constructs or contributes shall construct or contribute~~ any funds for the completion, extension, or improvement of the Central Florida ~~Orlando-Orange County~~ Expressway System, or any part or portion of the system thereof, the state will not alter or limit the rights and powers of the authority and the department in any manner ~~that which~~ would be inconsistent with the continued maintenance and operation of the Central Florida ~~Orlando-Orange County~~ Expressway System or the completion, extension, or improvement of the system thereof, or ~~that which~~ would be inconsistent with the due performance of any agreements between the authority and any such federal agency, and the authority and the department shall continue to have and may exercise all powers ~~herein~~ granted in this part,

so long as the powers are ~~same shall be~~ necessary or desirable for the carrying out of the purposes of this part and the purposes of the United States in the completion, extension, or improvement of the *Central Florida Orlando-Orange County* Expressway System, or any part of the system ~~or portion thereof~~.

Section 76. Section 348.765, Florida Statutes, is amended to read:

348.765 This part complete and additional authority.—

(1) The powers conferred by this part ~~are shall be~~ in addition and supplemental to the existing powers of the ~~said~~ board and the department, and this part ~~may shall~~ not be construed as repealing any of the provisions, of any other law, general, special, or local, but to supersede such other laws in the exercise of the powers provided in this part, and to provide a complete method for the exercise of the powers granted in this part. The extension and improvement of the *Central Florida said Orlando-Orange County* Expressway System, and the issuance of bonds pursuant to this part ~~hereunder~~ to finance all or part of the cost of the system ~~thereof~~, may be accomplished upon compliance with the provisions of this part without regard to or necessity for compliance with the provisions, limitations, or restrictions contained in any other general, special, or local law, including, but not limited to, s. 215.821, and no approval of any bonds issued under this part by the qualified electors or qualified electors who are freeholders in the state or in the ~~said~~ County of Orange, or in the ~~said~~ City of Orlando, or in any other political subdivision of the state, is ~~shall be~~ required for the issuance of such bonds pursuant to this part.

(2) This part ~~does shall~~ not be deemed to repeal, rescind, or modify any other law ~~or laws~~ relating to the ~~said~~ State Board of Administration, the ~~said~~ Department of Transportation, or the Division of Bond Finance of the State Board of Administration, but ~~supersedes any shall be deemed to and shall supersede such other law that is or laws as are~~ inconsistent with the provisions of this part, including, but not limited to, s. 215.821.

Section 77. Subsections (6) and (7) of section 369.317, Florida Statutes, are amended to read:

369.317 Wekiva Parkway.—

(6) The *Central Florida Orlando-Orange County* Expressway Authority is hereby granted the authority to act as a third-party acquisition agent, pursuant to s. 259.041 on behalf of the Board of Trustees or chapter 373 on behalf of the governing board of the St. Johns River Water Management District, for the acquisition of all necessary lands, property and all interests in property identified herein, including fee simple or less-than-fee simple interests. The lands subject to this authority are identified in paragraph 10.a., State of Florida, Office of the Governor, Executive Order 03-112 of July 1, 2003, and in Recommendation 16 of the Wekiva Basin Area Task Force created by Executive Order 2002-259, such lands otherwise known as Neighborhood Lakes, a 1,587+-acre parcel located in Orange and Lake Counties within Sections 27, 28, 33, and 34 of Township 19 South, Range 28 East, and Sections 3, 4, 5, and 9 of Township 20 South, Range 28 East; Seminole Woods/Swamp, a 5,353+-acre parcel located in Lake County within Section 37, Township 19 South, Range 28 East; New Garden Coal; a 1,605+-acre parcel in Lake County within Sections 23, 25, 26, 35, and 36, Township 19 South, Range 28 East; Pine Plantation, a 617+-acre tract consisting of eight individual parcels within the Apopka City limits. The Department of Transportation, the Department of Environmental Protection, the St. Johns River Water Management District, and other land acquisition entities shall participate and cooperate in providing information and support to the third-party acquisition agent. The land acquisition process authorized by this paragraph shall begin no later than December 31, 2004. Acquisition of the properties identified as Neighborhood Lakes, Pine Plantation, and New Garden Coal, or approval as a mitigation bank shall be concluded no later than December 31, 2010. Department of Transportation and *Central Florida Orlando-Orange County* Expressway Authority funds expended to purchase an interest in those lands identified in this subsection shall be eligible as environmental mitigation for road construction related impacts in the Wekiva Study Area. If any of the lands identified in this subsection are used as environmental mitigation for road-construction-related impacts incurred by the Department of Transportation or *Central Florida Orlando-Orange County* Expressway Authority, or for other impacts incurred by other entities, within the Wekiva Study Area or within the Wekiva parkway alignment corridor, and if the mitigation offsets these

impacts, the St. Johns River Water Management District and the Department of Environmental Protection shall consider the activity regulated under part IV of chapter 373 to meet the cumulative impact requirements of s. 373.414(8)(a).

(a) Acquisition of the land described in this section is required to provide right-of-way for the Wekiva Parkway, a limited access roadway linking State Road 429 to Interstate 4, an essential component in meeting regional transportation needs to provide regional connectivity, improve safety, accommodate projected population and economic growth, and satisfy critical transportation requirements caused by increased traffic volume growth and travel demands.

(b) Acquisition of the lands described in this section is also required to protect the surface water and groundwater resources of Lake, Orange, and Seminole counties, otherwise known as the Wekiva Study Area, including recharge within the springshed that provides for the Wekiva River system. Protection of this area is crucial to the long term viability of the Wekiva River and springs and the central Florida region's water supply. Acquisition of the lands described in this section is also necessary to alleviate pressure from growth and development affecting the surface and groundwater resources within the recharge area.

(c) Lands acquired pursuant to this section that are needed for transportation facilities for the Wekiva Parkway shall be determined not necessary for conservation purposes pursuant to ss. 253.034(6) and 373.089(5) and shall be transferred to or retained by the *Central Florida Orlando-Orange County* Expressway Authority or the Department of Transportation upon reimbursement of the full purchase price and acquisition costs.

(7) The Department of Transportation, the Department of Environmental Protection, the St. Johns River Water Management District, *Central Florida Orlando-Orange County* Expressway Authority, and other land acquisition entities shall cooperate and establish funding responsibilities and partnerships by agreement to the extent funds are available to the various entities. Properties acquired with Florida Forever funds shall be in accordance with s. 259.041 or chapter 373. The *Central Florida Orlando-Orange County* Expressway Authority shall acquire land in accordance with this section of law to the extent funds are available from the various funding partners, but shall not be required nor assumed to fund the land acquisition beyond the agreement and funding provided by the various land acquisition entities.

Section 78. Subsection (1) of section 369.324, Florida Statutes, is amended to read:

369.324 Wekiva River Basin Commission.—

(1) The Wekiva River Basin Commission is created to monitor and ensure the implementation of the recommendations of the Wekiva River Basin Coordinating Committee for the Wekiva Study Area. The East Central Florida Regional Planning Council shall provide staff support to the commission with funding assistance from the Department of Economic Opportunity. The commission shall be comprised of a total of ~~18~~ 19 members appointed by the Governor, 9 of whom shall be voting members and ~~9~~ 10 shall be ad hoc nonvoting members. The voting members shall include:

(a) One member of each of the Boards of County Commissioners for Lake, Orange, and Seminole Counties.

(b) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Lake County.

(c) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Orange County.

(d) One municipal elected official to serve as a representative of the municipalities located within the Wekiva Study Area of Seminole County.

(e) One citizen representing an environmental or conservation organization, one citizen representing a local property owner, a land developer, or an agricultural entity, and one at-large citizen who shall serve as chair of the council.

(f) The ad hoc nonvoting members shall include one representative from each of the following entities:

1. St. Johns River Management District.
2. Department of Economic Opportunity.
3. Department of Environmental Protection.
4. Department of Health.
5. Department of Agriculture and Consumer Services.
6. Fish and Wildlife Conservation Commission.
7. Department of Transportation.
8. MetroPlan Orlando.
9. *Central Florida Orlando-Orange County Expressway Authority.*
- ~~10. Seminole County Expressway Authority.~~

Section 79. (1) *Effective upon the completion of construction of the Poinciana Parkway, a limited access facility of approximately 9 miles in length in Osceola County with its northwestern terminus at the intersection of County Road 54 and US 17/US 92 and its southeastern terminus at the current intersection of Rhododendron and Cypress Parkway, described in the Osceola County Expressway Authority May 8, 2012, Master Plan, all powers, governance, and control of the Osceola County Expressway System, created pursuant to part V, chapter 348, Florida Statutes, is transferred to the Central Florida Expressway Authority, and the assets, liabilities, facilities, tangible and intangible property and any rights in the property, and any other legal rights of the Osceola County Expressway Authority are transferred to the Central Florida Expressway Authority. The effective date of such transfer shall be extended until completion of construction of such portions of the Southport Connector Expressway, the Northeast Connector Expressway, such portions of the Poinciana Parkway to connect to State Road 429, and the Osceola Parkway Extension, as each is described in the Osceola County Expressway Authority May 8, 2012, Master Plan, which are included in any design contract executed by the Osceola County Expressway Authority before July 1, 2019. Part V of chapter 348, Florida Statutes, consisting of ss. 348.9950-348.9961, is repealed on the same date that the Osceola County Expressway System is transferred to the Central Florida Expressway Authority.*

(2) *The Central Florida Expressway Authority shall also reimburse any and all obligations of any other governmental entities with respect to the Osceola County Expressway System, including any obligations of Osceola County with respect to operations and maintenance of the Osceola County Expressway System and any loan repayment obligations, including repayment obligations with respect to State Infrastructure Bank loans. Such reimbursement shall be made from revenues available for such purpose after payment of all amounts required:*

(a) *Otherwise by law;*

(b) *By the terms of any resolution authorizing the issuance of bonds by the authority, the Orlando-Orange County Expressway Authority, or the Osceola County Expressway Authority;*

(c) *By the terms of any resolution under which bonds are issued by Osceola County for the purpose of constructing improvements to the Osceola County Expressway System; and*

(d) *By the terms of the memorandum of understanding between the Orlando-Orange County Expressway Authority and the department as ratified by the board of the Orlando-Orange County Expressway Authority on February 22, 2012.*

Section 80. Section 373.4137, Florida Statutes, is amended to read:

373.4137 Mitigation requirements for specified transportation projects.—

(1) The Legislature finds that environmental mitigation for the impact of transportation projects proposed by the Department of Transportation or a transportation authority established pursuant to chapter 348 or chapter 349 can be more effectively achieved by regional, long-range mitigation planning rather than on a project-by-project basis. It is the intent of the Legislature that mitigation to offset the adverse effects

of these transportation projects be funded by the Department of Transportation and be carried out by the use of mitigation banks and any other mitigation options that satisfy state and federal requirements in a manner that promotes efficiency, timeliness in project delivery, and cost-effectiveness.

(2) Environmental impact inventories for transportation projects proposed by the Department of Transportation or a transportation authority established pursuant to chapter 348 or chapter 349 shall be developed as follows:

(a) By July 1 of each year, the Department of Transportation, or a transportation authority established pursuant to chapter 348 or chapter 349 which chooses to participate in the program, shall submit to the water management districts a list of its projects in the adopted work program and an environmental impact inventory of *habitat impacts and the anticipated amount of mitigation needed to offset impacts as described in paragraph (b). The environmental impact inventory must be based on habitats addressed in the rules adopted pursuant to this part, and s. 404 of the Clean Water Act, 33 U.S.C. s. 1344, and which may be impacted by the Department of Transportation's its plan of construction for transportation projects in the next 3 years of the tentative work program.* The Department of Transportation or a transportation authority established pursuant to chapter 348 or chapter 349 may also include in its environmental impact inventory the habitat impacts *and the anticipated amount of mitigation needed for* of any future transportation project. The Department of Transportation and each transportation authority established pursuant to chapter 348 or chapter 349 may fund any mitigation activities for future projects using current year funds.

(b) The environmental impact inventory *must* ~~shall~~ include a description of ~~these~~ habitat impacts, including their location, acreage, and type; *the anticipated amount of mitigation needed based on the functional loss as determined through the Uniform Mitigation Assessment Method (UMAM) adopted in Chapter 62-345, F.A.C.; identification of the proposed mitigation option; state water quality classification of impacted wetlands and other surface waters; any other state or regional designations for these habitats; and a list of threatened species, endangered species, and species of special concern affected by the proposed project.*

(c) *Before projects are identified for inclusion in a water management district mitigation plan as described in subsection (4), the Department of Transportation must consider using credits from a permitted mitigation bank. The Department of Transportation must consider availability of suitable and sufficient mitigation bank credits within the transportation project's area, ability to satisfy commitments to regulatory and resource agencies, availability of suitable and sufficient mitigation purchased or developed through this section, ability to complete existing water management district or Department of Environmental Protection suitable mitigation sites initiated with Department of Transportation mitigation funds, and ability to satisfy state and federal requirements including long-term maintenance and liability.*

(3)(a) ~~To implement the mitigation option fund development and implementation of the mitigation plan for the projected impacts identified in the environmental impact inventory described in subsection (2), the Department of Transportation may purchase credits for current and future use directly from a mitigation bank; purchase mitigation services through the water management districts or the Department of Environmental Protection; conduct its own mitigation; or use other mitigation options that meet state and federal requirements. shall identify funds quarterly in an escrow account within the State Transportation Trust Fund for the environmental mitigation phase of projects budgeted by Funding for the identified mitigation option as described in the environmental impact inventory must be included in the Department of Transportation's work program developed pursuant to s. 339.135 for the current fiscal year. The escrow account shall be maintained by the Department of Transportation for the benefit of the water management districts. Any interest earnings from the escrow account shall remain with the Department of Transportation. The amount programmed each year by the Department of Transportation and participating transportation authorities established pursuant to chapter 348 or chapter 349 must correspond to an estimated cost per credit of \$150,000 multiplied by the projected number of credits identified in the environmental impact inventory described in subsection (2). This estimated cost per credit will be adjusted every 2 years by the Department of Transportation based on the average cost per UMAM credit paid through this section.~~

(b) Each transportation authority established pursuant to chapter 348 or chapter 349 that chooses to participate in this program shall create an escrow account within its financial structure and deposit funds in the account to pay for the environmental mitigation phase of projects budgeted for the current fiscal year. The escrow account shall be maintained by the authority for the benefit of the water management districts. Any interest earnings from the escrow account shall remain with the authority.

(c) *For mitigation implemented by the water management district or the Department of Environmental Protection, as appropriate, the amount paid each year must be based on mitigation services provided by the water management districts or Department of Environmental Protection pursuant to an approved water management district plan, as described in subsection (4). Except for current mitigation projects in the monitoring and maintenance phase and except as allowed by paragraph (d), the water management districts or the Department of Environmental Protection, as appropriate, may request payment a transfer of funds from an escrow account no sooner than 30 days before the date the funds are needed to pay for activities associated with development or implementation of the permitted mitigation meeting the requirements pursuant to this part, 33 U.S.C. s. 1344, and 33 C.F.R. s. 332, in the approved mitigation plan described in subsection (4) for the current fiscal year, including, but not limited to, design, engineering, production, and staff support. Actual conceptual plan preparation costs incurred before plan approval may be submitted to the Department of Transportation or the appropriate transportation authority each year with the plan. The conceptual plan preparation costs of each water management district will be paid from mitigation funds associated with the environmental impact inventory for the current year. The amount transferred to the escrow accounts each year by the Department of Transportation and participating transportation authorities established pursuant to chapter 348 or chapter 349 shall correspond to a cost per acre of \$75,000 multiplied by the projected acres of impact identified in the environmental impact inventory described in subsection (2). However, the \$75,000 cost per acre does not constitute an admission against interest by the state or its subdivisions and is not admissible as evidence of full compensation for any property acquired by eminent domain or through inverse condemnation. Each July 1, the cost per acre shall be adjusted by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 1996. Each quarter, the projected amount of mitigation must acreage of impact shall be reconciled with the actual amount of mitigation needed for acreage of impact of projects as permitted, including permit modifications, pursuant to this part and s. 404 of the Clean Water Act, 33 U.S.C. s. 1344. The subject year's programming transfer of funds shall be adjusted accordingly to reflect the mitigation acreage of impacts as permitted. The Department of Transportation and participating transportation authorities established pursuant to chapter 348 or chapter 349 are authorized to transfer such funds from the escrow accounts to the water management districts to carry out the mitigation programs. Environmental mitigation funds that are identified for or maintained in an escrow account for the benefit of a water management district may be released if the associated transportation project is excluded in whole or part from the mitigation plan. For a mitigation project that is in the maintenance and monitoring phase, the water management district may request and receive a one time payment based on the project's expected future maintenance and monitoring costs. If the water management district excludes a project from an approved water management district mitigation plan, cannot timely permit a mitigation site to offset the impacts of a Department of Transportation project identified in the environmental impact inventory, or if the proposed mitigation does not meet state and federal requirements, the Department of Transportation may use the associated funds for the purchase of mitigation bank credits or any other mitigation option that satisfies state and federal requirements. Upon final disbursement of the final maintenance and monitoring payment for mitigation of a transportation project as permitted, the obligation of the Department of Transportation or the participating transportation authority is satisfied and the water management district or the Department of Environmental Protection, as appropriate, will have continuing responsibility for the mitigation project, the escrow account for the project established by the Department of Transportation or the participating transportation authority may be closed. Any interest earned on these disbursed funds shall remain with the water management district and must be used as authorized under this section.*

(d) *Beginning with the March 2014 water management district mitigation plans, in the 2005-2006 fiscal year, each water management district or the Department of Environmental Protection, as appropriate, shall invoice the Department of Transportation for mitigation services to offset only the impacts of a Department of Transportation project identified in the environmental impact inventory, including planning, design, construction, maintenance and monitoring, and other costs necessary to meet requirements pursuant to this section, 33 U.S.C. s. 1344, and 33 C.F.R. s. 332 be paid a lump sum amount of \$75,000 per acre, adjusted as provided under paragraph (c), for federally funded transportation projects that are included on the environmental impact inventory and that have an approved mitigation plan. Beginning in the 2009-2010 fiscal year, each water management district shall be paid a lump sum amount of \$75,000 per acre, adjusted as provided under paragraph (c), for federally funded and nonfederally funded transportation projects that have an approved mitigation plan. All mitigation costs, including, but not limited to, the costs of preparing conceptual plans and the costs of design, construction, staff support, future maintenance, and monitoring the mitigated acres shall be funded through these lump sum amounts. If the water management district identifies the use of mitigation bank credits to offset a Department of Transportation impact, the water management district shall exclude that purchase from the mitigation plan, and the Department of Transportation must purchase the bank credits.*

(e) *For mitigation activities occurring on existing water management district or Department of Environmental Protection mitigation sites initiated with Department of Transportation mitigation funds before July 1, 2013, the water management district or Department of Environmental Protection shall invoice the Department of Transportation or a participating transportation authority at a cost per acre of \$75,000 multiplied by the projected acres of impact as identified in the environmental impact inventory. The cost per acre must be adjusted by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 1996. When implementing the mitigation activities necessary to offset the permitted impacts as provided in the approved mitigation plan, the water management district shall maintain records of the costs incurred in implementing the mitigation. The records must include, but are not limited to, costs for planning, land acquisition, design, construction, staff support, long-term maintenance and monitoring of the mitigation site, and other costs necessary to meet the requirements of 33 U.S.C. s. 1344 and 33 C.F.R. s. 332.*

(f) *For purposes of preparing and implementing the mitigation plans to be adopted by the water management districts on or before March 1, 2013, for impacts based on the July 1, 2012, environmental impact inventory, the funds identified in the Department of Transportation's work program or participating transportation authorities' escrow accounts must correspond to a cost per acre of \$75,000 multiplied by the project acres of impact as identified in the environmental impact inventory. The cost per acre shall be adjusted by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 1996. Payment as provided under this paragraph is limited to those mitigation activities that are identified in the first year of the 2013 mitigation plan and for which the transportation project is permitted and is in the Department of Transportation's adopted work program, or equivalent for a transportation authority. When implementing the mitigation activities necessary to offset the permitted impacts as provided in the approved mitigation plan, the water management district shall maintain records of the costs incurred in implementing the mitigation. The records must include, but are not limited to, costs for planning, land acquisition, design, construction, staff support, long-term maintenance and monitoring of the mitigation site, and other costs necessary to meet the requirements of 33 U.S.C. s. 1344 and 33 C.F.R. s. 332. To the extent moneys paid to a water management district by the Department of Transportation or a participating transportation authority exceed the amount expended by the water management districts in implementing the mitigation to offset the permitted impacts, these funds must be refunded to the Department of Transportation or participating transportation authority. This paragraph expires June 30, 2014.*

(4) *Before March 1 of each year, each water management district shall develop a mitigation plan to offset only the impacts of transportation projects in the environmental impact inventory for which a water man-*



agement district is implementing mitigation that meets the requirements of this section, 33 U.S.C. s. 1344, and 33 C.F.R. s. 332. The water management-district mitigation plan must be developed, in consultation with the Department of Environmental Protection, the United States Army Corps of Engineers, the Department of Transportation, participating transportation authorities established pursuant to chapter 348 or chapter 349, and other appropriate federal, state, and local governments, and other interested parties, including entities operating mitigation banks, shall develop a plan for the primary purpose of complying with the mitigation requirements adopted pursuant to this part and 33 U.S.C. s. 1344. In developing such plans, the water management districts shall use sound ecosystem management practices to address significant water resource needs and consider ~~shall focus on~~ activities of the Department of Environmental Protection and the water management districts, such as surface water improvement and management (SWIM) projects and lands identified for potential acquisition for preservation, restoration, or enhancement, and the control of invasive and exotic plants in wetlands and other surface waters, to the extent that the activities comply with the mitigation requirements adopted under this part, and 33 U.S.C. s. 1344, and 33 C.F.R. s. 332. The water management district mitigation plan must identify each site where the water management district will mitigate for a transportation project. For each mitigation site, the water management district shall provide the scope of the mitigation services, provide the functional gain as determined through the UMAM per Chapter 62-345, F.A.C., describe how the mitigation offsets the impacts of each transportation project as permitted, and provide a schedule for the mitigation services. The water management districts shall maintain records of costs incurred and payments received for providing these services. Records must include, but are not limited to, planning, land acquisition, design, construction, staff support, long-term maintenance and monitoring of the mitigation site, and other costs necessary to meet the requirements of 33 U.S.C. s. 1344 and 33 C.F.R. s. 332. To the extent monies paid to a water management district by the Department of Transportation or a participating transportation authority exceed the amount expended by the water management districts in providing the mitigation services to offset the permitted transportation project impacts, these monies must be refunded to the Department of Transportation or participating transportation authority. ~~In determining the activities to be included in the plans, the districts shall consider the purchase of credits from public or private mitigation banks permitted under s. 373.4136 and associated federal authorization and shall include the purchase as a part of the mitigation plan when the purchase would offset the impact of the transportation project, provide equal benefits to the water resources than other mitigation options being considered, and provide the most cost effective mitigation option.~~ The mitigation plan shall be submitted to the water management district governing board, or its designee, for review and approval. At least 14 days before approval by the governing board, the water management district shall provide a copy of the draft mitigation plan to the Department of Environmental Protection and any person who has requested a copy. Subsequent to governing board approval, the mitigation plan must be submitted to the Department of Environmental Protection for approval. The plan may not be implemented until it is submitted to and approved, in part or in its entirety, by the Department of Environmental Protection.

~~(a) For each transportation project with a funding request for the next fiscal year, the mitigation plan must include a brief explanation of why a mitigation bank was or was not chosen as a mitigation option, including an estimation of identifiable costs of the mitigation bank and nonbank options and other factors such as time saved, liability for success of the mitigation, and long term maintenance.~~

~~(a)(b)~~ Specific projects may be excluded from the mitigation plan, in whole or in part, and are not subject to this section upon the election of the Department of Transportation, a transportation authority if applicable, or the appropriate water management district. The Department of Transportation or a participating transportation authority may not exclude a transportation project from the mitigation plan when mitigation is scheduled for implementation by the water management district in the current fiscal year, except when the transportation project is removed from the Department of Transportation's work program or transportation authority funding plan, the mitigation cannot be timely permitted to offset the impacts of a Department of Transportation project identified in the environmental impact inventory, or the proposed mitigation does not meet state and federal requirements. If a project is removed from the work program or the mitigation plan, costs expended by the water management

district prior to removal are eligible for reimbursement by the Department of Transportation or participating transportation authority.

~~(b)(c)~~ When determining which projects to include in or exclude from the mitigation plan, the Department of Transportation shall investigate using credits from a permitted mitigation bank before those projects are submitted for inclusion in a water management district mitigation plan. ~~The investigation shall consider the cost-effectiveness of mitigation bank credits, including, but not limited to, factors such as time saved, transfer of liability for success of the mitigation, and long term maintenance.~~ The Department of Transportation shall exclude a project from the mitigation plan if the investigation undertaken pursuant to this paragraph results in the conclusion that the use of credits from a permitted mitigation bank promotes efficiency, timeliness in project delivery, cost-effectiveness, and transfer of liability for success and long-term maintenance.

(5) The water management district shall ensure that mitigation requirements pursuant to 33 U.S.C. s. 1344 and 33 C.F.R. s. 332 are met for the impacts identified in the environmental impact inventory for which the water management district will implement mitigation described in subsection (2), by implementation of the approved mitigation plan described in subsection (4) to the extent funding is provided by the Department of Transportation, or a transportation authority established pursuant to chapter 348 or chapter 349, if applicable. In developing and implementing the mitigation plan, the water management district shall comply with federal permitting requirements pursuant to 33 U.S.C. s. 1344 and 33 C.F.R. s. 332. During the federal permitting process, the water management district may deviate from the approved mitigation plan in order to comply with federal permitting requirements upon notice and coordination with the Department of Transportation or participating transportation authority.

(6) The water management district mitigation plans shall be updated annually to reflect the most current Department of Transportation work program and project list of a transportation authority established pursuant to chapter 348 or chapter 349, if applicable, and may be amended throughout the year to anticipate schedule changes or additional projects which may arise. Before amending the mitigation plan to include new projects, the Department of Transportation shall consider mitigation banks and other available mitigation options that meet state and federal requirements. Each update and amendment of the mitigation plan shall be submitted to the governing board of the water management district or its designee for approval. However, such approval shall not be applicable to a deviation as described in subsection (5).

(7) Upon approval by the governing board of the water management district and the Department of Environmental Protection ~~or its designee~~, the mitigation plan shall be deemed to satisfy the mitigation requirements under this part for impacts specifically identified in the environmental impact inventory described in subsection (2) and any other mitigation requirements imposed by local, regional, and state agencies for these same impacts. The approval of the governing board of the water management district ~~or its designee~~ and the Department of Environmental Protection shall authorize the activities proposed in the mitigation plan, and no other state, regional, or local permit or approval shall be necessary.

(8) This section shall not be construed to eliminate the need for the Department of Transportation or a transportation authority established pursuant to chapter 348 or chapter 349 to comply with the requirement to implement practicable design modifications, including realignment of transportation projects, to reduce or eliminate the impacts of its transportation projects on wetlands and other surface waters as required by rules adopted pursuant to this part, or to diminish the authority under this part to regulate other impacts, including water quantity or water quality impacts, or impacts regulated under this part that are not identified in the environmental impact inventory described in subsection (2).

~~(9) The process for environmental mitigation for the impact of transportation projects under this section shall be available to an expressway, bridge, or transportation authority established under chapter 348 or chapter 349. Use of this process may be initiated by an authority depositing the requisite funds into an escrow account set up by the authority and filing an environmental impact inventory with the appropriate water management district. An authority that initiates the environmental mitigation process established by this section shall comply~~



~~with subsection (6) by timely providing the appropriate water management district with the requisite work program information. A water management district may draw down funds from the escrow account as provided in this section.~~

Section 81. Section 373.618, Florida Statutes, is amended to read:

373.618 Public service warnings, alerts, and announcements.—The Legislature believes it is in the public interest that ~~each~~ ~~all~~ water management ~~district districts~~ created pursuant to s. 373.069 own, acquire, develop, construct, operate, and manage public information systems. Public information systems may be located on property owned by the water management district, upon terms and conditions approved by the water management district, and must display messages to the general public concerning water management services, activities, events, and sponsors, as well as other public service announcements, including watering restrictions, severe weather reports, amber alerts, and other essential information needed by the public. Local government review or approval is not required for a public information system owned or hereafter acquired, developed, or constructed by the water management district on its own property. A public information system is exempt from the requirements of chapter 479; ~~however, a public information system that is subject to the Highway Beautification Act of 1965 must be approved by the Department of Transportation and the Federal Highway Administration if required by federal law and federal regulation under the agreement between the state and the United States Department of Transportation, and federal regulations enforced by the Department of Transportation under s. 479.02(1).~~ Water management district funds may not be used to pay the cost to acquire, develop, construct, operate, or manage a public information system. Any necessary funds for a public information system shall be paid for and collected from private sponsors who may display commercial messages.

Section 82. Subsection (3) of section 341.052, Florida Statutes, is amended to read:

341.052 Public transit block grant program; administration; eligible projects; limitation.—

(3) The following limitations shall apply to the use of public transit block grant program funds:

(a) State participation in eligible capital projects shall be limited to 50 percent of the nonfederal share of such project costs.

(b) State participation in eligible public transit operating costs may not exceed 50 percent of such costs or an amount equal to the total revenue, excluding farebox, charter, and advertising revenue and federal funds, received by the provider for operating costs, whichever amount is less.

(c) No eligible public transit provider shall use public transit block grant funds to supplant local tax revenues made available to such provider for operations in the previous year; however, the Secretary of Transportation may waive this provision for public transit providers located in a county recovering from a state of emergency declared pursuant to part I of chapter 252.

(d) *Notwithstanding any law to the contrary, no eligible public transit provider shall use public transit block grant funds in pursuit of strategies or actions leading to or promoting the levying of new or additional taxes through public referenda. To the extent that a public transit provider uses other public funds in pursuit of strategies or actions leading to or promoting the levying of new or additional taxes through public referenda, the amount of the provider's grant must be reduced by the same amount. As used in this paragraph, the term "public funds" means all moneys under the jurisdiction or control of a federal agency, the state, a county, or a municipality, including any district, authority, commission, board, or agency thereof for any public purpose.*

(e) The state may not give any county more than 39 percent of the funds available for distribution under this section or more than the amount that local revenue sources provide to that transit system.

Section 83. *The Florida Transportation Commission shall conduct a study of the potential for the state to obtain revenue from any parking meters or other parking time-limit devices that regulate designated parking spaces located within or along the right-of-way limits of a state*

*road. The commission may retain such experts as are reasonably necessary to complete the study, and the department shall pay the expenses of such experts. On or before August 31, 2013, each municipality and county that receives revenue from any parking meters or other parking time-limit devices that regulate designated parking spaces located within or along the right-of-way limits of a state road shall provide the commission a written inventory of the location of each such meter or device and the total revenue collected from such locations during the last 3 fiscal years. Each municipality and county shall at the same time inform the commission of any pledge or commitment by the municipality or county of such revenues to the payment of debt service on any bonds or other debt issued by the municipality or county. The commission shall consider the information provided by the municipalities and counties, together with such other matters as it deems appropriate, including, but not limited to, the use of variable rate parking, and shall develop policy recommendations regarding the manner and extent that revenues generated by regulating parking within the right-of-way limits of a state road may be allocated between the department and municipalities and counties. The commission shall develop specific recommendations concerning the allocation of revenues generated by meters or devices regulating such parking that were installed before July 1, 2013, and the allocation of revenues that may be generated by meters or devices installed after that date. The commission shall complete the study and provide a written report of its findings and conclusions to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of each of the appropriations committees of the Legislature by October 31, 2013.*

(2) *The Legislature finds that preservation of the status quo pending the commission's study and the Legislature's review of the commission's report is appropriate and desirable. From July 1, 2013, through July 1, 2014, a county or municipality may not install any parking meters or other parking time-limit devices that regulate designated parking spaces located within or along the right-of-way limits of a state road. This subsection does not prohibit the replacement of meters or similar devices installed before July 1, 2013, with new devices that regulate the same designated parking spaces.*

Section 84. *Sale of used tires.—*

(1) *It is unlawful for any used tire retailer in this state to sell unsafe used tires for the purpose of mounting on a vehicle as defined in s. 316.003, Florida Statutes. This section does not apply to a used tire retailer who sells used tires for recapping.*

(2) *For purposes of this section, a used tire is considered unsafe if the tire:*

(a) *Is worn to 2/32 of an inch tread depth or less on any area of the tread;*

(b) *Has any damage exposing the reinforcing plies of the tire, including any cuts, cracks, bulges, punctures, scrapes, or wear;*

(c) *Has had an improper repair including:*

1. *Any repair made in the tread shoulder or belt edge area of the tire;*

2. *Any puncture that has not been sealed or patched on the inside and repaired with a cured rubber stem through to the outside of the tire;*

3. *A repair to the sidewall or bead area of the tire; or*

4. *A puncture repair of damage larger than one-quarter of an inch;*

(d) *Has evidence of prior use of a temporary tire sealant without evidence of a subsequent proper repair;*

(e) *Has its tire identification number defaced or removed;*

(f) *Has inner liner or bead damage; or*

(g) *Has an indication of internal separation, such as bulges or local areas of irregular tread wear.*

(3) *A person who violates this section commits an unfair and deceptive trade practice as defined in part II of chapter 501, Florida Statutes.*

Section 85. Except as otherwise expressly provided in this act, this act shall take effect upon becoming law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Department of Transportation; repealing s. 11.45(3)(m), F.S., relating to the authority of the Auditor General to conduct audits of transportation corporations under the Florida Transportation Corporation Act; amending s. 20.23, F.S.; requiring the Transportation Commission to also monitor authorities created under ch. 345, F.S., relating to the Florida Regional Transportation Finance Authority Act; amending s. 110.205, F.S.; changing a title to the State Freight and Logistics Administrator from the State Public Transportation and Modal Administrator, which is an exempt position not covered under career service; amending s. 311.22, F.S.; establishing the Department of Transportation as the agency responsible for administering the section, instead of the Florida Seaport Transportation and Economic Development Council; providing for the future repeal of the section; amending s. 316.515, F.S.; providing that a straight truck may attach a forklift to the rear of the cargo bed if it does not exceed a specified length; repealing s. 316.530(3), F.S., relating to load limits for certain towed vehicles; amending s. 316.545, F.S.; increasing the weight amount used for penalty calculations; conforming terminology; amending s. 331.360, F.S.; reordering provisions; providing for a spaceport system plan; providing funding for space transportation projects from the State Transportation Trust Fund; requiring Space Florida to provide the Department of Transportation with specific project information and to demonstrate transportation and aerospace benefits; specifying the information to be provided; providing funding criteria; amending s. 332.007, F.S.; authorizing the Department of Transportation to fund strategic airport investments; providing criteria; amending s. 334.044, F.S.; prohibiting the department from entering into a lease-purchase agreement with certain transportation authorities after a specified time; providing an exception from the requirement to purchase all plant materials from Florida commercial nursery stock when prohibited by applicable federal law or regulation; amending s. 335.0415, F.S.; creating a pilot program in the City of Miami to transfer department responsibilities for public road maintenance to the city; requiring the department to enter into an interlocal agreement with the City of Miami; specifying requirements of the interlocal agreement; requiring the Florida Transportation Commission to conduct a study at the conclusion of the pilot program and provide the study to the Governor and the Legislature; requiring the department to pay the expenses of the study's experts; amending s. 335.06, F.S.; revising the responsibilities of the Department of Transportation, a county, or a municipality to improve or maintain a road that provides access to property within the state park system; creating s. 336.71, F.S.; authorizing counties to enter into public-private partnership agreements for construction of transportation facilities; providing requirements and limitations for such agreements; providing procurement procedures; providing for applicability; amending s. 337.11, F.S.; removing the requirement that a contractor provide a notarized affidavit as proof of registration; amending s. 337.14, F.S.; revising the criteria for bidding certain construction contracts to require a proposed budget estimate if a contract is more than a specified amount; amending s. 337.168, F.S.; providing that a document that reveals the identity of a person who has requested or received certain information before a certain time is a public record; amending s. 337.25, F.S.; authorizing the Department of Transportation to use auction services in the conveyance of certain property or leasehold interests; revising certain inventory requirements; revising provisions and providing criteria for the department to dispose of certain excess property; providing such criteria for the disposition of donated property, property used for a public purpose, or property acquired to provide replacement housing for certain displaced persons; providing value offsets for property that requires significant maintenance costs or exposes the department to significant liability; providing procedures for the sale of property to abutting property owners; deleting provisions to conform to changes made by the act; providing monetary restrictions and criteria for the conveyance of certain leasehold interests; providing exceptions to restrictions for leases entered into for a public purpose; providing criteria for the preparation of estimates of value prepared by the department; providing that the requirements of s. 73.013, F.S., relating to eminent domain, are not modified; amending s. 337.251, F.S.; revising criteria for leasing particular department property; increasing the time the department must accept proposals for lease after a notice is published; authorizing the department to establish an application fee by rule; providing criteria for the fee; providing criteria that the lease must meet; amending s. 338.161, F.S.; authorizing the department to enter into agreements with owners of public or private transportation facilities under which the department uses its electronic

toll collection and video billing systems to collect for the owner certain charges for use of the owners' transportation facilities; amending s. 338.165, F.S.; removing the Beeline-East Expressway and the Navarre Bridge from the list of facilities that have toll revenues to secure their bonds; amending s. 338.26, F.S.; revising the uses of fees that are generated from tolls to include the design and construction of a fire station that may be used by certain local governments in accordance with a specified memorandum; removing authority of a district to issue bonds or notes; amending s. 339.175, F.S.; revising the criteria that qualify a local government for participation in a metropolitan planning organization; revising the criteria to determine voting membership of a metropolitan planning organization; providing that each metropolitan planning organization shall review its membership and reapportion it as necessary; providing criteria; relocating the requirement that the Governor review and apportion the voting membership among the various governmental entities within the metropolitan planning area; amending s. 339.2821, F.S.; authorizing Enterprise Florida, Inc., to be a consultant to the Department of Transportation for consideration of expenditures associated with and contracts for transportation projects; revising the requirements for economic development transportation project contracts between the department and a governmental entity; repealing the Florida Transportation Corporation Act; repealing s. 339.401, F.S., relating to the short title; repealing s. 339.402, F.S., relating to definitions; repealing s. 339.403, F.S., relating to legislative findings and purpose; repealing s. 339.404, F.S., relating to authorization of corporations; repealing s. 339.405, F.S., relating to type and structure of the corporation and income; repealing s. 339.406, F.S., relating to contracts between the department and the corporation; repealing s. 339.407, F.S., relating to articles of incorporation; repealing s. 339.408, F.S., relating to the board of directors and advisory directors; repealing s. 339.409, F.S., relating to bylaws; repealing s. 339.410, F.S., relating to notice of meetings and open records; repealing s. 339.411, F.S., relating to the amendment of articles; repealing s. 339.412, F.S., relating to the powers of the corporation; repealing s. 339.414, F.S., relating to use of state property; repealing s. 339.415, F.S., relating to exemptions from taxation; repealing s. 339.416, F.S., relating to the authority to alter or dissolve corporations; repealing s. 339.417, F.S., relating to the dissolution of a corporation upon the completion of purposes; repealing s. 339.418, F.S., relating to transfer of funds and property upon dissolution; repealing s. 339.419, F.S., relating to department rules; repealing s. 339.420, F.S., relating to construction; repealing s. 339.421, F.S., relating to issuance of debt; amending s. 339.55, F.S.; adding spaceports to the list of facility types for which the state-funded infrastructure bank may lend capital costs or provide credit enhancements; amending s. 341.031, F.S.; revising the definition of the term "intercity bus service"; amending s. 341.053, F.S.; revising the types of eligible projects and criteria of the intermodal development program; amending s. 343.80, F.S.; renaming the Northwest Florida Transportation Corridor Authority Law as the Northwest Florida Regional Transportation Finance Authority Law; amending s. 343.805, F.S., defining "Northwest Florida Regional Transportation Finance Authority System" or "system"; deleting definitions of "U.S. 98 corridor" and "U.S. 98 corridor system"; amending s. 343.81, F.S.; renaming the Northwest Florida Transportation Corridor Authority as the Northwest Florida Regional Transportation Finance Authority; revising the composition of the governing board of the authority from eight to five voting members, two from Okaloosa County and one each from Walton, Bay, and Gulf Counties; removing from the governing body of the authority voting members from Escambia, Santa Rosa, Franklin, and Wakulla Counties; revising quorum requirements and the number of votes necessary for any action by the authority; removing the authority's authorization to establish a technical advisory committee and related provisions; amending s. 343.82, F.S.; authorizing the authority to acquire, hold, construct, improve, maintain, operate, own, and lease the Northwest Florida Regional Transportation Finance Authority System; removing references to intended improvement of mobility along the U.S. 98 corridor and to the Santa Rosa Sound; removing direction to the authority to adopt a corridor master plan, to annually update and present the plan, to undertake projects or other improvements in the plan, and to request certain funding and technical assistance; conforming terminology; removing a prohibition against the authority imposing tolls or other charges; providing the authority may dispose of property which the authority and the Department of Transportation have determined is not needed for the system; removing the authority's authorization to enter into lease-purchase agreements with the department; removing the authority's power to borrow money from any federal agency, the state, any agency of the state, or any other public body of the state; amending s. 343.83, F.S.; conforming terminology;

amending s. 343.835, F.S.; making conforming changes; replacing a reference to facilities “constructed” by the authority to facilities “owned or provided”; amending s. 343.84, F.S.; providing that the department is the agent of the authority for the purpose of constructing, operating, and maintaining system facilities; providing for alternative appointment of a specified local agency as construction agent with the consent and approval of the department; providing for reimbursement from revenues of the system of costs incurred by the department to operate and maintain the system; providing that the department has no independent obligation to operate and maintain the system; providing the authority remains obligated as to operate and maintain its system; directing the authority to establish and collect tolls and other charges for the authority’s facilities; amending s. 343.85, F.S.; conforming terminology; repealing s. 343.875, F.S., removing the authority’s authorization to enter into public-private partnership agreements; removing project criteria; removing department authorization to use state resources to participate in projects; removing authorization to request proposals and to receive unsolicited proposals, removing related notice provisions, and removing procedural provisions related to consideration of such proposals; removing authorization for the public-private entity to impose tolls or fares, to exercise its powers, including eminent domain, and to adopt rules; amending s. 343.89, F.S.; conforming terminology; amending s. 343.922, F.S.; removing a reference to advances from the Toll Facilities Revolving Trust Fund as a source of funding for certain projects by an authority; creating ch. 345, F.S., relating to the Florida Regional Transportation Finance Authority; creating s. 345.0001, F.S.; providing a short title; creating s. 345.0002, F.S.; providing definitions; creating s. 345.0003, F.S.; authorizing counties to form a regional transportation finance authority that can construct, maintain, or operate transportation projects in a region of the state; providing for governance of the authority; creating s. 345.0004, F.S.; providing for the powers and duties of a regional transportation finance authority; limiting an authority’s power with respect to an existing system; prohibiting an authority from pledging the credit or taxing power of the state or any political subdivision or agency of the state; requiring that an authority comply with certain reporting and documentation requirements; creating s. 345.0005, F.S.; allowing bonds to be issued on behalf of an authority pursuant to the State Bond Act; authorizing an authority to issue bonds for certain purposes; providing that the issued bonds must meet certain requirements; requiring that the bonds be sold at a public sale; authorizing the issuing of temporary bonds or interim certificates; providing that the resolution that authorizes the issuance of bonds may contain specified provisions; authorizing an authority to enter into deeds of trust, indentures, or other agreements with a bank or trust company as security for issued bonds; providing that the issued bonds are negotiable instruments; providing that a resolution authorizing the issuance of bonds and pledging of revenues of the system must require that revenues be deposited to pay operating and maintenance costs of the system and to reimburse the department for certain costs; prohibiting the use or pledge of state funds to pay principal or interest of an authority’s bonds and requiring bonds to contain a statement to this effect; creating s. 345.0006, F.S.; providing for the rights and remedies granted to certain bondholders; providing the actions a trustee may take on behalf of the bondholders; providing for the appointment of a receiver; providing for the authority of the receiver; providing limitations to the receiver’s authority; creating s. 345.0007, F.S.; providing that the Department of Transportation is the agent of each authority for specified purposes; providing for the administration and management of projects by the department; providing limits on the department as an agent; providing for the fiscal responsibilities of the authority; creating s. 345.0008, F.S.; authorizing the department to provide for or commit its resources for an authority project or system, included in the 10-year Strategic Intermodal Plan, if included in a specific plan and approved by the Legislature; providing for feasibility studies; requiring certain criteria to be met before department approval; providing for payment of expenses incurred by the department on behalf of an authority; requiring the department to receive a share of the revenue from the authority; providing calculations for disbursement of revenues; creating s. 345.0009, F.S.; authorizing the authority to acquire private or public property and property rights for a project or plan; authorizing the authority to exercise the right of eminent domain; providing for the rights and liabilities and remedial actions relating to property acquired for a transportation project or corridor; creating s. 345.0010, F.S.; providing for contracts between governmental entities and an authority; creating s. 345.0011, F.S.; providing that the state will not limit or alter the vested rights of a bondholder with regard to any issued bonds or rights relating to the bonds under certain conditions; creating s. 345.0012, F.S.; relieving the authority from the ob-

ligation of paying certain taxes or assessments for property acquired or used for certain public purposes or for revenues received relating to the issuance of bonds; providing exceptions; creating s. 345.0013, F.S.; providing that the bonds or obligations issued are legal investments of specified entities; creating s. 345.0014, F.S.; providing applicability; creating s. 345.0015, F.S.; creating the Santa Rosa-Escambia Regional Transportation Finance Authority; creating s. 345.0016, F.S.; creating the Suncoast Regional Transportation Finance Authority; providing for the transfer of the governance and control of the Mid-Bay Bridge Authority System to the Northwest Florida Regional Transportation Finance Authority; providing for the disposition of bonds, the protection of the bondholders, the effect on the rights and obligations under a contract or the bonds, and the revenues associated with the bonds; amending ss. 348.751 and 348.752, F.S.; renaming the Orlando-Orange County Expressway System as the “Central Florida Expressway System”; revising definitions; making technical changes; amending s. 348.753, F.S.; creating the Central Florida Expressway Authority; providing for the transfer of governance and control, legal rights and powers, responsibilities, terms, and obligations to the authority; providing conditions for the transfer; revising the composition of the governing body of the authority; providing for appointment of officers of the authority; revising quorum and voting requirements; conforming terminology and making technical changes; amending s. 348.754, F.S.; providing that the area served by the authority is within the geopolitical boundaries of Orange, Seminole, Lake, and Osceola Counties; requiring the authority to have prior consent from the Secretary of the Department of Transportation to construct an extension, addition, or improvement to the expressway system in Lake County; extending, to 99 years from 40 years, the term of a lease agreement; limiting the authority’s authority to enter into a lease-purchase agreement; limiting the use of certain toll-revenues; providing exceptions; removing the requirement that the route of a project must be approved by a municipality before the right-of-way can be acquired; requiring that the authority encourage the inclusion of local-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities; removing the authority and criteria for an authority to waive payment and performance bonds for certain public works projects that are awarded pursuant to an economic development program; conforming terminology and making technical changes; amending ss. 348.7543, 348.7544, 348.7545, 348.7546, 348.7547, 348.755, and 348.756, F.S.; conforming terminology and making technical changes; amending s. 348.757, F.S.; providing that upon termination of the lease-purchase agreement of the former Orlando-Orange County Expressway System, title in fee simple to the system will be retained by the authority; conforming terminology and making technical changes; amending ss. 348.758, 348.759, 348.760, 348.761, 348.765, and 369.317, F.S.; conforming terminology and making technical changes; amending s. 369.324, F.S.; revising the membership of the Wekiva River Basin Commission; conforming terminology; providing criteria for the transfer of the Osceola County Expressway System to the Central Florida Expressway Authority; providing for the repeal of part V of ch. 348, F.S., when the Osceola County Expressway System is transferred to the Central Florida Expressway Authority; requiring the Central Florida Expressway Authority to reimburse other governmental entities for obligations related to the Osceola County Expressway System; providing for reimbursement after payment of other obligations; amending s. 373.4137, F.S.; providing legislative intent that mitigation be implemented in a manner that promotes efficiency, timeliness, and cost-effectiveness in project delivery; revising the criteria of the environmental impact inventory; revising the criteria for mitigation of projected impacts identified in the environmental impact inventory; requiring the Department of Transportation to include funding for environmental mitigation for its projects in its work program; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the requirements for the payment to a water management district or the Department of Environmental Protection of the costs of mitigation planning and implementation of the mitigation required by a permit; revising the payment criteria for preparing and implementing mitigation plans adopted by water management districts for transportation impacts based on the environmental impact inventory; adding federal requirements for the development of a mitigation plan; providing for transportation projects in the environmental mitigation plan for which mitigation has not been specified; revising a water management district’s responsibilities relating to a mitigation plan; amending s. 373.618, F.S.; revising the outdoor advertisement exemption criteria for a public information system; amending s. 341.052, F.S.; prohibiting an eligible

public transit provider from using public transit block grant funds to pursue or promote the levying of new or additional taxes through public referenda; requiring the amount of the provider's grant to be reduced by any amount so spent; defining the term "public funds" for purposes of the prohibition; providing an exception; requiring the Florida Transportation Commission to study the potential for state revenue from parking meters and other parking time-limit devices; authorizing the commission to retain experts; requiring the department to pay for the experts; requiring certain information from municipalities and counties; requiring certain information to be considered in the study; requiring a written report; providing for a moratorium on new parking meters or other parking time-limit devices on the state right-of-way; prohibiting the sale of unsafe used tires by used tire retailers under certain circumstances; providing an exception; providing what constitutes an unsafe used tire; providing that a person who violates this section commits an unfair and deceptive trade practice; providing an effective date.

Senator Brandes moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1A (419864) (with title amendment)**—Between lines 211 and 212 insert:

Section 4. Subsection (5) of section 125.42, Florida Statutes, is amended to read:

125.42 Water, sewage, gas, power, telephone, other utility, and television lines along county roads and highways.—

(5) In the event of widening, repair, or reconstruction of any such road, the licensee shall move or remove such water, sewage, gas, power, telephone, and other utility lines and television lines at no cost to the county *should they be found by the county to be unreasonably interfering*, except as provided in s. 337.403(1)(d)-(i) ~~337.403(1)(e)~~.

And the title is amended as follows:

Delete line 4400 and insert: covered under career service; amending s. 125.42, F.S.; requiring utility and television lines to be removed from county roads and highways at no cost to the county if the county finds the lines to be unreasonably interfering with the widening, repair, or reconstruction of any such road; amending s. 311.22,

Senator Margolis moved the following amendment to **Amendment 1** which failed:

**Amendment 1B (238066) (with title amendment)**—Between lines 236 and 237 insert:

Section 5. Section 316.01, Florida Statutes, is created to read:

*316.01 Vehicular access to state universities.—A local governmental entity as defined in s. 334.03 may not prevent vehicular access on a transportation facility into or out of a state university facility, regulated by the Board of Governors of the State University System as provided in s. 20.155, which has only one ingress or egress.*

And the title is amended as follows:

Delete line 4405 and insert: repeal of the section; creating s. 316.01, F.S.; prohibiting a local governmental entity from preventing vehicular access on a transportation facility into or out of a state university facility that has only one ingress or egress; amending s. 316.515, F.S.;

Senator Diaz de la Portilla moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1C (940030) (with title amendment)**—Delete lines 476-512.

And the title is amended as follows:

Delete lines 4429-4439 and insert: law or regulation; amending s.

Senator Brandes moved the following amendments to **Amendment 1** which were adopted:

**Amendment 1D (399930) (with title amendment)**—Between lines 953 and 954 insert:

Section 19. Paragraphs (h) and (i) are added to subsection (1), and subsection (1) of section 337.403, Florida Statutes, is further amended to read:

337.403 Interference caused by ~~relocation of~~ utility; expenses.—

(1) If a utility that is placed upon, under, over, or along any public road or publicly owned rail corridor is found by the authority to be unreasonably interfering in any way with the convenient, safe, or continuous use, or the maintenance, improvement, extension, or expansion, of such public road or publicly owned rail corridor, the utility owner shall, upon 30 days' written notice to the utility or its agent by the authority, initiate the work necessary to alleviate the interference at its own expense except as provided in paragraphs (a)-(i) ~~(e)~~. The work must be completed within such reasonable time as stated in the notice or such time as agreed to by the authority and the utility owner.

(a) If the relocation of utility facilities, as referred to in s. 111 of the Federal-Aid Highway Act of 1956, Pub. L. No. 627 of the 84th Congress, is necessitated by the construction of a project on the federal-aid interstate system, including extensions thereof within urban areas, and the cost of the project is eligible and approved for reimbursement by the Federal Government to the extent of 90 percent or more under the Federal Aid Highway Act, or any amendment thereof, then in that event the utility owning or operating such facilities shall perform any necessary work upon notice from the department, and the state shall pay the entire expense properly attributable to such work after deducting therefrom any increase in the value of a new facility and any salvage value derived from an old facility.

(b) When a joint agreement between the department and the utility is executed for utility work to be accomplished as part of a contract for construction of a transportation facility, the department may participate in those utility work costs that exceed the department's official estimate of the cost of the work by more than 10 percent. The amount of such participation shall be limited to the difference between the official estimate of all the work in the joint agreement plus 10 percent and the amount awarded for this work in the construction contract for such work. The department may not participate in any utility work costs that occur as a result of changes or additions during the course of the contract.

(c) When an agreement between the department and utility is executed for utility work to be accomplished in advance of a contract for construction of a transportation facility, the department may participate in the cost of clearing and grubbing necessary to perform such work.

(d) If the utility facility was initially installed to exclusively serve the authority or its tenants, or both, the authority shall bear the costs of the utility work. However, the authority is not responsible for the cost of utility work related to any subsequent additions to that facility for the purpose of serving others. *For a county or municipality, if such utility facility was installed in the right of way as a means to serve a county or municipal facility on a parcel of property adjacent to the right of way, and the intended use of the county or municipal facility is for other than transportation purposes, the obligation of the county or municipality to bear the costs of the utility work shall extend only to utility work on the parcel of property on which the facility of the county or municipality originally served by the utility facility is located.*

(e) If, under an agreement between a utility and the authority entered into after July 1, 2009, the utility conveys, subordinates, or relinquishes a compensable property right to the authority for the purpose of accommodating the acquisition or use of the right-of-way by the authority, without the agreement expressly addressing future responsibility for the cost of necessary utility work, the authority shall bear the cost of removal or relocation. This paragraph does not impair or restrict, and may not be used to interpret, the terms of any such agreement entered into before July 1, 2009.

(f) If the utility is an electric facility being relocated underground in order to enhance vehicular, bicycle, and pedestrian safety and in which ownership of the electric facility to be placed underground has been transferred from a private to a public utility within the past 5 years, the department shall incur all costs of the necessary utility work.

(g) An authority may bear the costs of utility work required to eliminate an unreasonable interference when the utility is not able to

establish that it has a compensable property right in the particular property where the utility is located if:

1. The utility was physically located on the particular property before the authority acquired rights in the property;

2. The utility demonstrates that it has a compensable property right in ~~an~~ adjacent properties along the alignment of the utility or, *after due diligence, certifies that the utility does not have evidence to prove or disprove that it has a compensable property right in the particular property where the utility is located*; and

3. The information available to the authority does not establish the relative priorities of the authority's and the utility's interests in the particular property.

*(h) If the relocation of utility facilities is necessitated by the construction of a commuter rail service project or an inter-city passenger rail service project and the cost of the project is eligible and approved for reimbursement by the Federal Government, then in that event the utility owning or operating such facilities located by permit on a department-owned rail corridor shall perform any necessary utility relocation work upon notice from the department, and the department shall pay the expense properly attributable to such utility relocation work in the same proportion as Federal funds are expended on the commuter rail service project or an inter-city passenger rail service project after deducting therefrom any increase in the value of a new facility and any salvage value derived from an old facility. In no event shall the state be required to use state dollars for such utility relocation work. This subsection shall not apply to any phase of the Central Florida Rail Corridor project known as SunRail.*

*(i) If a city or county owned utility is located in a rural area of critical economic concern, designated pursuant to s. 288.0656, and the department's comptroller determines that the utility is not able, and will not within the following 10 years be able, to pay for the cost of utility work necessitated by a department project on the State Highway System, the department may pay the cost of such utility work performed by the department or the department's contractor, in whole or in part.*

And the title is amended as follows:

Delete line 4487 and insert: lease must meet; amending s. 337.403, F.S.; revising the conditions under which an authority may bear the costs of utility work required to eliminate an unreasonable interference when the utility is unable to establish that it has a compensable property right in the property where the utility is located; requiring the department to pay the expenses of utility work necessitated by certain federally-funded projects under certain conditions; prohibiting the use of state dollars for such work; providing the subsection does not apply to any phase of the SunRail project; authorizing the department to pay the cost of utility work necessitated by a department project on the State Highway System for a city- or county-owned utility located in a rural area of critical economic concern designated pursuant to s. 288.0656, F.S. amending s. 338.161, F.S.;

**Amendment 1E (736620)**—Delete lines 2539-2544 and insert:

*(2) This act does not repeal, rescind, or modify any other law relating to the State Board of Administration, the Department of Transportation, or relating to authorities created pursuant to chapters 343, 348, or 349, or the Division of Bond Finance of the State Board of Administration, nor does it supersede any provision of chapters 343, 348, or 349, but supersedes any other law that is inconsistent with the provisions of this chapter, including, but not limited to, s. 215.821.*

*(3) This act does not supersede any applicable requirements of part II of chapter 163, s. 339.155, or s. 339.175.*

**Amendment 1F (742554) (with title amendment)**—Between lines 2655 and 2656 insert:

Section 60. Section 348.53, Florida Statutes, is amended to read:

348.53 Purposes of the authority.—The authority is created for the purposes and shall have power to construct, reconstruct, improve, extend, repair, maintain, and operate the expressway system. It is hereby found and declared that such purposes are, in all respects, for the benefit of the people of the State of Florida, City of Tampa, and the County of

Hillsborough; for the increase of their pleasure, convenience, and welfare, for the improvement of their health, to facilitate transportation, *including managed lanes and other transit supporting facilities, excluding rail or other rail related facilities*, for their recreation and commerce, and for the common defense. The authority shall be performing a public purpose and a governmental function in carrying out its corporate purpose and in exercising the powers granted herein.

Section 61. Subsections (3) and (4) of section 348.565, Florida Statutes, are amended to read:

348.565 Revenue bonds for specified projects.—The existing facilities that constitute the Tampa-Hillsborough County Expressway System are hereby approved to be refinanced by revenue bonds issued by the Division of Bond Finance of the State Board of Administration pursuant to s. 11(f), Art. VII of the State Constitution and the State Bond Act or by revenue bonds issued by the authority pursuant to s. 348.56(1)(b). In addition, the following projects of the Tampa-Hillsborough County Expressway Authority are approved to be financed or refinanced by the issuance of revenue bonds in accordance with this part and s. 11(f), Art. VII of the State Constitution:

(3) Lee Roy Selmon ~~Crosstown~~ Expressway System widening.

(4) The connector highway linking the Lee Roy Selmon ~~Crosstown~~ Expressway to Interstate 4.

And the title is amended as follows:

Delete line 4722 and insert: associated with the bonds; amending s. 348.53, F.S.; authorizing the Tampa-Hillsborough County Expressway Authority to facilitate transportation, including managed lanes and other transit supporting facilities, excluding rail or other rail related facilities; amending s. 348.565, F.S.; revising the name of the Lee Roy Selmon Crosstown Expressway; amending ss. 348.751 and

**Amendment 1G (972328) (with title amendment)**—Delete lines 4249-4253 and insert: the public. ~~Local government review or approval is not required for a public information system owned or hereafter acquired, developed, or constructed by the water management district on its own property. A public information system is subject to exempt from the requirements of chapter 479; however, a public information~~

And the title is amended as follows:

Delete line 4808 and insert: information system; requiring local government review or approval for certain public information systems; making public information systems subject to the requirements of ch. 479, F.S.; amending s. 341.052, F.S.;

**Amendment 1H (643292) (with title amendment)**—Delete lines 4286-4298 and insert:

*(d) Notwithstanding any law to the contrary, no eligible public transit provider or a person acting on behalf of a public transit provider shall use public transit block grant funds for a political advertisement or electioneering communication concerning an issue, referendum, or amendment, including any state question, that is subject to a vote of the electors. To the extent that a public transit provider uses other public funds in this manner, the amount of the provider's grant must be reduced by the same amount. As used in this paragraph, the term "public funds" means all moneys under the jurisdiction or control of a federal agency, the state, a county, or a municipality, including any district, authority, commission, board, or agency thereof, for any public purpose. This paragraph does not apply to any communication from a public transit provider or a person acting on behalf of a public transit provider which is not advocating a position and is limited to factual information.*

And the title is amended as follows:

Delete lines 4808-4812 and insert: information system; amending s. 341.052, F.S.; prohibiting an eligible public transit provider from using public transit block grant funds for a political advertisement or electioneering communication concerning an issue, referendum, or amendment, including any state question, that is subject to a vote of the electors; requiring the amount of the

**Amendment 1I (226156) (with title amendment)**—Between lines 4302 and 4303 insert:

Section 83. Section 479.16, Florida Statutes, is amended to read:

479.16 Signs for which permits are not required.—The following signs are exempt from the requirement that a permit for a sign be obtained under the provisions of this chapter but are required to comply with the provisions of s. 479.11(4)-(8), *and the provisions of subsections (15)–(20) may not be implemented or continued if the Federal Government notifies the department that implementation or continuation will adversely affect the allocation of federal funds to the department:*

(1) Signs erected on the premises of an establishment, which signs consist primarily of the name of the establishment or which identify the principal or accessory merchandise, services, activities, or entertainment sold, produced, manufactured, or furnished on the premises of the establishment and which comply with the lighting restrictions ~~under department rule adopted~~ pursuant to s. 479.11(5), or signs owned by a municipality or a county located on the premises of such municipality or such county which display information regarding government services, activities, events, or entertainment. For purposes of this section, the following types of messages shall not be considered information regarding government services, activities, events, or entertainment:

- (a) Messages which specifically reference any commercial enterprise.
- (b) Messages which reference a commercial sponsor of any event.
- (c) Personal messages.
- (d) Political campaign messages.

If a sign located on the premises of an establishment consists principally of brand name or trade name advertising and the merchandise or service is only incidental to the principal activity, or if the owner of the establishment receives rental income from the sign, then the sign is not exempt under this subsection.

(2) Signs erected, used, or maintained on a farm by the owner or lessee of such farm and relating solely to farm produce, merchandise, service, or entertainment sold, produced, manufactured, or furnished on such farm.

(3) Signs posted or displayed on real property by the owner or by the authority of the owner, stating that the real property is for sale or rent. However, if the sign contains any message not pertaining to the sale or rental of that real property, then it is not exempt under this section.

(4) Official notices or advertisements posted or displayed on private property by or under the direction of any public or court officer in the performance of her or his official or directed duties, or by trustees under deeds of trust or deeds of assignment or other similar instruments.

(5) Danger or precautionary signs relating to the premises on which they are located; forest fire warning signs erected under the authority of the Florida Forest Service of the Department of Agriculture and Consumer Services; and signs, notices, or symbols erected by the United States Government under the direction of the United States Forestry Service.

(6) Notices of any railroad, bridge, ferry, or other transportation or transmission company necessary for the direction or safety of the public.

(7) Signs, notices, or symbols for the information of aviators as to location, directions, and landings and conditions affecting safety in aviation erected or authorized by the department.

(8) Signs or notices erected or maintained upon property stating only the name of the owner, lessee, or occupant of the premises and not exceeding 16 8 square feet in area.

(9) Historical markers erected by duly constituted and authorized public authorities.

(10) Official traffic control signs and markers erected, caused to be erected, or approved by the department.

(11) Signs erected upon property warning the public against hunting and fishing or trespassing thereon.

(12) Signs not in excess of 16 8 square feet that are owned by and relate to the facilities and activities of churches, civic organizations, fraternal organizations, charitable organizations, or units or agencies of government.

(13) ~~Except that~~ Signs placed on benches, transit shelters, *modular news racks, street light poles, public pay telephones, and waste receptacles, within the right-of-way,* as provided for in s. 337.408 are exempt from ~~the all~~ provisions of this chapter.

(14) Signs relating exclusively to political campaigns.

(15) Signs not in excess of 16 square feet placed at a road junction with the State Highway System denoting only the distance or direction of a residence or farm operation, or, *outside an incorporated in a rural area where a hardship is created because a small business is not visible from the road junction with the State Highway System, one sign not in excess of 16 square feet, denoting only the name of the business and the distance and direction to the business. The small business sign provision of this subsection does not apply to charter counties and may not be implemented if the Federal Government notifies the department that implementation will adversely affect the allocation of federal funds to the department.*

(16) Signs placed by a local tourist-oriented business located within a rural area of critical economic concern, as defined by s. 288.0656(2)(d) and (e), and are:

- (a) Not more than 8 square feet in size or more than 4 feet in height;
- (b) Located only in rural areas, along non-limited access highways;
- (c) Located within 2 miles of the business location and are not less than 500 feet apart;
- (d) Located only in two directions leading to the business; and
- (e) Not located within the road right-of-way.

A business placing such signs must be at least 4 miles from any other business using this exemption and may not participate in any other department directional signage program.

(17) Signs not in excess of 32 square feet placed temporarily during harvest season of a farm operation for a period of no more than 4 months at a road junction with the State Highway System denoting only the distance or direction of the farm operation.

(18) Acknowledgement signs erected upon publicly funded school premises relating to a specific public school club, team, or event placed no closer than 1,000 feet from another acknowledgement sign on the same side of the roadway. The sponsor information on an acknowledgement sign may constitute no more than 100 square feet of the sign. As used in this subsection, the term “acknowledgement signs” means signs that are intended to inform the traveling public that a public school club, team, or event has been sponsored by a person, firm, or other entity.

(19) Displays erected upon a sports facility the content of which is directly related to the facility’s activities or where a presence of the products or services offered on the property exists. Displays must be mounted flush to the surface of the sports facility and must rely upon the building facade for structural support. For purposes of this subsection, the term “sports facility” means an athletic complex, athletic arena, or athletic stadium, including physically connected parking facilities, which is open to the public and has a permanent installed seating capacity of 15,000 or more.

(20) The Legislature believes it is in the public interest that all welcome centers created pursuant to s. 288.12265 have the option to own, acquire, develop, construct, operate, and manage public information systems. Public information systems may only display messages to the general public concerning public service announcements, including severe weather reports, Amber Alerts, Silver Alerts, and other essential information needed by the public. Local government review or approval is not required for a public information system owned or hereafter acquired, developed, or constructed at the welcome center. A public information system is exempt from the requirements of chapter 479; provided, however, that any public information system that is subject to the Highway Beautification Act of 1965 or the Manual of Uniform Transportation Control Devices must be approved by the Department of Transportation

and the Federal Highway Administration if required by federal law and federal regulations.

*If the exemptions in subsections (15) through (20) are not implemented or continued due to Federal Government notification to the department that the allocation of federal funds to the department will be adversely impacted, the department shall provide notice to the sign owner that the sign must be removed within 30 days after receiving notice. If the sign is not removed within 30 days, the department may remove the sign, and the costs incurred in connection with the sign removal shall be assessed against and collected from the sign owner.*

And the title is amended as follows:

Delete line 4815 and insert: prohibition; providing an exception; amending s. 479.16, F.S.; providing an exception if the Federal Government notifies the department that implementation or continuation will adversely affect allocation of federal funds; expanding the allowable size of certain signs or notices; expanding the placement exemption of certain signs; removing a certain small-business sign exemption; expanding the exemption requiring permits to signs placed by a local tourist-oriented business located in an area of critical economic concern, signs not in excess of a certain size placed temporarily during harvest season of a farm operation for a certain period of time, certain acknowledgement signs erected upon publicly funded school premises relating to a specific public school club, team, or event, and displays erected upon a sports facility; providing criteria for the signs; providing criteria for welcome centers to place certain signs under specified conditions; requiring the

**Amendment 1J (145178) (with title amendment)**—Delete lines 4348-4378.

And the title is amended as follows:

Delete lines 4825-4830 and insert: the state right-of-way; providing effective dates.

Senator Diaz de la Portilla moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1K (682044) (with title amendment)**—Between lines 4378 and 4379 insert:

Section 85. *Ralph Sanchez Way designated; Department of Transportation to erect suitable markers.*—

(1) *That portion of U.S. 1 in Miami-Dade County between South East 2nd Street and North East 3rd Street is designated as “Ralph Sanchez Way.”*

(2) *The Department of Transportation is directed to erect suitable markers designating Ralph Sanchez Way as described in subsection (1).*

And the title is amended as follows:

Delete line 4830 and insert: deceptive trade practice; providing honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Latvala moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1L (413366) (with title amendment)**—Between lines 211 and 212 insert:

Section 4. Paragraph (b) of subsection (3) of section 163.01, Florida Statutes, is amended to read:

163.01 Florida Interlocal Cooperation Act of 1969.—

(3) As used in this section:

(b) “Public agency” means a political subdivision, agency, or officer of this state or of any state of the United States, including, but not limited

to, state government, county, city, school district, single and multipurpose special district, single and multipurpose public authority, metropolitan or consolidated government, a separate legal entity or administrative entity created under subsection (7), a public transit provider as defined in s. 341.031, an independently elected county officer, an ~~any~~ agency of the United States Government, a federally recognized Native American tribe, and any similar entity of any other state of the United States.

And the title is amended as follows:

Delete line 4400 and insert: covered under career service; amending s. 163.01, F.S.; modifying the definition of “public agency” to include a public transit provider; amending s. 311.22,

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1M (271334) (with title amendment)**—Between lines 1474 and 1475 insert:

Section 47. Section 341.8203, Florida Statutes, is amended to read:

341.8203 Definitions.—As used in ss. 341.8201-341.842, unless the context clearly indicates otherwise, the term:

(1) “Associated development” means property, equipment, buildings, or other related facilities which are built, installed, used, or established to provide financing, funding, or revenues for the planning, building, managing, and operation of a high-speed rail system and which are associated with or part of the rail stations. The term includes air and subsurface rights, services that provide local area network devices for transmitting data over wireless networks, parking facilities, retail establishments, restaurants, hotels, offices, advertising, or other commercial, civic, residential, or support facilities.

(2) “Communication facilities” means the communication systems related to high-speed passenger rail operations, including those which are built, installed, used, or established for the planning, building, managing, and operating of a high-speed rail system. The term includes the land; structures; improvements; rights-of-way; easements; positive train control systems; wireless communication towers and facilities that are designed to provide voice and data services for the safe and efficient operation of the high-speed rail system; voice, data, and wireless communication amenities made available to crew and passengers as part of a high-speed rail service; and any other facilities or equipment used for operation of, or the facilitation of communications for, a high-speed rail system. Owners of communication facilities may not offer voice or data service to any entity other than passengers, crew, or other persons involved in the operation of a high-speed rail system.

(3)(2) “Enterprise” means the Florida Rail Enterprise.

(4)(3) “High-speed rail system” means any high-speed fixed guideway system for transporting people or goods, which system is, by definition of the United States Department of Transportation, reasonably expected to reach speeds of at least 110 miles per hour, including, but not limited to, a monorail system, dual track rail system, suspended rail system, magnetic levitation system, pneumatic repulsion system, or other system approved by the enterprise. The term includes a corridor, associated intermodal connectors, and structures essential to the operation of the line, including the land, structures, improvements, rights-of-way, easements, rail lines, rail beds, guideway structures, switches, yards, parking facilities, power relays, switching houses, and rail stations and also includes facilities or equipment used exclusively for the purposes of design, construction, operation, maintenance, or the financing of the high-speed rail system.

(5)(4) “Joint development” means the planning, managing, financing, or constructing of projects adjacent to, functionally related to, or otherwise related to a high-speed rail system pursuant to agreements between any person, firm, corporation, association, organization, agency, or other entity, public or private.

(6)(5) “Rail station,” “station,” or “high-speed rail station” means any structure or transportation facility that is part of a high-speed rail sys-



tem designed to accommodate the movement of passengers from one mode of transportation to another at which passengers board or disembark from transportation conveyances and transfer from one mode of transportation to another.

(7) “Railroad company” means a person developing, or providing service on, a high-speed rail system.

(8)(6) “Selected person or entity” means the person or entity to whom the enterprise awards a contract to establish a high-speed rail system pursuant to ss. 341.8201-341.842.

Section 48. Paragraph (c) is added to subsection (2) of section 341.822, Florida Statutes, to read:

341.822 Powers and duties.—

(2)

(c) The enterprise shall establish a process to issue permits to railroad companies for the construction of communication facilities within a new or existing public or private high-speed rail system. The enterprise may adopt rules to administer such permits, including rules regarding the form, content, and necessary supporting documentation for permit applications; the process for submitting applications; and the application fee for a permit under s. 341.825. The enterprise shall provide a copy of a completed permit application to municipalities and counties where the high-speed rail system will be located. The enterprise shall allow each such municipality and county 30 days to provide comments to the enterprise regarding the application, including any recommendations regarding conditions that may be placed on the permit.

Section 49. Section 341.825, Florida Statutes, is created to read:

341.825 Communication facilities.—

(1) **LEGISLATIVE INTENT.**—The Legislature intends to:

(a) Establish a streamlined process to authorize the location, construction, operation, and maintenance of communication facilities within new and existing high-speed rail systems.

(b) Expedite the expansion of the high-speed rail system’s wireless voice and data coverage and capacity for the safe and efficient operation of the high-speed rail system and the safety, use, and efficiency of its crew and passengers as a critical communication facilities component.

(2) **APPLICATION SUBMISSION.**—A railroad company may submit to the enterprise an application to obtain a permit to construct communication facilities within a new or existing high-speed rail system. The application shall include an application fee limited to the amount needed to pay the anticipated cost of reviewing the application, not to exceed \$10,000, which shall be deposited into the State Transportation Trust Fund. The application must include the following information:

(a) The location of the proposed communication facilities.

(b) A description of the proposed communication facilities.

(c) Any other information reasonably required by the enterprise.

(3) **APPLICATION REVIEW.**—The enterprise shall review each application for completeness within 30 days after receipt of the application.

(a) If the enterprise determines that an application is not complete, the enterprise shall, within 30 days after the receipt of the initial application, notify the applicant in writing of any errors or omissions. An applicant shall have 30 days within which to correct the errors or omissions in the initial application.

(b) If the enterprise determines that an application is complete, the enterprise shall act upon the permit application within 60 days of the receipt of the completed application by approving in whole, approving with conditions as the enterprise deems appropriate, or denying the application, and stating the reason for issuance or denial. In determining whether an application should be approved, approved with modifications or conditions, or denied, the enterprise shall consider any comments or recommendations received from a municipality or county and the extent to which the proposed communication facilities:

1. Are located in a manner that is appropriate for the communication technology specified by the applicant.

2. Serve an existing or projected future need for communication facilities.

3. Provide sufficient wireless voice and data coverage and capacity for the safe and efficient operation of the high-speed rail system and the safety, use, and efficiency of its crew and passengers.

(c) The failure to adopt any recommendation or comment may not be a basis for challenging the issuance of a permit.

(4) **EFFECT OF PERMIT.**—

(a) A permit authorizes the permittee to locate, construct, operate, and maintain the communication facilities within a new or existing high-speed rail system, subject to the conditions set forth in the permit. Such activities are not subject to local government land use or zoning regulations.

(b) A permit may include conditions that constitute variances and exemptions from rules of the enterprise or any other agency, which would otherwise be applicable to the communication facilities within the new or existing high-speed rail system.

(c) Notwithstanding any other provisions of law, the permit shall be in lieu of any license, permit, certificate, or similar document required by any local agency.

(d) Nothing in this section is intended to impose procedures or restrictions on railroad companies that are subject to the exclusive jurisdiction of the federal Surface Transportation Board pursuant to the Interstate Commerce Commission Termination Act of 1995, 49 U.S.C. ss. 10101, et seq.

(5) **MODIFICATION OF PERMIT.**—A permit may be modified by the applicant after issuance upon the filing of a petition with the enterprise.

(a) A petition for modification must set forth the proposed modification and the factual reasons asserted for the modification.

(b) The enterprise shall act upon the petition within 30 days by approving or denying the application, and stating the reason for issuance or denial.

Section 50. Paragraph (b) of subsection (2) of section 341.840, is amended to read:

341.840 Tax exemption.—

(2)

(b) For the purposes of this section, any item or property that is within the definition of the term “associated development” in s. 341.8203(1) may not be considered part of the high-speed rail system as defined in s. 341.8203(4) ~~or 341.8203(3)~~.

And the title is amended as follows:

Delete line 4556 and insert: of the intermodal development program; amending s. 341.8203, F.S.; defining “communication facilities” and “railroad company” as used in the Florida Rail Enterprise Act; prohibiting owners of communication facilities from offering certain services to persons unrelated to a high-speed rail system; amending s. 341.822, F.S.; requiring the rail enterprise to establish a process to issue permits for railroad companies to construct communication facilities within a high speed rail system; providing rulemaking authority; providing for fees for issuing a permit; creating s. 341.825, F.S.; providing for a permit authorizing the permittee to locate, construct, operate, and maintain communication facilities within a new or existing high speed rail system; providing for application procedures and fees; providing for the effects of a permit; providing an exemption from local land use and zoning regulations; authorizing the enterprise to permit variances and exemptions from rules of the enterprise or other agencies; providing that a permit is in lieu of licenses, permits, certificates, or similar documents required under specified laws; providing for a modification of a permit; amends s. 341.840, F.S.; conforming a cross-reference; amending s.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Smith moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1N (366024) (with title amendment)**—Between lines 211 and 212 insert:

Section 4. Paragraph (b) of subsection (1) of section 125.35, Florida Statutes, is amended to read:

125.35 County authorized to sell real and personal property and to lease real property.—

(1)

(b) Notwithstanding ~~the provisions of~~ paragraph (a), *under terms and conditions negotiated by the board*, the board of county commissioners ~~may is expressly authorized to:~~

1. Negotiate the lease of an airport or seaport facility;
2. Modify or extend an existing lease of real property for an additional term not to exceed 25 years, where the improved value of the lease has an appraised value in excess of \$20 million; or
3. Lease a professional sports franchise facility financed by revenues received pursuant to s. 125.0104 or s. 212.20 *which may include a commercial development that is ancillary to the sports facility if the ancillary development property is part of or contiguous to the professional sports franchise facility. The board's authority to lease the above described ancillary commercial development in conjunction with a professional sports franchise facility lease applies only if at the time the board leases the ancillary commercial development, the professional sports franchise facility lease has been in effect for at least 10 years and such lease has at least an additional 10 years remaining in the lease term; under such terms and conditions as negotiated by the board.*

And the title is amended as follows:

Delete line 4400 and insert: covered under career service; amending s. 125.35, F.S.; providing that a county may include a commercial development that is ancillary to a professional sports facility in the lease of a sports facility under certain circumstances; amending s. 311.22,

**Amendment 1 (740626)** as amended was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 7127** as amended was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1024** was deferred.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **HB 855, HB 949, CS for HB 977, HB 979, CS for HB 981, CS for HB 1013, HB 1027, CS for HB 1069, CS for HB 1171, HB 1271, CS for HB 1281, HB 1283, HB 1287, HB 1367, CS for HB 1403, CS for HB 1411, HB 4037, HB 4039, and HB 4053** were withdrawn from the Committee on Rules.

## LOCAL BILL CALENDAR

**HB 855**—A bill to be entitled An act relating to the South Indian River Water Control District, Palm Beach County; amending chapter 2001-313, Laws of Florida, as amended; authorizing construction of improvements on district property for recreational purposes within a specified area of the district; providing an effective date.

—was read the second time by title. On motion by Senator Abruzzo, by two-thirds vote **HB 855** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**HB 949**—A bill to be entitled An act relating to Charlotte County; amending chapter 98-508, Laws of Florida, as amended; revising provisions for the election of members of the Charlotte County Airport Authority; providing for the members to be known as commissioners; repealing s. 2 of chapter 63-1207, Laws of Florida, relating to obsolete provisions for the election of members of the Charlotte County Development Commission; providing an effective date.

—was read the second time by title. On motion by Senator Benacquisto, by two-thirds vote **HB 949** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**CS for HB 977**—A bill to be entitled An act relating to St. Lucie County Mosquito Control District, St. Lucie County; amending chapter 2003-365, Laws of Florida; revising the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Senator Negron, by two-thirds vote **CS for HB 977** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**HB 979**—A bill to be entitled An act relating to Fort Pierce Farms Water Control District, St. Lucie County; codifying the district's charter pursuant to s. 189.429, Florida Statutes; providing legislative intent; amending, codifying, repealing, and reenacting all special acts relating to Fort Pierce Farms Water Control District as a single act; repealing chapters 9981 (1923), 10549 (1925), 12033 (1927), 16032 (1933), 25447 (1949), 65-1226, 78-609, 82-376, 87-448, and 2012-240, Laws of Florida, relating to the Fort Pierce Farms Water Control District; providing an effective date.

—was read the second time by title. On motion by Senator Negron, by two-thirds vote **HB 979** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**CS for HB 981**—A bill to be entitled An act relating to the North St. Lucie River Water Control District, St. Lucie County; codifying, amending, reenacting, and repealing special acts relating to the district; providing a charter for the district; providing district boundaries; providing purpose; providing for a governing board and its membership, compensation, and duties; providing requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses; providing for the issuance of bonds; providing for elections; authorizing the levy of taxes, non-ad valorem assessments, fees, and service charges; providing for termination of the district; providing for construction and severability; repealing chapters 7973 (1919), 8896 (1921), 9635 (1923), 11129 (1925), 12106 (1927), 12108 (1927), 12109 (1927), 14773 (1931), 14774 (1931), 14775 (1931), 16089 (1933), 22111 (1943), 22714 (1945), 26790 (1951), 28379 (1953), 28647 (1953), 57-842, 59-979, 59-980, 65-1225, 69-1544, 96-529, and 2012-237, Laws of Florida; providing an effective date.

—was read the second time by title. On motion by Senator Negron, by two-thirds vote **CS for HB 981** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**CS for HB 1013**—A bill to be entitled An act relating to the Technological Research and Development Authority, Brevard County; abolishing the authority; transferring all assets and liabilities of the au-

thority to the county; repealing ch. 2005-337, Laws of Florida, relating to creation of the authority; providing effective dates.

—was read the second time by title. On motion by Senator Gardiner, by two-thirds vote **CS for HB 1013** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**HB 1027**—A bill to be entitled An act relating to the Broward County Education, Research, and Training Authority, Broward County; repealing chapter 94-431, Laws of Florida, relating to the creation of the authority; abolishing the authority; transferring assets and liabilities of the authority; providing an effective date.

—was read the second time by title. On motion by Senator Sobel, by two-thirds vote **HB 1027** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**CS for HB 1069**—A bill to be entitled An act relating to the Emerald Coast Utilities Authority, Escambia County; amending chapter 2001-324, Laws of Florida; revising the frequency of a management efficiency audit; providing an effective date.

—was read the second time by title. On motion by Senator Evers, by two-thirds vote **CS for HB 1069** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Detert	Hays
Altman	Diaz de la Portilla	Hukill
Bean	Evers	Joyner
Benacquisto	Flores	Latvala
Brandes	Galvano	Legg
Braynon	Garcia	Montford
Bullard	Gardiner	Negron
Clemens	Gibson	Richter
Dean	Grimsley	Ring

Sachs	Smith	Stargel
Simmons	Sobel	Thompson
Simpson	Soto	Thrasher

Nays—None

**CS for HB 1171**—A bill to be entitled An act relating to St. Lucie and Martin Counties; amending chapter 2012-45, Laws of Florida; revising provisions for the temporary distribution from Martin County to St. Lucie County of certain tax and assessment revenue collected in a portion of St. Lucie County being incorporated into Martin County; defining the term “tax and assessment revenue”; exempting certain revenue from distribution to St. Lucie County; revising the annual date of such distributions; providing an effective date.

—was read the second time by title. On motion by Senator Negron, by two-thirds vote **CS for HB 1171** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

#### SENATOR RICHTER PRESIDING

**HB 1271**—A bill to be entitled An act relating to the Central County Water Control District, Hendry County; amending chapter 2000-415, Laws of Florida; revising the legal description of the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Senator Bullard, by two-thirds vote **HB 1271** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**CS for HB 1281**—A bill to be entitled An act relating to East County Water Control District, Hendry and Lee Counties; amending chapter 2000-423, Laws of Florida; authorizing the board of commissioners to exercise additional powers relating to public improvements and community facilities and their funding; providing for applicability; providing an effective date.

—was read the second time by title. On motion by Senator Benacquisto, by two-thirds vote **CS for HB 1281** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**HB 1283**—A bill to be entitled An act relating to Nassau County; amending chapter 81-440, Laws of Florida; revising criteria for special alcoholic beverage licenses for restaurants within the county; providing an effective date.

—was read the second time by title. On motion by Senator Bean, by two-thirds vote **HB 1283** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**HB 1287**—A bill to be entitled An act relating to the Tohopekaliga Water Authority, Osceola County; amending chapter 2003-368, Laws of Florida; revising the terms of members of the authority; providing an effective date.

—was read the second time by title. On motion by Senator Soto, by two-thirds vote **HB 1287** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**HB 1367**—A bill to be entitled An act relating to the Tampa Port Authority, Hillsborough County; amending chapter 95-488, Laws of Florida, as amended; deleting a requirement that certain expenditures be approved by an affirmative vote of a specified number of members of the authority; providing an effective date.

—was read the second time by title. On motion by Senator Brandes, by two-thirds vote **HB 1367** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**CS for HB 1403**—A bill to be entitled An act relating to the Key Largo Wastewater Treatment District, Monroe County; amending chapter 2002-337, Laws of Florida, as amended; revising provisions relating to vacancies on the district's governing board; revising compensation of the governing board members, subject to annual adjustment according to a specified price index; providing an effective date.

—was read the second time by title. On motion by Senator Bullard, by two-thirds vote **CS for HB 1403** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**CS for HB 1411**—A bill to be entitled An act relating to Pinellas County; amending chapter 72-666, Laws of Florida, as amended; updating terminology applicable to provisions relating to the Pinellas Police Standards Council; revising certain assessments of court costs that provide funding for the council; providing an effective date.

—was read the second time by title. On motion by Senator Latvala, by two-thirds vote **CS for HB 1411** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Benacquisto	Bullard
Altman	Brandes	Clemens
Bean	Braynon	Dean

Detert  
Diaz de la Portilla  
Evers  
Flores  
Galvano  
Garcia  
Gardiner  
Gibson  
Grimsley

Hays  
Hukill  
Joyner  
Latvala  
Legg  
Montford  
Negron  
Richter  
Ring

Sachs  
Simmons  
Simpson  
Smith  
Sobel  
Soto  
Stargel  
Thompson  
Thrasher

Nays—None

**HB 4037**—A bill to be entitled An act relating to Broward County; repealing chapter 12554 (1927), Laws of Florida, relating to saltwater fishing; providing an effective date.

—was read the second time by title. On motion by Senator Sobel, by two-thirds vote **HB 4037** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**HB 4039**—A bill to be entitled An act relating to Broward County; repealing chapter 8636 (1921), Laws of Florida, relating to fishing; providing an effective date.

—was read the second time by title. On motion by Senator Sobel, by two-thirds vote **HB 4039** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

**HB 4053**—A bill to be entitled An act relating to the City of Pensacola, Escambia County; repealing chapters 84-510, 86-447, 86-450, 88-537, and 90-473, Laws of Florida; repealing the Civil Service System for city employees; providing an effective date.

—was read the second time by title. On motion by Senator Evers, by two-thirds vote **HB 4053** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Brandes	Gibson	Simmons
Braynon	Grimsley	Simpson
Bullard	Hays	Smith
Clemens	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Montford	Thrasher

Nays—None

### MOTIONS

On motion by Senator Thrasher, by two-thirds vote, all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Wednesday, May 1.

On motion by Senator Thrasher, the rules were waived and a deadline of one hour after availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Wednesday, May 1.

### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **CS for SB 518** was withdrawn from the Committees on Appropriations Subcommittee on Finance and Tax; and Appropriations; **CS for SB 632**, **CS for SB 1216**, **SB 1322**, **CS for CS for SB 1482**, **CS for CS for SB 1666**, and **CS for SB 1682** were withdrawn from the Committee on Appropriations; **CS for SB 550**, **CS for SB 696**, **CS for SB 814**, **CS for SB 1216**, and **CS for SB 1682** were withdrawn from the Committee on Judiciary; and **CS for CS for SB 58** was withdrawn from the Committee on Rules.

### REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Tuesday, April 30, 2013: CS for SB 626, CS for SB 808, CS for CS for SB 1840.

Respectfully submitted,  
*John Thrasher*, Rules Chair  
*Lizbeth Benacquisto*, Majority Leader  
*Christopher L. Smith*, Minority Leader

Pursuant to Rule 4.18, the Rules Chair submits the following bills to be placed on the Local Bill Calendar for Tuesday, April 30, 2013: HB 855, HB 949, CS for HB 977, HB 979, CS for HB 981, CS for HB 1013, HB 1027, CS for HB 1069, CS for HB 1171, HB 1271, CS for HB 1281, HB 1283, HB 1287, HB 1367, CS for HB 1403, CS for HB 1411, HB 4037, HB 4039, HB 4053.

Respectfully submitted,  
*John Thrasher*, Rules Chair

### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

#### RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for SB 112, CS for SB 142, CS for CS for SB 166, SB 230, CS for SB 248, CS for SB 284, CS for SB 298, CS for CS for SB 398, CS for SB 454, CS for CS for SB 468, SB 520, SB 558, CS for SB 592, SB 604, CS for CS for SB 682, SB 736, CS for CS for SB 810, CS for SB 934, CS for SB 964, CS for CS for SB 1106, CS for SB 1302, CS for SB 1398, CS for SB 1420, CS for CS for CS for SB 1594, CS for SB 1768, SB 1784 and SB 1852; passed SB 1850 by the required constitutional two-thirds vote of the members voting in the House.

*Robert L. "Bob" Ward*, Clerk

The bills contained in the foregoing messages were ordered enrolled.

### CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 29 was corrected and approved.

### ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 4:08 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, May 1 or upon call of the President.



# Journal of the Senate

Number 21—Regular Session

Wednesday, May 1, 2013

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## CALL TO ORDER

The Senate was called to order by President Gaetz at 10:00 a.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

## PRAYER

The following prayer was offered by Pastor R.B. Holmes, Bethel Missionary Baptist Church, Tallahassee:

Eternal God, for grace, mercy, strength, fellowship, and love we say thank you. For this great state; for this great President; and these great and committed Senators, we say thank you. We pray, Lord, that you will bless them, bless their work, bless their skills, and give them wisdom, insight, and good ideas as they bless your people across the State of Florida.

We thank you for this day. We thank you for this moment. Now Lord, we honor you; we praise you; and again bless these Senators with good health and good success. In your name, we pray. Amen.

## PLEDGE

Senate Pages Marissa Lamberti of Pompano; and Nick DiMinno and Katie Heffley of Tallahassee led the Senate in the pledge of allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Nicole N. Balmer of Tallahassee, sponsored by Senator Montford, as doctor of the day. Dr. Balmer specializes in Pathology/Dermatopathology.

## ADOPTION OF RESOLUTIONS

On motion by Senator Bradley—

By Senator Bradley—

**SR 1904**—A resolution recognizing September 2013 and each September thereafter as “Dystonia Awareness Month.”

WHEREAS, Dystonia is a neurologic movement disorder characterized by involuntary muscle contractions that often cause painful and debilitating body positions for the victim, and

WHEREAS, Dystonia is a nonterminal disease that attacks an otherwise healthy individual who is living a normal life and makes even the simplest of tasks impossible to achieve, and

WHEREAS, Dystonia is nondegenerative, and, with the investment of the proper resources, a cure is within reach, and

WHEREAS, Dystonia affects an estimated 500,000 people in North America, with a third of all dystonia patients children, and

WHEREAS, Tyler's Hope for a Dystonia Cure has long been recognized as a leading nonprofit organization in Dystonia research and awareness and has teamed up with Dystonia advocacy groups to form Team Dystonia, a coalition aimed at furthering awareness of the disorder across the nation, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we recognize September 2013 and each September thereafter as “Dystonia Awareness Month.”

—was introduced out of order and read by title. On motion by Senator Bradley, **SR 1904** was read the second time in full and adopted.

At the request of Senator Gibson—

By Senator Gibson—

**SR 1908**—A resolution recognizing Bishop Rudolph W. McKissick, Sr., for a lifetime of service and expressing appreciation for his outstanding leadership in the faith community and the community at large.

WHEREAS, Bishop Rudolph W. McKissick, Sr., served as a choral member, music director, and deacon at Bethel Baptist Institutional Church before being called to succeed Reverend Robert Wilson as pastor in 1966, and

WHEREAS, the service of Bishop Rudolph W. McKissick, Sr., as pastor at Bethel Baptist Institution Church has spanned 47 years and allows him the distinction of being the longest serving leader of Florida's oldest African-American church, and

WHEREAS, in demonstration of his strong commitment to a quality education, Bishop Rudolph W. McKissick, Sr., earned a bachelor's degree from Edward Waters College and holds conferred doctoral degrees from Edward Waters College and Bethune Cookman University, and



WHEREAS, Bishop Rudolph W. McKissick, Sr., received additional training at the Tuskegee Institute, Columbia University, Princeton University, and Luther Rice University and Seminary, and

WHEREAS, in meeting and supporting the ever-changing needs and growth of congregants, now numbering more than 12,000, Bishop Rudolph W. McKissick, Sr., has established more than 50 ministries, including The Help Center, a Christian Mission, a marriage ministry, a church basketball league, youth retreats, and a missionary outreach program, and

WHEREAS, the exemplary teachings and spiritual guidance of Bishop Rudolph W. McKissick, Sr., have inspired more than 50 servant leaders to accept God's calling to the ministry, and

WHEREAS, in 1993, Bishop Rudolph W. McKissick, Sr., and his wife of 50 years, Estelle, established the B.E.S.T. (Bethel Enhancing Students Totally) Academy to support the needs of elementary and secondary students, and under the leadership of Estelle McKissick, B.E.S.T. has become a valuable community resource and earned recognition as an approved summer school site for Duval County's most academically challenged students, and

WHEREAS, Bishop Rudolph W. McKissick, Sr., has held membership on numerous boards and commissions, including appointment to the first Board of Trustees at the University of North Florida, the Jacksonville Urban League, and the YMCA James Weldon Branch, and is a member of the NAACP and the Omega Psi Phi fraternity, and

WHEREAS, in September 2011, Bishop Rudolph W. McKissick, Sr., was elevated to Bishop of Marriage and Family in the Full Gospel Baptist Church Fellowship International, and

WHEREAS, Bishop Rudolph W. McKissick, Sr., now shepherds his flock with his son and co-pastor, Bishop Rudolph McKissick, Jr., and, together, they are partnering with ministries across the globe, and

WHEREAS, the outstanding leadership and service of Bishop Rudolph W. McKissick, Sr., has been recognized with numerous awards, including the Meritorious Leadership Award, presented by Dr. Martin Luther King, Sr.; the 1992 Silver Medallion Humanitarian award, presented by the National Conference for Christians and Jews; and The City of Jacksonville's Human Relations Award, and

WHEREAS, in addition to his exemplary professional career, Bishop Rudolph W. McKissick, Sr., is also a dedicated husband to his wife, Estelle Williams McKissick, loving father to his son, Bishop Rudolph McKissick, Jr., and doting grandfather to his grandchildren, Jocelyn, Janai, and Joshua, and

WHEREAS, with an abiding commitment to his faith in God, enduring dedication to the Bethel congregation, and undying love and faithfulness to his family and community, Bishop Rudolph W. McKissick, Sr., has paved a pathway of service and gratitude which will forever be remembered in the hearts and minds of the Bethel Baptist Institutional Church congregation, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That Bishop Rudolph W. McKissick, Sr., is recognized for a lifetime of service as the esteemed pastor of Bethel Baptist Institutional Church in Jacksonville.

—**SR 1908** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

**SR 1918**—A resolution recognizing May 1, 2013, as “Go Blue Day” in the Florida Senate.

WHEREAS, Huntington's Disease (HD) is a devastating, hereditary, degenerative brain disorder for which there is, at present, no cure and only one FDA-approved treatment for a symptom of HD, and

WHEREAS, HD slowly diminishes an affected individual's ability to walk, talk, and reason, eventually rendering the individual totally dependent upon others for his or her care, and

WHEREAS, HD profoundly affects the lives of entire families, emotionally, socially, and economically, and

WHEREAS, advocates for those diagnosed with HD and their family members have adopted the color blue as a part of their campaign for a cure, and

WHEREAS, as a gesture of solidarity in showing support for all affected by HD, the members of the Florida Senate have been invited to “show their blue,” NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That May 1, 2013 is recognized as “Go Blue Day” in the Florida Senate.

—**SR 1918** was introduced, read and adopted by publication.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **HB 533**, **CS for HB 1007**, **CS for HB 1009**, **HB 1285**, and **CS for HB 1421** were withdrawn from the Committee on Rules.

## LOCAL BILL CALENDAR

**HB 533**—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending chapter 23559, Laws of Florida, 1945, as amended; revising the General Employees' Pension Plan for the City of Tampa; revising the definition of the term “Pension Credit”; specifying conditions under which an Employee's Pension Credit is nonforfeitable; providing for the return to an Employee of his or her contributions to the Plan under certain circumstances; providing an effective date.

—was read the second time by title. On motion by Senator Joyner, by two-thirds vote **HB 533** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**CS for HB 1007**—A bill to be entitled An act relating to the Lee County Tourist Development Council, Lee County; revising membership of the council; providing an exception to general law; providing an effective date.

—was read the second time by title. On motion by Senator Richter, by two-thirds vote **CS for HB 1007** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Abruzzo	Altman
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Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gardiner	Ring
Brandes	Gibson	Sachs
Braynon	Grimsley	Simmons
Bullard	Hays	Simpson
Clemens	Hukill	Smith
Dean	Joyner	Sobel
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson
Flores	Margolis	Thrasher
Nays—None		

**CS for HB 1009**—A bill to be entitled An act relating to the Fellsmere Water Control District, Indian River County; codifying, amending, repealing, and repealing chapters 8877 (1921), 11555 (1925), 12023 (1927), 14719 (1931), 16998 (1935), 28418 (1953), 61-1414, and 69-1161, Laws of Florida; renaming the district as the Fellsmere Improvement District, a special tax district; providing legislative intent; providing additional authority relating to the provision of public infrastructure, services, assessment, levy, and collection of non-ad valorem assessments and fees, public finance, and district operations; providing district boundaries; providing for applicability of chapter 298, F.S., and other general laws; providing powers of the district; providing for compliance with county and municipal plans and regulations; providing for levy of non-ad valorem assessments; providing for collection, enforcement, and penalties; providing for issuance of revenue bonds, assessment bonds, and bond anticipation notes; ratifying prior acts and circuit court decrees; providing for severability; providing an effective date.

—was read the second time by title. On motion by Senator Altman, by two-thirds vote **CS for HB 1009** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Brandes

**HB 1285**—A bill to be entitled An act relating to the Tallahassee-Leon County Civic Center Authority, Leon County; abolishing the authority; repealing chapter 2004-435, Laws of Florida, relating to the charter of the authority; designating the Tallahassee-Leon County Civic Center as the “Donald L. Tucker Civic Center”; providing for the erection of suitable markers; requiring the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a beverage license to Florida State University or its designee; transferring all assets and liabilities of the authority to the university; providing for applicability; providing an effective date.

—was read the second time by title. On motion by Senator Montford, by two-thirds vote **HB 1285** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Gibson

**CS for HB 1421**—A bill to be entitled An act relating to Madison County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a special alcoholic beverage license to certain hotels and motels in the county; providing an effective date.

—was read the second time by title. On motion by Senator Montford, by two-thirds vote **CS for HB 1421** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Altman

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 328, with 1 amendment, and requests the concurrence of the Senate.

*Robert L. “Bob” Ward, Clerk*

**CS for CS for SB 328**—A bill to be entitled An act relating to public accountancy; amending s. 473.3065, F.S.; revising provisions for the distribution of scholarships under the Certified Public Accountant Education Minority Assistance Program; revising the annual maximum expenditures and frequency of distribution of moneys for the scholarships; amending s. 473.311, F.S.; clarifying provisions; creating s. 473.3125, F.S.; providing definitions; requiring the Board of Accountancy to adopt rules for peer review programs; authorizing the board to es-

tablish a peer review oversight committee; requiring certain licensees to be enrolled in a peer review program by a certain date; amending s. 473.313, F.S.; revising license delinquency dates; providing an effective date.

**House Amendment 1 (891509) (with title amendment)**—Remove lines 20-38 and insert:

Section 1. Section 473.3065, Florida Statutes, is amended to read:

473.3065 *Clay Ford Scholarship Program*; Certified Public Accountant Education Minority Assistance ~~Program~~; Advisory Council.—

(1) The *Clay Ford Scholarship Certified Public Accountant Education Minority Assistance* Program for Florida residents is hereby established in the division for the purpose of providing scholarships to minority persons as defined in s. 288.703 who are students enrolled in their fifth year of an accounting education program at an institution in this state approved by the board by rule. A Certified Public Accountant Education Minority Assistance Advisory Council shall assist the board in administering the program.

(2) All moneys used to provide scholarships under the *Clay Ford Scholarship* Program shall be funded by a portion of existing license fees, as set by the board, not to exceed \$10 per license. Such moneys shall be deposited into the Professional Regulation Trust Fund in a separate account maintained for that purpose. The department ~~may be authorized to spend up to \$200,000 \$100,000~~ per year for the program from this program account; but may not allocate overhead charges to it. Moneys for scholarships shall be disbursed ~~twice per year annually~~ upon recommendation of the advisory council and approval by the board, based on the adopted eligibility criteria and comparative evaluation of all applicants. Funds in the program account may be invested by the Chief Financial Officer under the same limitations as apply to investment of other state funds, and all interest earned thereon shall be credited to the program account.

(3) The board shall adopt rules as necessary for administration of the *Clay Ford Scholarship* Program, including rules relating to the following:

(a) Eligibility criteria for receipt of a scholarship, which, at a minimum, shall include the following factors:

1. Financial need.
2. Ethnic, gender, or racial minority status pursuant to s. 288.703(4).
3. Scholastic ability and performance.

(b) Scholarship application procedures.

(c) Amounts in which scholarships may be provided, the total amount that may be provided, the timeframe for payments or partial payments, and criteria for how scholarship funds may be expended.

(d) The total amount of scholarships that can be made each year.

(e) The minimum balance that must be maintained in the program account.

(4) Determinations made by the board regarding recipients of scholarship moneys shall not be considered agency action for purposes of chapter 120.

(5) It is unlawful for any person or agent of such person to knowingly file with the board any notice, statement, or other document ~~that which~~ is false or ~~that which~~ contains any material misstatement of fact. A person who violates ~~any provision of~~ this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(6) There is hereby created the Certified Public Accountant Education Minority Assistance Advisory Council to assist the board in administering the *Clay Ford Scholarship* Program. The council shall be diverse and representative of the gender, ethnic, and racial categories set forth in s. 288.703(4).

(a) The council shall consist of five licensed Florida-certified public accountants selected by the board, of whom one shall be a board member who serves as chair of the council, one shall be a representative of the National Association of Black Accountants, one shall be a representative of the Cuban American CPA Association, and two shall be selected at large. At least one member of the council must be a woman.

(b) The board shall determine the terms for initial appointments and appointments thereafter.

(c) Any vacancy on the council shall be filled in the manner provided for the selection of the initial member. Any member appointed to fill a vacancy of an unexpired term shall be appointed for the remainder of that term.

(d) Three consecutive absences or absences constituting 50 percent or more of the council's meetings within any 12-month period shall cause the council membership of the member in question to become void, and the position shall be considered vacant.

(e) The members of the council shall serve without compensation, and any necessary and actual expenses incurred by a member while engaged in the business of the council shall be borne by such member or by the organization or agency such member represents. However, the council member who is a member of the board shall be compensated in accordance with ss. 455.207(4) and 112.061.

And the title is amended as follows:

Remove lines 3-6 and insert: 473.3065, F.S.; renaming the Certified Public Accountant Education Minority Assistance Program as the “Clay Ford Scholarship Program”; revising provisions for the distribution of scholarships under the program; revising the annual maximum expenditures and

On motion by Senator Latvala, the Senate concurred in **House Amendment 1 (891509)**.

**CS for CS for SB 328** passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

#### MOMENT OF SILENCE

By direction of the President, the Senate observed a moment of silence for Representative Clay Ford who died March 18, 2013.

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 56, with 1 amendment, and requests the concurrence of the Senate.

Robert L. “Bob” Ward, Clerk

**CS for SB 56**—A bill to be entitled An act relating to infant death; amending s. 383.311, F.S.; revising the education and orientation requirements for birth centers and their families to incorporate safe sleep

practices and causes of Sudden Unexpected Infant Death; amending s. 383.318, F.S.; revising the postpartum care for birth center clients and infants to incorporate instruction on safe sleep practices and causes of Sudden Unexpected Infant Death; amending s. 383.3362, F.S.; revising legislative findings and intent with respect to the sudden unexpected death of an infant under a specified age; defining the term "Sudden Unexpected Infant Death"; revising provisions relating to training requirements for first responders; revising requirements relating to autopsies performed by medical examiners; requiring the Medical Examiners Commission to provide for the development and implementation of a protocol for the forensic investigation of Sudden Unexpected Infant Death; creating s. 395.1053, F.S.; requiring a hospital that provides birthing services to incorporate information on safe sleep practices and the possible causes of Sudden Unexpected Infant Death into the hospital's postpartum instruction on the care of newborns; providing an effective date.

**House Amendment 1 (924119)**—Remove line 120 and insert: within 24 hours after the death, or as soon thereafter as is

On motion by Senator Hays, the Senate concurred in **House Amendment 1 (924119)**.

**CS for SB 56** passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Simmons

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 186, with 1 amendment, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

**CS for SB 186**—A bill to be entitled An act relating to the jurisdiction of the courts; amending s. 48.193, F.S.; providing that a person submits to the jurisdiction of the courts of this state by entering into a contract that specifies that the law of this state governs the contract and that the person agrees to submit to the jurisdiction of the courts of this state; amending s. 55.502, F.S.; revising the definition of the term "foreign judgment" for purposes of the Florida Enforcement of Foreign Judgments Act; amending s. 684.0002, F.S.; clarifying the circumstances under which an arbitration is international; amending s. 684.0003, F.S.; correcting a cross-reference; amending s. 684.0019, F.S.; limiting the application of certain provisions to instances in which an arbitral tribunal orders a party to preserve evidence that may be relevant and material to the resolution of a dispute; amending s. 684.0026, F.S.; correcting a cross-reference in the Florida International Commercial Arbitration Act; creating s. 684.0049, F.S.; providing that the initiation of arbitration in this state, or the making of a written agreement to arbitrate which provides for arbitration in this state, constitutes a consent to exercise in personam jurisdiction by the courts of this state; providing an effective date.

**House Amendment 1 (763285) (with title amendment)**—Remove lines 34-73 and insert:

(1)(a) A ~~any~~ person, whether or not a citizen or resident of this state, who personally or through an agent does any of the acts enumerated in this subsection thereby submits himself or herself and, if he or she is a natural person, his or her personal representative to the jurisdiction of the courts of this state for any cause of action arising from ~~the doing of~~ any of the following acts:

1.(a) Operating, conducting, engaging in, or carrying on a business or business venture in this state or having an office or agency in this state.

2.(b) Committing a tortious act within this state.

3.(c) Owning, using, possessing, or holding a mortgage or other lien on any real property within this state.

4.(d) Contracting to insure a ~~any~~ person, property, or risk located within this state at the time of contracting.

5.(e) With respect to a proceeding for alimony, child support, or division of property in connection with an action to dissolve a marriage or with respect to an independent action for support of dependents, maintaining a matrimonial domicile in this state at the time of the commencement of this action or, if the defendant resided in this state preceding the commencement of the action, whether cohabiting during that time or not. This paragraph does not change the residency requirement for filing an action for dissolution of marriage.

6.(f) Causing injury to persons or property within this state arising out of an act or omission by the defendant outside this state, if, at or about the time of the injury, either:

a.1. The defendant was engaged in solicitation or service activities within this state; or

b.2. Products, materials, or things processed, serviced, or manufactured by the defendant anywhere were used or consumed within this state in the ordinary course of commerce, trade, or use.

7.(g) Breaching a contract in this state by failing to perform acts required by the contract to be performed in this state.

8.(h) With respect to a proceeding for paternity, engaging in the act of sexual intercourse within this state with respect to which a child may have been conceived.

9. *Entering into a contract that complies with s. 685.102.*

(b) *Notwithstanding any provision of this subsection, a penalty or fine imposed by an agency of any other state shall not be enforceable against any person or entity incorporated or having its principal place of business in this state where such other state does not provide a mandatory right of review of such agency decision in a state court of competent jurisdiction.*

And the title is amended as follows:

Remove line 8 and insert: courts of this state; providing that penalties or fines imposed by agencies of other states are not enforceable in certain circumstances; amending s. 55.502, F.S.;

On motion by Senator Diaz de la Portilla, the Senate concurred in **House Amendment 1 (763285)**.

**CS for SB 186** passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Braynon	Flores
Abruzzo	Bullard	Galvano
Altman	Clemens	Garcia
Bean	Dean	Gardiner
Benacquisto	Detert	Gibson
Bradley	Diaz de la Portilla	Grimsley
Brandes	Evers	Hays

Hukill	Negron	Sobel
Joyner	Richter	Soto
Latvala	Ring	Stargel
Lee	Sachs	Thompson
Legg	Simmons	Thrasher
Margolis	Simpson	
Montford	Smith	

Nays—None

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 354, with 1 amendment, and requests the concurrence of the Senate.

*Robert L. "Bob" Ward, Clerk*

**CS for SB 354**—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.199, F.S.; providing that certain leasehold interests and improvements to land owned by the United States, a branch of the United States Armed Forces, or any agency or quasi-governmental agency of the United States are exempt from ad valorem taxation under specified circumstances; providing that such leasehold interests and improvements are entitled to an exemption from ad valorem taxation without an application being filed for the exemption or the property appraiser approving the exemption; providing for retroactive application; providing an effective date.

**House Amendment 1 (760753) (with title amendment)**—Remove lines 48-59 and insert: *filed or approved by the property appraiser. This subparagraph does not apply to a transient public lodging establishment as defined in s. 509.013.*

And the title is amended as follows:

Remove line 12 and insert: *property appraiser approving the exemption; providing for applicability; providing*

On motion by Senator Thrasher, the Senate refused to concur in **House Amendment 1 (760753)** to **CS for SB 354** and the House was requested to recede. The action of the Senate was certified to the House.

## BILLS ON THIRD READING

Consideration of **CS for HB 7065**, **CS for CS for HB 617** and **CS for CS for HB 57** was deferred.

**CS for CS for HB 635**—A bill to be entitled An act relating to insurance; amending s. 215.555, F.S.; revising the date of the future repeal of an exemption of medical malpractice insurance premiums from emergency assessments imposed to fund certain obligations, costs, and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation; amending s. 316.646, F.S.; authorizing a uniform motor vehicle proof-of-insurance card to be in an electronic format; providing construction with respect to the parameters of a person's consent to access information on an electronic device presented to provide proof of insurance; providing immunity from liability to a law enforcement officer for damage to an electronic device presented to provide proof of insurance; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending s. 320.02, F.S.; authorizing insurers to furnish uniform proof-of-purchase cards in an electronic format for use by insureds to prove the purchase of required insurance coverage when registering a motor vehicle; amending s. 554.1021, F.S.; defining the term "authorized inspection agency"; amending s. 554.107, F.S.; requiring the chief inspector of the state boiler inspection program to issue a certificate of competency as a special inspector to certain individuals; specifying how long such certificate remains in effect; amending s. 554.109, F.S.; authorizing specified insurers to contract with an authorized inspection agency for boiler inspections; requiring such insurers to annually report the identity of contracted authorized inspection agencies to the Department of Financial Services; amending s. 624.413, F.S.; revising a specified time period applicable to a certified examination that must be filed by a foreign or alien insurer applying for a certificate of authority; amending s. 626.0428, F.S.; re-

quiring a branch place of business to have an agent in charge; authorizing an agent to be in charge of more than one branch office under certain circumstances; providing requirements relating to the designation of an agent in charge; providing that the agent in charge is accountable for misconduct and violations committed by the licensee and any person under his or her supervision; prohibiting an insurance agency from conducting insurance business at a location without a designated agent in charge; providing for expiration of an agency license under specified circumstances; amending s. 626.112, F.S.; providing licensure exemptions that allow specified individuals or entities to conduct insurance business at specified locations under certain circumstances; revising licensure requirements and penalties with respect to registered insurance agencies; providing that the registration of an approved registered insurance agency automatically converts to an insurance agency license on a specified date; amending s. 626.172, F.S.; revising requirements relating to applications for insurance agency licenses; conforming provisions to changes made by the act; amending s. 626.321, F.S.; providing that a limited license to offer motor vehicle rental insurance issued to a business that rents or leases motor vehicles encompasses the employees of such business; amending s. 626.382, F.S.; providing that an insurance agency license continues in force until canceled, suspended, revoked, or terminated; amending s. 626.601, F.S.; revising terminology relating to investigations conducted by the Department of Financial Services and the Office of Insurance Regulation with respect to individuals and entities involved in the insurance industry; repealing s. 626.747, F.S., relating to branch agencies, agents in charge, and the payment of additional county tax under certain circumstances; amending s. 626.8411, F.S.; conforming a cross-reference; amending s. 626.8805, F.S.; revising insurance administrator application requirements; amending s. 626.8817, F.S.; authorizing an insurer's designee to provide certain coverage information to an insurance administrator; authorizing an insurer to subcontract the audit of an insurance administrator; amending s. 626.882, F.S.; prohibiting a person from acting as an insurance administrator without a specific written agreement; amending s. 626.883, F.S.; requiring insurance administrators to furnish fiduciary account records to an insurer's designee; requiring administrator withdrawals from a fiduciary account to be made according to specific written agreements; providing that an insurer's designee may authorize payment of claims; amending s. 626.884, F.S.; revising an insurer's right of access to certain administrator records; amending s. 626.89, F.S.; revising the deadline for filing certain financial statements; amending s. 626.931, F.S.; deleting provisions requiring a surplus lines agent to file a quarterly affidavit with the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; revising the due date of surplus lines tax; amending ss. 626.935 and 626.936, F.S.; conforming provisions to changes made by the act; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to use certain models or straight averages of certain models to estimate hurricane losses when determining whether the rates in a rate filing are excessive, inadequate, or unfairly discriminatory; amending s. 627.0628, F.S.; increasing the length of time during which an insurer must adhere to certain findings made by the Commission on Hurricane Loss Projection Methodology with respect to certain methods, principles, standards, models, or output ranges used in a rate finding; providing that the requirement to adhere to such findings does not limit an insurer from using a straight average of results of certain models or output ranges under specified circumstances; amending s. 627.072, F.S.; authorizing retrospective rating plans relating to workers' compensation and employer's liability insurance to allow negotiations between certain employers and insurers with respect to rating factors used to calculate premiums; amending s. 627.281, F.S.; conforming a cross-reference; amending s. 627.351, F.S.; requiring Citizens Property Insurance Corporation to submit a biannual report on the number of residential sinkhole policies issued and declined; requiring the corporation to establish a Citizens Sinkhole Stabilization Repair Program for sinkhole claims; providing definitions; providing program components; specifying the corporation's liability with respect to sinkhole claims; requiring the offering by the corporation of specified deductible amounts for sinkhole loss coverage; repealing s. 627.3519, F.S., relating to an annual report from the Financial Services Commission to the Legislature of aggregate net probable maximum losses, financing options, and potential assessments of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; amending s. 627.4133, F.S.; increasing the amount of prior notice required with respect to the nonrenewal, cancellation, or termination of certain insurance policies; deleting certain provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies; prohibiting the can-

cellation of certain policies that have been in effect for a specified amount of time except under certain circumstances; amending s. 627.4137, F.S.; adding licensed company adjusters to the list of persons who may respond to a claimant's written request for information relating to liability insurance coverage; amending s. 627.421, F.S.; authorizing the electronic delivery of certain insurance documents; amending s. 627.43141, F.S.; authorizing a notice of change in policy terms to be sent in a separate mailing to an insured under certain circumstances; requiring an insurer to provide such notice to insured's insurance agent; amending s. 627.6484, F.S.; providing that coverage for each policyholder of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide assistance to policyholders; requiring the association to notify policyholders of termination of coverage and provide information concerning how to obtain other coverage; requiring the association to impose a final assessment or provide a refund to member insurers, sell or dispose of physical assets, perform a final accounting, legally dissolve the association, submit a required report, and transfer all records to the Office of Insurance Regulation; repealing s. 627.64872, F.S., relating to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association Act, definitions, termination of enrollment and availability of other coverage, eligibility, the Florida Comprehensive Health Association, the Disease Management Program, the administrator of the health insurance plan, participation of insurers, insurer assessments, deferment, and assessment limitations, issuing of policies, minimum benefits coverage and exclusions, premiums, and deductibles, and reporting by insurers and third-party administrators, respectively; amending s. 627.7015, F.S.; revising the rulemaking authority of the department with respect to qualifications and specified types of penalties covered under the property insurance mediation program; creating s. 627.70151, F.S.; providing criteria for an insurer or policyholder to challenge the impartiality of a loss appraisal umpire for purposes of disqualifying such umpire; amending s. 627.706, F.S.; revising the definition of the term "neutral evaluator"; amending s. 627.7074, F.S.; requiring the department to adopt rules relating to certification of neutral evaluators; amending s. 627.736, F.S.; revising the time period for applicability of certain Medicare fee schedules or payment limitations; amending s. 627.745, F.S.; revising qualifications for approval as a mediator by the department; providing grounds for the department to deny an application, or suspend or revoke approval of a mediator or certification of a neutral evaluator; authorizing the department to adopt rules; amending s. 627.782, F.S.; revising the date by which title insurance agencies and certain insurers must annually submit specified information to the Office of Insurance Regulation; amending s. 627.841, F.S.; providing that an insurance premium finance company may impose a charge for payments returned, declined, or unable to be processed due to insufficient funds; amending s. 627.952, F.S.; providing that certain persons who are not residents of this state must be licensed and appointed as nonresident surplus lines agents in this state in order to engage in specified activities with respect to servicing insurance contracts, certificates, or agreements for purchasing or risk retention groups; deleting a fidelity bond requirement applicable to certain nonresident agents who are licensed as surplus lines agents in another state; amending ss. 627.971 and 627.972, F.S.; including licensed mutual insurers in financial guaranty insurance corporations; amending s. 628.901, F.S.; revising the definition of the term "qualifying reinsurer parent company"; amending s. 628.909, F.S.; providing for applicability of certain provisions of the Insurance Code to specified captive insurers; amending s. 634.406, F.S.; revising criteria authorizing premiums of certain service warranty associations to exceed their specified net assets limitations; revising requirements relating to contractual liability policies that insure warranty associations; providing effective dates.

—as amended April 26 was read the third time by title.

Senator Flores moved the following amendment:

**Amendment 5 (332122) (with title amendment)**—Delete lines 441-513 and insert:

Section 4. Effective September 1, 2013, subsection (1) of section 320.04, Florida Statutes, is amended to read:

320.04 Registration service charge.—

(1)(a) There shall be a service charge of ~~\$2.50~~ ~~\$5~~ for each application which is handled in connection with original issuance, duplicate issuance, or transfer of any license plate, mobile home sticker, or validation sticker or with transfer or duplicate issuance of any registration certificate, ~~which shall -Of that amount, \$2.50 shall be deposited into the General Revenue Fund, and the remainder shall~~ be retained by the department or by the tax collector, as the case may be, as other fees accruing to those offices.

(b) There shall also be a service charge of ~~\$1~~ ~~\$3~~ for the issuance of each license plate validation sticker, vessel decal, and mobile home sticker issued from an automated vending facility or printer dispenser machine, which is payable to the department ~~and-Of that amount, \$1~~ shall be used to provide for automated vending facilities or printer dispenser machines used to dispense such stickers and decals by each tax collector's or license tag agent's employee. ~~The remaining \$2 shall be deposited into the General Revenue Fund.~~

(c) The tax collector may impose an additional service charge of not more than 50 cents on any transaction specified in paragraph (a) or paragraph (b), or on any transaction specified in s. 319.32(2)(a) or s. 328.48 if such transaction occurs at any tax collector's branch office.

Section 5. Effective September 1, 2013, subsections (1), (2), and (3) of section 320.06, Florida Statutes, are amended to read:

320.06 Registration certificates, license plates, and validation stickers generally.—

(1)(a) Upon the receipt of an initial application for registration and payment of the appropriate license tax and other fees required by law, the department shall assign to the motor vehicle a registration license number consisting of letters and numerals or numerals and issue to the owner or lessee a certificate of registration and one registration license plate, unless two plates are required for display by s. 320.0706, for each vehicle so registered.

(b) Registration license plates bearing a graphic symbol and the alphanumeric system of identification shall be issued for a 10-year period. At the end of that 10-year period, upon renewal, the plate shall be replaced. The department shall extend the scheduled license plate replacement date from a 6-year period to a 10-year period. The fee for such replacement is \$28, \$2.80 of which shall be paid each year before the plate is replaced, to be credited towards the next \$28 replacement fee. The fees shall be deposited into the Highway Safety Operating Trust Fund. A credit or refund may not be given for any prior years' payments of such prorated replacement fee if the plate is replaced or surrendered before the end of the 10-year period, except that a credit may be given if a registrant is required by the department to replace a license plate under s. 320.08056(8)(a). With each license plate, a validation sticker shall be issued showing the owner's birth month, license plate number, and the year of expiration or the appropriate renewal period if the owner is not a natural person. The validation sticker shall be placed on the upper right corner of the license plate. Such license plate and validation sticker shall be issued based on the applicant's appropriate renewal period. The registration period is 12 months, the extended registration period is 24 months, and all expirations occur based on the applicant's appropriate registration period. A vehicle with an apportioned registration shall be issued an annual license plate and a cab card that denote the declared gross vehicle weight for each apportioned jurisdiction in which the vehicle is authorized to operate.

(c) Registration license plates equipped with validation stickers subject to the registration period are valid for not more than 12 months and expire at midnight on the last day of the registration period. A registration license plate equipped with a validation sticker subject to the extended registration period is valid for not more than 24 months and expires at midnight on the last day of the extended registration period. For each registration period after the one in which the metal registration license plate is issued, and until the license plate is required to be replaced, a validation sticker showing the month and year of expiration shall be issued upon payment of the proper license tax amount and fees and is valid for not more than 12 months. For each extended registration period occurring after the one in which the metal registration license plate is issued and until the license plate is required to be replaced, a validation sticker showing the year of expiration shall be issued upon payment of the proper license tax amount and fees and is valid for not more than 24 months. When license plates equipped with

validation stickers are issued in any month other than the owner's birth month or the designated registration period for any other motor vehicle, the effective date shall reflect the birth month or month and the year of renewal. However, when a license plate or validation sticker is issued for a period of less than 12 months, the applicant shall pay the appropriate amount of license tax and the applicable fee under s. 320.14 in addition to all other fees. Validation stickers issued for vehicles taxed under s. 320.08(6)(a), for any company that owns 250 vehicles or more, or for semitrailers taxed under the provisions of s. 320.08(5)(a), for any company that owns 50 vehicles or more, may be placed on any vehicle in the fleet so long as the vehicle receiving the validation sticker has the same owner's name and address as the vehicle to which the validation sticker was originally assigned.

(2) The department shall provide the several tax collectors and license plate agents with the necessary number of validation stickers.

(3)(a) Registration license plates must be made of metal specially treated with a retroreflection material, as specified by the department. The registration license plate is designed to increase nighttime visibility and legibility and must be at least 6 inches wide and not less than 12 inches in length, unless a plate with reduced dimensions is deemed necessary by the department to accommodate motorcycles, mopeds, or similar smaller vehicles. Validation stickers must also be treated with a retroreflection material, must be of such size as specified by the department, and must adhere to the license plate. The registration license plate must be imprinted with a combination of bold letters and numerals or numerals, not to exceed seven digits, to identify the registration license plate number. The license plate must be imprinted with the word "Florida" at the top and the name of the county in which it is sold, the state motto, or the words "Sunshine State" at the bottom. Apportioned license plates must have the word "Apportioned" at the bottom and license plates issued for vehicles taxed under s. 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have the word "Restricted" at the bottom. License plates issued for vehicles taxed under s. 320.08(12) must be imprinted with the word "Florida" at the top and the word "Dealer" at the bottom. Manufacturer license plates issued for vehicles taxed under s. 320.08(12) must be imprinted with the word "Florida" at the top and the word "Manufacturer" at the bottom. License plates issued for vehicles taxed under s. 320.08(5)(d) or (e) must be imprinted with the word "Wrecker" at the bottom. Any county may, upon majority vote of the county commission, elect to have the county name removed from the license plates sold in that county. The state motto or the words "Sunshine State" shall be printed in lieu thereof. A license plate issued for a vehicle taxed under s. 320.08(6) may not be assigned a registration license number, or be issued with any other distinctive character or designation, that distinguishes the motor vehicle as a for-hire motor vehicle.

(b) An additional fee of 50 cents ~~\$1.50~~ shall be collected and deposited into the Highway Safety Operating Trust Fund on each motor vehicle registration or motor vehicle renewal registration issued in this state in order for all license plates and validation stickers to be fully treated with retroreflection material. ~~Of that amount, \$1 shall be deposited into the General Revenue Fund and 50 cents shall be deposited into the Highway Safety Operating Trust Fund.~~

Section 6. Effective September 1, 2013, section 320.0804, Florida Statutes, is amended to read:

320.0804 Surcharge on license tax; transportation trust fund.—There is hereby levied and imposed on each license tax imposed under s. 320.08, except those set forth in s. 320.08(11), a surcharge in the amount of \$2 ~~\$4~~, which shall be collected in the same manner as the license tax and. ~~Of this amount, \$2 shall be deposited into the State Transportation Trust Fund, and \$2 shall be deposited into the General Revenue Fund.~~

Section 7. Effective September 1, 2013, section 320.08046, Florida Statutes, is amended to read:

320.08046 Surcharge on license tax.—There is levied on each license tax imposed under s. 320.08, except those set forth in s. 320.08(11), a surcharge in the amount of \$1 ~~\$5.50~~, which shall be collected in the same manner as the license tax and. ~~Of the proceeds of each license tax surcharge, \$4.50 shall be deposited into the General Revenue Fund and \$1 shall be deposited into the Grants and Donations Trust Fund in the Department of Juvenile Justice to fund the juvenile crime prevention programs and the community juvenile justice partnership grants program.~~

Section 8. Effective September 1, 2013, for the purpose of incorporating the amendment made by this act to section 320.06, Florida Statutes, in a reference thereto, subsection (4) of section 320.0807, Florida Statutes, is reenacted to read:

320.0807 Special license plates for Governor and federal and state legislators.—

(4) License plates purchased under subsection (1), subsection (2), or subsection (3) shall be replaced by the department at no cost, other than the fees required by ss. 320.04 and 320.06(3)(b), when the person to whom the plates have been issued leaves the elective office with respect to which the license plates were issued. Within 30 days after leaving office, the person to whom the license plates have been issued shall make application to the department for a replacement license plate. The person may return the prestige license plates to the department or may retain the plates as souvenirs. Upon receipt of the replacement license plate, the person may not continue to display on any vehicle the prestige license plate or plates issued with respect to his or her former office.

Section 9. Subsection (8) is added to section 554.1021, Florida Statutes, to read:

554.1021 Definitions.—As used in ss. 554.1011-554.115:

(8) "Authorized inspection agency" means:

(a) Any county, city, town, or other governmental subdivision that has adopted and administers, at a minimum, Section I of the A.S.M.E. Boiler and Pressure Vessel Code as a legal requirement and whose inspectors hold valid certificates of competency in accordance with s. 554.113; or

(b) Any insurance company that is licensed or registered by an appropriate authority of any state of the United States or province of Canada and whose inspectors hold valid certificates of competency in accordance with s. 554.113.

Section 10. Section 554.107, Florida Statutes, is amended to read:

554.107 Special inspectors.—

(1) Upon application by any authorized inspection agency ~~company licensed to insure boilers in this state~~, the chief inspector shall issue a certificate of competency as a special inspector to any inspector employed by the authorized inspection agency ~~company~~, provided that such inspector satisfies the competency requirements for inspectors as provided in s. 554.113.

(2) The certificate of competency of a special inspector shall remain in effect only so long as the special inspector is employed by an ~~authorized inspection agency~~ ~~a company licensed to insure boilers in this state~~. Upon termination of employment with such agency ~~company~~, a special inspector shall, in writing, notify the chief inspector of such termination. Such notice shall be given within 15 days following the date of termination.

Section 11. Subsection (1) of section 554.109, Florida Statutes, is amended to read:

554.109 Exemptions.—

(1) Any insurance company insuring a boiler located in a public assembly location in this state shall inspect or contract with an authorized inspection agency to inspect such boiler ~~so insured~~, and shall annually report to the department the identity of any authorized inspection agency performing any required boiler inspection on behalf of the company. A ~~any~~ county, city, town, or other governmental subdivision ~~that which~~ has adopted into law the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers and the National Board Inspection Code for the construction, installation, inspection, maintenance, and repair of boilers, regulating such boilers in public assembly locations, shall inspect such boilers so regulated; provided that such inspection shall be conducted by a special inspector licensed pursuant to ss. 554.1011-554.115. Upon filing of a report of satisfactory inspection with the department, such boiler is exempt from inspection by the department.

Section 12. Paragraph (f) of subsection (1) of section 624.413, Florida Statutes, is amended to read:

## 624.413 Application for certificate of authority.—

(1) To apply for a certificate of authority, an insurer shall file its application therefor with the office, upon a form adopted by the commission and furnished by the office, showing its name; location of its home office and, if an alien insurer, its principal office in the United States; kinds of insurance to be transacted; state or country of domicile; and such additional information as the commission reasonably requires, together with the following documents:

(f) If a foreign or alien insurer, a copy of the report of the most recent examination of the insurer certified by the public official having supervision of insurance in its state of domicile or of entry into the United States. The end of the most recent year covered by the examination must be within the ~~5-year 3-year~~ period preceding the date of application. In lieu of the certified examination report, the office may accept an audited certified public accountant's report prepared on a basis consistent with the insurance laws of the insurer's state of domicile, certified by the public official having supervision of insurance in its state of domicile or of entry into the United States.

Section 13. Subsections (5) through (9) of section 624.509, Florida Statutes, are amended to read:

## 624.509 Premium tax; rate and computation.—

~~(5)(a)1.—There shall be allowed a credit against the net tax imposed by this section equal to 15 percent of the amount paid by an insurer in salaries to employees located or based within this state and who are covered by the provisions of chapter 443.~~

2.—As an alternative to the credit allowed in subparagraph 1., an affiliated group of corporations which includes at least one insurance company writing premiums in Florida may elect to take a credit against the net tax imposed by this section in an amount that may not exceed 15 percent of the salary of the employees of the affiliated group of corporations who perform insurance related activities, are located or based within this state, and are covered by chapter 443. For purposes of this subparagraph, the term “affiliated group of corporations” means two or more corporations that are entirely owned directly or indirectly by a single corporation and that constitute an affiliated group as defined in s. 1504(a) of the Internal Revenue Code. The amount of credit allowed under this subparagraph is limited to the combined Florida salary tax credits allowed for all insurance companies that were members of the affiliated group of corporations for the tax year ending December 31, 2002, divided by the combined Florida taxable premiums written by all insurance companies that were members of the affiliated group of corporations for the tax year ending December 31, 2002, multiplied by the combined Florida taxable premiums of the affiliated group of corporations for the current year. An affiliated group of corporations electing this alternative calculation method must make such election on or before August 1, 2005. The election of this alternative calculation method is irrevocable and binding upon successors and assigns of the affiliated group of corporations electing this alternative. However, if a member of an affiliated group of corporations acquires or merges with another insurance company after the date of the irrevocable election, the acquired or merged company is not entitled to the affiliated group election and shall only be entitled to calculate the tax credit under subparagraph 1.

In no event shall the salary paid to an employee by an affiliated group of corporations be claimed as a credit by more than one insurer or be counted more than once in an insurer's calculation of the credit as described in subparagraph 1. or subparagraph 2. Only the portion of an employee's salary paid for the performance of insurance related activities may be included in the calculation of the premium tax credit in this subsection.

(b) For purposes of this subsection:

1.—The term “salaries” does not include amounts paid as commissions.

2.—The term “employees” does not include independent contractors or any person whose duties require that the person hold a valid license under the Florida Insurance Code, except adjusters, managing general agents, and service representatives, as defined in s. 626.015.

3.—The term “net tax” means the tax imposed by this section after applying the calculations and credits set forth in subsection (4).

4.—An affiliated group of corporations that created a service company within its affiliated group on July 20, 2002, shall allocate the salary of each service company employee covered by contracts with affiliated group members to the companies for which the employees perform services. The salary allocation is based on the amount of time during the tax year that the individual employee spends performing services or otherwise working for each company over the total amount of time the employee spends performing services or otherwise working for all companies. The total amount of salary allocated to an insurance company within the affiliated group shall be included as that insurer's employee salaries for purposes of this section.

a.—Except as provided in subparagraph (a)2., the term “affiliated group of corporations” means two or more corporations that are entirely owned by a single corporation and that constitute an affiliated group of corporations as defined in s. 1504(a) of the Internal Revenue Code.

b.—The term “service company” means a separate corporation within the affiliated group of corporations whose employees provide services to affiliated group members and which are treated as service company employees for reemployment assistance or unemployment compensation and common law purposes. The holding company of an affiliated group may not qualify as a service company. An insurance company may not qualify as a service company.

e.—If an insurance company fails to substantiate, whether by means of adequate records or otherwise, its eligibility to claim the service company exception under this section, or its salary allocation under this section, no credit shall be allowed.

5.—A service company that is a subsidiary of a mutual insurance holding company, which mutual insurance holding company was in existence on or before January 1, 2000, shall allocate the salary of each service company employee covered by contracts with members of the mutual insurance holding company system to the companies for which the employees perform services. The salary allocation is based on the ratio of the amount of time during the tax year which the individual employee spends performing services or otherwise working for each company to the total amount of time the employee spends performing services or otherwise working for all companies. The total amount of salary allocated to an insurance company within the mutual insurance holding company system shall be included as that insurer's employee salaries for purposes of this section. However, this subparagraph does not apply for any tax year unless funds sufficient to offset the anticipated salary credits have been appropriated to the General Revenue Fund prior to the due date of the final return for that year.

a.—The term “mutual insurance holding company system” means two or more corporations that are subsidiaries of a mutual insurance holding company and in compliance with part IV of chapter 628.

b.—The term “service company” means a separate corporation within the mutual insurance holding company system whose employees provide services to other members of the mutual insurance holding company system and are treated as service company employees for reemployment assistance or unemployment compensation and common law purposes. The mutual insurance holding company may not qualify as a service company.

e.—If an insurance company fails to substantiate, whether by means of adequate records or otherwise, its eligibility to claim the service company exception under this section, or its salary allocation under this section, no credit shall be allowed.

(c) The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this subsection.

(5)(6)(a) The total of the credit granted for the taxes paid by the insurer under chapter 220 and the credit granted by subsection (5) may not exceed 65 percent of the tax due under subsection (1) after deducting therefrom the taxes paid by the insurer under ss. 175.101 and 185.08 and any assessments pursuant to s. 440.51.

(b) To the extent that any credits granted by subsection (5) remain as a result of the limitation set forth in paragraph (a), such excess credits



related to salaries and wages of employees whose place of employment is located within an enterprise zone created pursuant to chapter 200 may be transferred, in an aggregate amount not to exceed 25 percent of such excess salary credits, to any insurer that is a member of an affiliated group of corporations, as defined in sub-subparagraph (5)(b)4.a., that includes the original insurer qualifying for the credits under subsection (5). The amount of such excess credits to be transferred shall be calculated by multiplying the amount of such excess credits by a fraction, the numerator of which is the sum of the salaries qualifying for the credit allowed by subsection (5) of employees whose place of employment is located in an enterprise zone and the denominator of which is the sum of the salaries qualifying for the credit allowed by subsection (5). Any such transferred credits shall be subject to the same provisions and limitations set forth within part IV of this chapter. The provisions of this paragraph do not apply to an affiliated group of corporations that participate in a common paymaster arrangement as defined in s. 443.1216.

(6)(7) Credits and deductions against the tax imposed by this section shall be taken in the following order: deductions for assessments made pursuant to s. 440.51; credits for taxes paid under ss. 175.101 and 185.08; and credits for income taxes paid under chapter 220 and the credit allowed under subsection (5), as these credits are limited by subsection (5) (6); all other available credits and deductions.

(7)(8) From and after July 1, 1980, the premium tax authorized by this section shall not be imposed upon receipts of annuity premiums or considerations paid by holders in this state if the tax savings derived are credited to the annuity holders. Upon request by the Department of Revenue, any insurer availing itself of this provision shall submit to the department evidence which establishes that the tax savings derived have been credited to annuity holders. As used in this subsection, the term "holders" shall be deemed to include employers contributing to an employee's pension, annuity, or profit-sharing plan.

(8)(9) As used in this section "insurer" includes any entity subject to the tax imposed by this section.

Section 14. Subsection (1) of section 624.5091, Florida Statutes, is amended to read:

624.5091 Retaliatory provision, insurers.—

(1)(a) When by or pursuant to the laws of any other state or foreign country any taxes, licenses, and other fees, in the aggregate, and any fines, penalties, deposit requirements, or other material obligations, prohibitions, or restrictions are or would be imposed upon Florida insurers or upon the agents or representatives of such insurers, which are in excess of such taxes, licenses, and other fees, in the aggregate, or which are in excess of the fines, penalties, deposit requirements, or other obligations, prohibitions, or restrictions directly imposed upon similar insurers, or upon the agents or representatives of such insurers, of such other state or country under the statutes of this state, so long as such laws of such other state or country continue in force or are so applied, the same taxes, licenses, and other fees, in the aggregate, or fines, penalties, deposit requirements, or other material obligations, prohibitions, or restrictions of whatever kind shall be imposed by the Department of Revenue upon the insurers, or upon the agents or representatives of such insurers, of such other state or country doing business or seeking to do business in this state. In determining the taxes to be imposed under this section, 80 percent and a portion of the remaining 20 percent as provided in paragraph (b) of the credit provided by s. 624.509(5), as limited by s. 624.509(6) and further determined by s. 624.509(7), shall not be taken into consideration.

(b) As used in this subsection, the term "portion of the remaining 20 percent" shall be calculated by multiplying the remaining 20 percent by a fraction, the numerator of which is the sum of the salaries qualifying for the credit allowed by s. 624.509(5) of employees whose place of employment is located in an enterprise zone created pursuant to chapter 200 and the denominator of which is the sum of the salaries qualifying for the credit allowed by s. 624.509(5).

Section 15. Subsection (1) of section 624.51055, Florida Statutes, is amended to read:

624.51055 Credit for contributions to eligible nonprofit scholarship-funding organizations.—

(1) There is allowed a credit of 100 percent of an eligible contribution made to an eligible nonprofit scholarship-funding organization under s. 1002.395 against any tax due for a taxable year under s. 624.509(1) after deducting from such tax deductions for assessments made pursuant to s. 440.51; credits for taxes paid under ss. 175.101 and 185.08; and credits for income taxes paid under chapter 220; and the credit allowed under s. 624.509(5), as these credits are such credit is limited by s. 624.509(5) s. 624.509(6). An insurer claiming a credit against premium tax liability under this section shall not be required to pay any additional retaliatory tax levied pursuant to s. 624.5091 as a result of claiming such credit. Section 624.5091 does not limit such credit in any manner.

Section 16. The amendments made by this act to ss. 624.509, 624.5091, and 624.51055 shall apply beginning in the 2013 insurance premium tax year.

And the title is amended as follows:

Delete lines 22-37 and insert: registering a motor vehicle; amending s. 320.04, F.S.; reducing the service charges that are collected with an application for the original issuance, duplicate issuance, or transfer of certain specified registration certificates; amending s. 320.06, F.S.; reducing a fee collected for a motor vehicle registration; amending ss. 320.0804 and 320.08046, F.S.; reducing a surcharge on a license tax; reenacting s. 320.0807(4), F.S., relating to special vehicle license plates for the Governor and federal and state legislators, to incorporate the amendment made to s. 320.06, F.S., in a reference thereto; amending s. 554.1021, F.S.; defining the term "authorized inspection agency"; amending s. 554.107, F.S.; requiring the chief inspector of the state boiler inspection program to issue a certificate of competency as a special inspector to certain individuals; specifying how long such certificate remains in effect; amending s. 554.109, F.S.; authorizing specified insurers to contract with an authorized inspection agency for boiler inspections; requiring such insurers to annually report the identity of contracted authorized inspection agencies to the Department of Financial Services; amending s. 624.413, F.S.; revising a specified time period applicable to a certified examination that must be filed by a foreign or alien insurer applying for a certificate of authority; amending s. 624.509, F.S.; deleting a credit based on the amount paid in salaries to employees within this state; amending ss. 624.5091 and 624.51055, F.S.; revising provisions to conform to changes made by the act; providing for applicability;

## POINT OF ORDER

Senator Gibson raised a point of order that pursuant to Rule 7.1 **Amendment 5 (332122)** was not germane to the bill.

The President referred the point of order and the amendment to Senator Thrasher, Chair of the Committee on Rules.

On motion by Senator Brandes, further consideration of **CS for CS for HB 635** as amended with pending **Amendment 5 (332122)** and pending point of order was deferred.

**HB 7079**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 741.313, F.S., relating to an exemption from public records requirements for certain information contained in records documenting an act of domestic violence or sexual violence which are submitted to an agency by an agency employee; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **HB 7079** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Braynon	Flores
Abruzzo	Bullard	Galvano
Altman	Clemens	Garcia
Bean	Dean	Gardiner
Benacquisto	Detert	Gibson
Bradley	Diaz de la Portilla	Grimsley
Brandes	Evers	Hays

Hukill	Montford	Simpson
Joyner	Negron	Smith
Latvala	Richter	Sobel
Lee	Ring	Soto
Legg	Sachs	Stargel
Margolis	Simmons	Thompson

Nays—None

Vote after roll call:

Yea—Thrasher

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Consideration of **CS for SB 1350**, **CS for SB 808** and **HB 725** was deferred.

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#### SENATOR RICHTER PRESIDING

**CS for CS for HB 7009**—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; clarifying enforcement of policies agreed to by the sponsor and charter school that are subsequently amended; requiring a sponsor to annually report specific information regarding charter applications; authorizing a charter school operated by a Florida College System institution to serve students in kindergarten through grade 12 if certain criteria are met; providing disclosure requirements for applicants of previous charter schools subject to corrective action or financial recovery plans; revising provisions relating to the timely submission of charter school applications; providing requirements relating to the appeal of a denied application submitted by a high-performing charter school; reducing the amount of time for negotiation of a charter; revising provisions relating to the issuance of a final order in contract dispute cases; clarifying instructional methods for blended learning courses; providing a restriction relating to a required certificate of occupancy; authorizing the consolidation of multiple charters into a single charter in certain circumstances; establishing student academic achievement as a priority in determining charter renewals and terminations; revising the timeline for charter schools to submit waiver of termination requests to the Department of Education; restricting expenditures upon nonrenewal, closure, or termination of a charter school; requiring an independent audit within a specified time after notification of nonrenewal, closure, or termination; prohibiting certain actions by a charter school; providing penalties; requiring a charter school to maintain specified information on a website; revising provisions relating to determination of a charter school's student enrollment; revising provisions requiring charter school compliance with statutes relating to education personnel compensation, contracts, and performance evaluations and workforce reductions; providing requirements for the reimbursement of federal funds to charter schools; providing restrictions on the membership of a governing board; amending s. 1002.331, F.S.; revising criteria for classification as a high-performing charter school; providing requirements for modification of the charter of a high-performing charter school; requiring the Commissioner of Education to annually review a high-performing charter school's eligibility for high-performing status; authorizing declassification as a high-performing charter school; amending s. 1002.332, F.S.; revising requirements for classification as a high-performing charter school system; authorizing an entity operating outside the state to obtain high-performing charter school system status under certain circumstances; requiring the commissioner to annually review a high-performing charter school system's eligibility for high-performing status; authorizing declassification as a high-performing charter school system; requiring the department to develop a proposed statewide, standard charter contract; providing an effective date.

—as amended April 30 was read the third time by title.

On motion by Senator Legg, **CS for CS for HB 7009** as amended was passed and certified to the House. The vote on passage was:

Yeas—31

Altman	Bradley	Detert
Bean	Brandes	Diaz de la Portilla
Benacquisto	Dean	Evers

Flores	Lee	Simpson
Galvano	Legg	Smith
Garcia	Margolis	Soto
Gardiner	Montford	Stargel
Grimsley	Negron	Thompson
Hays	Richter	Thrasher
Hukill	Ring	
Latvala	Simmons	

Nays—7

Braynon	Gibson	Sobel
Bullard	Joyner	
Clemens	Sachs	

Vote after roll call:

Nay—Abruzzo

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Consideration of **CS for HB 461** and **CS for CS for HB 7127** was deferred.

#### SPECIAL ORDER CALENDAR

Consideration of **CS for CS for SB 1840** and **CS for CS for SB 904** was deferred.

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**CS for CS for SB 1628**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 253.034, F.S.; requiring public hearings relating to the development of land management plans to be held in any one, rather than each, county affected by such plans; amending s. 259.1052, F.S.; providing for Lee County to retain ownership and assume responsibility for management of a specified portion of the Babcock Crescent B Ranch Florida Forever acquisition; requiring certain activities on the property to be compatible with working ranch and agricultural activities; establishing the Department of Agriculture and Consumer Services as the lead agency responsible for managing the Babcock Crescent B Ranch; amending s. 259.10521, F.S.; replacing the term “Babcock Crescent B Ranch” with the term “Babcock Ranch Preserve” for limited purposes; amending s. 259.1053, F.S.; deleting and revising provisions of the Babcock Ranch Preserve Act to conform to the termination or expiration of the management agreement and the dissolution of Babcock Ranch, Inc.; revising definitions; creating the Babcock Ranch Advisory Group; providing for the department to manage and operate the preserve; requiring certain fees to be deposited into the Incidental Trust Fund of the Florida Forest Service of the Department of Agriculture and Consumer Services, subject to appropriation; directing the Fish and Wildlife Conservation Commission, in cooperation with the department, to establish, implement, and administer certain activities and fees; requiring such fees to be deposited into the State Game Trust Fund of the Fish and Wildlife Conservation Commission and used for specified purposes; authorizing the Board of Trustees of the Internal Improvement Trust Fund to negotiate and enter into certain agreements and grant certain privileges, leases, concessions, and permits; providing for certain funds to revert to the Incidental Trust Fund of the Florida Forest Service upon dissolution of Babcock Ranch, Inc.; providing a date for dissolution of the Babcock Ranch Advisory Group, subject to Legislative reenactment; amending s. 388.261, F.S.; revising provisions for the distribution and use of state funds for local mosquito control programs; amending s. 388.271, F.S.; revising the date by which mosquito control districts must submit their certified budgets for approval by the department; amending s. 487.160, F.S.; deleting provisions requiring the department to conduct a survey and compile a report on restricted-use pesticides; amending s. 534.083, F.S.; deleting permitting requirements for livestock haulers; amending s. 570.07, F.S.; clarifying the authority of the department to regulate certain open burning; creating s. 570.087, F.S.; providing legislative findings; requiring the Department of Agriculture and Consumer Services to enter into a memorandum of agreement with the Fish and Wildlife Conservation Commission for the purpose of developing voluntary best management practices for this state's agricultural industry; allowing for pilot projects; providing that the department has rulemaking authority for these purposes; requiring that rules provide for a notice of intent to implement these practices; emphasizing that implementation of the best

management practices created pursuant to this section is voluntary; restricting the adoption or enforcement of any law regarding the best management practices created pursuant to this section; creating s. 570.64, F.S.; establishing the duties of the Division of Food, Nutrition, and Wellness within the department; providing for a director of the division; amending s. 570.902, F.S.; clarifying the applicability of definitions relating to certain designated programs and direct-support organizations; amending s. 570.903, F.S.; authorizing the department to establish direct-support organizations for museums and other programs of the department; deleting provisions that limit the establishment of direct-support organizations to particular museums and programs; deleting provisions authorizing direct-support organizations to enter into certain contracts or agreements; clarifying provisions prohibiting specified entities from receiving commissions, fees, or financial benefits in connection with the sale or exchange of real property and historical objects; providing for the termination of agreements between the department and direct-support organizations; providing for the distribution of certain assets; deleting provisions requiring the department to establish certain procedures relating to museum artifacts and records; amending s. 576.051, F.S.; authorizing the department to establish certain criteria for fertilizer sampling and analysis; amending s. 576.061, F.S.; requiring the department to adopt rules establishing certain investigational allowances for fertilizer deficiencies; providing a date by which such allowances are effective and other allowances are repealed; amending s. 576.181, F.S.; revising the department's authority to adopt rules establishing certain criteria for fertilizer analysis; amending s. 585.61, F.S.; deleting provisions for the establishment of an animal disease diagnostic laboratory in Suwannee County; amending s. 586.10, F.S.; authorizing apiary inspectors to be certified beekeepers under certain conditions; amending s. 586.15, F.S.; authorizing the Department of Agriculture and Consumer Services to collect certain costs to be deposited into the General Inspection Trust Fund; amending s. 589.02, F.S.; deleting annual and special meeting requirements for the Florida Forestry Council; amending s. 589.19, F.S.; establishing the Operation Outdoor Freedom Program within the Florida Forest Service to replace provisions for the designation of specified hunt areas in state forests for wounded veterans and servicemembers; providing purpose and intent of the program; providing eligibility requirements for program participation; providing exceptions from eligibility requirements for certain activities; providing for deposit and use of funds donated to the program; limiting the liability of private landowners who provide land for designation as hunting sites for purposes of the program; amending s. 589.30, F.S.; revising references to certain Florida Forest Service personnel titles; amending s. 590.02, F.S.; authorizing the Florida Forest Service to allow certain types of burning; specifying that sovereign immunity applies to certain planning level activities; deleting provisions relating to the composition and duties of the Florida Forest Training Center advisory council; prohibiting government entities from banning certain types of burning; authorizing the service to delegate authority to special districts to manage certain types of burning; revising such authority delegated to counties and municipalities; amending s. 590.11, F.S.; revising the prohibition on leaving certain recreational fires unattended, to which penalties apply; amending s. 590.125, F.S.; revising and providing definitions relating to open burning authorized by the Florida Forest Service; revising requirements for noncertified and certified burning; limiting the liability of the service and certain persons related to certain burns; amending s. 590.25, F.S.; revising provisions relating to criminal penalties for obstructing the prevention, detection, or suppression of wildfires; creating chapter 595, F.S., to establish the Florida School Food and Nutrition Act; creating s. 595.401, F.S.; providing a short title; creating s. 595.402, F.S.; providing definitions; creating s. 595.403, F.S.; declaring state policy relating to school food and nutrition services; transferring, renumbering, and amending ss. 570.98 and 570.981, F.S., relating to school food and nutrition services and the Florida Farm Fresh Schools Program; revising the department's duties and responsibilities for administering such services and program; revising requirements for school districts and sponsors; transferring, renumbering, and amending s. 570.982, F.S., relating to the children's summer nutrition program; clarifying provisions; transferring and renumbering s. 570.072, F.S., relating to commodity distribution; creating s. 595.501, F.S.; providing certain penalties; transferring, renumbering, and amending s. 570.983, F.S., relating to the Food and Nutrition Services Trust Fund; conforming a cross-reference; transferring and renumbering s. 570.984, F.S., relating to the Healthy Schools for Healthy Lives Council; amending s. 1001.42, F.S.; requiring district school boards to perform duties relating to school lunch programs as required by the department's rules; amending s. 1003.453, F.S.; requiring each school district to electro-

nically submit a revised local school wellness policy to the Department of Agriculture and Consumer Services and a revised physical education policy to the Department of Education; repealing ss. 487.0615, 570.382, 570.97, and 590.50, F.S., relating to the Pesticide Review Council, Arabian horse racing and the Arabian Horse Council, the Gertrude Maxwell Save a Pet Direct-Support Organization, and permits for the sale of cypress products, respectively; amending ss. 487.041, 550.2625, and 550.2633, F.S.; conforming provisions; providing for the disbursement of specified funds; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 1628** to **CS for HB 7087**.

Pending further consideration of **CS for CS for SB 1628** as amended, on motion by Senator Montford, by two-thirds vote **CS for HB 7087** was withdrawn from the Committees on Agriculture; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Montford—

**CS for HB 7087**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 253.034, F.S.; requiring public hearings relating to the development of land management plans to be held in any one, rather than each, county affected by such plans; amending s. 259.1052, F.S.; providing for Lee County to retain ownership and assume responsibility for management of a specified portion of the Babcock Crescent B Ranch Florida Forever acquisition; requiring certain activities on the property to be compatible with working ranch and agricultural activities; amending s. 259.10521, F.S.; revising provisions relating to the citizen support organization for the Babcock Ranch Preserve and use of the ranch property; amending s. 259.1053, F.S.; revising provisions of the Babcock Preserve Ranch Act to conform to the termination or expiration of the management agreement and the dissolution of Babcock Ranch, Inc.; creating the Babcock Ranch Advisory Group; providing for the department to manage and operate the preserve; requiring certain fees to be deposited into the Incidental Trust Fund of the Florida Forest Service, subject to appropriation; directing the Fish and Wildlife Commission, in cooperation with the Florida Forest Service, to establish, implement, and administer certain activities and fees; requiring such fees to be deposited into the State Game Trust Fund of the Fish and Wildlife Conservation Commission and used for specified purposes; authorizing the Board of Trustees of the Internal Improvement Trust Fund to negotiate and enter into certain agreements and grant certain privileges, leases, concessions, and permits; providing for transfer of the Babcock Ranch, Inc., to the department upon dissolution of the corporation; providing for certain funds to revert to the Incidental Trust Fund of the Florida Forest Service upon such dissolution; amending s. 388.261, F.S.; revising provisions for the distribution and use of state funds for local mosquito control programs; amending s. 388.271, F.S.; revising the date by which mosquito control districts must submit their certified budgets for approval by the department; amending s. 487.160, F.S.; deleting provisions requiring the department to conduct a survey and compile a report on restricted-use pesticides; amending s. 534.083, F.S.; deleting permitting requirements for livestock haulers; creating s. 570.087, F.S.; providing for the department and the Fish and Wildlife Conservation Commission to enter into a memorandum of agreement to develop best management practices for the agriculture industry; authorizing the department to adopt certain rules; providing that implementation of such best management practices is voluntary; prohibiting governmental agencies from adopting or enforcing specified ordinances, resolutions, regulations, rules, or policies; amending s. 570.07, F.S.; clarifying the authority of the department to regulate certain open burning; creating s. 570.64, F.S.; establishing the duties of the Division of Food, Nutrition, and Wellness within the department; providing for a director of the division; amending s. 570.902, F.S.; clarifying the applicability of definitions relating to certain designated programs and direct-support organizations; amending s. 570.903, F.S.; authorizing the department to establish direct-support organizations for museums and other programs of the department; deleting provisions that limit the establishment of direct-support organizations to particular museums and programs; deleting provisions authorizing direct-support organizations to enter into certain contracts or agreements; clarifying provisions prohibiting specified entities from receiving commissions, fees, or financial benefits in connection with the sale or exchange of real property and historical objects; providing for the termination of agreements between the department and direct-support

organizations; providing for the distribution of certain assets; deleting provisions requiring the department to establish certain procedures relating to museum artifacts and records; amending s. 576.051, F.S.; authorizing the department to establish certain criteria for fertilizer sampling and analysis; amending s. 576.061, F.S.; requiring the department to adopt rules establishing certain investigational allowances for fertilizer deficiencies; providing a date by which such allowances are effective and other allowances are repealed; amending s. 576.181, F.S.; revising the department's authority to adopt rules establishing certain criteria for fertilizer analysis; amending s. 585.61, F.S.; deleting provisions for the establishment of an animal disease diagnostic laboratory in Suwannee County; amending s. 586.10, F.S.; authorizing apiary inspectors to be certified beekeepers under certain conditions; amending s. 586.15, F.S.; providing for the collection and deposit of costs related to enforcement of prohibitions against the adulteration or misbranding of honey; amending s. 589.02, F.S.; deleting annual and special meeting requirements for the Florida Forestry Council; amending s. 589.19, F.S.; establishing the Operation Outdoor Freedom Program within the Florida Forest Service to replace provisions for the designation of specified hunt areas in state forests for wounded veterans and servicemembers; providing purpose and intent of the program; providing eligibility requirements for program participation; providing exceptions from eligibility requirements for certain activities; providing for deposit and use of funds donated to the program; limiting the liability of private landowners who provide land for designation as hunting sites for purposes of the program; amending s. 589.30, F.S.; revising references to certain Florida Forest Service personnel titles; amending s. 590.02, F.S.; authorizing the Florida Forest Service to allow certain types of burning; specifying that sovereign immunity applies to certain planning level activities; deleting provisions relating to the composition and duties of the Florida Forest Training Center advisory council; prohibiting government entities from banning certain types of burning; authorizing the service to delegate authority to special districts to manage certain types of burning; revising such authority delegated to counties and municipalities; amending s. 590.11, F.S.; revising the prohibition on leaving certain recreational fires unattended, to which penalties apply; amending s. 590.125, F.S.; revising and providing definitions relating to open burning authorized by the Florida Forest Service; revising requirements for noncertified and certified burning; limiting the liability of the service and certain persons related to certain burns; amending s. 590.25, F.S.; revising provisions relating to criminal penalties for obstructing the prevention, detection, or suppression of wildfires; creating chapter 595, F.S., to establish the Florida School Food and Nutrition Act; creating s. 595.401, F.S.; providing a short title; creating s. 595.402, F.S.; providing definitions; creating s. 595.403, F.S.; declaring state policy relating to school food and nutrition services; transferring, renumbering, and amending ss. 570.98 and 570.981, F.S., relating to school food and nutrition services and the Florida Farm Fresh Schools Program; revising the department's duties and responsibilities for administering such services and program; revising requirements for school districts and sponsors; transferring, renumbering, and amending s. 570.982, F.S., relating to the children's summer nutrition program; clarifying provisions; transferring, renumbering, and amending s. 570.072, F.S., relating to the authority of the department to conduct, supervise, and administer commodity distribution services for school food and nutrition services; creating s. 595.501, F.S.; providing certain penalties; transferring, renumbering, and amending s. 570.983, relating to the Food and Nutrition Services Trust Fund; conforming a cross-reference; transferring and renumbering s. 570.984, F.S., relating to the Healthy Schools for Healthy Lives Council; amending s. 1001.42, F.S.; requiring district school boards to perform duties relating to school lunch programs as required by the department's rules; amending s. 1003.453, F.S.; deleting an obsolete provision; requiring school districts to submit certain policies to the Department of Agriculture and Consumer Services and the Department of Education; repealing ss. 487.0615, 570.382, 570.97, and 590.50, F.S., relating to the Pesticide Review Council, Arabian horse racing and the Arabian Horse Council, the Gertrude Maxwell Save a Pet Direct-Support Organization, and permits for the sale of cypress products, respectively; amending ss. 487.041, 550.2625, and 550.2633, F.S.; conforming provisions; providing for the disbursement of specified funds; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1628** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 7087** was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 1458**—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 110.205, F.S.; providing that certain positions in the department are exempt from career service; amending s. 207.002, F.S., relating to the Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981; deleting definitions of the terms “apportioned motor vehicle” and “apportionable vehicle”; providing legislative intent relating to road rage and traffic congestion; amending s. 316.003, F.S.; defining the term “road rage”; amending s. 316.066, F.S.; authorizing the Department of Transportation to immediately receive a crash report; amending s. 316.083, F.S.; requiring that an operator of a motor vehicle yield the furthestmost left-hand lane when being overtaken on a multilane highway; providing exceptions; reenacting s. 316.1923, F.S., relating to aggressive careless driving, to incorporate the amendments made to s. 316.083, F.S., in a reference thereto; requiring that the Department of Highway Safety and Motor Vehicles provide information about the act in driver license educational materials that are newly published on or after a specified date; amending s. 316.1937, F.S.; revising operational specifications for ignition interlock devices; amending s. 316.2015, F.S.; prohibiting the operator of a pickup truck or flatbed truck from permitting a child who is younger than 6 years of age from riding within the open body of the truck under certain circumstances; amending s. 316.302, F.S.; revising provisions for certain commercial motor vehicles and transporters and shippers of hazardous materials; providing for application of specified federal regulations; removing a provision for application of specified provisions and federal regulations to transporting liquefied petroleum gas; amending s. 316.3025, F.S.; providing penalties for violation of specified federal regulations relating to medical and physical requirements for commercial drivers while driving a commercial motor vehicle; revising provisions for seizure of a motor vehicle for refusal to pay penalty; amending s. 316.515, F.S.; providing that a straight truck may attach a forklift to the rear of the cargo bed if it does not exceed a specific length; amending s. 316.545, F.S.; revising language relating to certain commercial motor vehicles not properly licensed and registered; amending s. 316.646, F.S.; authorizing the use of an electronic device to provide proof of insurance under the section; providing that displaying such information on an electronic device does not constitute consent for a law enforcement officer to access other information stored on the device; providing that the person displaying the device assumes the liability for any resulting damage to the device; requiring the department to adopt rules; amending s. 317.0016, F.S., relating to expedited services; removing a requirement that the department provide such service for certain certificates; amending s. 318.14, F.S., relating to disposition of traffic citations; providing that certain alternative procedures for certain traffic offenses are not available to a person who holds a commercial learner's permit; amending s. 318.1451, F.S.; revising provisions relating to driver improvement schools; removing a provision for a chief judge to establish requirements for the location of schools within a judicial circuit; removing a provision that authorizes a person to operate a driver improvement school; revising provisions for persons taking an unapproved course; providing criteria for initial approval of courses; revising requirements for assessment fees, courses, course certificates, and course providers; directing the department to adopt rules; creating s. 319.141, F.S.; establishing a pilot rebuilt motor vehicle inspection program; providing definitions; requiring the department to contract with private vendors to establish and operate inspection facilities in certain counties; providing minimum requirements for applicants; requiring the department to submit a report to the Legislature; providing for future repeal; amending s. 319.225, F.S.; revising provisions for certificates of title, reassignment of title, and forms; revising procedures for transfer of title; amending s. 319.23, F.S.; revising requirements for content of certificates of title and applications for title; amending s. 319.28, F.S.; revising provisions for transfer of ownership by operation of law when a motor vehicle or mobile home is repossessed; removing provisions for a certificate of repossession; amending s. 319.323, F.S., relating to expedited services of the department; removing certificates of repossession; amending s. 320.01, F.S.; removing the definition of the term “apportioned motor vehicle”; revising the definition of the term “apportionable motor vehicle”; amending s. 320.02, F.S.; revising requirements for application for motor vehicle registration; amending s. 320.03, F.S.; revising a provision for registration under the International Registration Plan; amending s. 320.071, F.S.; revising a provision for advance renewal of registration under the International Registration Plan;

amending s. 320.0715, F.S.; revising provisions for vehicles required to be registered under the International Registration Plan; amending s. 320.18, F.S.; providing for withholding of motor vehicle or mobile home registration when a coowner has failed to register the motor vehicle or mobile home during a previous period when such registration was required; providing for cancelling a vehicle or vessel registration, driver license, identification card, or fuel-use tax decal if the coowner pays certain fees and other liabilities with a dishonored check; amending s. 320.27, F.S., relating to motor vehicle dealers; providing for extended periods for dealer licenses and supplemental licenses; providing fees; amending s. 320.62, F.S., relating to manufacturers, distributors, and importers of motor vehicles; providing for extended licensure periods; providing fees; amending s. 320.77, F.S., relating to mobile home dealers; providing for extended licensure periods; providing fees; amending s. 320.771, F.S., relating to recreational vehicle dealers; providing for extended licensure periods; providing fees; amending s. 320.8225, F.S., relating to mobile home and recreational vehicle manufacturers, distributors, and importers; providing for extended licensure periods; providing fees; amending s. 322.095, F.S.; requiring an applicant for a driver license to complete a traffic law and substance abuse education course; providing exceptions; revising procedures for evaluation and approval of such courses; revising criteria for such courses and the schools conducting the courses; providing for collection and disposition of certain fees; requiring providers to maintain records; directing the department to conduct effectiveness studies; requiring a provider to cease offering a course that fails the study; requiring courses to be updated at the request of the department; providing a timeframe for course length; prohibiting a provider from charging for a completion certificate; requiring providers to disclose certain information; requiring providers to submit course completion information to the department within a certain time period; prohibiting certain acts; providing that the department shall not accept certification from certain students; prohibiting a person convicted of certain crimes from conducting courses; directing the department to suspend course approval for certain purposes; providing for the department to deny, suspend, or revoke course approval for certain acts; providing for administrative hearing before final action denying, suspending, or revoking course approval; providing penalties for violations; amending s. 322.125, F.S.; revising criteria for members of the Medical Advisory Board; amending s. 322.135, F.S.; removing a provision that authorizes a tax collector to direct certain licensees to the department for examination or reexamination; creating s. 322.143, F.S.; defining terms; prohibiting a private entity from swiping an individual's driver license or identification card except for certain specified purposes; providing that a private entity that swipes an individual's driver license or identification card may not store, sell, or share personal information collected from swiping the driver license or identification card; providing that a private entity may store or share personal information collected from swiping an individual's driver license or identification card for the purpose of preventing fraud or other criminal activity against the private entity; providing that the private entity may manually collect personal information; prohibiting a private entity from withholding the provision of goods or services solely as a result of the individual requesting the collection of the data through manual means; providing remedies; amending s. 322.18, F.S.; revising provisions for a vision test required for driver license renewal for certain drivers; amending s. 322.21, F.S.; making grammatical changes; amending s. 322.212, F.S.; providing penalties for certain violations involving application and testing for a commercial driver license or a commercial learner's permit; amending s. 322.22, F.S.; authorizing the department to withhold issuance or renewal of a driver license, identification card, vehicle or vessel registration, or fuel-use decal under certain circumstances; amending s. 322.245, F.S.; requiring a depository or clerk of court to electronically notify the department of a person's failure to pay support or comply with directives of the court; amending s. 322.25, F.S.; removing a provision for a court order to reinstate a person's driving privilege on a temporary basis when the person's license and driving privilege have been revoked under certain circumstances; amending s. 322.2615, F.S., relating to review of a license suspension when the driver had blood or breath alcohol at a certain level or the driver refused a test of his or her blood or breath to determine the alcohol level; providing procedures for a driver to be issued a restricted license under certain circumstances; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; amending s. 322.2616, F.S., relating to review of a license suspension when the driver is under 21 years of age and had blood or breath alcohol at a certain level; revising provisions for informal and

formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; amending s. 322.271, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing procedures for certain persons who have no previous convictions for certain alcohol-related driving offenses to be issued a driver license for business purposes only; amending s. 322.2715, F.S.; providing requirements for issuance of a restricted license for a person convicted of a DUI offense if a medical waiver of placement of an ignition interlock device was given to such person; amending s. 322.28, F.S., relating to revocation of driver license for convictions of DUI offenses; providing that convictions occurring on the same date for offenses occurring on separate dates are considered separate convictions; removing a provision relating to a court order for reinstatement of a revoked license; repealing s. 322.331, F.S., relating to habitual traffic offenders; amending s. 322.61, F.S.; revising provisions for disqualification from operating a commercial motor vehicle; providing for application of such provisions to persons holding a commercial learner's permit; revising the offenses for which certain disqualifications apply; amending s. 322.64, F.S., relating to driving with unlawful blood-alcohol level or refusal to submit to breath, urine, or blood test by a commercial driver license holder or person driving a commercial motor vehicle; providing that a disqualification from driving a commercial motor vehicle is considered a conviction for certain purposes; revising the time period a person is disqualified from driving for alcohol-related violations; revising requirements for notice of the disqualification; providing that under the review of a disqualification the hearing officer shall consider the crash report; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 323.002, F.S.; revising the definition of a wrecker operator system; providing that an unauthorized wrecker, tow truck, or other motor vehicle used during certain offenses may be immediately removed and impounded; requiring that an unauthorized wrecker operator disclose in writing to the owner or operator of a disabled motor vehicle certain information; requiring that the unauthorized wrecker operator provide such disclosure to the owner or operator of the disabled vehicle in the presence of a law enforcement officer if one is present at the scene of a motor vehicle accident; authorizing a law enforcement officer from a local governmental agency or state law enforcement agency to remove and impound an unauthorized wrecker, tow truck, or other motor vehicle from the scene of a disabled vehicle or wreck; authorizing the authority that caused the removal and impoundment to assess a cost-recovery fine; requiring a release form; requiring that the wrecker, tow truck, or other motor vehicle remain impounded until the fine has been paid; providing for public sale of an impounded vehicle; providing fines for violations; requiring that the unauthorized wrecker operator pay the fees associated with the removal and storage of the wrecker, tow truck, or other motor vehicle; amending s. 324.0221, F.S.; revising the actions which must be reported to the department by an insurer that has issued a policy providing personal injury protection coverage or property damage liability coverage; revising time allowed for submitting the report; amending s. 324.031, F.S.; revising the methods a vehicle owner or operator may use to prove financial responsibility; removing a provision for posting a bond with the department; amending s. 324.091, F.S.; revising provisions requiring motor vehicle owners and operators to provide evidence to the department of liability insurance coverage under certain circumstances; revising provisions for verification by insurers of such evidence; amending s. 324.161, F.S.; providing requirements for issuance of a certificate of insurance; requiring proof of a certificate of deposit of a certain amount of money in a financial institution; providing for power of attorney to be issued to the department for execution under certain circumstances; amending s. 328.01, F.S., relating to vessel titles; revising identification requirements for applications for a certificate of title; amending s. 328.48, F.S., relating to vessel registration; revising identification requirements for applications for vessel registration; amending s. 328.76, F.S., relating to vessel registration funds; revising provisions for funds to be deposited into the Highway Safety Operating Trust Fund; amending s. 713.585, F.S.; requiring that a lienholder check the National Motor Vehicle Title Information System or the records of any corresponding agency of any other state before enforcing a lien by selling the motor vehicle; requiring the lienholder to notify the local law enforcement agency in writing by certified mail informing the law enforcement

agency that the lienholder has made a good faith effort to locate the owner or lienholder; specifying that a good faith effort includes a check of the Department of Highway Safety and Motor Vehicles database records and the National Motor Vehicle Title Information System; setting requirements for notification of the sale of the vehicle as a way to enforce a lien; requiring the lienholder to publish notice; requiring the lienholder to keep a record of proof of checking the National Motor Vehicle Title Information System; amending s. 713.78, F.S.; revising provisions for enforcement of a lien for recovering, towing, or storing a vehicle or vessel; amending ss. 212.08, 261.03, 316.2122, 316.2124, 316.21265, 316.3026, 316.550, 317.0003, 320.08, 320.0847, 322.282, 324.023, 324.171, 324.191, 627.733, and 627.7415, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1458**, on motion by Senator Brandes, by two-thirds vote **CS for CS for HB 7125** was withdrawn from the Committees on Transportation; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

On motion by Senator Brandes—

**CS for CS for HB 7125**—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 110.205, F.S.; providing that certain positions in the department are exempt from career service; amending s. 207.002, F.S., relating to the Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981; deleting definitions of the terms “apportioned motor vehicle” and “apportionable vehicle”; amending s. 316.0083, F.S.; revising provisions for enforcement of specified provisions using a traffic infraction detector; prohibiting a notice of violation or a traffic citation for a right on red violation under specified provisions; amending s. 316.066, F.S.; authorizing the Department of Transportation to immediately receive a crash report; amending s. 316.0776, F.S.; removing a requirement that the department, a county, or a municipality notify the public of enforcement of violations concerning right turns via a traffic infraction detector; amending s. 316.081, F.S.; prohibiting a driver from driving at less than the posted speed in the furthestmost left-hand lane of a road, street, or highway having two or more lanes if being overtaken by a motor vehicle; providing exceptions; providing penalties; amending s. 316.1937, F.S.; revising operational specifications for ignition interlock devices; amending s. 316.2397, F.S.; exempting specified municipal officials from a prohibition against showing or displaying blue lights on a motor vehicle under certain conditions; amending s. 316.302, F.S.; revising provisions for certain commercial motor vehicles and transporters and shippers of hazardous materials; providing for application of specified federal regulations; removing a provision for application of specified provisions and federal regulations to transporting liquefied petroleum gas; amending s. 316.3025, F.S.; providing penalties for violation of specified federal regulations relating to medical and physical requirements for commercial drivers while driving a commercial motor vehicle; revising provisions for seizure of motor vehicle for refusal to pay penalty; providing penalties for violation of specified federal regulations relating to commercial drivers and the use of mobile telephones and texting while driving a commercial motor vehicle; providing exemptions; amending s. 316.515, F.S.; revising provisions for exceptions to width, height, and length limitations; amending s. 316.545, F.S.; revising language relating to certain commercial motor vehicles not properly licensed and registered; amending s. 316.646, F.S., relating to proof of property damage liability security and display thereof; providing for proof of insurance in an electronic format and on an electronic device; providing conditions relating to the use of such electronic device; requiring the department to adopt rules; amending s. 317.0016, F.S., relating to expedited services; removing a requirement that the department provide such service for certain certificates; amending s. 318.14, F.S., relating to disposition of traffic citations; providing that certain alternative procedures for certain traffic offenses are not available to a person who holds a commercial learner’s permit; amending s. 318.1451, F.S.; revising provisions relating to driver improvement schools; removing a provision for a chief judge to establish requirements for the location of schools within a judicial circuit; removing a provision that authorizes a person to operate a driver improvement school; revising provisions for persons taking unapproved course; providing criteria for initial approval of courses; revising requirements for courses, course certificates, and course providers; directing the department to adopt rules; creating s. 319.141, F.S.; directing

the department to conduct a pilot program to evaluate rebuilt vehicle inspection services performed by the private sector; providing definitions; providing for the department to enter into a memorandum of understanding with the private provider; providing minimum criteria and certain requirements; requiring the department to provide a report to the Legislature; providing for future expiration; amending s. 319.225, F.S.; revising provisions for certificates of title, reassignment of title, and forms; revising procedures for transfer of title; amending s. 319.23, F.S.; revising requirements for content of certificates of title and applications for title; amending s. 319.28, F.S.; revising provisions for transfer of ownership by operation of law when a motor vehicle or mobile home is repossessed; removing provisions for a certificate of repossession; amending s. 319.30, F.S., relating to disposition of derelict motor vehicles; defining the term “National Motor Vehicle Title Information System”; requiring salvage motor vehicle dealers, insurance companies, and other persons to notify the system when receiving or disposing of such a vehicle; requiring proof of such notification when applying for a certificate of destruction or salvage certificate of title; providing penalties; amending s. 319.323, F.S., relating to expedited services of the department; removing certificates of repossession; amending s. 320.01, F.S.; removing the definition of the term “apportioned motor vehicle”; revising the definition of the term “apportionable vehicle”; amending s. 320.02, F.S.; revising requirements for application for motor vehicle registration; providing for insurers to furnish proof-of-purchase cards in a paper or an electronic format; requiring the application form for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.; amending s. 320.03, F.S.; revising a provision for registration under the International Registration Plan; amending s. 320.071, F.S.; revising a provision for advance renewal of registration under the International Registration Plan; amending s. 320.0715, F.S.; revising provisions for vehicles required to be registered under the International Registration Plan; amending s. 320.08058, F.S.; revising the prescribed use of proceeds from the sale of Hispanic Achievers license plates; amending s. 320.089, F.S.; creating a special use license plate for current or former members of the United States Armed Forces who participated in Operation Desert Storm or Operation Desert Shield; amending s. 320.18, F.S.; providing for withholding of motor vehicle or mobile home registration when a coowner has failed to register the motor vehicle or mobile home during a previous period when such registration was required; providing for cancelling a vehicle or vessel registration, driver license, identification card, or fuel-use tax decal if the coowner pays certain fees and other liabilities with a dishonored check; amending s. 320.27, F.S., relating to motor vehicle dealers; providing for extended periods for dealer licenses and supplemental licenses; providing fees; amending s. 320.62, F.S., relating to manufacturers, distributors, and importers of motor vehicles; providing for extended licensure periods; providing fees; amending s. 320.77, F.S., relating to mobile home dealers; providing for extended licensure periods; providing fees; amending s. 320.771, F.S., relating to recreational vehicle dealers; providing for extended licensure periods; providing fees; amending s. 320.8225, F.S., relating to mobile home and recreational vehicle manufacturers, distributors, and importers; providing for extended licensure periods; providing fees; amending s. 322.08, F.S.; requiring the application form for an original, renewal, or replacement driver license or identification card to include language permitting the applicant to make a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.; amending s. 322.095, F.S.; requiring an applicant for a driver license to complete a traffic law and substance abuse education course; providing exceptions; revising procedures for evaluation and approval of such courses; revising criteria for such courses and the schools conducting the courses; providing for collection and disposition of certain fees; requiring providers to maintain records; directing the department to conduct effectiveness studies; requiring a provider to cease offering a course that fails the study; requiring courses to be updated at the request of the department; requiring providers to disclose certain information; requiring providers to submit course completion information to the department within a certain time period; prohibiting certain acts; providing that the department shall not accept certification from students; prohibiting a person convicted of certain crimes from conducting courses; directing the department to suspend course approval for certain purposes; providing for the department to deny, suspend, or revoke course approval for certain acts; providing for administrative hearing before final action denying, suspending, or revoking course approval; providing penalties for violations; amending s. 322.125, F.S.; revising criteria for members of the Medical Advisory Board; amending s. 322.135, F.S.; removing a provision that authorizes a

tax collector to direct certain licensees to the department for examination or reexamination; creating s. 322.143, F.S.; defining terms; prohibiting a private entity from swiping an individual's driver license or identification card except for certain specified purposes; providing that a private entity that swipes an individual's driver license or identification card may not store, sell, or share personal information collected from swiping the driver license or identification card; providing exceptions; providing that the private entity may manually collect personal information; prohibiting a private entity from withholding the provision of goods or services solely as a result of the individual requesting the collection of the data through manual means; providing remedies; amending s. 322.212, F.S.; providing penalties for certain violations involving application and testing for a commercial driver license or a commercial learner's permit; amending s. 322.22, F.S.; authorizing the department to withhold issuance or renewal of a driver license, identification card, vehicle or vessel registration, or fuel-use decal under certain circumstances; amending s. 322.245, F.S.; requiring a depository or clerk of court to electronically notify the department of a person's failure to pay support or comply with directives of the court; amending s. 322.25, F.S.; removing a provision for a court order to reinstate a person's driving privilege on a temporary basis when the person's license and driving privilege have been revoked under certain circumstances; amending ss. 322.2615 and 322.2616, F.S., relating to review of a license suspension when the driver had blood or breath alcohol at a certain level or the driver refused a test of his or her blood or breath to determine the alcohol level; authorizing the driver to request a review of eligibility for a restricted driving privilege; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 322.271, F.S.; providing conditions under which a person whose driver license is suspended for a DUI-related offense may be eligible to receive a restricted driving privilege; amending s. 322.2715, F.S.; providing requirements for issuance of a restricted driver license for a person convicted of a DUI offense if a medical waiver of placement of an ignition interlock device was given to such person; amending s. 322.28, F.S., relating to revocation of driver license for convictions of DUI offenses; providing that convictions occurring on the same date for offenses occurring on separate dates are considered separate convictions; removing a provision relating to a court order for reinstatement of a revoked driver license; repealing s. 322.331, F.S., relating to habitual traffic offenders; amending s. 322.61, F.S.; revising provisions for disqualification from operating a commercial motor vehicle; providing for application of such provisions to persons holding a commercial learner's permit; revising the offenses for which certain disqualifications apply; amending s. 322.64, F.S., relating to driving with unlawful blood-alcohol level or refusal to submit to breath, urine, or blood test by a commercial driver license holder or person driving a commercial motor vehicle; providing that a disqualification from driving a commercial motor vehicle is considered a conviction for certain purposes; revising the time period a person is disqualified from driving for alcohol-related violations; revising requirements for notice of the disqualification; providing that under the review of a disqualification the hearing officer shall consider the crash report; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 323.002, F.S.; providing that an unauthorized wrecker operator's wrecker, tow truck, or other motor vehicle used during certain offenses may be removed and impounded; requiring an unauthorized wrecker operator to disclose certain information in writing to the owner or operator of a motor vehicle and provide a copy of the disclosure to the owner or operator in the presence of a law enforcement officer if an officer is present; authorizing state and local government law enforcement officers to cause to be removed and impounded any wrecker, tow truck, or other motor vehicle used in violation of specified provisions; authorizing the authority that caused the removal and impoundment to assess a cost recovery fine; providing procedures and requirements for release of the vehicle; providing penalties; requiring that the unauthorized wrecker operator pay the fees associated with the removal and storage of the vehicle; amending s. 324.0221, F.S.; revising the actions which must be reported to the department by an insurer that has

issued a policy providing personal injury protection coverage or property damage liability coverage; revising time allowed for submitting the report; amending s. 324.031, F.S.; revising the methods a vehicle owner or operator may use to prove financial responsibility; removing a provision for posting a bond with the department; amending s. 324.091, F.S.; revising provisions requiring motor vehicle owners and operators to provide evidence to the department of liability insurance coverage under certain circumstances; revising provisions for verification by insurers of such evidence; amending s. 324.161, F.S.; providing requirements for issuance of a certificate of insurance; requiring proof of a certificate of deposit of a certain amount of money in a financial institution; providing for power of attorney to be issued to the department for execution under certain circumstances; amending s. 328.01, F.S., relating to vessel titles; revising identification requirements for applications for a certificate of title; amending s. 328.48, F.S., relating to vessel registration; revising identification requirements for applications for vessel registration; amending s. 328.76, F.S., relating to vessel registration funds; revising provisions for funds to be deposited into the Highway Safety Operating Trust Fund; providing for certain funds to be used for aquaculture development; providing appropriations; amending s. 713.585, F.S.; revising procedures and requirements for enforcement of lien by sale of motor vehicle when ownership is not established; revising provisions for establishing a good faith effort to locate the owner or lienholder; requiring the lienholder to make certain records checks, including records of the department and the National Motor Vehicle Title Information System and any state disclosed by the check of that system; revising requirements for notification to the local law enforcement agency; revising requirements for notification of the sale of the vehicle; revising documents and proofs the lienholder is required to furnish with a certificate of compliance filed with the clerk of the circuit court; requiring the lienholder to provide the department proof of checking the National Motor Vehicle Title Information System for application for transfer of title; amending s. 713.78, F.S.; revising provisions for enforcement of liens for recovering, towing, or storing a vehicle or vessel; providing a definition; providing for a lien on a vehicle or vessel when a landlord or the landlord's designee authorized removal after tenancy is terminated and specified conditions are met; revising provisions requiring notice to the owner, insurance company, and lienholders; revising procedures and requirements when ownership is not established; revising provisions for establishing a good faith effort to locate the owner or lienholder; requiring certain records checks, including records of the department and the National Motor Vehicle Title Information System and any state disclosed by the check of that system; revising provisions for notice of sale; requiring that insurance company representatives shall be allowed to inspect the vehicle or vessel; providing that when the vehicle is to be sold for purposes of being dismantled, destroyed, or changed in such manner that it is not the motor vehicle or vessel described in the certificate of title, it must be reported to the National Motor Vehicle Title Information System and application made to the department for a certificate of destruction; authorizing the governing body of a county to create a yellow dot critical motorist medical information program for certain purposes; authorizing a county to solicit sponsorships for the medical information program and enter into an interlocal agreement with another county to solicit such sponsorships; authorizing the Department of Highway Safety and Motor Vehicles and the Department of Transportation to provide education and training and publicize the program; requiring the program to be free to participants; providing for applications to participate; providing for a yellow dot decal and a yellow dot folder to be issued to participants and a form containing specified information about the participant; providing procedures for use of the decal, folder, and form; providing for limited use of information on the forms by emergency medical responders; limiting liability of emergency medical responders; requiring the governing body of a participating county to adopt guidelines and procedures to ensure that confidential information is not made public; providing for contingent effect; amending ss. 212.08, 261.03, 316.2122, 316.2124, 316.21265, 316.3026, 316.550, 317.0003, 320.08, 320.0847, 322.271, 322.282, 324.023, 324.171, 324.191, 627.733, and 627.7415, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1458** and read the second time by title.

Senator Brandes moved the following amendment:

**Amendment 1 (218538) (with title amendment)**—Delete everything after the enacting clause and insert:



Section 1. Paragraph (m) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(m) All assistant division director, deputy division director, and bureau chief positions in any department, and those positions determined by the department to have managerial responsibilities comparable to such positions, which include, but are not limited to:

1. Positions in the Department of Health and the Department of Children and Family Services that are assigned primary duties of serving as the superintendent or assistant superintendent of an institution.

2. Positions in the Department of Corrections that are assigned primary duties of serving as the warden, assistant warden, colonel, or major of an institution or that are assigned primary duties of serving as the circuit administrator or deputy circuit administrator.

3. Positions in the Department of Transportation that are assigned primary duties of serving as regional toll managers and managers of offices, as defined in s. 20.23(4)(b) and (5)(c).

4. Positions in the Department of Environmental Protection that are assigned the duty of an Environmental Administrator or program administrator.

5. Positions in the Department of Health that are assigned the duties of Environmental Administrator, Assistant County Health Department Director, and County Health Department Financial Administrator.

6. *Positions in the Department of Highway Safety and Motor Vehicles that are assigned primary duties of serving as captains in the Florida Highway Patrol.*

Unless otherwise fixed by law, the department shall set the salary and benefits of the positions listed in this paragraph in accordance with the rules established for the Selected Exempt Service.

Section 2. Section 207.002, Florida Statutes, is reordered and amended to read:

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

~~(1) “Apportioned motor vehicle” means any motor vehicle which is required to be registered under the International Registration Plan.~~

~~(1)(2)~~ “Commercial motor vehicle” means any vehicle not owned or operated by a governmental entity which uses diesel fuel or motor fuel on the public highways; and which has a gross vehicle weight in excess of 26,000 pounds, or has three or more axles regardless of weight, or is used in combination when the weight of such combination exceeds 26,000 pounds gross vehicle weight. The term excludes any vehicle owned or operated by a community transportation coordinator as defined in s. 427.011 or by a private operator that provides public transit services under contract with such a provider.

~~(2)(3)~~ “Department” means the Department of Highway Safety and Motor Vehicles.

~~(7)(4)~~ “Motor carrier” means any person owning, controlling, operating, or managing any motor vehicle used to transport persons or property over any public highway.

~~(8)(5)~~ “Motor fuel” means what is commonly known and sold as gasoline and fuels containing a mixture of gasoline and other products.

~~(9)(6)~~ “Operate,” “operated,” “operation,” or “operating” means and includes the utilization in any form of any commercial motor vehicle, whether loaded or empty, whether utilized for compensation or not for compensation, and whether owned by or leased to the motor carrier who uses it or causes it to be used.

~~(10)(7)~~ “Person” means and includes natural persons, corporations, copartnerships, firms, companies, agencies, or associations, singular or plural.

~~(11)(8)~~ “Public highway” means any public street, road, or highway in this state.

~~(3)(9)~~ “Diesel fuel” means any liquid product or gas product or combination thereof, including, but not limited to, all forms of fuel known or sold as diesel fuel, kerosene, butane gas, or propane gas and all other forms of liquefied petroleum gases, except those defined as “motor fuel,” used to propel a motor vehicle.

~~(13)(10)~~ “Use,” “uses,” or “used” means the consumption of diesel fuel or motor fuel in a commercial motor vehicle for the propulsion thereof.

~~(4)(11)~~ “International Registration Plan” means a registration reciprocity agreement among states of the United States and provinces of Canada providing for payment of license fees or license taxes on the basis of fleet miles operated in various jurisdictions.

~~(12) “Apportionable vehicle” means any vehicle, except a recreational vehicle, a vehicle displaying restricted plates, a municipal pickup and delivery vehicle, a bus used in transportation of chartered parties, and a government-owned vehicle, which is used or intended for use in two or more states of the United States or provinces of Canada that allocate or proportionally register vehicles and which is used for the transportation of persons for hire or is designed, used, or maintained primarily for the transportation of property and:~~

~~(a) Is a power unit having a gross vehicle weight in excess of 26,000 pounds;~~

~~(b) Is a power unit having three or more axles, regardless of weight; or~~

~~(c) Is used in combination, when the weight of such combination exceeds 26,000 pounds gross vehicle weight.~~

~~(5)(12)~~ “Interstate” means vehicle movement between or through two or more states.

~~(6)(14)~~ “Intrastate” means vehicle movement from one point within a state to another point within the same state.

~~(12)(15)~~ “Registrant” means a person in whose name or names a vehicle is properly registered.

Section 3. *The intent of the Legislature is to reduce road rage and traffic congestion by reducing the incidence of crashes and drivers’ interferences with the movement of traffic and by promoting the orderly, free flow of traffic on the roads and highways of the state.*

Section 4. Subsection (91) is added to section 316.003, Florida Statutes, to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

*(91) ROAD RAGE.—The act of a driver or passenger to intentionally or unintentionally, due to a loss of emotional control, injure or kill another driver, passenger, bicyclist, or pedestrian, or to attempt or threaten to injure or kill another driver, passenger, bicyclist, or pedestrian.*

Section 5. Paragraph (b) of subsection (2) of section 316.066, Florida Statutes, is amended to read:

316.066 Written reports of crashes.—

(2)

(b) Crash reports held by an agency under paragraph (a) may be made immediately available to the parties involved in the crash, their legal representatives, their licensed insurance agents, their insurers or insurers to which they have applied for coverage, persons under contract with such insurers to provide claims or underwriting information, prosecutorial authorities, law enforcement agencies, *the Department of Transportation*, county traffic operations, victim services programs, radio and television stations licensed by the Federal Communications Commission, newspapers qualified to publish legal notices under ss. 50.011 and 50.031, and free newspapers of general circulation, published once a week or more often, available and of interest to the public gen-



erally for the dissemination of news. For the purposes of this section, the following products or publications are not newspapers as referred to in this section: those intended primarily for members of a particular profession or occupational group; those with the primary purpose of distributing advertising; and those with the primary purpose of publishing names and other personal identifying information concerning parties to motor vehicle crashes.

Section 6. Present subsection (3) of section 316.083, Florida Statutes, is redesignated as subsection (4), and a new subsection (3) is added to that section, to read:

316.083 Overtaking and passing a vehicle.—The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules hereinafter stated:

(3)(a) *On a road, street, or highway having two or more lanes that allow movement in the same direction, a driver may not continue to operate a motor vehicle in the furthestmost left-hand lane if the driver knows, or reasonably should know, that he or she is being overtaken in that lane from the rear by a motor vehicle traveling at a higher rate of speed.*

(b) *Paragraph (a) does not apply to a driver operating a motor vehicle in the furthestmost left-hand lane if:*

1. *The driver is in the process of overtaking a slower motor vehicle in the adjacent right-hand lane for the purpose of passing the slower vehicle before moving to the adjacent right-hand lane;*
2. *Conditions preclude the driver from moving to the adjacent right-hand lane;*
3. *The driver's movement to the adjacent right-hand lane could endanger the driver or other drivers;*
4. *The driver is directed by a law enforcement officer, road sign, or road crew to remain in the furthestmost left-hand lane;*
5. *The driver is preparing to make a left turn; or*
6. *The driver is traveling at a speed not less than 10 miles per hour under the posted speed limit.*

Section 7. For the purpose of incorporating the amendment made by this act to section 316.083, Florida Statutes, in a reference thereto, section 316.1923, Florida Statutes, is reenacted to read:

316.1923 Aggressive careless driving.—“Aggressive careless driving” means committing two or more of the following acts simultaneously or in succession:

- (1) Exceeding the posted speed as defined in s. 322.27(3)(d)5.b.
- (2) Unsafely or improperly changing lanes as defined in s. 316.085.
- (3) Following another vehicle too closely as defined in s. 316.0895(1).
- (4) Failing to yield the right-of-way as defined in s. 316.079, s. 316.0815, or s. 316.123.
- (5) Improperly passing as defined in s. 316.083, s. 316.084, or s. 316.085.
- (6) Violating traffic control and signal devices as defined in ss. 316.074 and 316.075.

Section 8. *The Department of Highway Safety and Motor Vehicles shall provide information about the Florida Highway Safety Act in all driver license educational materials printed on or after October 1, 2013.*

Section 9. Subsection (1) of section 316.1937, Florida Statutes, is amended to read:

316.1937 Ignition interlock devices, requiring; unlawful acts.—

(1) In addition to any other authorized penalties, the court may require that any person who is convicted of driving under the influence in violation of s. 316.193 shall not operate a motor vehicle unless that vehicle is equipped with a functioning ignition interlock device certified

by the department as provided in s. 316.1938, and installed in such a manner that the vehicle will not start if the operator's blood alcohol level is in excess of 0.025 ~~0.05~~ percent or as otherwise specified by the court. The court may require the use of an approved ignition interlock device for a period of *at least not less than* 6 continuous months, if the person is permitted to operate a motor vehicle, whether or not the privilege to operate a motor vehicle is restricted, as determined by the court. The court, however, shall order placement of an ignition interlock device in those circumstances required by s. 316.193.

Section 10. Section 316.2015, Florida Statutes, is amended to read:

316.2015 Unlawful for person to ride on exterior of vehicle.—

(1) It is unlawful for any operator of a passenger vehicle to permit any person to ride on the bumper, radiator, fender, hood, top, trunk, or running board of such vehicle when operated upon any street or highway which is maintained by the state, county, or municipality. Any person who violates this subsection shall be cited for a moving violation, punishable as provided in chapter 318.

(2)(a) No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This paragraph does not apply to an employee of a fire department, an employee of a governmentally operated solid waste disposal department or a waste disposal service operating pursuant to a contract with a governmental entity, or to a volunteer firefighter when the employee or firefighter is engaged in the necessary discharge of a duty, and does not apply to a person who is being transported in response to an emergency by a public agency or pursuant to the direction or authority of a public agency. This paragraph does not apply to an employee engaged in the necessary discharge of a duty or to a person or persons riding within truck bodies in space intended for merchandise.

(b) It is unlawful for any operator of a pickup truck or flatbed truck to permit a minor child who has not attained 18 years of age to ride upon limited access facilities of the state within the open body of a pickup truck or flatbed truck unless the minor is restrained within the open body in the back of a truck that has been modified to include secure seating and safety restraints to prevent the passenger from being thrown, falling, or jumping from the truck. This paragraph does not apply in a medical emergency if the child is accompanied within the truck by an adult. A county is exempt from this paragraph if the governing body of the county, by majority vote, following a noticed public hearing, votes to exempt the county from this paragraph.

(c) *It is unlawful for the operator of a pickup truck or flatbed truck to permit a minor child who has not attained 6 years of age to ride within the open body of a pickup truck or flatbed truck unless the minor is restrained within the open body in the back of a truck that has been modified to include secure seating and safety restraints to prevent the minor from being thrown, falling, or jumping from the truck. This paragraph does not apply in a medical emergency if the child is accompanied within the truck by an adult, upon an unpaved road, or upon a street or highway with a posted speed limit of less than 55 miles per hour which is maintained by the state, county, or municipality. A county is exempt from this paragraph if the governing body of the county, by majority vote, following a noticed public hearing, votes to exempt the county from this paragraph. An operator of a pickup truck is exempt from this paragraph if the pickup truck is the only vehicle owned by the operator of his or her immediate family.*

(d)(e) Any person who violates this subsection shall be cited for a nonmoving violation, punishable as provided in chapter 318.

(3) This section ~~does shall~~ not apply to a performer engaged in a professional exhibition or person participating in an exhibition or parade, or any such person preparing to participate in such exhibitions or parades.

Section 11. Paragraph (b) of subsection (1), paragraph (a) of subsection (4), and subsection (9) of section 316.302, Florida Statutes, are amended to read:

316.302 Commercial motor vehicles; safety regulations; transporters and shippers of hazardous materials; enforcement.—

(1)

(b) Except as otherwise provided in this section, all owners or drivers of commercial motor vehicles that are engaged in intrastate commerce are subject to the rules and regulations contained in 49 C.F.R. parts 382, 383, 385, and 390-397, with the exception of 49 C.F.R. s. 390.5 as it relates to the definition of bus, as such rules and regulations existed on ~~December 31, 2012~~ ~~October 1, 2011~~.

(4)(a) Except as provided in this subsection, all commercial motor vehicles transporting any hazardous material on any road, street, or highway open to the public, whether engaged in interstate or intrastate commerce, and any person who offers hazardous materials for such transportation, are subject to the regulations contained in 49 C.F.R. part 107, ~~subparts F and~~ ~~subpart~~ G, and 49 C.F.R. parts 171, 172, 173, 177, 178, and 180. Effective July 1, 1997, the exceptions for intrastate motor carriers provided in 49 C.F.R. 173.5 and 173.8 are hereby adopted.

~~(9)(a) This section is not applicable to the transporting of liquefied petroleum gas. The rules and regulations applicable to the transporting of liquefied petroleum gas on the highways, roads, or streets of this state shall be only those adopted by the Department of Agriculture and Consumer Services under chapter 527. However, transporters of liquefied petroleum gas must comply with the requirements of 49 C.F.R. parts 392 and 396.9.~~

~~(b) This section does not apply to any nonpublic sector bus.~~

Section 12. Paragraph (b) of subsection (3) and subsection (5) of section 316.3025, Florida Statutes, are amended to read:

316.3025 Penalties.—

(3)

(b) A civil penalty of \$100 may be assessed for:

1. Each violation of the North American Uniform Driver Out-of-Service Criteria;
2. A violation of s. 316.302(2)(b) or (c);
3. A violation of 49 C.F.R. s. 392.60; ~~or~~
4. A violation of the North American Standard Vehicle Out-of-Service Criteria resulting from an inspection of a commercial motor vehicle involved in a crash; *or*
5. *A violation of 49 C.F.R. s. 391.41.*

(5) Whenever any person or motor carrier as defined in chapter 320 violates the provisions of this section and becomes indebted to the state because of such violation and refuses to pay the appropriate penalty, in addition to the provisions of s. 316.3026, such penalty becomes a lien upon the property including the motor vehicles of such person or motor carrier and may be *seized and foreclosed* by the state in a civil action in any court of this state. It shall be presumed that the owner of the motor vehicle is liable for the sum, and the vehicle may be detained or impounded until the penalty is paid.

Section 13. Paragraph (a) of subsection (3) of section 316.515, Florida Statutes, is amended to read:

316.515 Maximum width, height, length.—

(3) LENGTH LIMITATION.—Except as otherwise provided in this section, length limitations apply solely to a semitrailer or trailer, and not to a truck tractor or to the overall length of a combination of vehicles. No combination of commercial motor vehicles coupled together and operating on the public roads may consist of more than one truck tractor and two trailing units. Unless otherwise specifically provided for in this section, a combination of vehicles not qualifying as commercial motor vehicles may consist of no more than two units coupled together; such nonqualifying combination of vehicles may not exceed a total length of 65 feet, inclusive of the load carried thereon, but exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. Notwithstanding any other provision of this section, a truck tractor-semi-trailer combination engaged in the transportation of automobiles or boats may transport motor vehicles or boats on part of the power unit; and, except as may otherwise be mandated under federal law, an automobile or boat transporter semitrailer may

not exceed 50 feet in length, exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer. The 50-foot length limitation does not apply to non-stinger-steered automobile or boat transporters that are 65 feet or less in overall length, exclusive of the load carried thereon, or to stinger-steered automobile or boat transporters that are 75 feet or less in overall length, exclusive of the load carried thereon. For purposes of this subsection, a “stinger-steered automobile or boat transporter” is an automobile or boat transporter configured as a semitrailer combination wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit. Notwithstanding paragraphs (a) and (b), any straight truck or truck tractor-semitrailer combination engaged in the transportation of horticultural trees may allow the load to extend up to an additional 10 feet beyond the rear of the vehicle, provided said trees are resting against a retaining bar mounted above the truck bed so that the root balls of the trees rest on the floor and to the front of the truck bed and the tops of the trees extend up over and to the rear of the truck bed, and provided the overhanging portion of the load is covered with protective fabric.

(a) *Straight trucks.*—A straight truck may not exceed a length of 40 feet in extreme overall dimension, exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. *A straight truck may attach a forklift to the rear of the cargo bed, provided the overall combined length of the vehicle and the forklift does not exceed 50 feet.* A straight truck may tow no more than one trailer, and the overall length of the truck-trailer combination may not exceed 68 feet, including the load thereon. Notwithstanding any other provisions of this section, a truck-trailer combination engaged in the transportation of boats, or boat trailers whose design dictates a front-to-rear stacking method may not exceed the length limitations of this paragraph exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer.

Section 14. Subsection (3) of section 316.545, Florida Statutes, is amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(3) Any person who violates the overloading provisions of this chapter shall be conclusively presumed to have damaged the highways of this state by reason of such overloading, which damage is hereby fixed as follows:

(a) When the excess weight is 200 pounds or less than the maximum herein provided, the penalty shall be \$10;

(b) Five cents per pound for each pound of weight in excess of the maximum herein provided when the excess weight exceeds 200 pounds. However, whenever the gross weight of the vehicle or combination of vehicles does not exceed the maximum allowable gross weight, the maximum fine for the first 600 pounds of unlawful axle weight shall be \$10;

(c) For a vehicle equipped with fully functional idle-reduction technology, any penalty shall be calculated by reducing the actual gross vehicle weight or the internal bridge weight by the certified weight of the idle-reduction technology or by 400 pounds, whichever is less. The vehicle operator must present written certification of the weight of the idle-reduction technology and must demonstrate or certify that the idle-reduction technology is fully functional at all times. This calculation is not allowed for vehicles described in s. 316.535(6);

(d) An *apportionable* ~~apportioned~~ ~~motor~~ vehicle, as defined in s. 320.01, operating on the highways of this state without being properly licensed and registered shall be subject to the penalties as ~~herein~~ provided in this section; and

(e) Vehicles operating on the highways of this state from nonmember International Registration Plan jurisdictions which are not in compliance with the provisions of s. 316.605 shall be subject to the penalties as herein provided.

Section 15. Subsection (1) of section 316.646, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

316.646 Security required; proof of security and display thereof; dismissal of cases.—

(1) Any person required by s. 324.022 to maintain property damage liability security, required by s. 324.023 to maintain liability security for bodily injury or death, or required by s. 627.733 to maintain personal injury protection security on a motor vehicle shall have in his or her immediate possession at all times while operating such motor vehicle proper proof of maintenance of the required security.

(a) Such proof shall be *in a uniform paper or electronic format, as proof of insurance card in a form* prescribed by the department, a valid insurance policy, an insurance policy binder, a certificate of insurance, or such other proof as may be prescribed by the department.

(b)1. *The act of presenting to a law enforcement officer an electronic device displaying proof of insurance in an electronic format does not constitute consent for the officer to access any information on the device other than the displayed proof of insurance.*

2. *The person who presents the device to the officer assumes the liability for any resulting damage to the device.*

(5) *The department shall adopt rules to administer this section.*

Section 16. Section 317.0016, Florida Statutes, is amended to read:

317.0016 Expedited service; applications; fees.—The department shall provide, through its agents and for use by the public, expedited service on title transfers, title issuances, duplicate titles, and recordation of liens, ~~and certificates of repossession~~. A fee of \$7 shall be charged for this service, which is in addition to the fees imposed by ss. 317.0007 and 317.0008, and \$3.50 of this fee shall be retained by the processing agency. All remaining fees shall be deposited in the Incidental Trust Fund of the Florida Forest Service of the Department of Agriculture and Consumer Services. Application for expedited service may be made by mail or in person. The department shall issue each title applied for pursuant to this section within 5 working days after receipt of the application except for an application for a duplicate title certificate covered by s. 317.0008(3), in which case the title must be issued within 5 working days after compliance with the department's verification requirements.

Section 17. Subsections (9) and (10) of section 318.14, Florida Statutes, are amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(9) Any person who does not hold a commercial driver license *or commercial learner's permit* and who is cited while driving a non-commercial motor vehicle for an infraction under this section other than a violation of s. 316.183(2), s. 316.187, or s. 316.189 when the driver exceeds the posted limit by 30 miles per hour or more, s. 320.0605, s. 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s. 322.61, or s. 322.62 may, in lieu of a court appearance, elect to attend in the location of his or her choice within this state a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles. In such a case, adjudication must be withheld and points, as provided by s. 322.27, may not be assessed. However, a person may not make an election under this subsection if the person has made an election under this subsection in the preceding 12 months. A person may not make more than five elections within his or her lifetime under this subsection. The requirement for community service under s. 318.18(8) is not waived by a plea of nolo contendere or by the withholding of adjudication of guilt by a court. If a person makes an election to attend a basic driver improvement course under this subsection, 18 percent of the civil penalty imposed under s. 318.18(3) shall be deposited in the State Courts Revenue Trust Fund; however, that portion is not revenue for purposes of s. 28.36 and may not be used in establishing the budget of the clerk of the court under that section or s. 28.35.

(10)(a) Any person who does not hold a commercial driver license *or commercial learner's permit* and who is cited while driving a non-commercial motor vehicle for an offense listed under this subsection may, in lieu of payment of fine or court appearance, elect to enter a plea of nolo contendere and provide proof of compliance to the clerk of the court, designated official, or authorized operator of a traffic violations bureau. In such case, adjudication shall be withheld; however, a person may not make an election under this subsection if the person has made

an election under this subsection in the preceding 12 months. A person may not make more than three elections under this subsection. This subsection applies to the following offenses:

1. Operating a motor vehicle without a valid driver license in violation of s. 322.03, s. 322.065, or s. 322.15(1), or operating a motor vehicle with a license that has been suspended for failure to appear, failure to pay civil penalty, or failure to attend a driver improvement course pursuant to s. 322.291.

2. Operating a motor vehicle without a valid registration in violation of s. 320.0605, s. 320.07, or s. 320.131.

3. Operating a motor vehicle in violation of s. 316.646.

4. Operating a motor vehicle with a license that has been suspended under s. 61.13016 or s. 322.245 for failure to pay child support or for failure to pay any other financial obligation as provided in s. 322.245; however, this subparagraph does not apply if the license has been suspended pursuant to s. 322.245(1).

5. Operating a motor vehicle with a license that has been suspended under s. 322.091 for failure to meet school attendance requirements.

(b) Any person cited for an offense listed in this subsection shall present proof of compliance before the scheduled court appearance date. For the purposes of this subsection, proof of compliance shall consist of a valid, renewed, or reinstated driver license or registration certificate and proper proof of maintenance of security as required by s. 316.646. Notwithstanding waiver of fine, any person establishing proof of compliance shall be assessed court costs of \$25, except that a person charged with violation of s. 316.646(1)-(3) may be assessed court costs of \$8. One dollar of such costs shall be remitted to the Department of Revenue for deposit into the Child Welfare Training Trust Fund of the Department of Children and Family Services. One dollar of such costs shall be distributed to the Department of Juvenile Justice for deposit into the Juvenile Justice Training Trust Fund. Fourteen dollars of such costs shall be distributed to the municipality and \$9 shall be deposited by the clerk of the court into the fine and forfeiture fund established pursuant to s. 142.01, if the offense was committed within the municipality. If the offense was committed in an unincorporated area of a county or if the citation was for a violation of s. 316.646(1)-(3), the entire amount shall be deposited by the clerk of the court into the fine and forfeiture fund established pursuant to s. 142.01, except for the moneys to be deposited into the Child Welfare Training Trust Fund and the Juvenile Justice Training Trust Fund. This subsection does not authorize the operation of a vehicle without a valid driver license, without a valid vehicle tag and registration, or without the maintenance of required security.

Section 18. Section 318.1451, Florida Statutes, is amended to read:

318.1451 Driver improvement schools.—

(1)(a) ~~The department of Highway Safety and Motor Vehicles shall approve and regulate the courses of all driver improvement schools, as the courses relate to ss. 318.14(9), 322.0261, and 322.291, including courses that use technology as a delivery method. The chief judge of the applicable judicial circuit may establish requirements regarding the location of schools within the judicial circuit. A person may engage in the business of operating a driver improvement school that offers department approved courses related to ss. 318.14(9), 322.0261, and 322.291.~~

(b) ~~The Department of Highway Safety and Motor Vehicles shall approve and regulate courses that use technology as the delivery method of all driver improvement schools as the courses relate to ss. 318.14(9) and 322.0261.~~

(2)(a) In determining whether to approve the courses referenced in this section, the department shall consider course content designed to promote safety, driver awareness, crash avoidance techniques, and other factors or criteria to improve driver performance from a safety viewpoint, including promoting motorcyclist, bicyclist, and pedestrian safety and risk factors resulting from driver attitude and irresponsible driver behaviors, such as speeding, running red lights and stop signs, and using electronic devices while driving. Initial approval of the courses shall also be based on the department's review of all course materials, course presentation to the department by the provider, and the provider's plan for effective oversight of the course by those who deliver the course in the state.

*New courses shall be provisionally approved and limited to the judicial circuit originally approved for pilot testing until the course is fully approved by the department for statewide delivery.*

(b) In determining whether to approve courses of driver improvement schools that use technology as the delivery method as the courses relate to ss. 318.14(9) and 322.0261, the department shall consider only those courses submitted by a person, business, or entity which have approval for statewide delivery.

(3) ~~The department of Highway Safety and Motor Vehicles shall not accept suspend-accepting proof of attendance of courses from persons who attend those schools that do not teach an approved course. In those circumstances, a person who has elected to take courses from such a school shall receive a refund from the school, and the person shall have the opportunity to take the course at another school.~~

(4) In addition to a regular course fee, an assessment fee in the amount of \$2.50 shall be collected by the school from each person who elects to attend a course, as it relates to ss. 318.14(9), 322.0261, 322.291, and 627.06501. ~~The course provider must remit the \$2.50 assessment fee to the department for deposit into, which shall be remitted to the Department of Highway Safety and Motor Vehicles and deposited in the Highway Safety Operating Trust Fund in order to receive unique course completion certificate numbers for course participants. The assessment fee will be used to administer this program and to fund the general operations of the department.~~

(5)(a) The department is authorized to maintain the information and records necessary to administer its duties and responsibilities for driver improvement courses. *Course providers are required to maintain all records related to the conduct of their approved courses for 5 years and allow the department to inspect course records as necessary. Records may be maintained in an electronic format. If* ~~Where~~ such information is a public record as defined in chapter 119, it shall be made available to the public upon request pursuant to s. 119.07(1).

(b) The department or court may prepare a traffic school reference guide which lists the benefits of attending a driver improvement school and contains the names of the fully approved course providers with a single telephone number for each provider as furnished by the provider.

(6) *The department shall adopt rules establishing and maintaining policies and procedures to implement the requirements of this section. These policies and procedures may include, but shall not be limited to, the following:*

(a) *Effectiveness studies.—The department shall conduct effectiveness studies on each type of driver improvement course pertaining to ss. 318.14(9), 322.0261, and 322.291 on a recurring 5-year basis, including in the study process the consequence of failed studies.*

(b) *Required updates.—The department may require that courses approved under this section be updated at the department's request. Failure of a course provider to update the course under this section shall result in the suspension of the course approval until the course is updated and approved by the department.*

(c) *Course conduct.—The department shall require that the approved course providers ensure their driver improvement schools are conducting the approved course fully and to the required time limit and content requirements.*

(d) *Course content.—The department shall set and modify course content requirements to keep current with laws and safety information. Course content includes all items used in the conduct of the course.*

(e) *Course duration.—The department shall set the duration of all course types.*

(f) *Submission of records.—The department shall require that all course providers submit course completion information to the department through the department's Driver Improvement Certificate Issuance System within 5 days.*

(g) *Sanctions.—The department shall develop the criteria to sanction the course approval of a course provider for any violation of this section or any other law that pertains to the approval and use of driver improvement courses.*

(h) *Miscellaneous requirements.—The department shall require that all course providers:*

1. *Disclose all fees associated with courses offered by the provider and associated driver improvement schools and not charge any fees that are not disclosed during registration.*

2. *Provide proof of ownership, copyright, or written permission from the course owner to use the course in this state.*

3. *Ensure that any course that is offered in a classroom setting, by the provider or a school authorized by the provider to teach the course, is offered the course at locations that are free from distractions and reasonably accessible to most applicants.*

4. *Issue a certificate to persons who successfully complete the course.*

Section 19. Section 319.141, Florida Statutes, is created to read:

**319.141** *Pilot rebuilt motor vehicle inspection program.—*

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

(a) *“Facility” means a rebuilt motor vehicle inspection facility authorized and operating under this section.*

(b) *“Rebuilt inspection” means an examination of a rebuilt vehicle and a properly endorsed certificate of title, salvage certificate of title, or manufacturer's statement of origin and an application for a rebuilt certificate of title, a rebuilder's affidavit, a photograph of the junk or salvage vehicle taken before repairs began, receipts or invoices for all major component parts, as defined in s. 319.30, which were changed, and proof that notice of rebuilding of the vehicle has been reported to the National Motor Vehicle Title Information System.*

(2) *By October 1, 2013, the department shall implement a pilot program in Miami-Dade and Hillsborough Counties to evaluate alternatives for rebuilt inspection services to be offered by the private sector, including the feasibility of using private facilities, the cost impact to consumers, and the potential savings to the department.*

(3) *The department shall establish a memorandum of understanding that allows private parties participating in the pilot program to conduct rebuilt motor vehicle inspections and specifies requirements for oversight, bonding and insurance, procedures, and forms and requires the electronic transmission of documents.*

(4) *Before an applicant is approved, the department shall ensure that the applicant meets basic criteria designed to protect the public. At a minimum, the applicant shall:*

(a) *Have and maintain a surety bond or irrevocable letter of credit in the amount of \$50,000 executed by the applicant.*

(b) *Have and maintain garage liability and other insurance required by the department.*

(c) *Have completed criminal background checks of the owners, partners, and corporate officers and the inspectors employed by the facility.*

(d) *Meet any additional criteria the department determines necessary to conduct proper inspections.*

(5) *A participant in the program shall access vehicle and title information and enter inspection results through an electronic filing system authorized by the department.*

(6) *The department shall submit a report to the President of the Senate and the Speaker of the House of Representatives providing the results of the pilot program by February 1, 2015.*

(7) *This section shall stand repealed on July 1, 2015, unless saved from repeal through reenactment by the Legislature.*

Section 20. Section 319.225, Florida Statutes, is amended to read:

**319.225** *Transfer and reassignment forms; odometer disclosure statements.—*

(1) Every certificate of title issued by the department must contain the following statement on its reverse side: "Federal and state law require the completion of the odometer statement set out below. Failure to complete or providing false information may result in fines, imprisonment, or both."

(2) Each certificate of title issued by the department must contain on its ~~front~~ reverse side a form for transfer of title by the titleholder of record, which form must contain an odometer disclosure statement in the form required by 49 C.F.R. s. 580.5.

(3) Each certificate of title issued by the department must contain on its reverse side as many forms as space allows for reassignment of title by a licensed dealer as permitted by s. 319.21(3), which form or forms shall contain an odometer disclosure statement in the form required by 49 C.F.R. s. 580.5. When all dealer reassignment forms provided on the back of the title certificate have been filled in, a dealer may reassign the title certificate by using a separate dealer reassignment form issued by the department in compliance with 49 C.F.R. ss. 580.4 and 580.5, which form shall contain ~~an original that two carbon copies one of which shall be submitted directly to the department by the dealer within 5 business days after the transfer and a copy that one of which shall be retained by the dealer in his or her records for 5 years.~~ The provisions of this subsection shall also apply to vehicles not previously titled in this state and vehicles whose title certificates do not contain the forms required by this section.

(4) Upon transfer or reassignment of a certificate of title to a used motor vehicle, the transferor shall complete the odometer disclosure statement provided for by this section and the transferee shall acknowledge the disclosure by signing and printing his or her name in the spaces provided. This subsection does not apply to a vehicle that has a gross vehicle rating of more than 16,000 pounds, a vehicle that is not self-propelled, or a vehicle that is 10 years old or older. A lessor who transfers title to his or her vehicle without obtaining possession of the vehicle shall make odometer disclosure as provided by 49 C.F.R. s. 580.7. Any person who fails to complete or acknowledge a disclosure statement as required by this subsection is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. The department may not issue a certificate of title unless this subsection has been complied with.

(5) The same person may not sign a disclosure statement as both the transferor and the transferee in the same transaction except as provided in subsection (6).

(6)(a) If the certificate of title is physically held by a lienholder, the transferor may give a power of attorney to his or her transferee for the purpose of odometer disclosure. The power of attorney must be on a form issued or authorized by the department, which form must be in compliance with 49 C.F.R. ss. 580.4 and 580.13. The department shall not require the signature of the transferor to be notarized on the form; however, in lieu of notarization, the form shall include an affidavit with the following wording: UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE. The transferee shall sign the power of attorney form, print his or her name, and return a copy of the power of attorney form to the transferor. Upon receipt of a title certificate, the transferee shall complete the space for mileage disclosure on the title certificate exactly as the mileage was disclosed by the transferor on the power of attorney form. If the transferee is a licensed motor vehicle dealer who is transferring the vehicle to a retail purchaser, the dealer shall make application on behalf of the retail purchaser as provided in s. 319.23(6) and shall submit the original power of attorney form to the department with the application for title and the transferor's title certificate; otherwise, a dealer may reassign the title certificate by using the dealer reassignment form in the manner prescribed in subsection (3), and, at the time of physical transfer of the vehicle, the original power of attorney shall be delivered to the person designated as the transferee of the dealer on the dealer reassignment form. ~~A copy of the executed power of attorney shall be submitted to the department with a copy of the executed dealer reassignment form within 5 business days after the certificate of title and dealer reassignment form are delivered by the dealer to its transferee.~~

(b) If the certificate of title is lost or otherwise unavailable, the transferor may give a power of attorney to his or her transferee for the purpose of odometer disclosure. The power of attorney must be on a form

issued or authorized by the department, which form must be in compliance with 49 C.F.R. ss. 580.4 and 580.13. The department shall not require the signature of the transferor to be notarized on the form; however, in lieu of notarization, the form shall include an affidavit with the following wording: UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE. The transferee shall sign the power of attorney form, print his or her name, and return a copy of the power of attorney form to the transferor. Upon receipt of the title certificate or a duplicate title certificate, the transferee shall complete the space for mileage disclosure on the title certificate exactly as the mileage was disclosed by the transferor on the power of attorney form. If the transferee is a licensed motor vehicle dealer who is transferring the vehicle to a retail purchaser, the dealer shall make application on behalf of the retail purchaser as provided in s. 319.23(6) and shall submit the original power of attorney form to the department with the application for title and the transferor's title certificate or duplicate title certificate; otherwise, a dealer may reassign the title certificate by using the dealer reassignment form in the manner prescribed in subsection (3), and, at the time of physical transfer of the vehicle, the original power of attorney shall be delivered to the person designated as the transferee of the dealer on the dealer reassignment form. *If the dealer sells the vehicle to an out-of-state resident or an out-of-state dealer and the power of attorney form is applicable to the transaction, the dealer must photocopy the completed original of the form and mail it directly to the department within 5 business days after the certificate of title and dealer reassignment form are delivered by the dealer to its purchaser. A copy of the executed power of attorney shall be submitted to the department with a copy of the executed dealer reassignment form within 5 business days after the duplicate certificate of title and dealer reassignment form are delivered by the dealer to its transferee.*

(c) If the mechanics of the transfer of title to a motor vehicle in accordance with the provisions of paragraph (a) or paragraph (b) are determined to be incompatible with and unlawful under the provisions of 49 C.F.R. part 580, the transfer of title to a motor vehicle by operation of this subsection can be effected in any manner not inconsistent with 49 C.F.R. part 580 and Florida law; provided, any power of attorney form issued or authorized by the department under this subsection shall contain ~~an original that two carbon copies, one of which shall be submitted directly to the department by the dealer within 5 business days of use by the dealer~~ to effect transfer of a title certificate as provided in paragraphs (a) and (b) and ~~a copy that one of which shall be retained by the dealer in its records for 5 years.~~

(d) Any person who fails to complete the information required by this subsection or to file with the department the forms required by this subsection is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. The department shall not issue a certificate of title unless this subsection has been complied with.

(7) *If a title is held electronically and the transferee agrees to maintain the title electronically, the transferor and transferee shall complete a secure reassignment document that discloses the odometer reading and is signed by both the transferor and transferee at the tax collector office or license plate agency.* Each certificate of title issued by the department must contain on its reverse side a minimum of ~~three~~ *four* spaces for notation of the name and license number of any auction through which the vehicle is sold and the date the vehicle was auctioned. Each separate dealer reassignment form issued by the department must also have the space referred to in this section. When a transfer of title is made at a motor vehicle auction, the reassignment must note the name and address of the auction, but the auction shall not thereby be deemed to be the owner, seller, transferor, or assignor of title. A motor vehicle auction is required to execute a dealer reassignment only when it is the owner of a vehicle being sold.

(8) Upon transfer or reassignment of a used motor vehicle through the services of an auction, the auction shall complete the information in the space provided for by subsection (7). Any person who fails to complete the information as required by this subsection is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. The department shall not issue a certificate of title unless this subsection has been complied with.

(9) This section shall be construed to conform to 49 C.F.R. part 580.

Section 21. Subsection (9) of section 319.23, Florida Statutes, is amended to read:

319.23 Application for, and issuance of, certificate of title.—

(9) The title certificate or application for title must contain the applicant's full first name, middle initial, last name, date of birth, sex, *and the license plate number. An individual applicant must provide personal or business identification, which may include, but need not be limited to, a valid driver's license or identification card issued by number, Florida or another state, or a valid passport. A business applicant must provide a identification card number, or federal employer identification number, if applicable, verification that the business is authorized to conduct business in the state, or a Florida city or county business license or number. In lieu of and the license plate number the individual or business applicant must provide or, in lieu thereof, an affidavit certifying that the motor vehicle to be titled will not be operated upon the public highways of this state.*

Section 22. Paragraph (b) of subsection (2) of section 319.28, Florida Statutes, is amended to read:

319.28 Transfer of ownership by operation of law.—

(2)

(b) In case of repossession of a motor vehicle or mobile home pursuant to the terms of a security agreement or similar instrument, an affidavit by the party to whom possession has passed stating that the vehicle or mobile home was repossessed upon default in the terms of the security agreement or other instrument shall be considered satisfactory proof of ownership and right of possession. At least 5 days prior to selling the repossessed vehicle, any subsequent lienholder named in the last issued certificate of title shall be sent notice of the repossession by certified mail, on a form prescribed by the department. If such notice is given and no written protest to the department is presented by a subsequent lienholder within 15 days *after from* the date on which the notice was mailed, the certificate of title *or the certificate of repossession* shall be issued showing no liens. If the former owner or any subsequent lienholder files a written protest under oath within such 15-day period, the department shall not issue the certificate of title *or certificate of repossession* for 10 days thereafter. If within the 10-day period no injunction or other order of a court of competent jurisdiction has been served on the department commanding it not to deliver the certificate of title *or certificate of repossession*, the department shall deliver the certificate of title *or repossession* to the applicant or as may otherwise be directed in the application showing no other liens than those shown in the application. Any lienholder who has repossessed a vehicle in this state in compliance with the provisions of this section must apply to a tax collector's office in this state or to the department for a *certificate of repossession or to the department for a* certificate of title pursuant to s. 319.323. Proof of the required notice to subsequent lienholders shall be submitted together with regular title fees. *A lienholder to whom a certificate of repossession has been issued may assign the certificate of title to the subsequent owner.* Any person found guilty of violating any requirements of this paragraph shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 23. Section 319.323, Florida Statutes, is amended to read:

319.323 Expedited service; applications; fees.—The department shall establish a separate title office which may be used by private citizens and licensed motor vehicle dealers to receive expedited service on title transfers, title issuances, duplicate titles, and recordation of liens; *and certificates of repossession.* A fee of \$10 shall be charged for this service, which fee is in addition to the fees imposed by s. 319.32. The fee, after deducting the amount referenced by s. 319.324 and \$3.50 to be retained by the processing agency, shall be deposited into the General Revenue Fund. Application for expedited service may be made by mail or in person. The department shall issue each title applied for under this section within 5 working days after receipt of the application except for an application for a duplicate title certificate covered by s. 319.23(4), in which case the title must be issued within 5 working days after compliance with the department's verification requirements.

Section 24. Subsections (24) through (46) of section 320.01, Florida Statutes, are renumbered as subsections (23) through (45), respectively,

and present subsections (23) and (25) of that section are amended, to read:

320.01 Definitions, general.—As used in the Florida Statutes, except as otherwise provided, the term:

~~(23) "Apportioned motor vehicle" means any motor vehicle which is required to be registered, or with respect to which an election has been made to register it, under the International Registration Plan.~~

(24)(25) "Apportionable vehicle" means any vehicle, except recreational vehicles, vehicles displaying restricted plates, city pickup and delivery vehicles, buses used in transportation of chartered parties, and government-owned vehicles, which is used or intended for use in two or more member jurisdictions that allocate or proportionally register vehicles and which is used for the transportation of persons for hire or is designed, used, or maintained primarily for the transportation of property and:

(a) Is a power unit having a gross vehicle weight in excess of 26,000 ~~26,001~~ pounds;

(b) Is a power unit having three or more axles, regardless of weight; or

(c) Is used in combination, when the weight of such combination exceeds 26,000 ~~26,001~~ pounds gross vehicle weight.

Vehicles, or combinations thereof, having a gross vehicle weight of 26,000 ~~26,001~~ pounds or less and two-axle vehicles may be proportionally registered.

Section 25. Paragraph (a) of subsection (2) of section 320.02, Florida Statutes, is amended to read:

320.02 Registration required; application for registration; forms.—

(2)(a) The application for registration shall include the street address of the owner's permanent residence or the address of his or her permanent place of business and shall be accompanied by personal or business identification information. *An individual applicant must provide which may include, but need not be limited to, a valid driver license or number, Florida identification card issued by this state or another state or a valid passport. A business applicant must provide a number, or federal employer identification number, if applicable, or verification that the business is authorized to conduct business in the state, or a Florida city or county business license or number.*

1. If the owner does not have a permanent residence or permanent place of business or if the owner's permanent residence or permanent place of business cannot be identified by a street address, the application shall include:

~~a.1.~~ If the vehicle is registered to a business, the name and street address of the permanent residence of an owner of the business, an officer of the corporation, or an employee who is in a supervisory position.

~~b.2.~~ If the vehicle is registered to an individual, the name and street address of the permanent residence of a close relative or friend who is a resident of this state.

2. If the vehicle is registered to an active duty member of the Armed Forces of the United States who is a Florida resident, the active duty member is exempt from the requirement to provide the street address of a permanent residence.

Section 26. Subsection (7) of section 320.03, Florida Statutes, is amended to read:

320.03 Registration; duties of tax collectors; International Registration Plan.—

(7) The Department of Highway Safety and Motor Vehicles shall register *apportionable* ~~apportioned motor~~ vehicles under the *provisions of the* International Registration Plan. The department may adopt rules to implement and enforce the provisions of the plan.

Section 27. Paragraph (b) of subsection (1) of section 320.071, Florida Statutes, is amended to read:

320.071 Advance registration renewal; procedures.—

(1)

(b) The owner of any ~~apportionable apportioned motor~~ vehicle currently registered in this state ~~under the International Registration Plan~~ may file an application for renewal of registration with the department any time during the 3 months preceding the date of expiration of the registration period.

Section 28. Subsections (1) and (3) of section 320.0715, Florida Statutes, are amended to read:

320.0715 International Registration Plan; motor carrier services; permits; retention of records.—

(1) All ~~apportionable commercial motor~~ vehicles domiciled in this state ~~and engaged in interstate commerce~~ shall be registered in accordance with the provisions of the International Registration Plan and shall display ~~apportioned~~ license plates.

(3)(a) If the department is unable to immediately issue the apportioned license plate to an applicant currently registered in this state under the International Registration Plan or to a vehicle currently titled in this state, the department or its designated agent ~~may be authorized to~~ issue a 60-day temporary operational permit. The department or agent of the department shall charge a \$3 fee and the service charge authorized by s. 320.04 for each temporary operational permit it issues.

(b) The department ~~may not shall in no event~~ issue a temporary operational permit for any ~~apportionable commercial motor~~ vehicle to any applicant until the applicant has shown that:

1. All sales or use taxes due on the registration of the vehicle are paid; and

2. Insurance requirements have been met in accordance with ss. 320.02(5) and 627.7415.

(c) Issuance of a temporary operational permit provides ~~commercial motor vehicle~~ registration privileges in each International Registration Plan member jurisdiction designated on said permit and therefore requires payment of all applicable registration fees and taxes due for that period of registration.

(d) Application for permanent registration must be made to the department within 10 days from issuance of a temporary operational permit. Failure to file an application within this 10-day period may result in cancellation of the temporary operational permit.

Section 29. Subsection (1) of section 320.18, Florida Statutes, is amended to read:

320.18 Withholding registration.—

(1) The department may withhold the registration of any motor vehicle or mobile home the owner or coowner of which has failed to register it under the provisions of law for any previous period or periods for which it appears registration should have been made in this state; until the tax for such period or periods is paid. The department may cancel any vehicle or vessel registration, ~~driver driver's~~ license, identification card, or fuel-use tax decal if the owner or coowner pays for ~~any the~~ vehicle or vessel registration, ~~driver driver's~~ license, identification card, or fuel-use tax decal; pays any administrative, delinquency, or reinstatement fee; or pays any tax liability, penalty, or interest specified in chapter 207 by a dishonored check, or if the vehicle owner or motor carrier has failed to pay a penalty for a weight or safety violation issued by the Department of Transportation or the Department of Highway Safety and Motor Vehicles. The Department of Transportation and the Department of Highway Safety and Motor Vehicles may impound any commercial motor vehicle that has a canceled license plate or fuel-use tax decal until the tax liability, penalty, and interest specified in chapter 207, the license tax, or the fuel-use decal fee, and applicable administrative fees have been paid for by certified funds.

Section 30. Subsection (3), paragraph (a) of subsection (4), and subsection (5) of section 320.27, Florida Statutes, are amended to read:

320.27 Motor vehicle dealers.—

(3) APPLICATION AND FEE.—The application for the license shall be in such form as may be prescribed by the department and shall be subject to such rules with respect thereto as may be so prescribed by it. Such application shall be verified by oath or affirmation and shall contain a full statement of the name and birth date of the person or persons applying therefor; the name of the firm or copartnership, with the names and places of residence of all members thereof, if such applicant is a firm or copartnership; the names and places of residence of the principal officers, if the applicant is a body corporate or other artificial body; the name of the state under whose laws the corporation is organized; the present and former place or places of residence of the applicant; and prior business in which the applicant has been engaged and the location thereof. Such application shall describe the exact location of the place of business and shall state whether the place of business is owned by the applicant and when acquired, or, if leased, a true copy of the lease shall be attached to the application. The applicant shall certify that the location provides an adequately equipped office and is not a residence; that the location affords sufficient unoccupied space upon and within which adequately to store all motor vehicles offered and displayed for sale; and that the location is a suitable place where the applicant can in good faith carry on such business and keep and maintain books, records, and files necessary to conduct such business, which shall be available at all reasonable hours to inspection by the department or any of its inspectors or other employees. The applicant shall certify that the business of a motor vehicle dealer is the principal business which shall be conducted at that location. The application shall contain a statement that the applicant is either franchised by a manufacturer of motor vehicles, in which case the name of each motor vehicle that the applicant is franchised to sell shall be included, or an independent (nonfranchised) motor vehicle dealer. The application shall contain other relevant information as may be required by the department, including evidence that the applicant is insured under a garage liability insurance policy or a general liability insurance policy coupled with a business automobile policy, which shall include, at a minimum, \$25,000 combined single-limit liability coverage including bodily injury and property damage protection and \$10,000 personal injury protection. However, a salvage motor vehicle dealer as defined in subparagraph (1)(c)5. is exempt from the requirements for garage liability insurance and personal injury protection insurance on those vehicles that cannot be legally operated on roads, highways, or streets in this state. Franchise dealers must submit a garage liability insurance policy, and all other dealers must submit a garage liability insurance policy or a general liability insurance policy coupled with a business automobile policy. Such policy shall be for the license period, and evidence of a new or continued policy shall be delivered to the department at the beginning of each license period. Upon making initial application, the applicant shall pay to the department a fee of \$300 in addition to any other fees ~~now~~ required by law. *Applicants may choose to extend the licensure period for 1 additional year for a total of 2 years. An initial applicant shall pay to the department a fee of \$300 for the first year and \$75 for the second year, in addition to any other fees required by law. An applicant for renewal shall pay to the department \$75 for a 1-year renewal or \$150 for a 2-year renewal, in addition to any other fees required by law.* ~~Upon making a subsequent renewal application, the applicant shall pay to the department a fee of \$75 in addition to any other fees now required by law.~~ Upon making an application for a change of location, the person shall pay a fee of \$50 in addition to any other fees now required by law. The department shall, in the case of every application for initial licensure, verify whether certain facts set forth in the application are true. Each applicant, general partner in the case of a partnership, or corporate officer and director in the case of a corporate applicant, must file a set of fingerprints with the department for the purpose of determining any prior criminal record or any outstanding warrants. The department shall submit the fingerprints to the Department of Law Enforcement for state processing and forwarding to the Federal Bureau of Investigation for federal processing. The actual cost of state and federal processing shall be borne by the applicant and is in addition to the fee for licensure. The department may issue a license to an applicant pending the results of the fingerprint investigation, which license is fully revocable if the department subsequently determines that any facts set forth in the application are not true or correctly represented.

(4) LICENSE CERTIFICATE.—



(a) A license certificate shall be issued by the department in accordance with such application when the application is regular in form and in compliance with the provisions of this section. The license certificate may be in the form of a document or a computerized card as determined by the department. The actual cost of each original, additional, or replacement computerized card shall be borne by the licensee and is in addition to the fee for licensure. Such license, when so issued, entitles the licensee to carry on and conduct the business of a motor vehicle dealer. Each license issued to a franchise motor vehicle dealer expires ~~annually~~ on December 31 of the year of its expiration unless revoked or suspended prior to that date. Each license issued to an independent or wholesale dealer or auction expires ~~annually~~ on April 30 of the year of its expiration unless revoked or suspended prior to that date. ~~At least Not less than~~ 60 days before ~~prior to~~ the license expiration date, the department shall deliver or mail to each licensee the necessary renewal forms. Each independent dealer shall certify that the dealer (owner, partner, officer, or director of the licensee, or a full-time employee of the licensee that holds a responsible management-level position) has completed 8 hours of continuing education prior to filing the renewal forms with the department. Such certification shall be filed once every 2 years. The continuing education shall include at least 2 hours of legal or legislative issues, 1 hour of department issues, and 5 hours of relevant motor vehicle industry topics. Continuing education shall be provided by dealer schools licensed under paragraph (b) either in a classroom setting or by correspondence. Such schools shall provide certificates of completion to the department and the customer which shall be filed with the license renewal form, and such schools may charge a fee for providing continuing education. Any licensee who does not file his or her application and fees and any other requisite documents, as required by law, with the department at least 30 days prior to the license expiration date shall cease to engage in business as a motor vehicle dealer on the license expiration date. A renewal filed with the department within 45 days after the expiration date shall be accompanied by a delinquent fee of \$100. Thereafter, a new application is required, accompanied by the initial license fee. A license certificate duly issued by the department may be modified by endorsement to show a change in the name of the licensee, provided, as shown by affidavit of the licensee, the majority ownership interest of the licensee has not changed or the name of the person appearing as franchisee on the sales and service agreement has not changed. Modification of a license certificate to show any name change as herein provided shall not require initial licensure or re-issuance of dealer tags; however, any dealer obtaining a name change shall transact all business in and be properly identified by that name. All documents relative to licensure shall reflect the new name. In the case of a franchise dealer, the name change shall be approved by the manufacturer, distributor, or importer. A licensee applying for a name change endorsement shall pay a fee of \$25 which fee shall apply to the change in the name of a main location and all additional locations licensed under the provisions of subsection (5). Each initial license application received by the department shall be accompanied by verification that, within the preceding 6 months, the applicant, or one or more of his or her designated employees, has attended a training and information seminar conducted by a licensed motor vehicle dealer training school. Any applicant for a new franchised motor vehicle dealer license who has held a valid franchised motor vehicle dealer license continuously for the past 2 years and who remains in good standing with the department is exempt from the prelicensing training requirement. Such seminar shall include, but is not limited to, statutory dealer requirements, which requirements include required bookkeeping and recordkeeping procedures, requirements for the collection of sales and use taxes, and such other information that in the opinion of the department will promote good business practices. No seminar may exceed 8 hours in length.

(5) SUPPLEMENTAL LICENSE.—Any person licensed under this section ~~hereunder~~ shall obtain a supplemental license for each permanent additional place or places of business not contiguous to the premises for which the original license is issued, on a form to be furnished by the department, and upon payment of a fee of \$50 for each such additional location. *Applicants may choose to extend the licensure period for 1 additional year for a total of 2 years. The applicant shall pay to the department a fee of \$50 for the first year and \$50 for the second year for each such additional location. Thereafter, the applicant shall pay \$50 for a 1-year renewal or \$100 for a 2-year renewal for each such additional location.* ~~Upon making renewal applications for such supplemental licenses, such applicant shall pay \$50 for each additional location.~~ A supplemental license authorizing off-premises sales shall be issued, at no charge to the dealer, for a period not to exceed 10 consecutive ca-

lendar days. To obtain such a temporary supplemental license for off-premises sales, the applicant must be a licensed dealer; must notify the applicable local department office of the specific dates and location for which such license is requested, display a sign at the licensed location clearly identifying the dealer, and provide staff to work at the temporary location for the duration of the off-premises sale; must meet any local government permitting requirements; and must have permission of the property owner to sell at that location. In the case of an off-premises sale by a motor vehicle dealer licensed under subparagraph (1)(c)1. for the sale of new motor vehicles, the applicant must also include documentation notifying the applicable licensee licensed under s. 320.61 of the intent to engage in an off-premises sale 5 working days prior to the date of the off-premises sale. The licensee shall either approve or disapprove of the off-premises sale within 2 working days after receiving notice; otherwise, it will be deemed approved. This section does not apply to a nonselling motor vehicle show or public display of new motor vehicles.

Section 31. Section 320.62, Florida Statutes, is amended to read:

320.62 Licenses; amount; disposition of proceeds.—The initial license for each manufacturer, distributor, or importer shall be \$300 and shall be in addition to all other licenses or taxes ~~now or hereafter~~ levied, assessed, or required of the applicant or licensee. *Applicants may choose to extend the licensure period for 1 additional year for a total of 2 years. An initial applicant shall pay to the department a fee of \$300 for the first year and \$100 for the second year. An applicant for a renewal license shall pay \$100 to the department for a 1-year renewal or \$200 for a 2-year renewal.* ~~The annual renewal license fee shall be \$100.~~ The proceeds from all licenses under ss. 320.60-320.70 shall be paid into the State Treasury to the credit of the General Revenue Fund. All licenses shall be payable on or before October 1 of ~~the each~~ year and shall expire, unless sooner revoked or suspended, on ~~the following~~ September 30 of the year of its expiration.

Section 32. Subsections (4) and (6) of section 320.77, Florida Statutes, are amended to read:

320.77 License required of mobile home dealers.—

(4) FEES.—Upon making initial application, the applicant shall pay to the department a fee of \$300 in addition to any other fees ~~now~~ required by law. *Applicants may choose to extend the licensure period for 1 additional year for a total of 2 years. An initial applicant shall pay to the department a fee of \$300 for the first year and \$100 for the second year in addition to any other fees required by law. An applicant for a renewal license shall pay to the department \$100 for a 1-year renewal or \$200 for a 2-year renewal.* ~~The fee for renewal application shall be \$100.~~ The fee for application for change of location shall be \$25. Any applicant for renewal who has failed to submit his or her renewal application by October 1 of the year of its current license expiration shall pay a renewal application fee equal to the original application fee. No fee is refundable. All fees shall be deposited into the General Revenue Fund.

(6) LICENSE CERTIFICATE.—A license certificate shall be issued by the department in accordance with the application when the same is regular in form and in compliance with the provisions of this section. The license certificate may be in the form of a document or a computerized card as determined by the department. The cost of each original, additional, or replacement computerized card shall be borne by the licensee and is in addition to the fee for licensure. The fees charged applicants for both the required background investigation and the computerized card as provided in this section shall be deposited into the Highway Safety Operating Trust Fund. The license, when so issued, shall entitle the licensee to carry on and conduct the business of a mobile home dealer at the location set forth in the license for a period of 1 or 2 years ~~beginning year from~~ October 1 preceding the date of issuance. Each initial application received by the department shall be accompanied by verification that, within the preceding 6 months, the applicant or one or more of his or her designated employees has attended a training and information seminar conducted by the department or by a public or private provider approved by the department. Such seminar shall include, but not be limited to, statutory dealer requirements, which requirements include required bookkeeping and recording procedures, requirements for the collection of sales and use taxes, and such other information that in the opinion of the department will promote good business practices.



Section 33. Subsections (4) and (6) of section 320.771, Florida Statutes, are amended to read:

320.771 License required of recreational vehicle dealers.—

(4) FEES.—Upon making initial application, the applicant shall pay to the department a fee of \$300 in addition to any other fees ~~now~~ required by law. *Applicants may choose to extend the licensure period for 1 additional year for a total of 2 years. An initial applicant shall pay to the department a fee of \$300 for the first year and \$100 for the second year in addition to any other fees required by law. An applicant for a renewal license shall pay to the department \$100 for a 1-year renewal or \$200 for a 2-year renewal. The fee for renewal application shall be \$100.* The fee for application for change of location shall be \$25. Any applicant for renewal who has failed to submit his or her renewal application by October 1 of the year of its current license expiration shall pay a renewal application fee equal to the original application fee. No fee is refundable. All fees shall be deposited into the General Revenue Fund.

(6) LICENSE CERTIFICATE.—A license certificate shall be issued by the department in accordance with the application when the same is regular in form and in compliance with the provisions of this section. The license certificate may be in the form of a document or a computerized card as determined by the department. The cost of each original, additional, or replacement computerized card shall be borne by the licensee and is in addition to the fee for licensure. The fees charged applicants for both the required background investigation and the computerized card as provided in this section shall be deposited into the Highway Safety Operating Trust Fund. The license, when so issued, shall entitle the licensee to carry on and conduct the business of a recreational vehicle dealer at the location set forth in the license for a period of 1 or 2 years ~~year~~ from October 1 preceding the date of issuance. Each initial application received by the department shall be accompanied by verification that, within the preceding 6 months, the applicant or one or more of his or her designated employees has attended a training and information seminar conducted by the department or by a public or private provider approved by the department. Such seminar shall include, but not be limited to, statutory dealer requirements, which requirements include required bookkeeping and recording procedures, requirements for the collection of sales and use taxes, and such other information that in the opinion of the department will promote good business practices.

Section 34. Subsections (3) and (6) of section 320.8225, Florida Statutes, are amended to read:

320.8225 Mobile home and recreational vehicle manufacturer, distributor, and importer license.—

(3) FEES.—Upon submitting an initial application, the applicant shall pay to the department a fee of \$300. *Applicants may choose to extend the licensure period for 1 additional year for a total of 2 years. An initial applicant shall pay to the department a fee of \$300 for the first year and \$100 for the second year. An applicant for a renewal license shall pay to the department \$100 for a 1-year renewal or \$200 for a 2-year renewal. Upon submitting a renewal application, the applicant shall pay to the department a fee of \$100.* Any applicant for renewal who fails to submit his or her renewal application by October 1 of the year of its current license expiration shall pay a renewal application fee equal to the original application fee. No fee is refundable. All fees must be deposited into the General Revenue Fund.

(6) LICENSE PERIOD YEAR.—A license issued to a mobile home manufacturer or a recreational vehicle manufacturer, distributor, or importer entitles the licensee to conduct business for a period of 1 or 2 years beginning ~~year from~~ October 1 preceding the date of issuance.

Section 35. Section 322.095, Florida Statutes, is amended to read:

322.095 Traffic law and substance abuse education program for driver ~~driver's~~ license applicants.—

(1) *Each applicant for a driver license must complete a traffic law and substance abuse education course, unless the applicant has been licensed in another jurisdiction or has satisfactorily completed a Department of Education driver education course offered pursuant to s. 1003.48.*

(2)(4) The Department of Highway Safety and Motor Vehicles must approve traffic law and substance abuse education courses, *including courses that use communications technology as the delivery method.*

(a) *In addition to the course approval criteria provided in this section, initial approval of traffic law and substance abuse education courses shall be based on the department's review of all course materials which must be designed to promote safety, education, and driver awareness; course presentation to the department by the provider; and the provider's plan for effective oversight of the course by those who deliver the course in the state.*

(b) *Each course provider seeking approval of a traffic law and substance abuse education course must submit:*

1. *Proof of ownership, copyright, or written permission from the course owner to use the course in the state that must be completed by applicants for a Florida driver's license.*

2. *The curriculum curricula for the courses which must promote motorcyclist, bicyclist, and pedestrian safety and provide instruction on the physiological and psychological consequences of the abuse of alcohol and other drugs; the societal and economic costs of alcohol and drug abuse; the effects of alcohol and drug abuse on the driver of a motor vehicle; and the laws of this state relating to the operation of a motor vehicle; the risk factors involved in driver attitude and irresponsible driver behaviors, such as speeding, reckless driving, and running red lights and stop signs; and the results of the use of electronic devices while driving. All instructors teaching the courses shall be certified by the department.*

(3)(2) ~~The department shall contract for an independent evaluation of the courses. Local DUI programs authorized under s. 316.193(5) and certified by the department or a driver improvement school may offer a traffic law and substance abuse education course. However, Prior to offering the course, the course provider must obtain certification from the department that the course complies with the requirements of this section. If the course is offered in a classroom setting, the course provider and any schools authorized by the provider to teach the course must offer the approved course at locations that are free from distractions and reasonably accessible to most applicants and must issue a certificate to those persons successfully completing the course.~~

(3) ~~The completion of a course does not qualify a person for the reinstatement of a driver's license which has been suspended or revoked.~~

(4) ~~The fee charged by the course provider must bear a reasonable relationship to the cost of the course. The department must conduct financial audits of course providers conducting the education courses required under this section or require that financial audits of providers be performed, at the expense of the provider, by a certified public accountant.~~

(5) ~~The provisions of this section do not apply to any person who has been licensed in any other jurisdiction or who has satisfactorily completed a Department of Education driver's education course offered pursuant to s. 1003.48.~~

(4)(6) *In addition to a regular course fee, an assessment fee in the amount of \$3 shall be collected by the school from each person who attends a course. The course provider must remit the \$3 assessment fee to the department for deposit into the Highway Safety Operating Trust Fund in order to receive a unique course completion certificate number for the student. Each course provider must collect a \$3 assessment fee in addition to the enrollment fee charged to participants of the traffic law and substance abuse course required under this section. The \$3 assessment fee collected by the course provider must be forwarded to the department within 30 days after receipt of the assessment.*

(5)(7) ~~The department may be authorized to maintain the information and records necessary to administer its duties and responsibilities for the program. Course providers are required to maintain all records pertinent to the conduct of their approved courses for 5 years and allow the department to inspect such records as necessary. Records may be maintained in an electronic format. If where such information is a public record as defined in chapter 119, it shall be made available to the public upon request pursuant to s. 119.07(1). The department shall approve and regulate courses that use technology as the delivery method of all~~

~~traffic law and substance abuse education courses as the courses relate to this section.~~

(6) The department shall design, develop, implement, and conduct effectiveness studies on each delivery method of all courses approved pursuant to this section on a recurring 3-year basis. At a minimum, studies shall be conducted on the effectiveness of each course in reducing DUI citations and decreasing moving traffic violations or collision recidivism. Upon notification that a course has failed an effectiveness study, the course provider shall immediately cease offering the course in the state.

(7) Courses approved under this section must be updated at the department's request. Failure of a course provider to update the course within 90 days after the department's request shall result in the suspension of the course approval until such time that the updates are submitted and approved by the department.

(8) Each course provider shall ensure that its driver improvement schools are conducting the approved courses fully, to the required time limits, and with the content requirements specified by the department. The course provider shall ensure that only department-approved instructional materials are used in the presentation of the course, and that all driver improvement schools conducting the course do so in a manner that maximizes its impact and effectiveness. The course provider shall ensure that any student who is unable to attend or complete a course due to action, error, or omission on the part of the course provider or driver improvement school conducting the course shall be accommodated to permit completion of the course at no additional cost.

(9) Traffic law and substance abuse education courses shall be conducted with a minimum of 4 hours devoted to course content minus a maximum of 30 minutes allotted for breaks.

(10) A course provider may not require any student to purchase a course completion certificate. Course providers offering paper or electronic certificates for purchase must clearly convey to the student that this purchase is optional, that the only valid course completion certificate is the electronic one that is entered into the department's Driver Improvement Certificate Issuance System, and that paper certificates are not acceptable for any licensing purpose.

(11) Course providers and all associated driver improvement schools that offer approved courses shall disclose all fees associated with the course and shall not charge any fees that are not clearly listed during the registration process.

(12) Course providers shall submit course completion information to the department through the department's Driver Improvement Certificate Issuance System within 5 days. The submission shall be free of charge to the student.

(13) The department may deny, suspend, or revoke course approval upon proof that the course provider:

- (a) Violated this section.
- (b) Has been convicted of a crime involving any drug-related or DUI-related offense, a felony, fraud, or a crime directly related to the personal safety of a student.
- (c) Failed to satisfy the effectiveness criteria as outlined in subsection (6).
- (d) Obtained course approval by fraud or misrepresentation.
- (e) Obtained or assisted a person in obtaining any driver license by fraud or misrepresentation.
- (f) Conducted a traffic law and substance abuse education course in the state while approval of such course was under suspension or revocation.
- (g) Failed to provide effective oversight of those who deliver the course in the state.

(14) The department shall not accept certificates from students who take a course after the course has been suspended or revoked.

(15) A person who has been convicted of a crime involving any drug-related or DUI-related offense in the past 5 years, a felony, fraud, or a crime directly related to the personal safety of a student shall not be allowed to conduct traffic law and substance abuse education courses.

(16) The department shall summarily suspend approval of any course without preliminary hearing for the purpose of protecting the public safety and enforcing any provision of law governing traffic law and substance abuse education courses.

(17) Except as otherwise provided in this section, before final department action denying, suspending, or revoking approval of a course, the course provider shall have the opportunity to request either a formal or informal administrative hearing to show cause why the action should not be taken.

(18) The department may levy and collect a civil fine of at least \$1,000 but not more than \$5,000 for each violation of this section. Proceeds from fines collected shall be deposited into the Highway Safety Operating Trust Fund and used to cover the cost of administering this section or promoting highway safety initiatives.

Section 36. Subsection (1) of section 322.125, Florida Statutes, is amended to read:

#### 322.125 Medical Advisory Board.—

(1) There shall be a Medical Advisory Board composed of not fewer than 12 or more than 25 members, at least one of whom must be 60 years of age or older and all but one of whose medical and other specialties must relate to driving abilities, which number must include a doctor of medicine who is employed by the Department of Highway Safety and Motor Vehicles in Tallahassee, who shall serve as administrative officer for the board. The executive director of the Department of Highway Safety and Motor Vehicles shall recommend persons to serve as board members. Every member but two must be a doctor of medicine licensed to practice medicine in this or any other state ~~and must be a member in good standing of the Florida Medical Association or the Florida Osteopathic Association.~~ One member must be an optometrist licensed to practice optometry in this state ~~and must be a member in good standing of the Florida Optometric Association.~~ One member must be a chiropractic physician licensed to practice chiropractic medicine in this state. Members shall be approved by the Cabinet and shall serve 4-year staggered terms. The board membership must, to the maximum extent possible, consist of equal representation of the disciplines of the medical community treating the mental or physical disabilities that could affect the safe operation of motor vehicles.

Section 37. Subsection (4) of section 322.135, Florida Statutes, is amended to read:

#### 322.135 ~~Driver~~ Driver's license agents.—

(4) A tax collector may not issue or renew a ~~driver~~ driver's license if he or she has any reason to believe that the licensee or prospective licensee is physically or mentally unqualified to operate a motor vehicle. ~~The tax collector may direct any such licensee to the department for examination or reexamination under s. 322.221.~~

Section 38. Section 322.143, Florida Statutes, is created to read:

#### 322.143 Use of a driver license or identification card.—

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

- (a) "Personal information" means an individual's name, address, date of birth, driver license number, or identification card number.
- (b) "Private entity" means any nongovernmental entity, such as a corporation, partnership, company or nonprofit organization, any other legal entity, or any natural person.
- (c) "Swipe" means the act of passing a driver license or identification card through a device that is capable of deciphering, in an electronically readable format, the information electronically encoded in a magnetic strip or bar code on the driver license or identification card.

(2) *Except as provided in subsection (6), a private entity may not swipe an individual's driver license or identification card, except for the following purposes:*

(a) *To verify the authenticity of a driver license or identification card or to verify the identity of the individual if the individual pays for a good or service with a method other than cash, returns an item, or requests a refund.*

(b) *To verify the individual's age when providing an age-restricted good or service to a person about whom there is any reasonable doubt of the person's having reached 21 years of age.*

(c) *To prevent fraud or other criminal activity if an individual returns an item or requests a refund and the private entity uses a fraud prevention service company or system.*

(d) *To transmit information to a check services company for the purpose of approving negotiable instruments, electronic funds transfers, or similar methods of payment.*

(3) *A private entity that swipes an individual's driver license or identification card under paragraph (2)(a) or paragraph (2)(b) may not store, sell, or share personal information collected from swiping the driver license or identification card.*

(4) *A private entity that swipes an individual's driver license or identification card under paragraph (2)(c) or paragraph (2)(d) may store or share personal information collected from swiping an individual's driver license or identification card for the purpose of preventing fraud or other criminal activity against the private entity.*

(5)(a) *A person other than an entity regulated by the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et seq., who receives personal information from a private entity under subsection (4) may use the personal information received only to prevent fraud or other criminal activity against the private entity that provided the personal information.*

(b) *A person who is regulated by the federal Fair Credit Reporting Act and who receives personal information from a private entity under subsection (4) may use or provide the personal information received only to effect, administer, or enforce a transaction or prevent fraud or other criminal activity, if the person provides or receives personal information under contract from the private entity.*

(6)(a) *An individual may consent to allow the private entity to swipe the individual's driver license or identification card to collect and store personal information. However, the individual must be informed what information is collected and the purpose or purposes for which it will be used.*

(b) *If the individual does not want the private entity to swipe the individual's driver license or identification card, the private entity may manually collect personal information from the individual.*

(7) *The private entity may not withhold the provision of goods or services solely as a result of the individual requesting the collection of the data in subsection (6) from the individual through manual means.*

(8) *In addition to any other remedy provided by law, an individual may bring an action to recover actual damages and to obtain equitable relief, if equitable relief is available, against an entity that swipes, stores, shares, sells, or otherwise uses the individuals personal information in violation of this section. If a court finds that a violation of this section was willful or knowing, the court may increase the amount of the award to no more than three times the amount otherwise available.*

Section 39. Paragraph (a) of subsection (5) of section 322.18, Florida Statutes, is amended to read:

322.18 Original applications, licenses, and renewals; expiration of licenses; delinquent licenses.—

(5) All renewal ~~driver driver's~~ licenses may be issued after the applicant licensee has been determined to be eligible by the department.

(a) A licensee who is otherwise eligible for renewal and who is at least 80 years of age:

1. Must submit to and pass a vision test administered at any ~~driver driver's~~ license office; or

2. If the licensee applies for a renewal using a convenience service as provided in subsection (8), he or she must submit to a vision test administered by a ~~doctor of medicine or a doctor of osteopathy licensed to practice medicine in any state or an optometrist licensed to practice optometry in any state physician licensed under chapter 458 or chapter 459, an optometrist licensed under chapter 463, or a licensed physician at a federally established veterans' hospital;~~ must send the results of that test to the department on a form obtained from the department and signed by such health care practitioner; and must meet vision standards that are equivalent to the standards for passing the departmental vision test. The physician or optometrist may submit the results of a vision test by a department-approved electronic means.

Section 40. Subsection (1) of section 322.21, Florida Statutes, is amended to read:

322.21 License fees; procedure for handling and collecting fees.—

(1) Except as otherwise provided herein, the fee for:

(a) An original or renewal commercial ~~driver driver's~~ license is \$75, which shall include the fee for driver education provided by s. 1003.48. However, if an applicant has completed training and is applying for employment or is currently employed in a public or nonpublic school system that requires the commercial license, the fee is the same as for a Class E ~~driver driver's~~ license. A delinquent fee of \$15 shall be added for a renewal within 12 months after the license expiration date.

(b) An original Class E ~~driver driver's~~ license is \$48, which includes the fee for ~~driver driver's~~ education provided by s. 1003.48. However, if an applicant has completed training and is applying for employment or is currently employed in a public or nonpublic school system that requires a commercial driver license, the fee is the same as for a Class E license.

(c) The renewal or extension of a Class E ~~driver driver's~~ license or of a license restricted to motorcycle use only is \$48, except that a delinquent fee of \$15 shall be added for a renewal or extension made within 12 months after the license expiration date. The fee provided in this paragraph includes the fee for ~~driver driver's~~ education provided by s. 1003.48.

(d) An original ~~driver driver's~~ license restricted to motorcycle use only is \$48, which includes the fee for ~~driver driver's~~ education provided by s. 1003.48.

(e) A replacement ~~driver driver's~~ license issued pursuant to s. 322.17 is \$25. Of this amount \$7 shall be deposited into the Highway Safety Operating Trust Fund and \$18 shall be deposited into the General Revenue Fund. Beginning July 1, 2015, or upon completion of the transition of ~~driver driver's~~ license issuance services, if the replacement ~~driver driver's~~ license is issued by the tax collector, the tax collector shall retain the \$7 that would otherwise be deposited into the Highway Safety Operating Trust Fund and the remaining revenues shall be deposited into the General Revenue Fund.

(f) An original, renewal, or replacement identification card issued pursuant to s. 322.051 is \$25. Funds collected from these fees shall be distributed as follows:

1. For an original identification card issued pursuant to s. 322.051 the fee is \$25. This amount shall be deposited into the General Revenue Fund.

2. For a renewal identification card issued pursuant to s. 322.051 the fee is \$25. Of this amount, \$6 shall be deposited into the Highway Safety Operating Trust Fund and \$19 shall be deposited into the General Revenue Fund.

3. For a replacement identification card issued pursuant to s. 322.051 the fee is \$25. Of this amount, \$9 shall be deposited into the Highway Safety Operating Trust Fund and \$16 shall be deposited into the General Revenue Fund. Beginning July 1, 2015, or upon completion of the transition of the ~~driver driver's~~ license issuance services, if the replacement identification card is issued by the tax collector, the tax collector shall retain the \$9 that would otherwise be deposited into the

Highway Safety Operating Trust Fund and the remaining revenues shall be deposited into the General Revenue Fund.

(g) Each endorsement required by s. 322.57 is \$7.

(h) A hazardous-materials endorsement, as required by s. 322.57(1)(d), shall be set by the department by rule and must reflect the cost of the required criminal history check, including the cost of the state and federal fingerprint check, and the cost to the department of providing and issuing the license. The fee shall not exceed \$100. This fee shall be deposited in the Highway Safety Operating Trust Fund. The department may adopt rules to administer this section.

(i) The specialty driver license or identification card issued pursuant to s. 322.1415 is \$25, which is in addition to other fees required in this section. The fee shall be distributed as follows:

1. Fifty percent shall be distributed as provided in s. 320.08058 to the appropriate state or independent university, professional sports team, or branch of the United States Armed Forces.
2. Fifty percent shall be distributed to the department for costs directly related to the specialty driver license and identification card program and to defray the costs associated with production enhancements and distribution.

Section 41. Subsection (7) of section 322.212, Florida Statutes, is amended to read:

322.212 Unauthorized possession of, and other unlawful acts in relation to, ~~driver driver's~~ license or identification card.—

(7) In addition to any other penalties provided by this section, any person who provides false information when applying for a commercial ~~driver driver's~~ license or commercial learner's permit or is convicted of fraud in connection with testing for a commercial driver license or commercial learner's permit shall be disqualified from operating a commercial motor vehicle for a period of 1 year ~~60 days~~.

Section 42. Subsection (1) of section 322.22, Florida Statutes, is amended to read:

322.22 Authority of department to cancel or refuse to issue or renew license.—

(1) The department ~~may is authorized to~~ cancel or withhold issuance or renewal of any ~~driver driver's~~ license, upon determining that the licensee was not entitled to the issuance thereof, or that the licensee failed to give the required or correct information in his or her application or committed any fraud in making such application, or that the licensee has two or more licenses on file with the department, each in a different name but bearing the photograph of the licensee, unless the licensee has complied with the requirements of this chapter in obtaining the licenses. The department may cancel or withhold issuance or renewal of any ~~driver driver's~~ license, identification card, vehicle or vessel registration, or fuel-use decal if the licensee fails to pay the correct fee or pays for any ~~driver the driver's~~ license, identification card, vehicle or vessel registration, or fuel-use decal; pays any tax liability, penalty, or interest specified in chapter 207; or pays any administrative, delinquency, or reinstatement fee by a dishonored check.

Section 43. Subsection (3) of section 322.245, Florida Statutes, is amended to read:

322.245 Suspension of license upon failure of person charged with specified offense under chapter 316, chapter 320, or this chapter to comply with directives ordered by traffic court or upon failure to pay child support in non-IV-D cases as provided in chapter 61 or failure to pay any financial obligation in any other criminal case.—

(3) If the person fails to comply with the directives of the court within the 30-day period, or, in non-IV-D cases, fails to comply with the requirements of s. 61.13016 within the period specified in that statute, the depository or the clerk of the court shall *electronically* notify the department of such failure within 10 days. Upon *electronic* receipt of the notice, the department shall immediately issue an order suspending the person's ~~driver driver's~~ license and privilege to drive effective 20 days after the date the order of suspension is mailed in accordance with s. 322.251(1), (2), and (6).

Section 44. Subsection (7) of section 322.25, Florida Statutes, is amended to read:

322.25 When court to forward license to department and report convictions; temporary reinstatement of driving privileges.—

~~(7) Any licensed driver convicted of driving, or being in the actual physical control of, a vehicle within this state while under the influence of alcoholic beverages, any chemical substance set forth in s. 877.111, or any substance controlled under chapter 893, when affected to the extent that his or her normal faculties are impaired, and whose license and driving privilege have been revoked as provided in subsection (1) may be issued a court order for reinstatement of a driving privilege on a temporary basis; provided that, as a part of the penalty, upon conviction, the defendant is required to enroll in and complete a driver improvement course for the rehabilitation of drinking drivers and the driver is otherwise eligible for reinstatement of the driving privilege as provided by s. 322.282. The court order for reinstatement shall be on a form provided by the department and must be taken by the person convicted to a Florida driver's license examining office, where a temporary driving permit may be issued. The period of time for which a temporary permit issued in accordance with this subsection is valid shall be deemed to be part of the period of revocation imposed by the court.~~

Section 45. Section 322.2615, Florida Statutes, is amended to read:

322.2615 Suspension of license; right to review.—

(1)(a) A law enforcement officer or correctional officer shall, on behalf of the department, suspend the driving privilege of a person who is driving or in actual physical control of a motor vehicle and who has an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher, or of a person who has refused to submit to a urine test or a test of his or her breath-alcohol or blood-alcohol level. The officer shall take the person's ~~driver driver's~~ license and issue the person a 10-day temporary permit if the person is otherwise eligible for the driving privilege and shall issue the person a notice of suspension. If a blood test has been administered, the officer or the agency employing the officer shall transmit such results to the department within 5 days after receipt of the results. If the department then determines that the person had a blood-alcohol level or breath-alcohol level of 0.08 or higher, the department shall suspend the person's ~~driver driver's~~ license pursuant to subsection (3).

(b) The suspension under paragraph (a) shall be pursuant to, and the notice of suspension shall inform the driver of, the following:

1.a. The driver refused to submit to a lawful breath, blood, or urine test and his or her driving privilege is suspended for a period of 1 year for a first refusal or for a period of 18 months if his or her driving privilege has been previously suspended as a result of a refusal to submit to such a test; or

b. The driver was driving or in actual physical control of a motor vehicle and had an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher and his or her driving privilege is suspended for a period of 6 months for a first offense or for a period of 1 year if his or her driving privilege has been previously suspended under this section.

2. The suspension period shall commence on the date of issuance of the notice of suspension.

3. The driver may request a formal or informal review of the suspension by the department within 10 days after the date of issuance of the notice of suspension or may request a restricted license pursuant to s. 322.271(7), if eligible.

4. The temporary permit issued at the time of suspension expires at midnight of the 10th day following the date of issuance of the notice of suspension.

5. The driver may submit to the department any materials relevant to the suspension.

(2)(a) Except as provided in paragraph (1)(a), the law enforcement officer shall forward to the department, within 5 days after issuing the notice of suspension, the ~~driver driver's~~ license; an affidavit stating the officer's grounds for belief that the person was driving or in actual physical control of a motor vehicle while under the influence of alcoholic beverages or chemical or controlled substances; the results of any breath

or blood test or an affidavit stating that a breath, blood, or urine test was requested by a law enforcement officer or correctional officer and that the person refused to submit; the officer's description of the person's field sobriety test, if any; and the notice of suspension. The failure of the officer to submit materials within the 5-day period specified in this subsection and in subsection (1) does not affect the department's ability to consider any evidence submitted at or prior to the hearing.

(b) The officer may also submit a copy of the crash report and a copy of a ~~video recording~~ ~~videotape~~ of the field sobriety test or the attempt to administer such test. Materials submitted to the department by a law enforcement agency or correctional agency shall be considered self-authenticating and shall be in the record for consideration by the hearing officer. Notwithstanding s. 316.066(5), the crash report shall be considered by the hearing officer.

(3) If the department determines that the license should be suspended pursuant to this section and if the notice of suspension has not already been served upon the person by a law enforcement officer or correctional officer as provided in subsection (1), the department shall issue a notice of suspension and, unless the notice is mailed pursuant to s. 322.251, a temporary permit that expires 10 days after the date of issuance if the driver is otherwise eligible.

(4) If the person whose license was suspended requests an informal review pursuant to subparagraph (1)(b)3., the department shall conduct the informal review by a hearing officer ~~designated~~ ~~employed~~ by the department. Such informal review hearing shall consist solely of an examination by the department of the materials submitted by a law enforcement officer or correctional officer and by the person whose license was suspended, and the presence of an officer or witness is not required.

(5) After completion of the informal review, notice of the department's decision sustaining, amending, or invalidating the suspension of the ~~driver~~ ~~driver's~~ license of the person whose license was suspended must be provided to such person. Such notice must be mailed to the person at the last known address shown on the department's records, or to the address provided in the law enforcement officer's report if such address differs from the address of record, within 21 days after the expiration of the temporary permit issued pursuant to subsection (1) or subsection (3).

(6)(a) If the person whose license was suspended requests a formal review, the department must schedule a hearing ~~to be held~~ within 30 days after such request is received by the department and must notify the person of the date, time, and place of the hearing.

(b) Such formal review hearing shall be held before a hearing officer ~~designated~~ ~~employed~~ by the department, and the hearing officer shall be authorized to administer oaths, examine witnesses and take testimony, receive relevant evidence, issue subpoenas for the officers and witnesses identified in documents ~~provided under paragraph (2)(a) in subsection (2)~~, regulate the course and conduct of the hearing, question witnesses, and make a ruling on the suspension. ~~The hearing officer may conduct hearings using communications technology.~~ The party requesting the presence of a witness shall be responsible for the payment of any witness fees and for notifying in writing the state attorney's office in the appropriate circuit of the issuance of the subpoena. If the person who requests a formal review hearing fails to appear and the hearing officer finds such failure to be without just cause, the right to a formal hearing is waived and the suspension shall be sustained.

(c) ~~The failure of a subpoenaed witness to appear at the formal review hearing is not grounds to invalidate the suspension. If a witness fails to appear, a party may seek enforcement of a subpoena under paragraph (b) by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena resides or by filing a motion for enforcement in any criminal court case resulting from the driving or actual physical control of a motor vehicle that gave rise to the suspension under this section. A failure to comply with an order of the court shall result in a finding of contempt of court. However, a person is not in contempt while a subpoena is being challenged.~~

(d) The department must, within 7 working days after a formal review hearing, send notice to the person of the hearing officer's decision as to whether sufficient cause exists to sustain, amend, or invalidate the suspension.

(7) In a formal review hearing under subsection (6) or an informal review hearing under subsection (4), the hearing officer shall determine by a preponderance of the evidence whether sufficient cause exists to sustain, amend, or invalidate the suspension. The scope of the review shall be limited to the following issues:

(a) If the license was suspended for driving with an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher:

1. Whether the law enforcement officer had probable cause to believe that the person whose license was suspended was driving or in actual physical control of a motor vehicle in this state while under the influence of alcoholic beverages or chemical or controlled substances.

2. Whether the person whose license was suspended had an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher as provided in s. 316.193.

(b) If the license was suspended for refusal to submit to a breath, blood, or urine test:

1. Whether the law enforcement officer had probable cause to believe that the person whose license was suspended was driving or in actual physical control of a motor vehicle in this state while under the influence of alcoholic beverages or chemical or controlled substances.

2. Whether the person whose license was suspended refused to submit to any such test after being requested to do so by a law enforcement officer or correctional officer.

3. Whether the person whose license was suspended was told that if he or she refused to submit to such test his or her privilege to operate a motor vehicle would be suspended for a period of 1 year or, in the case of a second or subsequent refusal, for a period of 18 months.

(8) Based on the determination of the hearing officer pursuant to subsection (7) for both informal hearings under subsection (4) and formal hearings under subsection (6), the department shall:

(a) Sustain the suspension of the person's driving privilege for a period of 1 year for a first refusal, or for a period of 18 months if the driving privilege of such person has been previously suspended as a result of a refusal to submit to such tests, if the person refused to submit to a lawful breath, blood, or urine test. The suspension period commences on the date of issuance of the notice of suspension.

(b) Sustain the suspension of the person's driving privilege for a period of 6 months for a blood-alcohol level or breath-alcohol level of 0.08 or higher, or for a period of 1 year if the driving privilege of such person has been previously suspended under this section as a result of driving with an unlawful alcohol level. The suspension period commences on the date of issuance of the notice of suspension.

(9) A request for a formal review hearing or an informal review hearing shall not stay the suspension of the person's ~~driver~~ ~~driver's~~ license. If the department fails to schedule the formal review hearing ~~to be held~~ within 30 days after receipt of the request therefor, the department shall invalidate the suspension. If the scheduled hearing is continued at the department's initiative ~~or the driver enforces the subpoena as provided in subsection (6)~~, the department shall issue a temporary driving permit that shall be valid until the hearing is conducted if the person is otherwise eligible for the driving privilege. Such permit may not be issued to a person who sought and obtained a continuance of the hearing. The permit issued under this subsection shall authorize driving for business or employment use only.

(10) A person whose ~~driver~~ ~~driver's~~ license is suspended under subsection (1) or subsection (3) may apply for issuance of a license for business or employment purposes only if the person is otherwise eligible for the driving privilege pursuant to s. 322.271.

(a) If the suspension of the ~~driver~~ ~~driver's~~ license of the person for failure to submit to a breath, urine, or blood test is sustained, the person is not eligible to receive a license for business or employment purposes only, pursuant to s. 322.271, until 90 days have elapsed after the expiration of the last temporary permit issued. If the driver is not issued a 10-day permit pursuant to this section or s. 322.64 because he or she is ineligible for the permit and the suspension for failure to submit to a breath, urine, or blood test is not invalidated by the department, the

driver is not eligible to receive a business or employment license pursuant to s. 322.271 until 90 days have elapsed from the date of the suspension.

(b) If the suspension of the ~~driver driver's~~ license of the person relating to unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher is sustained, the person is not eligible to receive a license for business or employment purposes only pursuant to s. 322.271 until 30 days have elapsed after the expiration of the last temporary permit issued. If the driver is not issued a 10-day permit pursuant to this section or s. 322.64 because he or she is ineligible for the permit and the suspension relating to unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher is not invalidated by the department, the driver is not eligible to receive a business or employment license pursuant to s. 322.271 until 30 days have elapsed from the date of the suspension.

(11) The formal review hearing may be conducted upon a review of the reports of a law enforcement officer or a correctional officer, including documents relating to the administration of a breath test or blood test or the refusal to take either test or the refusal to take a urine test. However, as provided in subsection (6), the driver may subpoena the officer or any person who administered or analyzed a breath or blood test. *If the arresting officer or the breath technician fails to appear pursuant to a subpoena as provided in subsection (6), the department shall invalidate the suspension.*

(12) The formal review hearing and the informal review hearing are exempt from the provisions of chapter 120. The department may adopt rules for the conduct of reviews under this section.

(13) A person may appeal any decision of the department sustaining a suspension of his or her ~~driver driver's~~ license by a petition for writ of certiorari to the circuit court in the county wherein such person resides or wherein a formal or informal review was conducted pursuant to s. 322.31. However, an appeal shall not stay the suspension. A law enforcement agency may appeal any decision of the department invalidating a suspension by a petition for writ of certiorari to the circuit court in the county wherein a formal or informal review was conducted. This subsection shall not be construed to provide for a de novo *review appeal*.

(14)(a) The decision of the department under this section or any circuit court review thereof may not be considered in any trial for a violation of s. 316.193, and a written statement submitted by a person in his or her request for departmental review under this section may not be admitted into evidence against him or her in any such trial.

(b) The disposition of any related criminal proceedings does not affect a suspension for refusal to submit to a blood, breath, or urine test imposed under this section.

(15) If the department suspends a person's license under s. 322.2616, it may not also suspend the person's license under this section for the same episode that was the basis for the suspension under s. 322.2616.

(16) The department shall invalidate a suspension for driving with an unlawful blood-alcohol level or breath-alcohol level imposed under this section if the suspended person is found not guilty at trial of an underlying violation of s. 316.193.

Section 46. Section 322.2616, Florida Statutes, is amended to read:

322.2616 Suspension of license; persons under 21 years of age; right to review.—

(1)(a) Notwithstanding s. 316.193, it is unlawful for a person under the age of 21 who has a blood-alcohol or breath-alcohol level of 0.02 or higher to drive or be in actual physical control of a motor vehicle.

(b) A law enforcement officer who has probable cause to believe that a motor vehicle is being driven by or is in the actual physical control of a person who is under the age of 21 while under the influence of alcoholic beverages or who has any blood-alcohol or breath-alcohol level may lawfully detain such a person and may request that person to submit to a test to determine his or her blood-alcohol or breath-alcohol level.

(2)(a) A law enforcement officer or correctional officer shall, on behalf of the department, suspend the driving privilege of such person if the person has a blood-alcohol or breath-alcohol level of 0.02 or higher. The

officer shall also suspend, on behalf of the department, the driving privilege of a person who has refused to submit to a test as provided by paragraph (b). The officer shall take the person's ~~driver driver's~~ license and issue the person a 10-day temporary driving permit if the person is otherwise eligible for the driving privilege and shall issue the person a notice of suspension.

(b) The suspension under paragraph (a) must be pursuant to, and the notice of suspension must inform the driver of, the following:

1.a. The driver refused to submit to a lawful breath test and his or her driving privilege is suspended for a period of 1 year for a first refusal or for a period of 18 months if his or her driving privilege has been previously suspended as provided in this section as a result of a refusal to submit to a test; or

b. The driver was under the age of 21 and was driving or in actual physical control of a motor vehicle while having a blood-alcohol or breath-alcohol level of 0.02 or higher; and the person's driving privilege is suspended for a period of 6 months for a first violation, or for a period of 1 year if his or her driving privilege has been previously suspended as provided in this section for driving or being in actual physical control of a motor vehicle with a blood-alcohol or breath-alcohol level of 0.02 or higher.

2. The suspension period commences on the date of issuance of the notice of suspension.

3. The driver may request a formal or informal review of the suspension by the department within 10 days after the issuance of the notice of suspension.

4. A temporary permit issued at the time of the issuance of the notice of suspension shall not become effective until after 12 hours have elapsed and will expire at midnight of the 10th day following the date of issuance.

5. The driver may submit to the department any materials relevant to the suspension of his or her license.

(c) When a driver subject to this section has a blood-alcohol or breath-alcohol level of 0.05 or higher, the suspension shall remain in effect until such time as the driver has completed a substance abuse course offered by a DUI program licensed by the department. The driver shall assume the reasonable costs for the substance abuse course. As part of the substance abuse course, the program shall conduct a substance abuse evaluation of the driver, and notify the parents or legal guardians of drivers under the age of 19 years of the results of the evaluation. The term "substance abuse" means the abuse of alcohol or any substance named or described in Schedules I through V of s. 893.03. If a driver fails to complete the substance abuse education course and evaluation, the ~~driver driver's~~ license shall not be reinstated by the department.

(d) A minor under the age of 18 years proven to be driving with a blood-alcohol or breath-alcohol level of 0.02 or higher may be taken by a law enforcement officer to the addictions receiving facility in the county in which the minor is found to be so driving, if the county makes the addictions receiving facility available for such purpose.

(3) The law enforcement officer shall forward to the department, within 5 days after the date of the issuance of the notice of suspension, a copy of the notice of suspension, the ~~driver driver's~~ license of the person receiving the notice of suspension, and an affidavit stating the officer's grounds for belief that the person was under the age of 21 and was driving or in actual physical control of a motor vehicle with any blood-alcohol or breath-alcohol level, and the results of any blood or breath test or an affidavit stating that a breath test was requested by a law enforcement officer or correctional officer and that the person refused to submit to such test. The failure of the officer to submit materials within the 5-day period specified in this subsection does not bar the department from considering any materials submitted at or before the hearing.

(4) If the department finds that the license of the person should be suspended under this section and if the notice of suspension has not already been served upon the person by a law enforcement officer or correctional officer as provided in subsection (2), the department shall issue a notice of suspension and, unless the notice is mailed under s.

322.251, a temporary driving permit that expires 10 days after the date of issuance if the driver is otherwise eligible.

(5) If the person whose license is suspended requests an informal review under subparagraph (2)(b)3., the department shall conduct the informal review by a hearing officer ~~designated~~ ~~employed~~ by the department within 30 days after the request is received by the department and shall issue such person a temporary driving permit for business purposes only to expire on the date that such review is scheduled to be conducted if the person is otherwise eligible. The informal review hearing must consist solely of an examination by the department of the materials submitted by a law enforcement officer or correctional officer and by the person whose license is suspended, and the presence of an officer or witness is not required.

(6) After completion of the informal review, notice of the department's decision sustaining, amending, or invalidating the suspension of the ~~driver~~ ~~driver's~~ license must be provided to the person. The notice must be mailed to the person at the last known address shown on the department's records, or to the address provided in the law enforcement officer's report if such address differs from the address of record, within 7 days after completing the review.

(7)(a) If the person whose license is suspended requests a formal review, the department must schedule a hearing to be held within 30 days after the request is received by the department and must notify the person of the date, time, and place of the hearing and shall issue such person a temporary driving permit for business purposes only to expire on the date that such review is scheduled to be conducted if the person is otherwise eligible.

(b) The formal review hearing must be held before a hearing officer ~~designated~~ ~~employed~~ by the department, and the hearing officer may administer oaths, examine witnesses and take testimony, receive relevant evidence, issue subpoenas, regulate the course and conduct of the hearing, and make a ruling on the suspension. *The hearing officer may conduct hearings using communications technology.* The department and the person whose license was suspended may subpoena witnesses, and the party requesting the presence of a witness is responsible for paying any witness fees and for notifying in writing the state attorney's office in the appropriate circuit of the issuance of the subpoena. If the person who requests a formal review hearing fails to appear and the hearing officer finds the failure to be without just cause, the right to a formal hearing is waived and the suspension is sustained.

(c) *The failure of a subpoenaed witness to appear at the formal review hearing shall not be grounds to invalidate the suspension. If a witness fails to appear, a party may seek enforcement of a subpoena under paragraph (b) by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena resides. A failure to comply with an order of the court constitutes contempt of court. However, a person may not be held in contempt while a subpoena is being challenged.*

(d) The department must, within 7 *working* days after a formal review hearing, send notice to the person of the hearing officer's decision as to whether sufficient cause exists to sustain, amend, or invalidate the suspension.

(8) In a formal review hearing under subsection (7) or an informal review hearing under subsection (5), the hearing officer shall determine by a preponderance of the evidence whether sufficient cause exists to sustain, amend, or invalidate the suspension. The scope of the review is limited to the following issues:

(a) If the license was suspended because the individual, then under the age of 21, drove with a blood-alcohol or breath-alcohol level of 0.02 or higher:

1. Whether the law enforcement officer had probable cause to believe that the person was under the age of 21 and was driving or in actual physical control of a motor vehicle in this state with any blood-alcohol or breath-alcohol level or while under the influence of alcoholic beverages.

2. Whether the person was under the age of 21.

3. Whether the person had a blood-alcohol or breath-alcohol level of 0.02 or higher.

(b) If the license was suspended because of the individual's refusal to submit to a breath test:

1. Whether the law enforcement officer had probable cause to believe that the person was under the age of 21 and was driving or in actual physical control of a motor vehicle in this state with any blood-alcohol or breath-alcohol level or while under the influence of alcoholic beverages.

2. Whether the person was under the age of 21.

3. Whether the person refused to submit to a breath test after being requested to do so by a law enforcement officer or correctional officer.

4. Whether the person was told that if he or she refused to submit to a breath test his or her privilege to operate a motor vehicle would be suspended for a period of 1 year or, in the case of a second or subsequent refusal, for a period of 18 months.

(9) Based on the determination of the hearing officer under subsection (8) for both informal hearings under subsection (5) and formal hearings under subsection (7), the department shall:

(a) Sustain the suspension of the person's driving privilege for a period of 1 year for a first refusal, or for a period of 18 months if the driving privilege of the person has been previously suspended, as provided in this section, as a result of a refusal to submit to a test. The suspension period commences on the date of the issuance of the notice of suspension.

(b) Sustain the suspension of the person's driving privilege for a period of 6 months for driving or being in actual physical control of a motor vehicle while under the age of 21 with a blood-alcohol or breath-alcohol level of 0.02 or higher, or for a period of 1 year if the driving privilege of such person has been previously suspended under this section. The suspension period commences on the date of the issuance of the notice of suspension.

(10) A request for a formal review hearing or an informal review hearing shall not stay the suspension of the person's ~~driver~~ ~~driver's~~ license. If the department fails to schedule the formal review hearing ~~to be held~~ within 30 days after receipt of the request therefor, the department shall invalidate the suspension. If the scheduled hearing is continued at the department's initiative *or the driver enforces the subpoena as provided in subsection (7),* the department shall issue a temporary driving permit that is valid until the hearing is conducted if the person is otherwise eligible for the driving privilege. The permit shall not be issued to a person who requested a continuance of the hearing. The permit issued under this subsection authorizes driving for business or employment use only.

(11) A person whose ~~driver~~ ~~driver's~~ license is suspended under subsection (2) or subsection (4) may apply for issuance of a license for business or employment purposes only, pursuant to s. 322.271, if the person is otherwise eligible for the driving privilege. However, such a license may not be issued until 30 days have elapsed after the expiration of the last temporary driving permit issued under this section.

(12) The formal review hearing may be conducted upon a review of the reports of a law enforcement officer or correctional officer, including documents relating to the administration of a breath test or the refusal to take a test. However, as provided in subsection (7), the driver may subpoena the officer or any person who administered a breath or blood test. *If the officer who suspended the driving privilege fails to appear pursuant to a subpoena as provided in subsection (7), the department shall invalidate the suspension.*

(13) The formal review hearing and the informal review hearing are exempt from chapter 120. The department may adopt rules for conducting reviews under this section.

(14) A person may appeal any decision of the department sustaining a suspension of his or her ~~driver~~ ~~driver's~~ license by a petition for writ of certiorari to the circuit court in the county wherein such person resides or wherein a formal or informal review was conducted under s. 322.31. However, an appeal does not stay the suspension. This subsection does not provide for a *de novo review* ~~appeal~~.

(15) The decision of the department under this section shall not be considered in any trial for a violation of s. 316.193, nor shall any written



statement submitted by a person in his or her request for departmental review under this section be admissible into evidence against him or her in any such trial. The disposition of any related criminal proceedings shall not affect a suspension imposed under this section.

(16) By applying for and accepting and using a ~~driver's~~ license, a person under the age of 21 years who holds the ~~driver's~~ license is deemed to have expressed his or her consent to the provisions of this section.

(17) A breath test to determine breath-alcohol level pursuant to this section may be conducted as authorized by s. 316.1932 or by a breath-alcohol test device listed in the United States Department of Transportation's conforming-product list of evidential breath-measurement devices. The reading from such a device is presumed accurate and is admissible in evidence in any administrative hearing conducted under this section.

(18) The result of a blood test obtained during an investigation conducted under s. 316.1932 or s. 316.1933 may be used to suspend the driving privilege of a person under this section.

(19) A violation of this section is neither a traffic infraction nor a criminal offense, nor does being detained pursuant to this section constitute an arrest. A violation of this section is subject to the administrative action provisions of this section, which are administered by the department through its administrative processes. Administrative actions taken pursuant to this section shall be recorded in the motor vehicle records maintained by the department. This section does not bar prosecution under s. 316.193. However, if the department suspends a person's license under s. 322.2615 for a violation of s. 316.193, it may not also suspend the person's license under this section for the same episode that was the basis for the suspension under s. 322.2615.

Section 47. Subsections (4) and (5) of section 322.271, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

322.271 Authority to modify revocation, cancellation, or suspension order.—

(4) Notwithstanding the provisions of s. 322.28(2)(d) ~~322.28(2)(e)~~, a person whose driving privilege has been permanently revoked because he or she has been convicted of DUI manslaughter in violation of s. 316.193 and has no prior convictions for DUI-related offenses may, upon the expiration of 5 years after the date of such revocation or the expiration of 5 years after the termination of any term of incarceration under s. 316.193 or former s. 316.1931, whichever date is later, petition the department for reinstatement of his or her driving privilege.

(a) Within 30 days after the receipt of such a petition, the department shall afford the petitioner an opportunity for a hearing. At the hearing, the petitioner must demonstrate to the department that he or she:

1. Has not been arrested for a drug-related offense during the 5 years preceding the filing of the petition;
2. Has not driven a motor vehicle without a license for at least 5 years prior to the hearing;
3. Has been drug-free for at least 5 years prior to the hearing; and
4. Has completed a DUI program licensed by the department.

(b) At such hearing, the department shall determine the petitioner's qualification, fitness, and need to drive. Upon such determination, the department may, in its discretion, reinstate the ~~driver's~~ license of the petitioner. Such reinstatement must be made subject to the following qualifications:

1. The license must be restricted for employment purposes for at least ~~not less than~~ 1 year; and
2. Such person must be supervised by a DUI program licensed by the department and report to the program for such supervision and education at least four times a year or additionally as required by the program for the remainder of the revocation period. Such supervision shall include evaluation, education, referral into treatment, and other activities required by the department.

(c) Such person must assume the reasonable costs of supervision. If such person fails to comply with the required supervision, the program shall report the failure to the department, and the department shall cancel such person's driving privilege.

(d) If, after reinstatement, such person is convicted of an offense for which mandatory revocation of his or her license is required, the department shall revoke his or her driving privilege.

(e) The department shall adopt rules regulating the providing of services by DUI programs pursuant to this section.

(5) Notwithstanding the provisions of s. 322.28(2)(d) ~~322.28(2)(e)~~, a person whose driving privilege has been permanently revoked because he or she has been convicted four or more times of violating s. 316.193 or former s. 316.1931 may, upon the expiration of 5 years after the date of the last conviction or the expiration of 5 years after the termination of any incarceration under s. 316.193 or former s. 316.1931, whichever is later, petition the department for reinstatement of his or her driving privilege.

(a) Within 30 days after receipt of a petition, the department shall provide for a hearing, at which the petitioner must demonstrate that he or she:

1. Has not been arrested for a drug-related offense for at least 5 years prior to filing the petition;
2. Has not driven a motor vehicle without a license for at least 5 years prior to the hearing;
3. Has been drug-free for at least 5 years prior to the hearing; and
4. Has completed a DUI program licensed by the department.

(b) At the hearing, the department shall determine the petitioner's qualification, fitness, and need to drive, and may, after such determination, reinstate the petitioner's ~~driver's~~ license. The reinstatement shall be subject to the following qualifications:

1. The petitioner's license must be restricted for employment purposes for at least ~~not less than~~ 1 year; and
2. The petitioner must be supervised by a DUI program licensed by the department and must report to the program for supervision and education at least four times a year or more, as required by the program, for the remainder of the revocation period. The supervision shall include evaluation, education, referral into treatment, and other activities required by the department.

(c) The petitioner must assume the reasonable costs of supervision. If the petitioner does not comply with the required supervision, the program shall report the failure to the department, and the department shall cancel such person's driving privilege.

(d) If, after reinstatement, the petitioner is convicted of an offense for which mandatory license revocation is required, the department shall revoke his or her driving privilege.

(e) The department shall adopt rules regulating the services provided by DUI programs pursuant to this section.

(7) A person who has never had a driver license suspended under s. 322.2615, has never been disqualified under s. 322.64, has never been convicted of a violation of s. 316.193, has never applied for a business purposes only license, as defined in this section, whose driving privilege has been suspended pursuant to this section may apply for a business purposes only driver license without a hearing if the person meets the requirements of this section and s. 322.291, and is otherwise eligible for a driver license.

(a) For purposes of this subsection, a previous conviction outside of this state for driving under the influence, driving while intoxicated, driving with an unlawful blood-alcohol level, or any other alcohol-related or drug-related traffic offense similar to the offense of driving under the influence as provided in s. 316.193 will be considered a previous conviction for a violation of s. 316.193, and a conviction for violation of former s. 316.028, former s. 316.1931, or former s. 860.01 is considered a conviction for a violation of s. 316.193.



(b) *The reinstatement shall be restricted to business purposes only for the duration of the suspension imposed under s. 322.2615.*

(c) *Acceptance of the reinstated driving privilege as provided in this subsection is deemed a waiver of the right to formal and informal review under s. 322.2615. The waiver may not be used as evidence in any other proceeding.*

Section 48. Section 322.2715, Florida Statutes, is amended to read:

322.2715 Ignition interlock device.—

(1) Before issuing a permanent or restricted driver ~~driver's~~ license under this chapter, the department shall require the placement of a department-approved ignition interlock device for any person convicted of committing an offense of driving under the influence as specified in subsection (3), except that consideration may be given to those individuals having a documented medical condition that would prohibit the device from functioning normally. *If a medical waiver has been granted for a convicted person seeking a restricted license, the convicted person shall not be entitled to a restricted license until the required ignition interlock device installation period under subsection (3) expires, in addition to the time requirements under s. 322.271. If a medical waiver has been approved for a convicted person seeking permanent reinstatement of the driver license, the convicted person must be restricted to an employment-purposes-only license and be supervised by a licensed DUI program until the required ignition interlock device installation period under subsection (3) expires.* An interlock device shall be placed on all vehicles that are individually or jointly leased or owned and routinely operated by the convicted person.

(2) For purposes of this section, any conviction for a violation of s. 316.193, a previous conviction for a violation of former s. 316.1931, or a conviction outside this state for driving under the influence, driving while intoxicated, driving with an unlawful blood-alcohol level, or any other similar alcohol-related or drug-related traffic offense is a conviction of driving under the influence.

(3) If the person is convicted of:

(a) A first offense of driving under the influence under s. 316.193 and has an unlawful blood-alcohol level or breath-alcohol level as specified in s. 316.193(4), or if a person is convicted of a violation of s. 316.193 and was at the time of the offense accompanied in the vehicle by a person younger than 18 years of age, the person shall have the ignition interlock device installed for *at least not less than* 6 continuous months for the first offense and for *at least not less than* 2 continuous years for a second offense.

(b) A second offense of driving under the influence, the ignition interlock device shall be installed for a period of *at least not less than* 1 continuous year.

(c) A third offense of driving under the influence which occurs within 10 years after a prior conviction for a violation of s. 316.193, the ignition interlock device shall be installed for a period of *at least not less than* 2 continuous years.

(d) A third offense of driving under the influence which occurs more than 10 years after the date of a prior conviction, the ignition interlock device shall be installed for a period of *at least not less than* 2 continuous years.

(e) A fourth or subsequent offense of driving under the influence, the ignition interlock device shall be installed for a period of *at least not less than* 5 years.

(4) If the court fails to order the mandatory placement of the ignition interlock device or fails to order for the applicable period the mandatory placement of an ignition interlock device under s. 316.193 or s. 316.1937 at the time of imposing sentence or within 30 days thereafter, the department shall immediately require that the ignition interlock device be installed as provided in this section, except that consideration may be given to those individuals having a documented medical condition that would prohibit the device from functioning normally. This subsection applies to the reinstatement of the driving privilege following a revocation, suspension, or cancellation that is based upon a conviction for the offense of driving under the influence which occurs on or after July 1, 2005.

(5) In addition to any fees authorized by rule for the installation and maintenance of the ignition interlock device, the authorized installer of the device shall collect and remit \$12 for each installation to the department, which shall be deposited into the Highway Safety Operating Trust Fund to be used for the operation of the Ignition Interlock Device Program.

Section 49. Section 322.28, Florida Statutes, is amended to read:

322.28 Period of suspension or revocation.—

(1) Unless otherwise provided by this section, the department shall not suspend a license for a period of more than 1 year and, upon revoking a license, in any case except in a prosecution for the offense of driving a motor vehicle while under the influence of alcoholic beverages, chemical substances as set forth in s. 877.111, or controlled substances, shall not in any event grant a new license until the expiration of 1 year after such revocation.

(2) In a prosecution for a violation of s. 316.193 or former s. 316.1931, the following provisions apply:

(a) Upon conviction of the driver, the court, along with imposing sentence, shall revoke the driver ~~driver's~~ license or driving privilege of the person so convicted, effective on the date of conviction, and shall prescribe the period of such revocation in accordance with the following provisions:

1. Upon a first conviction for a violation of the provisions of s. 316.193, except a violation resulting in death, the driver ~~driver's~~ license or driving privilege shall be revoked for *at least not less than* 180 days but not ~~or~~ more than 1 year.

2. Upon a second conviction for an offense that occurs within a period of 5 years after the date of a prior conviction for a violation of the provisions of s. 316.193 or former s. 316.1931 or a combination of such sections, the driver ~~driver's~~ license or driving privilege shall be revoked for *at least not less than* 5 years.

3. Upon a third conviction for an offense that occurs within a period of 10 years after the date of a prior conviction for the violation of the provisions of s. 316.193 or former s. 316.1931 or a combination of such sections, the driver ~~driver's~~ license or driving privilege shall be revoked for *at least not less than* 10 years.

For the purposes of this paragraph, a previous conviction outside this state for driving under the influence, driving while intoxicated, driving with an unlawful blood-alcohol level, or any other alcohol-related or drug-related traffic offense similar to the offense of driving under the influence as proscribed by s. 316.193 will be considered a previous conviction for violation of s. 316.193, and a conviction for violation of former s. 316.028, former s. 316.1931, or former s. 860.01 is considered a conviction for violation of s. 316.193.

(b) If the period of revocation was not specified by the court at the time of imposing sentence or within 30 days thereafter, and is not otherwise specified by law, the department shall forthwith revoke the driver ~~driver's~~ license or driving privilege for the maximum period applicable under paragraph (a) for a first conviction and for the minimum period applicable under paragraph (a) for any subsequent convictions. The driver may, within 30 days after such revocation by the department, petition the court for further hearing on the period of revocation, and the court may reopen the case and determine the period of revocation within the limits specified in paragraph (a).

(c) The forfeiture of bail bond, not vacated within 20 days, in any prosecution for the offense of driving while under the influence of alcoholic beverages, chemical substances, or controlled substances to the extent of depriving the defendant of his or her normal faculties shall be deemed equivalent to a conviction for the purposes of this paragraph, and the department shall forthwith revoke the defendant's driver ~~driver's~~ license or driving privilege for the maximum period applicable under paragraph (a) for a first conviction and for the minimum period applicable under paragraph (a) for a second or subsequent conviction; however, if the defendant is later convicted of the charge, the period of revocation imposed by the department for such conviction shall not exceed the difference between the applicable maximum for a first conviction or minimum for a second or subsequent conviction and the revoca-

tion period under this subsection that has actually elapsed; upon conviction of such charge, the court may impose revocation for a period of time as specified in paragraph (a). This paragraph does not apply if an appropriate motion contesting the forfeiture is filed within the 20-day period.

~~(d) When any driver's license or driving privilege has been revoked pursuant to the provisions of this section, the department shall not grant a new license, except upon reexamination of the licensee after the expiration of the period of revocation so prescribed. However, the court may, in its sound discretion, issue an order of reinstatement on a form furnished by the department which the person may take to any driver's license examining office for reinstatement by the department pursuant to s. 322.282.~~

(d)(e) The court shall permanently revoke the ~~driver driver's~~ license or driving privilege of a person who has been convicted four times for violation of s. 316.193 or former s. 316.1931 or a combination of such sections. The court shall permanently revoke the ~~driver driver's~~ license or driving privilege of any person who has been convicted of DUI manslaughter in violation of s. 316.193. If the court has not permanently revoked such ~~driver driver's~~ license or driving privilege within 30 days after imposing sentence, the department shall permanently revoke the ~~driver driver's~~ license or driving privilege pursuant to this paragraph. No ~~driver driver's~~ license or driving privilege may be issued or granted to any such person. This paragraph applies only if at least one of the convictions for violation of s. 316.193 or former s. 316.1931 was for a violation that occurred after July 1, 1982. For the purposes of this paragraph, a conviction for violation of former s. 316.028, former s. 316.1931, or former s. 860.01 is also considered a conviction for violation of s. 316.193. Also, a conviction of driving under the influence, driving while intoxicated, driving with an unlawful blood-alcohol level, or any other similar alcohol-related or drug-related traffic offense outside this state is considered a conviction for the purposes of this paragraph.

(e) *Convictions that occur on the same date resulting from separate offense dates shall be treated as separate convictions, and the offense that occurred earlier will be deemed a prior conviction for the purposes of this section.*

(3) The court shall permanently revoke the ~~driver driver's~~ license or driving privilege of a person who has been convicted of murder resulting from the operation of a motor vehicle. No ~~driver driver's~~ license or driving privilege may be issued or granted to any such person.

(4)(a) Upon a conviction for a violation of s. 316.193(3)(c)2., involving serious bodily injury, a conviction of manslaughter resulting from the operation of a motor vehicle, or a conviction of vehicular homicide, the court shall revoke the ~~driver driver's~~ license of the person convicted for a minimum period of 3 years. If a conviction under s. 316.193(3)(c)2., involving serious bodily injury, is also a subsequent conviction as described under paragraph (2)(a), the court shall revoke the ~~driver driver's~~ license or driving privilege of the person convicted for the period applicable as provided in paragraph (2)(a) or paragraph (2)(d) ~~(2)(e)~~.

(b) If the period of revocation was not specified by the court at the time of imposing sentence or within 30 days thereafter, the department shall revoke the ~~driver driver's~~ license for the minimum period applicable under paragraph (a) or, for a subsequent conviction, for the minimum period applicable under paragraph (2)(a) or paragraph (2)(d) ~~(2)(e)~~.

(5) A court may not stay the administrative suspension of a driving privilege under s. 322.2615 or s. 322.2616 during judicial review of the departmental order that resulted in such suspension, and a suspension or revocation of a driving privilege may not be stayed upon an appeal of the conviction or order that resulted in the suspension or revocation.

(6) In a prosecution for a violation of s. 316.172(1), and upon a showing of the department's records that the licensee has received a second conviction within 5 years following the date of a prior conviction of s. 316.172(1), the department shall, upon direction of the court, suspend the ~~driver driver's~~ license of the person convicted for a period of ~~at least not less than~~ 90 days but not ~~or~~ more than 6 months.

(7) Following a second or subsequent violation of s. 796.07(2)(f) which involves a motor vehicle and which results in any judicial disposition other than acquittal or dismissal, in addition to any other sentence imposed, the court shall revoke the person's ~~driver driver's~~ license or

driving privilege, effective upon the date of the disposition, for a period of ~~at least not less than~~ 1 year. A person sentenced under this subsection may request a hearing under s. 322.271.

Section 50. *Section 322.331, Florida Statutes, is repealed.*

Section 51. Section 322.61, Florida Statutes, is amended to read:

322.61 Disqualification from operating a commercial motor vehicle.—

(1) A person who, for offenses occurring within a 3-year period, is convicted of two of the following serious traffic violations or any combination thereof, arising in separate incidents committed in a commercial motor vehicle shall, in addition to any other applicable penalties, be disqualified from operating a commercial motor vehicle for a period of 60 days. A holder of a commercial ~~driver driver's~~ license or *commercial learner's permit* who, for offenses occurring within a 3-year period, is convicted of two of the following serious traffic violations, or any combination thereof, arising in separate incidents committed in a non-commercial motor vehicle shall, in addition to any other applicable penalties, be disqualified from operating a commercial motor vehicle for a period of 60 days if such convictions result in the suspension, revocation, or cancellation of the licenseholder's driving privilege:

(a) A violation of any state or local law relating to motor vehicle traffic control, other than a parking violation, ~~a weight violation, or a vehicle equipment violation,~~ arising in connection with a crash resulting in death ~~or personal injury to any person;~~

(b) Reckless driving, as defined in s. 316.192;

~~(c) Careless driving, as defined in s. 316.1925;~~

~~(d) Fleeing or attempting to elude a law enforcement officer, as defined in s. 316.1935;~~

(c)(e) Unlawful speed of 15 miles per hour or more above the posted speed limit;

~~(f) Driving a commercial motor vehicle, owned by such person, which is not properly insured;~~

(d)(g) Improper lane change, as defined in s. 316.085;

~~(e)(h)~~ Following too closely, as defined in s. 316.0895;

~~(f)(i)~~ Driving a commercial vehicle without obtaining a commercial ~~driver driver's~~ license;

(g)(j) Driving a commercial vehicle without the proper class of commercial ~~driver driver's~~ license or *commercial learner's permit* or without the proper endorsement; or

~~(h)(k)~~ Driving a commercial vehicle without a commercial ~~driver driver's~~ license or *commercial learner's permit* in possession, as required by s. 322.03. ~~Any individual who provides proof to the clerk of the court or designated official in the jurisdiction where the citation was issued, by the date the individual must appear in court or pay any fine for such a violation, that the individual held a valid commercial driver's license on the date the citation was issued is not guilty of this offense.~~

(2)(a) Any person who, for offenses occurring within a 3-year period, is convicted of three serious traffic violations specified in subsection (1) or any combination thereof, arising in separate incidents committed in a commercial motor vehicle shall, in addition to any other applicable penalties, including but not limited to the penalty provided in subsection (1), be disqualified from operating a commercial motor vehicle for a period of 120 days.

(b) A holder of a commercial ~~driver driver's~~ license or *commercial learner's permit* who, for offenses occurring within a 3-year period, is convicted of three serious traffic violations specified in subsection (1) or any combination thereof arising in separate incidents committed in a noncommercial motor vehicle shall, in addition to any other applicable penalties, including, but not limited to, the penalty provided in subsection (1), be disqualified from operating a commercial motor vehicle for a period of 120 days if such convictions result in the suspension, revocation, or cancellation of the licenseholder's driving privilege.

(3)(a) Except as provided in subsection (4), any person who is convicted of one of the offenses listed in paragraph (b) while operating a commercial motor vehicle shall, in addition to any other applicable penalties, be disqualified from operating a commercial motor vehicle for a period of 1 year.

(b) Except as provided in subsection (4), any holder of a commercial driver license or commercial learner's permit who is convicted of one of the offenses listed in this paragraph while operating a noncommercial motor vehicle shall, in addition to any other applicable penalties, be disqualified from operating a commercial motor vehicle for a period of 1 year:

1. Driving a motor vehicle while he or she is under the influence of alcohol or a controlled substance;

2. Driving a commercial motor vehicle while the alcohol concentration of his or her blood, breath, or urine is .04 percent or higher;

3. Leaving the scene of a crash involving a motor vehicle driven by such person;

4. Using a motor vehicle in the commission of a felony;

~~5. Driving a commercial motor vehicle while in possession of a controlled substance;~~

~~5.6.~~ Refusing to submit to a test to determine his or her alcohol concentration while driving a motor vehicle;

6. *Driving a commercial motor vehicle when, as a result of prior violations committed operating a commercial motor vehicle, his or her commercial driver license or commercial learner's permit is revoked, suspended, or canceled, or he or she is disqualified from operating a commercial motor vehicle; or*

~~7. Driving a commercial vehicle while the licenseholder's commercial driver license is suspended, revoked, or canceled or while the licenseholder is disqualified from driving a commercial vehicle; or~~

~~7.8.~~ Causing a fatality through the negligent operation of a commercial motor vehicle.

(4) Any person who is transporting hazardous materials as defined in s. 322.01(24) shall, upon conviction of an offense specified in subsection (3), be disqualified from operating a commercial motor vehicle for a period of 3 years. The penalty provided in this subsection shall be in addition to any other applicable penalty.

(5) A person who is convicted of two violations specified in subsection (3) which were committed while operating a commercial motor vehicle, or any combination thereof, arising in separate incidents shall be permanently disqualified from operating a commercial motor vehicle. A holder of a commercial driver license or commercial learner's permit who is convicted of two violations specified in subsection (3) which were committed while operating any motor vehicle arising in separate incidents shall be permanently disqualified from operating a commercial motor vehicle. The penalty provided in this subsection is in addition to any other applicable penalty.

(6) Notwithstanding subsections (3), (4), and (5), any person who uses a commercial motor vehicle in the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, including possession with intent to manufacture, distribute, or dispense a controlled substance, shall, upon conviction of such felony, be permanently disqualified from operating a commercial motor vehicle. Notwithstanding subsections (3), (4), and (5), any holder of a commercial driver license or commercial learner's permit who uses a noncommercial motor vehicle in the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, including possession with intent to manufacture, distribute, or dispense a controlled substance, shall, upon conviction of such felony, be permanently disqualified from operating a commercial motor vehicle. The penalty provided in this subsection is in addition to any other applicable penalty.

(7) A person whose privilege to operate a commercial motor vehicle is disqualified under this section may, if otherwise qualified, be issued a Class E driver license, pursuant to s. 322.251.

(8) A driver who is convicted of or otherwise found to have committed a violation of an out-of-service order while driving a commercial motor vehicle is disqualified as follows:

(a) *At least* ~~Not less than~~ 180 days *but not* ~~not~~ more than 1 year if the driver is convicted of or otherwise found to have committed a first violation of an out-of-service order.

(b) *At least* ~~Not less than~~ 2 years *but not* ~~not~~ more than 5 years if, for offenses occurring during any 10-year period, the driver is convicted of or otherwise found to have committed two violations of out-of-service orders in separate incidents.

(c) *At least* ~~Not less than~~ 3 years *but not* ~~not~~ more than 5 years if, for offenses occurring during any 10-year period, the driver is convicted of or otherwise found to have committed three or more violations of out-of-service orders in separate incidents.

(d) *At least* ~~Not less than~~ 180 days *but not* ~~not~~ more than 2 years if the driver is convicted of or otherwise found to have committed a first violation of an out-of-service order while transporting hazardous materials required to be placarded under the Hazardous Materials Transportation Act, 49 U.S.C. ss. 5101 et seq., or while operating motor vehicles designed to transport more than 15 passengers, including the driver. A driver is disqualified for a period of *at least* ~~not less than~~ 3 years *but not* ~~not~~ more than 5 years if, for offenses occurring during any 10-year period, the driver is convicted of or otherwise found to have committed any subsequent violations of out-of-service orders, in separate incidents, while transporting hazardous materials required to be placarded under the Hazardous Materials Transportation Act, 49 U.S.C. ss. 5101 et seq., or while operating motor vehicles designed to transport more than 15 passengers, including the driver.

(9) A driver who is convicted of or otherwise found to have committed an offense of operating a commercial motor vehicle in violation of federal, state, or local law or regulation pertaining to one of the following six offenses at a railroad-highway grade crossing must be disqualified for the period of time specified in subsection (10):

(a) For drivers who are not always required to stop, failing to slow down and check that the tracks are clear of approaching trains.

(b) For drivers who are not always required to stop, failing to stop before reaching the crossing if the tracks are not clear.

(c) For drivers who are always required to stop, failing to stop before driving onto the crossing.

(d) For all drivers, failing to have sufficient space to drive completely through the crossing without stopping.

(e) For all drivers, failing to obey a traffic control device or all directions of an enforcement official at the crossing.

(f) For all drivers, failing to negotiate a crossing because of insufficient undercarriage clearance.

(10)(a) A driver must be disqualified for *at least* ~~not less than~~ 60 days if the driver is convicted of or otherwise found to have committed a first violation of a railroad-highway grade crossing violation.

(b) A driver must be disqualified for *at least* ~~not less than~~ 120 days if, for offenses occurring during any 3-year period, the driver is convicted of or otherwise found to have committed a second railroad-highway grade crossing violation in separate incidents.

(c) A driver must be disqualified for *at least* ~~not less than~~ 1 year if, for offenses occurring during any 3-year period, the driver is convicted of or otherwise found to have committed a third or subsequent railroad-highway grade crossing violation in separate incidents.

Section 52. Section 322.64, Florida Statutes, is amended to read:

322.64 Holder of commercial driver license; persons operating a commercial motor vehicle; driving with unlawful blood-alcohol level; refusal to submit to breath, urine, or blood test.—

(1)(a) A law enforcement officer or correctional officer shall, on behalf of the department, disqualify from operating any commercial motor ve-

hicle a person who while operating or in actual physical control of a commercial motor vehicle is arrested for a violation of s. 316.193, relating to unlawful blood-alcohol level or breath-alcohol level, or a person who has refused to submit to a breath, urine, or blood test authorized by s. 322.63 or s. 316.1932 arising out of the operation or actual physical control of a commercial motor vehicle. A law enforcement officer or correctional officer shall, on behalf of the department, disqualify the holder of a commercial ~~driver's~~ license from operating any commercial motor vehicle if the licenseholder, while operating or in actual physical control of a motor vehicle, is arrested for a violation of s. 316.193, relating to unlawful blood-alcohol level or breath-alcohol level, or refused to submit to a breath, urine, or blood test authorized by s. 322.63 or s. 316.1932. Upon disqualification of the person, the officer shall take the person's ~~driver's~~ license and issue the person a 10-day temporary permit for the operation of noncommercial vehicles only if the person is otherwise eligible for the driving privilege and shall issue the person a notice of disqualification. If the person has been given a blood, breath, or urine test, the results of which are not available to the officer at the time of the arrest, the agency employing the officer shall transmit such results to the department within 5 days after receipt of the results. If the department then determines that the person had a blood-alcohol level or breath-alcohol level of 0.08 or higher, the department shall disqualify the person from operating a commercial motor vehicle pursuant to subsection (3).

(b) *For purposes of determining the period of disqualification described in 49 C.F.R. s. 383.51, a disqualification under paragraph (a) shall be considered a conviction.*

(c)(b) The disqualification under paragraph (a) shall be pursuant to, and the notice of disqualification shall inform the driver of, the following:

1.a. The driver refused to submit to a lawful breath, blood, or urine test and he or she is disqualified from operating a commercial motor vehicle *for the time period specified in 49 C.F.R. s. 383.51 for a period of 1 year, for a first refusal, or permanently, if he or she has previously been disqualified under this section;* or

b. The driver *had an unlawful blood-alcohol level of 0.08 or higher while was* driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial ~~driver's~~ license, ~~had an unlawful blood alcohol level or breath alcohol level of 0.08 or higher,~~ and his or her driving privilege *is* ~~shall be~~ disqualified *for the time period specified in 49 C.F.R. s. 383.51 a period of 1 year for a first offense or permanently disqualified if his or her driving privilege has been previously disqualified under this section.*

2. The disqualification period for operating commercial vehicles shall commence on the date of issuance of the notice of disqualification.

3. The driver may request a formal or informal review of the disqualification by the department within 10 days after the date of issuance of the notice of disqualification.

4. The temporary permit issued at the time of disqualification expires at midnight of the 10th day following the date of disqualification.

5. The driver may submit to the department any materials relevant to the disqualification.

(2)(a) Except as provided in paragraph (1)(a), the law enforcement officer shall forward to the department, within 5 days after the date of the issuance of the notice of disqualification, a copy of the notice of disqualification, the ~~driver's~~ license of the person disqualified, and an affidavit stating the officer's grounds for belief that the person disqualified was operating or in actual physical control of a commercial motor vehicle, or holds a commercial ~~driver's~~ license, and had an unlawful blood-alcohol or breath-alcohol level; the results of any breath or blood or urine test or an affidavit stating that a breath, blood, or urine test was requested by a law enforcement officer or correctional officer and that the person arrested refused to submit; a copy of the notice of disqualification issued to the person; and the officer's description of the person's field sobriety test, if any. The failure of the officer to submit materials within the 5-day period specified in this subsection or subsection (1) does not affect the department's ability to consider any evidence submitted at or prior to the hearing.

(b) The officer may also submit a copy of a ~~video recording~~ ~~wide~~ ~~stape~~ of the field sobriety test or the attempt to administer such test and a copy of the crash report, ~~if any~~. *Notwithstanding s. 316.066, the crash report shall be considered by the hearing officer.*

(3) If the department determines that the person arrested should be disqualified from operating a commercial motor vehicle pursuant to this section and if the notice of disqualification has not already been served upon the person by a law enforcement officer or correctional officer as provided in subsection (1), the department shall issue a notice of disqualification and, unless the notice is mailed pursuant to s. 322.251, a temporary permit which expires 10 days after the date of issuance if the driver is otherwise eligible.

(4) If the person disqualified requests an informal review pursuant to subparagraph (1)(c)3. ~~(1)(b)3.~~, the department shall conduct the informal review by a hearing officer ~~designated~~ ~~employed~~ by the department. Such informal review hearing shall consist solely of an examination by the department of the materials submitted by a law enforcement officer or correctional officer and by the person disqualified, and the presence of an officer or witness is not required.

(5) After completion of the informal review, notice of the department's decision sustaining, amending, or invalidating the disqualification must be provided to the person. Such notice must be mailed to the person at the last known address shown on the department's records, and to the address provided in the law enforcement officer's report if such address differs from the address of record, within 21 days after the expiration of the temporary permit issued pursuant to subsection (1) or subsection (3).

(6)(a) If the person disqualified requests a formal review, the department must schedule a hearing to be held within 30 days after such request is received by the department and must notify the person of the date, time, and place of the hearing.

(b) Such formal review hearing shall be held before a hearing officer ~~designated~~ ~~employed~~ by the department, and the hearing officer shall be authorized to administer oaths, examine witnesses and take testimony, receive relevant evidence, issue subpoenas for the officers and witnesses identified in documents *provided under paragraph (2)(a) as provided in subsection (2),* regulate the course and conduct of the hearing, and make a ruling on the disqualification. *The hearing officer may conduct hearings using communications technology.* The department and the person disqualified may subpoena witnesses, and the party requesting the presence of a witness shall be responsible for the payment of any witness fees. If the person who requests a formal review hearing fails to appear and the hearing officer finds such failure to be without just cause, the right to a formal hearing is waived.

(c) *The failure of a subpoenaed witness to appear at the formal review hearing shall not be grounds to invalidate the disqualification. If a witness fails to appear, a party may seek enforcement of a subpoena under paragraph (b) by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena resides or by filing a motion for enforcement in any criminal court case resulting from the driving or actual physical control of a motor vehicle or commercial motor vehicle that gave rise to the disqualification under this section.* A failure to comply with an order of the court shall result in a finding of contempt of court. However, a person shall not be in contempt while a subpoena is being challenged.

(d) The department must, within 7 *working* days after a formal review hearing, send notice to the person of the hearing officer's decision as to whether sufficient cause exists to sustain, amend, or invalidate the disqualification.

(7) In a formal review hearing under subsection (6) or an informal review hearing under subsection (4), the hearing officer shall determine by a preponderance of the evidence whether sufficient cause exists to sustain, amend, or invalidate the disqualification. The scope of the review shall be limited to the following issues:

(a) If the person was disqualified from operating a commercial motor vehicle for driving with an unlawful blood-alcohol level:

1. Whether the ~~arresting~~ law enforcement officer had probable cause to believe that the person was driving or in actual physical control of a

commercial motor vehicle, or any motor vehicle if the driver holds a commercial ~~driver's~~ license, in this state while he or she had any alcohol, chemical substances, or controlled substances in his or her body.

2. Whether the person had an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher.

(b) If the person was disqualified from operating a commercial motor vehicle for refusal to submit to a breath, blood, or urine test:

1. Whether the law enforcement officer had probable cause to believe that the person was driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial ~~driver's~~ license, in this state while he or she had any alcohol, chemical substances, or controlled substances in his or her body.

2. Whether the person refused to submit to the test after being requested to do so by a law enforcement officer or correctional officer.

3. Whether the person was told that if he or she refused to submit to such test he or she would be disqualified from operating a commercial motor vehicle for a period of 1 year or, if previously disqualified under this section, permanently.

(8) Based on the determination of the hearing officer pursuant to subsection (7) for both informal hearings under subsection (4) and formal hearings under subsection (6), the department shall:

~~(a) sustain the disqualification for the time period described in 49 C.F.R. s. 383.51 a period of 1 year for a first refusal, or permanently if such person has been previously disqualified from operating a commercial motor vehicle under this section. The disqualification period commences on the date of the issuance of the notice of disqualification.~~

~~(b) Sustain the disqualification:~~

~~1. For a period of 1 year if the person was driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, and had an unlawful blood alcohol level or breath alcohol level of 0.08 or higher; or~~

~~2. Permanently if the person has been previously disqualified from operating a commercial motor vehicle under this section or his or her driving privilege has been previously suspended for driving or being in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, and had an unlawful blood alcohol level or breath alcohol level of 0.08 or higher.~~

~~The disqualification period commences on the date of the issuance of the notice of disqualification.~~

(9) A request for a formal review hearing or an informal review hearing shall not stay the disqualification. If the department fails to schedule the formal review hearing ~~to be held~~ within 30 days after receipt of the request therefor, the department shall invalidate the disqualification. If the scheduled hearing is continued at the department's initiative ~~or the driver enforces the subpoena as provided in subsection (6)~~, the department shall issue a temporary driving permit limited to noncommercial vehicles which is valid until the hearing is conducted if the person is otherwise eligible for the driving privilege. Such permit shall not be issued to a person who sought and obtained a continuance of the hearing. The permit issued under this subsection shall authorize driving for business purposes only.

(10) A person who is disqualified from operating a commercial motor vehicle under subsection (1) or subsection (3) is eligible for issuance of a license for business or employment purposes only under s. 322.271 if the person is otherwise eligible for the driving privilege. However, such business or employment purposes license shall not authorize the driver to operate a commercial motor vehicle.

(11) The formal review hearing may be conducted upon a review of the reports of a law enforcement officer or a correctional officer, including documents relating to the administration of a breath test or blood test or the refusal to take either test. However, as provided in subsection (6), the driver may subpoena the officer or any person who administered or analyzed a breath or blood test. ~~If the arresting officer or the breath technician fails to appear pursuant to a subpoena as provided in subsection (6), the department shall invalidate the disqualification.~~

(12) The formal review hearing and the informal review hearing are exempt from the provisions of chapter 120. The department ~~may~~ ~~is authorized to~~ adopt rules for the conduct of reviews under this section.

(13) A person may appeal any decision of the department sustaining the disqualification from operating a commercial motor vehicle by a petition for writ of certiorari to the circuit court in the county wherein such person resides or wherein a formal or informal review was conducted pursuant to s. 322.31. However, an appeal shall not stay the disqualification. This subsection shall not be construed to provide for a ~~de novo review~~ ~~appeal~~.

(14) The decision of the department under this section shall not be considered in any trial for a violation of s. 316.193, s. 322.61, or s. 322.62, nor shall any written statement submitted by a person in his or her request for departmental review under this section be admissible into evidence against him or her in any such trial. The disposition of any related criminal proceedings shall not affect a disqualification imposed pursuant to this section.

(15) This section does not preclude the suspension of the driving privilege pursuant to s. 322.2615. The driving privilege of a person who has been disqualified from operating a commercial motor vehicle also may be suspended for a violation of s. 316.193.

Section 53. Section 323.002, Florida Statutes, is amended to read:

323.002 County and municipal wrecker operator systems; penalties for operation outside of system.—

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

(a) "Authorized wrecker operator" means any wrecker operator who has been designated as part of the wrecker operator system established by the governmental unit having jurisdiction over the scene of a wrecked or disabled vehicle.

(b) "Unauthorized wrecker operator" means any wrecker operator who has not been designated as part of the wrecker operator system established by the governmental unit having jurisdiction over the scene of a wrecked or disabled vehicle.

(c) "Wrecker operator system" means a system for the towing or removal of wrecked, disabled, or abandoned vehicles, similar to the Florida Highway Patrol wrecker operator system described in s. 321.051(2), under which a county or municipality contracts with one or more wrecker operators for the towing or removal of wrecked, disabled, or abandoned vehicles from accident scenes, streets, or highways. *A wrecker operator system must include a requirement that authorized wrecker operators must maintain liability insurance of at least \$300,000, and on-hook cargo insurance of at least \$50,000. A wrecker operator system must* ~~shall~~ include using a method for apportioning the towing assignments among the eligible wrecker operators through the creation of geographic zones, a rotation schedule, or a combination of these methods.

(2) In any county or municipality that operates a wrecker operator system:

(a) It is unlawful for an unauthorized wrecker operator or its employees or agents to monitor police radio for communications between patrol field units and the dispatcher in order to determine the location of a wrecked or disabled vehicle for the purpose of driving by the scene of such vehicle in a manner described in paragraph (b) or paragraph (c). Any person who violates this paragraph ~~commits is guilty of~~ a non-criminal violation, punishable as provided in s. 775.083, ~~and a wrecker, tow truck, or other motor vehicle used during the violation may be immediately removed and impounded pursuant to subsection (3).~~

(b) It is unlawful for an unauthorized wrecker operator to drive by the scene of a wrecked or disabled vehicle before the arrival of an authorized wrecker operator, initiate contact with the owner or operator of such vehicle by soliciting or offering towing services, and tow such vehicle. Any person who violates this paragraph ~~commits is guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, ~~and a wrecker, tow truck, or other motor vehicle used during the violation may be immediately removed and impounded pursuant to subsection (3).~~

(c) ~~If when an unauthorized wrecker operator drives by the scene of a wrecked or disabled vehicle and the owner or operator initiates contact by signaling the wrecker operator to stop and provide towing services, the unauthorized wrecker operator must disclose in writing to the owner or operator of the disabled vehicle his or her full name, driver license number, that he or she is not the authorized wrecker operator who has been designated as part of the wrecker operator system, that the motor vehicle is not being towed for the owner's or operator's insurance company or lienholder, and the maximum must disclose, in writing, a fee schedule that includes what charges for towing and storage which will apply before the vehicle is connected to or disconnected from the towing apparatus. If a law enforcement officer is present at the scene of a motor vehicle accident, the unauthorized wrecker operator must provide such disclosures to the owner or operator of the disabled vehicle in the presence of the law enforcement officer. The fee charged per mile to and from the storage facility, the fee charged per 24 hours of storage, and, prominently displayed, the consumer hotline for the Department of Agriculture and Consumer Services. Any person who violates this paragraph commits is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, and a wrecker, tow truck, or other motor vehicle used during the violation may be immediately removed and impounded pursuant to subsection (3).~~

(d) At the scene of a wrecked or disabled vehicle, it is unlawful for a wrecker operator to falsely identify himself or herself as being part of the wrecker operator system. Any person who violates this paragraph ~~commits is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, and a wrecker, tow truck, or other motor vehicle used during the violation may be immediately removed and impounded pursuant to subsection (3).

(3)(a) A law enforcement officer from a local governmental agency or a state law enforcement agency may cause a wrecker, tow truck, or other motor vehicle that is used in violation of subsection (2) to be immediately removed and impounded from the scene of a wreck or disabled vehicle at the unauthorized wrecker operator's expense. The unauthorized wrecker operator shall be assessed a cost-recovery fine as provided in paragraph (b) by the authority that ordered the immediate removal and impoundment of the wrecker, tow truck, or other motor vehicle. A wrecker, tow truck, or other motor vehicle that is removed and impounded pursuant to this section may not be released from an impound or towing and storage facility until a release form has been completed by the authority that ordered the immediate removal and impoundment of the wrecker, tow truck, or other motor vehicle under this section. The release form must verify that the cost-recovery fine as provided in paragraph (b) has been paid to such authority. The vehicle must remain impounded until the cost-recovery fine has been paid or until the vehicle is sold at public sale pursuant to s. 713.78.

(b) Notwithstanding any other provision of law to the contrary, an unauthorized wrecker operator, upon retrieval of a wrecker, tow truck, or other motor vehicle removed or impounded pursuant to this section, in addition to any other penalties that may be imposed for noncriminal violations, shall pay a cost-recovery fine of \$500 for a first-time violation of subsection (2), or a fine of \$1,000 for each subsequent violation, to the authority that ordered the immediate removal and impoundment of the wrecker, tow truck, or other motor vehicle under this section. Cost-recovery funds collected pursuant to this subsection shall be retained by the authority that ordered the removal and impoundment of the wrecker, tow truck, or other motor vehicle and may be used only for enforcement, investigation, prosecution, and training related to towing violations and crimes involving motor vehicles.

(c) Notwithstanding any other provision of law to the contrary and in addition to the cost-recovery fine required by this subsection, a person who violates any provision of subsection (2) shall pay the fees associated with the removal and storage of an unauthorized wrecker, tow truck, or other motor vehicle.

(4)(3) This section does not prohibit, or in any way prevent, the owner or operator of a vehicle involved in an accident or otherwise disabled from contacting any wrecker operator for the provision of towing services, whether the wrecker operator is an authorized wrecker operator or not.

Section 54. Paragraph (a) of subsection (1) of section 324.0221, Florida Statutes, is amended to read:

324.0221 Reports by insurers to the department; suspension of driver's license and vehicle registrations; reinstatement.—

(1)(a) Each insurer that has issued a policy providing personal injury protection coverage or property damage liability coverage shall report the ~~renewal, cancellation, or nonrenewal thereof to the department within 10 45 days after the processing effective date of each renewal, cancellation, or nonrenewal.~~ Upon the issuance of a policy providing personal injury protection coverage or property damage liability coverage to a named insured not previously insured by the insurer during that calendar year, the insurer shall report the issuance of the new policy to the department within 10 30 days. The report shall be in the form and format and contain any information required by the department and must be provided in a format that is compatible with the data processing capabilities of the department. The department may adopt rules regarding the form and documentation required. Failure by an insurer to file proper reports with the department as required by this subsection or rules adopted with respect to the requirements of this subsection constitutes a violation of the Florida Insurance Code. These records shall be used by the department only for enforcement and regulatory purposes, including the generation by the department of data regarding compliance by owners of motor vehicles with the requirements for financial responsibility coverage.

Section 55. Section 324.031, Florida Statutes, is amended to read:

324.031 Manner of proving financial responsibility.—The owner or operator of a taxicab, limousine, jitney, or any other for-hire passenger transportation vehicle may prove financial responsibility by providing satisfactory evidence of holding a motor vehicle liability policy as defined in s. 324.021(8) or s. 324.151, which policy is issued by an insurance carrier which is a member of the Florida Insurance Guaranty Association. The operator or owner of any other vehicle may prove his or her financial responsibility by:

(1) Furnishing satisfactory evidence of holding a motor vehicle liability policy as defined in ss. 324.021(8) and 324.151;

~~(2) Posting with the department a satisfactory bond of a surety company authorized to do business in this state, conditioned for payment of the amount specified in s. 324.021(7);~~

~~(2)(2)~~ (2) Furnishing a certificate of self-insurance the department showing a deposit of cash or securities in accordance with s. 324.161; or

~~(3)(4)~~ (3) Furnishing a certificate of self-insurance issued by the department in accordance with s. 324.171.

Any person, including any firm, partnership, association, corporation, or other person, other than a natural person, electing to use the method of proof specified in subsection (2) ~~or subsection (3)~~ shall furnish a certificate of ~~post a bond or~~ deposit equal to the number of vehicles owned times \$30,000, to a maximum of \$120,000; in addition, any such person, other than a natural person, shall maintain insurance providing coverage in excess of limits of \$10,000/20,000/10,000 or \$30,000 combined single limits, and such excess insurance shall provide minimum limits of \$125,000/250,000/50,000 or \$300,000 combined single limits. These increased limits shall not affect the requirements for proving financial responsibility under s. 324.032(1).

Section 56. Subsection (1) of section 324.091, Florida Statutes, is amended to read:

324.091 Notice to department; notice to insurer.—

(1) Each owner and operator involved in a crash or conviction case within the purview of this chapter shall furnish evidence of automobile liability insurance ~~or; motor vehicle liability insurance, or a surety bond~~ within 14 days after the date of the mailing of notice of crash by the department in the form and manner as it may designate. Upon receipt of evidence that an automobile liability policy ~~or; motor vehicle liability policy, or surety bond~~ was in effect at the time of the crash or conviction case, the department shall forward ~~by United States mail, postage prepaid, to the insurer or surety insurer a copy of such information for verification in a method as determined by the department. and shall assume that the policy or bond was in effect, unless~~ The insurer shall respond to ~~or surety insurer notifies~~ the department otherwise within 20 days after ~~the mailing of the notice whether or not such information is~~

~~valid to the insurer or surety insurer. However, If the department later determines that an automobile liability policy or; motor vehicle liability policy, or surety bond was not in effect and did not provide coverage for both the owner and the operator, it shall take action as it is otherwise authorized to do under this chapter. Proof of mailing to the insurer or surety insurer may be made by the department by naming the insurer or surety insurer to whom the mailing was made and by specifying the time, place, and manner of mailing.~~

Section 57. Section 324.161, Florida Statutes, is amended to read:

324.161 Proof of financial responsibility; ~~surety bond or deposit.~~—*Annually, before any certificate of insurance may be issued to a person, including any firm, partnership, association, corporation, or other person, other than a natural person, proof of a certificate of deposit of \$30,000 issued and held by a financial institution must be submitted to the department. A power of attorney will be issued to and held by the department and may be executed upon. The certificate of the department of a deposit may be obtained by depositing with it \$30,000 cash or securities such as may be legally purchased by savings banks or for trust funds, of a market value of \$30,000 and which deposit shall be held by the department to satisfy, in accordance with the provisions of this chapter, any execution on a judgment issued against such person making the deposit, for damages because of bodily injury to or death of any person or for damages because of injury to or destruction of property resulting from the use or operation of any motor vehicle occurring after such deposit was made. Money or securities so deposited shall not be subject to attachment or execution unless such attachment or execution shall arise out of a suit for damages as aforesaid.*

Section 58. Paragraph (a) of subsection (1) of section 328.01, Florida Statutes, is amended to read:

328.01 Application for certificate of title.—

(1)(a) The owner of a vessel which is required to be titled shall apply to the county tax collector for a certificate of title. The application shall include the true name of the owner, the residence or business address of the owner, and the complete description of the vessel, including the hull identification number, except that an application for a certificate of title for a homemade vessel shall state all the foregoing information except the hull identification number. The application shall be signed by the owner and shall be accompanied by personal or business identification *and the prescribed fee. An individual applicant must provide a valid driver license or identification card issued by this state or another state or a valid passport. A business applicant must provide a federal employer identification number, if applicable, verification that the business is authorized to conduct business in the state, or a Florida city or county business license or number, which may include, but need not be limited to, a driver's license number, Florida identification card number, or federal employer identification number, and the prescribed fee.*

Section 59. Paragraph (a) of subsection (1) of section 328.48, Florida Statutes, is amended to read:

328.48 Vessel registration, application, certificate, number, decal, duplicate certificate.—

(1)(a) The owner of each vessel required by this law to pay a registration fee and secure an identification number shall file an application with the county tax collector. The application shall provide the owner's name and address; residency status; personal or business identification; ~~which may include, but need not be limited to, a driver's license number, Florida identification card number, or federal employer identification number~~; and a complete description of the vessel, and shall be accompanied by payment of the applicable fee required in s. 328.72. *An individual applicant must provide a valid driver license or identification card issued by this state or another state or a valid passport. A business applicant must provide a federal employer identification number, if applicable, verification that the business is authorized to conduct business in the state, or a Florida city or county business license or number.* Registration is not required for any vessel that is not used on the waters of this state.

Section 60. Subsection (1) of section 328.76, Florida Statutes, is amended to read:

328.76 Marine Resources Conservation Trust Fund; vessel registration funds; appropriation and distribution.—

(1) Except as otherwise specified in this subsection and less *the amount equal to \$1.4 million for* any administrative costs which shall be deposited in the Highway Safety Operating Trust Fund, in each fiscal year beginning on or after July 1, 2001, all funds collected from the registration of vessels through the Department of Highway Safety and Motor Vehicles and the tax collectors of the state, except for those funds designated as the county portion pursuant to s. 328.72(1), shall be deposited in the Marine Resources Conservation Trust Fund for recreational channel marking; public launching facilities; law enforcement and quality control programs; aquatic weed control; manatee protection, recovery, rescue, rehabilitation, and release; and marine mammal protection and recovery. The funds collected pursuant to s. 328.72(1) shall be transferred as follows:

(a) In each fiscal year, an amount equal to \$1.50 for each commercial and recreational vessel registered in this state shall be transferred by the Department of Highway Safety and Motor Vehicles to the Save the Manatee Trust Fund and shall be used only for the purposes specified in s. 379.2431(4).

(b) An amount equal to \$2 from each recreational vessel registration fee, except that for class A-1 vessels, shall be transferred by the Department of Highway Safety and Motor Vehicles to the Invasive Plant Control Trust Fund in the Fish and Wildlife Conservation Commission for aquatic weed research and control.

(c) An amount equal to 40 percent of the registration fees from commercial vessels shall be transferred by the Department of Highway Safety and Motor Vehicles to the Invasive Plant Control Trust Fund in the Fish and Wildlife Conservation Commission for aquatic plant research and control.

(d) An amount equal to 40 percent of the registration fees from commercial vessels shall be transferred by the Department of Highway Safety and Motor Vehicles, on a monthly basis, to the General Inspection Trust Fund of the Department of Agriculture and Consumer Services. These funds shall be used for shellfish and aquaculture law enforcement and quality control programs.

Section 61. Subsections (1), (2), (3), (4), (9), and (13) of section 713.585, Florida Statutes, are amended to read:

713.585 Enforcement of lien by sale of motor vehicle.—A person claiming a lien under s. 713.58 for performing labor or services on a motor vehicle may enforce such lien by sale of the vehicle in accordance with the following procedures:

(1) The lienor must give notice, by certified mail, return receipt requested, within 15 business days, excluding Saturday and Sunday, from the beginning date of the assessment of storage charges on said motor vehicle, to the registered owner of the vehicle, to the customer as indicated on the order for repair, and to all other persons claiming an interest in or lien thereon, as disclosed by the records of the Department of Highway Safety and Motor Vehicles *or as disclosed by the records of any of a corresponding agency of any other state in which the vehicle is identified through a records check of the National Motor Vehicle Title Information System as being the current state where the vehicle is titled appears registered.* Such notice must contain:

(a) A description of the vehicle (year, make, vehicle identification number) and its location.

(b) The name and address of the owner of the vehicle, the customer as indicated on the order for repair, and any person claiming an interest in or lien thereon.

(c) The name, address, and telephone number of the lienor.

(d) Notice that the lienor claims a lien on the vehicle for labor and services performed and storage charges, if any, and the cash sum which, if paid to the lienor, would be sufficient to redeem the vehicle from the lien claimed by the lienor.

(e) Notice that the lien claimed by the lienor is subject to enforcement pursuant to this section and that the vehicle may be sold to satisfy the lien.



(f) If known, the date, time, and location of any proposed or scheduled sale of the vehicle. No vehicle may be sold earlier than 60 days after completion of the repair work.

(g) Notice that the owner of the vehicle or any person claiming an interest in or lien thereon has a right to a hearing at any time prior to the scheduled date of sale by filing a demand for hearing with the clerk of the circuit court in the county in which the vehicle is held and mailing copies of the demand for hearing to all other owners and lienors as reflected on the notice.

(h) Notice that the owner of the vehicle has a right to recover possession of the vehicle without instituting judicial proceedings by posting bond in accordance with the provisions of s. 559.917.

(i) Notice that any proceeds from the sale of the vehicle remaining after payment of the amount claimed to be due and owing to the lienor will be deposited with the clerk of the circuit court for disposition upon court order pursuant to subsection (8).

(2) If attempts to locate the owner or lienholder are unsuccessful after a check of the records of the Department of Highway Safety and Motor Vehicles and any state disclosed by the check of the National Motor Vehicle Title Information System, the lienor must notify the local law enforcement agency in writing by certified mail or acknowledged hand delivery that the lienor has been unable to locate the owner or lienholder, that a physical search of the vehicle has disclosed no ownership information, and that a good faith effort, including records checks of the Department of Highway Safety and Motor Vehicles database and the National Motor Vehicle Title Information System, has been made. A description of the motor vehicle which includes the year, make, and identification number must be given on the notice. This notification must take place within 15 business days, excluding Saturday and Sunday, from the beginning date of the assessment of storage charges on said motor vehicle. For purposes of this paragraph, the term "good faith effort" means that the following checks have been performed by the company to establish the prior state of registration and title:

(a) A check of the Department of Highway Safety and Motor Vehicles database for the owner and any lienholder;

(b) A check of the federally mandated electronic National Motor Vehicle Title Information System to determine the state of registration when there is not a current title or registration record for the vehicle on file with the Department of Highway Safety and Motor Vehicles;

(c)(a) A check of vehicle for any type of tag, tag record, temporary tag, or regular tag;

(d)(b) A check of vehicle for inspection sticker or other stickers and decals that could indicate the state of possible registration; and

(e)(c) A check of the interior of the vehicle for any papers that could be in the glove box, trunk, or other areas for the state of registration.

(3) If the date of the sale was not included in the notice required in subsection (1), notice of the sale must be sent by certified mail, return receipt requested, not less than 15 days before the date of sale, to the customer as indicated on the order for repair, and to all other persons claiming an interest in or lien on the motor vehicle, as disclosed by the records of the Department of Highway Safety and Motor Vehicles or of a corresponding agency of any other state in which the vehicle appears to have been registered after completion of a check of the National Motor Vehicle Title Information System. ~~After diligent search and inquiry, if the name and address of the registered owner or the owner of the recorded lien cannot be ascertained, the requirements for this notice may be disregarded.~~

(4) The lienor, at least 15 days before the proposed or scheduled date of sale of the vehicle, shall publish the notice required by this section once in a newspaper circulated in the county where the vehicle is held. A certificate of compliance with the notification provisions of this section, verified by the lienor, together with a copy of the notice and return receipt for mailing of the notice required by this section, ~~and~~ proof of publication, and checks of the Department of Highway Safety and Motor Vehicles and the National Motor Vehicle Title Information System, must be duly and expeditiously filed with the clerk of the circuit court in the county where the vehicle is held. The lienor, at the time of filing the

certificate of compliance, must pay to the clerk of that court a service charge of \$10 for indexing and recording the certificate.

(9) A copy of the certificate of compliance and the report of sale, certified by the clerk of the court, *and proof of the required check of the National Motor Vehicle Title Information System* shall constitute satisfactory proof for application to the Department of Highway Safety and Motor Vehicles for transfer of title, together with any other proof required by any rules and regulations of the department.

(13) A failure to make good faith efforts as defined in subsection (2) precludes the imposition of any storage charges against the vehicle. If a lienor fails to provide notice to any person claiming a lien on a vehicle under subsection (1) within 15 business days after the assessment of storage charges have begun, then the lienor is precluded from charging for more than 15 days of storage, but failure to provide timely notice does not affect charges made for repairs, adjustments, or modifications to the vehicle or the priority of liens on the vehicle.

Section 62. Section 713.78, Florida Statutes, is amended to read:

713.78 Liens for recovering, towing, or storing vehicles and vessels.—

(1) For the purposes of this section, the term:

(a) "Vehicle" means any mobile item, whether motorized or not, which is mounted on wheels.

(b) "Vessel" means every description of watercraft, barge, and airboat used or capable of being used as a means of transportation on water, other than a seaplane or a "documented vessel" as defined in s. 327.02(9).

(c) "Wrecker" means any truck or other vehicle which is used to tow, carry, or otherwise transport motor vehicles or vessels upon the streets and highways of this state and which is equipped for that purpose with a boom, winch, car carrier, or other similar equipment.

(d) "National Motor Vehicle Title Information System" means the federally authorized electronic National Motor Vehicle Title Information System.

(2) Whenever a person regularly engaged in the business of transporting vehicles or vessels by wrecker, tow truck, or car carrier recovers, removes, or stores a vehicle or vessel upon instructions from:

(a) The owner thereof;

(b) The owner or lessor, or a person authorized by the owner or lessor, of property on which such vehicle or vessel is wrongfully parked, and the removal is done in compliance with s. 715.07; ~~or~~

(c) *The landlord or a person authorized by the landlord, when such motor vehicle or vessel remained on the premises after the tenancy terminated and the removal is done in compliance with s. 715.104; or*

(d)(e) Any law enforcement agency,

she or he shall have a lien on the vehicle or vessel for a reasonable towing fee and for a reasonable storage fee; except that no storage fee shall be charged if the vehicle is stored for less than 6 hours.

(3) This section does not authorize any person to claim a lien on a vehicle for fees or charges connected with the immobilization of such vehicle using a vehicle boot or other similar device pursuant to s. 715.07.

(4)(a) Any person regularly engaged in the business of recovering, towing, or storing vehicles or vessels who comes into possession of a vehicle or vessel pursuant to subsection (2), and who claims a lien for recovery, towing, or storage services, shall give notice to the registered owner, the insurance company insuring the vehicle notwithstanding the provisions of s. 627.736, and to all persons claiming a lien thereon, as disclosed by the records in the Department of Highway Safety and Motor Vehicles or as disclosed by the records of any ~~of a~~ corresponding agency in any other state in which the vehicle is identified through a records check of the National Motor Vehicle Title Information System as being titled or registered.



(b) Whenever any law enforcement agency authorizes the removal of a vehicle or vessel or whenever any towing service, garage, repair shop, or automotive service, storage, or parking place notifies the law enforcement agency of possession of a vehicle or vessel pursuant to s. 715.07(2)(a)2., the law enforcement agency of the jurisdiction where the vehicle or vessel is stored shall contact the Department of Highway Safety and Motor Vehicles, or the appropriate agency of the state of registration, if known, within 24 hours through the medium of electronic communications, giving the full description of the vehicle or vessel. Upon receipt of the full description of the vehicle or vessel, the department shall search its files to determine the owner's name, the insurance company insuring the vehicle or vessel, and whether any person has filed a lien upon the vehicle or vessel as provided in s. 319.27(2) and (3) and notify the applicable law enforcement agency within 72 hours. The person in charge of the towing service, garage, repair shop, or automotive service, storage, or parking place shall obtain such information from the applicable law enforcement agency within 5 days after the date of storage and shall give notice pursuant to paragraph (a). The department may release the insurance company information to the requestor notwithstanding the provisions of s. 627.736.

(c) Notice by certified mail shall be sent within 7 business days after the date of storage of the vehicle or vessel to the registered owner, the insurance company insuring the vehicle notwithstanding the provisions of s. 627.736, and all persons of record claiming a lien against the vehicle or vessel. It shall state the fact of possession of the vehicle or vessel, that a lien as provided in subsection (2) is claimed, that charges have accrued and the amount thereof, that the lien is subject to enforcement pursuant to law, and that the owner or lienholder, if any, has the right to a hearing as set forth in subsection (5), and that any vehicle or vessel which remains unclaimed, or for which the charges for recovery, towing, or storage services remain unpaid, may be sold free of all prior liens after 35 days if the vehicle or vessel is more than 3 years of age or after 50 days if the vehicle or vessel is 3 years of age or less.

(d) If attempts to locate the name and address of the owner or lienholder prove unsuccessful, the towing-storage operator shall, after 7 working days, excluding Saturday and Sunday, of the initial tow or storage, notify the public agency of jurisdiction where the vehicle or vessel is stored in writing by certified mail or acknowledged hand delivery that the towing-storage company has been unable to locate the name and address of the owner or lienholder and a physical search of the vehicle or vessel has disclosed no ownership information and a good faith effort has been made, *including records checks of the Department of Highway Safety and Motor Vehicles and the National Motor Vehicle Title Information System databases*. For purposes of this paragraph and subsection (9), "good faith effort" means that the following checks have been performed by the company to establish prior state of registration and for title:

1. *Check of the Department of Highway Safety and Motor Vehicles database for the owner and any lienholder.*

2. *Check of the electronic National Motor Vehicle Title Information System to determine the state of registration when there is not a current registration record for the vehicle on file with the Department of Highway Safety and Motor Vehicles.*

~~3.1-~~ Check of vehicle or vessel for any type of tag, tag record, temporary tag, or regular tag.

~~4.2-~~ Check of law enforcement report for tag number or other information identifying the vehicle or vessel, if the vehicle or vessel was towed at the request of a law enforcement officer.

~~5.3-~~ Check of trip sheet or tow ticket of tow truck operator to see if a tag was on vehicle or vessel at beginning of tow, if private tow.

~~6.4-~~ If there is no address of the owner on the impound report, check of law enforcement report to see if an out-of-state address is indicated from driver license information.

~~7.5-~~ Check of vehicle or vessel for inspection sticker or other stickers and decals that may indicate a state of possible registration.

~~8.6-~~ Check of the interior of the vehicle or vessel for any papers that may be in the glove box, trunk, or other areas for a state of registration.

~~9.7-~~ Check of vehicle for vehicle identification number.

~~10.8-~~ Check of vessel for vessel registration number.

~~11.9-~~ Check of vessel hull for a hull identification number which should be carved, burned, stamped, embossed, or otherwise permanently affixed to the outboard side of the transom or, if there is no transom, to the outmost seaboard side at the end of the hull that bears the rudder or other steering mechanism.

(5)(a) The owner of a vehicle or vessel removed pursuant to the provisions of subsection (2), or any person claiming a lien, other than the towing-storage operator, within 10 days after the time she or he has knowledge of the location of the vehicle or vessel, may file a complaint in the county court of the county in which the vehicle or vessel is stored to determine if her or his property was wrongfully taken or withheld from her or him.

(b) Upon filing of a complaint, an owner or lienholder may have her or his vehicle or vessel released upon posting with the court a cash or surety bond or other adequate security equal to the amount of the charges for towing or storage and lot rental amount to ensure the payment of such charges in the event she or he does not prevail. Upon the posting of the bond and the payment of the applicable fee set forth in s. 28.24, the clerk of the court shall issue a certificate notifying the lienor of the posting of the bond and directing the lienor to release the vehicle or vessel. At the time of such release, after reasonable inspection, she or he shall give a receipt to the towing-storage company reciting any claims she or he has for loss or damage to the vehicle or vessel or the contents thereof.

(c) Upon determining the respective rights of the parties, the court may award damages, attorney's fees, and costs in favor of the prevailing party. In any event, the final order shall provide for immediate payment in full of recovery, towing, and storage fees by the vehicle or vessel owner or lienholder; or the agency ordering the tow; or the owner, lessee, or agent thereof of the property from which the vehicle or vessel was removed.

(6) Any vehicle or vessel which is stored pursuant to subsection (2) and which remains unclaimed, or for which reasonable charges for recovery, towing, or storing remain unpaid, and any contents not released pursuant to subsection (10), may be sold by the owner or operator of the storage space for such towing or storage charge after 35 days from the time the vehicle or vessel is stored therein if the vehicle or vessel is more than 3 years of age or after 50 days following the time the vehicle or vessel is stored therein if the vehicle or vessel is 3 years of age or less. The sale shall be at public sale for cash. If the date of the sale was not included in the notice required in subsection (4), notice of the sale shall be given to the person in whose name the vehicle or vessel is registered and to all persons claiming a lien on the vehicle or vessel as shown on the records of the Department of Highway Safety and Motor Vehicles or of ~~any the~~ corresponding agency in any other state in which the vehicle is identified through a records check of the National Motor Vehicle Title Information System as being titled. Notice shall be sent by certified mail to the owner of the vehicle or vessel and the person having the recorded lien on the vehicle or vessel at the address shown on the records of the registering agency and shall be mailed not less than 15 days before the date of the sale. After diligent search and inquiry, if the name and address of the registered owner or the owner of the recorded lien cannot be ascertained, the requirements of notice by mail may be dispensed with. In addition to the notice by mail, public notice of the time and place of sale shall be made by publishing a notice thereof one time, at least 10 days prior to the date of the sale, in a newspaper of general circulation in the county in which the sale is to be held. The proceeds of the sale, after payment of reasonable towing and storage charges, and costs of the sale, in that order of priority, shall be deposited with the clerk of the circuit court for the county if the owner or lienholder is absent, and the clerk shall hold such proceeds subject to the claim of the owner or lienholder legally entitled thereto. The clerk shall be entitled to receive 5 percent of such proceeds for the care and disbursement thereof. The certificate of title issued under this law shall be discharged of all liens unless otherwise provided by court order. The owner or lienholder may file a complaint after the vehicle or vessel has been sold in the county court of the county in which it is stored. Upon determining the respective rights of the parties, the court may award damages, attorney's fees, and costs in favor of the prevailing party.

(7)(a) A wrecker operator recovering, towing, or storing vehicles or vessels is not liable for damages connected with such services, theft of such vehicles or vessels, or theft of personal property contained in such vehicles or vessels, provided that such services have been performed with reasonable care and provided, further, that, in the case of removal of a vehicle or vessel upon the request of a person purporting, and reasonably appearing, to be the owner or lessee, or a person authorized by the owner or lessee, of the property from which such vehicle or vessel is removed, such removal has been done in compliance with s. 715.07. Further, a wrecker operator is not liable for damage to a vehicle, vessel, or cargo that obstructs the normal movement of traffic or creates a hazard to traffic and is removed in compliance with the request of a law enforcement officer.

(b) For the purposes of this subsection, a wrecker operator is presumed to use reasonable care to prevent the theft of a vehicle or vessel or of any personal property contained in such vehicle stored in the wrecker operator's storage facility if all of the following apply:

1. The wrecker operator surrounds the storage facility with a chain-link or solid-wall type fence at least 6 feet in height;
2. The wrecker operator has illuminated the storage facility with lighting of sufficient intensity to reveal persons and vehicles at a distance of at least 150 feet during nighttime; and
3. The wrecker operator uses one or more of the following security methods to discourage theft of vehicles or vessels or of any personal property contained in such vehicles or vessels stored in the wrecker operator's storage facility:
  - a. A night dispatcher or watchman remains on duty at the storage facility from sunset to sunrise;
  - b. A security dog remains at the storage facility from sunset to sunrise;
  - c. Security cameras or other similar surveillance devices monitor the storage facility; or
  - d. A security guard service examines the storage facility at least once each hour from sunset to sunrise.

(c) Any law enforcement agency requesting that a motor vehicle be removed from an accident scene, street, or highway must conduct an inventory and prepare a written record of all personal property found in the vehicle before the vehicle is removed by a wrecker operator. However, if the owner or driver of the motor vehicle is present and accompanies the vehicle, no inventory by law enforcement is required. A wrecker operator is not liable for the loss of personal property alleged to be contained in such a vehicle when such personal property was not identified on the inventory record prepared by the law enforcement agency requesting the removal of the vehicle.

(8) A person regularly engaged in the business of recovering, towing, or storing vehicles or vessels, except a person licensed under chapter 493 while engaged in "repossession" activities as defined in s. 493.6101, may not operate a wrecker, tow truck, or car carrier unless the name, address, and telephone number of the company performing the service is clearly printed in contrasting colors on the driver and passenger sides of its vehicle. The name must be in at least 3-inch permanently affixed letters, and the address and telephone number must be in at least 1-inch permanently affixed letters.

(9) Failure to make good faith best efforts to comply with the notice requirements of this section shall preclude the imposition of any storage charges against such vehicle or vessel.

(10) Persons who provide services pursuant to this section shall permit vehicle or vessel owners, lienholders, insurance company representatives, or their agents, which agency is evidenced by an original writing acknowledged by the owner before a notary public or other person empowered by law to administer oaths, to inspect the towed vehicle or vessel and shall release to the owner, lienholder, or agent the vehicle, vessel, or all personal property not affixed to the vehicle or vessel which was in the vehicle or vessel at the time the vehicle or vessel came into the custody of the person providing such services.

(11)(a) Any person regularly engaged in the business of recovering, towing, or storing vehicles or vessels who comes into possession of a vehicle or vessel pursuant to subsection (2) and who has complied with the provisions of subsections (3) and (6), when such vehicle or vessel is to be sold for purposes of being dismantled, destroyed, or changed in such manner that it is not the motor vehicle or vessel described in the certificate of title, shall report the vehicle to the National Motor Vehicle Title Information System and apply to the Department of Highway Safety and Motor Vehicles ~~county tax collector~~ for a certificate of destruction. A certificate of destruction, which authorizes the dismantling or destruction of the vehicle or vessel described therein, shall be reassignable a maximum of two times before dismantling or destruction of the vehicle shall be required, and shall accompany the vehicle or vessel for which it is issued, when such vehicle or vessel is sold for such purposes, in lieu of a certificate of title. The application for a certificate of destruction must include proof of reporting to the National Motor Vehicle Title Information System and an affidavit from the applicant that it has complied with all applicable requirements of this section and, if the vehicle or vessel is not registered in this state or any other state, by a statement from a law enforcement officer that the vehicle or vessel is not reported stolen, and shall be accompanied by such documentation as may be required by the department.

(b) The Department of Highway Safety and Motor Vehicles shall charge a fee of \$3 for each certificate of destruction. A service charge of \$4.25 shall be collected and retained by the tax collector who processes the application.

(c) The Department of Highway Safety and Motor Vehicles may adopt such rules as it deems necessary or proper for the administration of this subsection.

(12)(a) Any person who violates any provision of subsection (1), subsection (2), subsection (4), subsection (5), subsection (6), or subsection (7) is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Any person who violates the provisions of subsections (8) through (11) is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) Any person who uses a false or fictitious name, gives a false or fictitious address, or makes any false statement in any application or affidavit required under the provisions of this section is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) Employees of the Department of Highway Safety and Motor Vehicles and law enforcement officers are authorized to inspect the records of any person regularly engaged in the business of recovering, towing, or storing vehicles or vessels or transporting vehicles or vessels by wrecker, tow truck, or car carrier, to ensure compliance with the requirements of this section. Any person who fails to maintain records, or fails to produce records when required in a reasonable manner and at a reasonable time, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(13)(a) Upon receipt by the Department of Highway Safety and Motor Vehicles of written notice from a wrecker operator who claims a wrecker operator's lien under paragraph (2)(c) or paragraph (2)(d) for recovery, towing, or storage of an abandoned vehicle or vessel upon instructions from any law enforcement agency, for which a certificate of destruction has been issued under subsection (11) and the vehicle has been reported to the National Motor Vehicle Title Information System, the department shall place the name of the registered owner of that vehicle or vessel on the list of those persons who may not be issued a license plate or revalidation sticker for any motor vehicle under s. 320.03(8). If the vehicle or vessel is owned jointly by more than one person, the name of each registered owner shall be placed on the list. The notice of wrecker operator's lien shall be submitted on forms provided by the department, which must include:

1. The name, address, and telephone number of the wrecker operator.
2. The name of the registered owner of the vehicle or vessel and the address to which the wrecker operator provided notice of the lien to the registered owner under subsection (4).

3. A general description of the vehicle or vessel, including its color, make, model, body style, and year.

4. The vehicle identification number (VIN); registration license plate number, state, and year; validation decal number, state, and year; vessel registration number; hull identification number; or other identification number, as applicable.

5. The name of the person or the corresponding law enforcement agency that requested that the vehicle or vessel be recovered, towed, or stored.

6. The amount of the wrecker operator's lien, not to exceed the amount allowed by paragraph (b).

(b) For purposes of this subsection only, the amount of the wrecker operator's lien for which the department will prevent issuance of a license plate or revalidation sticker may not exceed the amount of the charges for recovery, towing, and storage of the vehicle or vessel for 7 days. These charges may not exceed the maximum rates imposed by the ordinances of the respective county or municipality under ss. 125.0103(1)(c) and 166.043(1)(c). This paragraph does not limit the amount of a wrecker operator's lien claimed under subsection (2) or prevent a wrecker operator from seeking civil remedies for enforcement of the entire amount of the lien, but limits only that portion of the lien for which the department will prevent issuance of a license plate or revalidation sticker.

(c)1. The registered owner of a vehicle or vessel may dispute a wrecker operator's lien, by notifying the department of the dispute in writing on forms provided by the department, if at least one of the following applies:

a. The registered owner presents a notarized bill of sale proving that the vehicle or vessel was sold in a private or casual sale before the vehicle or vessel was recovered, towed, or stored.

b. The registered owner presents proof that the Florida certificate of title of the vehicle or vessel was sold to a licensed dealer as defined in s. 319.001 before the vehicle or vessel was recovered, towed, or stored.

c. The records of the department were marked "sold" prior to the date of the tow.

If the registered owner's dispute of a wrecker operator's lien complies with one of these criteria, the department shall immediately remove the registered owner's name from the list of those persons who may not be issued a license plate or revalidation sticker for any motor vehicle under s. 320.03(8), thereby allowing issuance of a license plate or revalidation sticker. If the vehicle or vessel is owned jointly by more than one person, each registered owner must dispute the wrecker operator's lien in order to be removed from the list. However, the department shall deny any dispute and maintain the registered owner's name on the list of those persons who may not be issued a license plate or revalidation sticker for any motor vehicle under s. 320.03(8) if the wrecker operator has provided the department with a certified copy of the judgment of a court which orders the registered owner to pay the wrecker operator's lien claimed under this section. In such a case, the amount of the wrecker operator's lien allowed by paragraph (b) may be increased to include no more than \$500 of the reasonable costs and attorney's fees incurred in obtaining the judgment. The department's action under this subparagraph is ministerial in nature, shall not be considered final agency action, and is appealable only to the county court for the county in which the vehicle or vessel was ordered removed.

2. A person against whom a wrecker operator's lien has been imposed may alternatively obtain a discharge of the lien by filing a complaint, challenging the validity of the lien or the amount thereof, in the county court of the county in which the vehicle or vessel was ordered removed. Upon filing of the complaint, the person may have her or his name removed from the list of those persons who may not be issued a license plate or revalidation sticker for any motor vehicle under s. 320.03(8), thereby allowing issuance of a license plate or revalidation sticker, upon posting with the court a cash or surety bond or other adequate security equal to the amount of the wrecker operator's lien to ensure the payment of such lien in the event she or he does not prevail. Upon the posting of the bond and the payment of the applicable fee set forth in s. 28.24, the clerk of the court shall issue a certificate notifying

the department of the posting of the bond and directing the department to release the wrecker operator's lien. Upon determining the respective rights of the parties, the court may award damages and costs in favor of the prevailing party.

3. If a person against whom a wrecker operator's lien has been imposed does not object to the lien, but cannot discharge the lien by payment because the wrecker operator has moved or gone out of business, the person may have her or his name removed from the list of those persons who may not be issued a license plate or revalidation sticker for any motor vehicle under s. 320.03(8), thereby allowing issuance of a license plate or revalidation sticker, upon posting with the clerk of court in the county in which the vehicle or vessel was ordered removed, a cash or surety bond or other adequate security equal to the amount of the wrecker operator's lien. Upon the posting of the bond and the payment of the application fee set forth in s. 28.24, the clerk of the court shall issue a certificate notifying the department of the posting of the bond and directing the department to release the wrecker operator's lien. The department shall mail to the wrecker operator, at the address upon the lien form, notice that the wrecker operator must claim the security within 60 days, or the security will be released back to the person who posted it. At the conclusion of the 60 days, the department shall direct the clerk as to which party is entitled to payment of the security, less applicable clerk's fees.

4. A wrecker operator's lien expires 5 years after filing.

(d) Upon discharge of the amount of the wrecker operator's lien allowed by paragraph (b), the wrecker operator must issue a certificate of discharged wrecker operator's lien on forms provided by the department to each registered owner of the vehicle or vessel attesting that the amount of the wrecker operator's lien allowed by paragraph (b) has been discharged. Upon presentation of the certificate of discharged wrecker operator's lien by the registered owner, the department shall immediately remove the registered owner's name from the list of those persons who may not be issued a license plate or revalidation sticker for any motor vehicle under s. 320.03(8), thereby allowing issuance of a license plate or revalidation sticker. Issuance of a certificate of discharged wrecker operator's lien under this paragraph does not discharge the entire amount of the wrecker operator's lien claimed under subsection (2), but only certifies to the department that the amount of the wrecker operator's lien allowed by paragraph (b), for which the department will prevent issuance of a license plate or revalidation sticker, has been discharged.

(e) When a wrecker operator files a notice of wrecker operator's lien under this subsection, the department shall charge the wrecker operator a fee of \$2, which shall be deposited into the General Revenue Fund. A service charge of \$2.50 shall be collected and retained by the tax collector who processes a notice of wrecker operator's lien.

(f) This subsection applies only to the annual renewal in the registered owner's birth month of a motor vehicle registration and does not apply to the transfer of a registration of a motor vehicle sold by a motor vehicle dealer licensed under chapter 320, except for the transfer of registrations which includes the annual renewals. This subsection does not apply to any vehicle registered in the name of the lessor. This subsection does not affect the issuance of the title to a motor vehicle, notwithstanding s. 319.23(8)(b).

(g) The Department of Highway Safety and Motor Vehicles may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

Section 63. Paragraph (aa) of subsection (7) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or

employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(aa) *Certain commercial vehicles.*—Also exempt is the sale, lease, or rental of a commercial motor vehicle as defined in s. 207.002 ~~207.002(2)~~, when the following conditions are met:

1. The sale, lease, or rental occurs between two commonly owned and controlled corporations;
2. Such vehicle was titled and registered in this state at the time of the sale, lease, or rental; and
3. Florida sales tax was paid on the acquisition of such vehicle by the seller, lessor, or renter.

Section 64. Subsection (8) of section 261.03, Florida Statutes, is amended to read:

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

(8) “ROV” means any motorized recreational off-highway vehicle 64 inches or less in width, having a dry weight of 2,000 pounds or less, designed to travel on four or more nonhighway tires, having nonstraddle seating and a steering wheel, and manufactured for recreational use by one or more persons. The term “ROV” does not include a golf cart as defined in ss. 320.01 ~~320.01(22)~~ and 316.003(68) or a low-speed vehicle as defined in s. 320.01 ~~320.01(42)~~.

Section 65. Section 316.2122, Florida Statutes, is amended to read:

316.2122 Operation of a low-speed vehicle or mini truck on certain roadways.—The operation of a low-speed vehicle as defined in s. 320.01 ~~320.01(42)~~ or a mini truck as defined in s. 320.01 ~~320.01(45)~~ on any road is authorized with the following restrictions:

- (1) A low-speed vehicle or mini truck may be operated only on streets where the posted speed limit is 35 miles per hour or less. This does not prohibit a low-speed vehicle or mini truck from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.
- (2) A low-speed vehicle must be equipped with headlamps, stop lamps, turn signal lamps, taillamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicle identification numbers.
- (3) A low-speed vehicle or mini truck must be registered and insured in accordance with s. 320.02 and titled pursuant to chapter 319.
- (4) Any person operating a low-speed vehicle or mini truck must have in his or her possession a valid *driver* ~~driver's~~ license.
- (5) A county or municipality may prohibit the operation of low-speed vehicles or mini trucks on any road under its jurisdiction if the governing body of the county or municipality determines that such prohibition is necessary in the interest of safety.
- (6) The Department of Transportation may prohibit the operation of low-speed vehicles or mini trucks on any road under its jurisdiction if it determines that such prohibition is necessary in the interest of safety.

Section 66. Section 316.2124, Florida Statutes, is amended to read:

316.2124 Motorized disability access vehicles.—The Department of Highway Safety and Motor Vehicles is directed to provide, by rule, for the regulation of motorized disability access vehicles as described in s. 320.01 ~~320.01(34)~~. The department shall provide that motorized disability access vehicles shall be registered in the same manner as motorcycles and shall pay the same registration fee as for a motorcycle.

There shall also be assessed, in addition to the registration fee, a \$2.50 surcharge for motorized disability access vehicles. This surcharge shall be paid into the Highway Safety Operating Trust Fund. Motorized disability access vehicles shall not be required to be titled by the department. The department shall require motorized disability access vehicles to be subject to the same safety requirements as set forth in this chapter for motorcycles.

Section 67. Subsection (1) of section 316.21265, Florida Statutes, is amended to read:

316.21265 Use of all-terrain vehicles, golf carts, low-speed vehicles, or utility vehicles by law enforcement agencies.—

(1) Notwithstanding any provision of law to the contrary, any law enforcement agency in this state may operate all-terrain vehicles as defined in s. 316.2074, golf carts as defined in s. 320.01 ~~320.01(22)~~, low-speed vehicles as defined in s. 320.01 ~~320.01(42)~~, or utility vehicles as defined in s. 320.01 ~~320.01(43)~~ on any street, road, or highway in this state while carrying out its official duties.

Section 68. Subsection (1) of section 316.3026, Florida Statutes, is amended to read:

316.3026 Unlawful operation of motor carriers.—

(1) The Office of Commercial Vehicle Enforcement may issue out-of-service orders to motor carriers, as defined in s. 320.01 ~~320.01(33)~~, who, after proper notice, have failed to pay any penalty or fine assessed by the department, or its agent, against any owner or motor carrier for violations of state law, refused to submit to a compliance review and provide records pursuant to s. 316.302(5) or s. 316.70, or violated safety regulations pursuant to s. 316.302 or insurance requirements in s. 627.7415. Such out-of-service orders have the effect of prohibiting the operations of any motor vehicles owned, leased, or otherwise operated by the motor carrier upon the roadways of this state, until the violations have been corrected or penalties have been paid. Out-of-service orders must be approved by the director of the Division of the Florida Highway Patrol or his or her designee. An administrative hearing pursuant to s. 120.569 shall be afforded to motor carriers subject to such orders.

Section 69. Paragraph (a) of subsection (5) and subsection (10) of section 316.550, Florida Statutes, are amended to read:

316.550 Operations not in conformity with law; special permits.—

(5)(a) The Department of Transportation may issue a wrecker special blanket permit to authorize a wrecker as defined in s. 320.01 ~~320.01(40)~~ to tow a disabled *motor* vehicle as defined in s. 320.01 ~~320.01(38)~~ where the combination of the wrecker and the disabled vehicle being towed exceeds the maximum weight limits as established by s. 316.535.

(10) Whenever any motor vehicle, or the combination of a wrecker as defined in s. 320.01 ~~320.01(40)~~ and a towed motor vehicle, exceeds any weight or dimensional criteria or special operational or safety stipulation contained in a special permit issued under the provisions of this section, the penalty assessed to the owner or operator shall be as follows:

- (a) For violation of weight criteria contained in a special permit, the penalty per pound or portion thereof exceeding the permitted weight shall be as provided in s. 316.545.
- (b) For each violation of dimensional criteria in a special permit, the penalty shall be as provided in s. 316.516 and penalties for multiple violations of dimensional criteria shall be cumulative except that the total penalty for the vehicle shall not exceed \$1,000.
- (c) For each violation of an operational or safety stipulation in a special permit, the penalty shall be an amount not to exceed \$1,000 per violation and penalties for multiple violations of operational or safety stipulations shall be cumulative except that the total penalty for the vehicle shall not exceed \$1,000.

(d) For violation of any special condition that has been prescribed in the rules of the Department of Transportation and declared on the permit, the vehicle shall be determined to be out of conformance with the permit and the permit shall be declared null and void for the vehicle, and weight and dimensional limits for the vehicle shall be as established in s. 316.515 or s. 316.535, whichever is applicable, and:

1. For weight violations, a penalty as provided in s. 316.545 shall be assessed for those weights which exceed the limits thus established for the vehicle; and

2. For dimensional, operational, or safety violations, a penalty as established in paragraph (c) or s. 316.516, whichever is applicable, shall be assessed for each nonconforming dimensional, operational, or safety violation and the penalties for multiple violations shall be cumulative for the vehicle.

Section 70. Subsection (9) of section 317.0003, Florida Statutes, is amended to read:

317.0003 Definitions.—As used in this chapter, the term:

(9) “ROV” means any motorized recreational off-highway vehicle 64 inches or less in width, having a dry weight of 2,000 pounds or less, designed to travel on four or more nonhighway tires, having nonstraddle seating and a steering wheel, and manufactured for recreational use by one or more persons. The term “ROV” does not include a golf cart as defined in ss. ~~320.01 320.01(22)~~ and 316.003(68) or a low-speed vehicle as defined in s. ~~320.01 320.01(42)~~.

Section 71. Paragraph (d) of subsection (5) of section 320.08, Florida Statutes, is amended to read:

320.08 License taxes.—Except as otherwise provided herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles as defined in s. 316.003(2), tri-vehicles as defined in s. 316.003, and mobile homes, as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT; SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

(d) A wrecker, as defined in s. ~~320.01 320.01(40)~~, which is used to tow a vessel as defined in s. 327.02(39), a disabled, abandoned, stolen-recovered, or impounded motor vehicle as defined in s. ~~320.01 320.01(38)~~, or a replacement motor vehicle as defined in s. ~~320.01 320.01(39)~~; \$41 flat, of which \$11 shall be deposited into the General Revenue Fund.

Section 72. Subsection (1) of section 320.0847, Florida Statutes, is amended to read:

320.0847 Mini truck and low-speed vehicle license plates.—

(1) The department shall issue a license plate to the owner or lessee of any vehicle registered as a low-speed vehicle as defined in s. ~~320.01 320.01(42)~~ or a mini truck as defined in s. ~~320.01 320.01(45)~~ upon payment of the appropriate license taxes and fees prescribed in s. 320.08.

Section 73. Section 322.282, Florida Statutes, is amended to read:

322.282 Procedure when court revokes or suspends license or driving privilege and orders reinstatement.—When a court suspends or revokes a person's license or driving privilege and, in its discretion, orders reinstatement as ~~provided by s. 322.28(2)(d) or former s. 322.261(5)~~:

(1) The court shall pick up all revoked or suspended ~~driver driver's~~ licenses from the person and immediately forward them to the department, together with a record of such conviction. The clerk of such court shall also maintain a list of all revocations or suspensions by the court.

(2)(a) The court shall issue an order of reinstatement, on a form to be furnished by the department, which the person may take to any ~~driver driver's~~ license examining office. The department shall issue a temporary ~~driver driver's~~ permit to a licensee who presents the court's order of reinstatement, proof of completion of a department-approved driver training or substance abuse education course, and a written request for a hearing under s. 322.271. The permit shall not be issued if a record check by the department shows that the person has previously been convicted for a violation of s. 316.193, former s. 316.1931, former s. 316.028, former s. 860.01, or a previous conviction outside this state for driving under the influence, driving while intoxicated, driving with an unlawful blood-alcohol level, or any similar alcohol-related or drug-related traffic offense; that the person's driving privilege has been previously suspended for refusal to submit to a lawful test of breath, blood, or urine; or that the person is otherwise not entitled to issuance of a ~~driver driver's~~ license.

This paragraph shall not be construed to prevent the reinstatement of a license or driving privilege that is presently suspended for driving with an unlawful blood-alcohol level or a refusal to submit to a breath, urine, or blood test and is also revoked for a conviction for a violation of s. 316.193 or former s. 316.1931, if the suspension and revocation arise out of the same incident.

(b) The temporary ~~driver driver's~~ permit shall be restricted to either business or employment purposes described in s. 322.271, as determined by the department, and shall not be used for pleasure, recreational, or nonessential driving.

(c) If the department determines at a later date from its records that the applicant has previously been convicted of an offense referred to in paragraph (a) which would render him or her ineligible for reinstatement, the department shall cancel the temporary ~~driver driver's~~ permit and shall issue a revocation or suspension order for the minimum period applicable. A temporary permit issued pursuant to this section shall be valid for 45 days or until canceled as provided in this paragraph.

(d) The period of time for which a temporary permit issued in accordance with paragraph (a) is valid shall be deemed to be part of the period of revocation imposed by the court.

Section 74. Section 324.023, Florida Statutes, is amended to read:

324.023 Financial responsibility for bodily injury or death.—In addition to any other financial responsibility required by law, every owner or operator of a motor vehicle that is required to be registered in this state, or that is located within this state, and who, regardless of adjudication of guilt, has been found guilty of or entered a plea of guilty or nolo contendere to a charge of driving under the influence under s. 316.193 after October 1, 2007, shall, by one of the methods established in s. 324.031(1) ~~or~~; (2), ~~or~~ (3), establish and maintain the ability to respond in damages for liability on account of accidents arising out of the use of a motor vehicle in the amount of \$100,000 because of bodily injury to, or death of, one person in any one crash and, subject to such limits for one person, in the amount of \$300,000 because of bodily injury to, or death of, two or more persons in any one crash and in the amount of \$50,000 because of property damage in any one crash. If the owner or operator chooses to establish and maintain such ability by ~~posting a bond or~~ furnishing a certificate of deposit pursuant to s. 324.031(2) ~~or~~ (3), such ~~bond or~~ certificate of deposit must be ~~at least in an amount not less than~~ \$350,000. Such higher limits must be carried for a minimum period of 3 years. If the owner or operator has not been convicted of driving under the influence or a felony traffic offense for a period of 3 years from the date of reinstatement of driving privileges for a violation of s. 316.193, the owner or operator shall be exempt from this section.

Section 75. Paragraph (c) of subsection (1) of section 324.171, Florida Statutes, is amended to read:

324.171 Self-insurer.—

(1) Any person may qualify as a self-insurer by obtaining a certificate of self-insurance from the department which may, in its discretion and upon application of such a person, issue said certificate of self-insurance when such person has satisfied the requirements of this section to qualify as a self-insurer under this section:

(c) The owner of a commercial motor vehicle, as defined in s. ~~207.002 207.002(2)~~ or s. 320.01, may qualify as a self-insurer subject to the standards provided for in subparagraph (b)2.

Section 76. Section 324.191, Florida Statutes, is amended to read:

324.191 Consent to cancellation; direction to return money or securities.—The department shall consent to the cancellation of any ~~bond or~~ certificate of insurance furnished as proof of financial responsibility pursuant to s. 324.031, or the department shall return to the person entitled thereto cash or securities deposited as proof of financial responsibility pursuant to s. 324.031:

(1) Upon substitution and acceptance of other adequate proof of financial responsibility pursuant to this chapter, or

(2) In the event of the death of the person on whose behalf the proof was filed, or the permanent incapacity of such person to operate a motor vehicle, or

(3) In the event the person who has given proof of financial responsibility surrenders his or her license and all registrations to the department; providing, however, that no notice of court action has been filed with the department, a judgment in which would result in claim on such proof of financial responsibility.

This section shall not apply to security as specified in s. 324.061 deposited pursuant to s. 324.051(2)(a)4.

Section 77. Subsection (3) of section 627.733, Florida Statutes, is amended to read:

627.733 Required security.—

(3) Such security shall be provided:

(a) By an insurance policy delivered or issued for delivery in this state by an authorized or eligible motor vehicle liability insurer which provides the benefits and exemptions contained in ss. 627.730-627.7405. Any policy of insurance represented or sold as providing the security required hereunder shall be deemed to provide insurance for the payment of the required benefits; or

(b) By any other method authorized by s. 324.031(2) ~~or, (3), or (4)~~ and approved by the Department of Highway Safety and Motor Vehicles as affording security equivalent to that afforded by a policy of insurance or by self-insuring as authorized by s. 768.28(16). The person filing such security shall have all of the obligations and rights of an insurer under ss. 627.730-627.7405.

Section 78. Section 627.7415, Florida Statutes, is amended to read:

627.7415 Commercial motor vehicles; additional liability insurance coverage.—Commercial motor vehicles, as defined in s. ~~207.002~~ ~~207.002(2)~~ or s. 320.01, operated upon the roads and highways of this state shall be insured with the following minimum levels of combined bodily liability insurance and property damage liability insurance in addition to any other insurance requirements:

(1) Fifty thousand dollars per occurrence for a commercial motor vehicle with a gross vehicle weight of 26,000 pounds or more, but less than 35,000 pounds.

(2) One hundred thousand dollars per occurrence for a commercial motor vehicle with a gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds.

(3) Three hundred thousand dollars per occurrence for a commercial motor vehicle with a gross vehicle weight of 44,000 pounds or more.

(4) All commercial motor vehicles subject to regulations of the United States Department of Transportation, Title 49 C.F.R. part 387, subpart A, and as may be hereinafter amended, shall be insured in an amount equivalent to the minimum levels of financial responsibility as set forth in such regulations.

A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

Section 79. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 110.205, F.S.; providing that certain positions in the department are exempt from career service; amending s. 207.002, F.S., relating to the Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981; deleting definitions of the terms “apportioned motor vehicle” and “apportionable vehicle”; providing legislative intent relating to road rage and traffic congestion; amending s. 316.003, F.S.; defining the term “road rage”; amending s. 316.066, F.S.; authorizing the Department of Transportation to immediately receive a crash report; amending s. 316.083, F.S.; requiring that an operator of a motor vehicle yield the furthestmost left-hand lane when being overtaken on a multilane highway; providing exceptions; reenacting s. 316.1923, F.S., relating to aggressive careless driving, to incorporate the amendments made to s. 316.083, F.S., in a reference thereto; requiring that the Department of Highway Safety and Motor Vehicles provide information about the act in

driver license educational materials that are newly published on or after a specified date; amending s. 316.1937, F.S.; revising operational specifications for ignition interlock devices; amending s. 316.2015, F.S.; prohibiting the operator of a pickup truck or flatbed truck from permitting a child who is younger than 6 years of age from riding within the open body of the truck under certain circumstances; amending s. 316.302, F.S.; revising provisions for certain commercial motor vehicles and transporters and shippers of hazardous materials; providing for application of specified federal regulations; removing a provision for application of specified provisions and federal regulations to transporting liquefied petroleum gas; amending s. 316.3025, F.S.; providing penalties for violation of specified federal regulations relating to medical and physical requirements for commercial drivers while driving a commercial motor vehicle; revising provisions for seizure of a motor vehicle for refusal to pay penalty; amending s. 316.515, F.S.; providing that a straight truck may attach a forklift to the rear of the cargo bed if it does not exceed a specific length; amending s. 316.545, F.S.; revising language relating to certain commercial motor vehicles not properly licensed and registered; amending s. 316.646, F.S.; authorizing the use of an electronic device to provide proof of insurance under the section; providing that displaying such information on an electronic device does not constitute consent for a law enforcement officer to access other information stored on the device; providing that the person displaying the device assumes the liability for any resulting damage to the device; requiring the department to adopt rules; amending s. 317.0016, F.S., relating to expedited services; removing a requirement that the department provide such service for certain certificates; amending s. 318.14, F.S., relating to disposition of traffic citations; providing that certain alternative procedures for certain traffic offenses are not available to a person who holds a commercial learner's permit; amending s. 318.1451, F.S.; revising provisions relating to driver improvement schools; removing a provision for a chief judge to establish requirements for the location of schools within a judicial circuit; removing a provision that authorizes a person to operate a driver improvement school; revising provisions for persons taking an unapproved course; providing criteria for initial approval of courses; revising requirements for assessment fees, courses, course certificates, and course providers; directing the department to adopt rules; creating s. 319.141, F.S.; establishing a pilot rebuilt motor vehicle inspection program; providing definitions; requiring the department to contract with private vendors to establish and operate inspection facilities in certain counties; providing minimum requirements for applicants; requiring the department to submit a report to the Legislature; providing for future repeal; amending s. 319.225, F.S.; revising provisions for certificates of title, reassignment of title, and forms; revising procedures for transfer of title; amending s. 319.23, F.S.; revising requirements for content of certificates of title and applications for title; amending s. 319.28, F.S.; revising provisions for transfer of ownership by operation of law when a motor vehicle or mobile home is repossessed; removing provisions for a certificate of repossession; amending s. 319.323, F.S., relating to expedited services of the department; removing certificates of repossession; amending s. 320.01, F.S.; removing the definition of the term “apportioned motor vehicle”; revising the definition of the term “apportionable motor vehicle”; amending s. 320.02, F.S.; revising requirements for application for motor vehicle registration; amending s. 320.03, F.S.; revising a provision for registration under the International Registration Plan; amending s. 320.071, F.S.; revising a provision for advance renewal of registration under the International Registration Plan; amending s. 320.0715, F.S.; revising provisions for vehicles required to be registered under the International Registration Plan; amending s. 320.18, F.S.; providing for withholding of motor vehicle or mobile home registration when a coowner has failed to register the motor vehicle or mobile home during a previous period when such registration was required; providing for cancelling a vehicle or vessel registration, driver license, identification card, or fuel-use tax decal if the coowner pays certain fees and other liabilities with a dishonored check; amending s. 320.27, F.S., relating to motor vehicle dealers; providing for extended periods for dealer licenses and supplemental licenses; providing fees; amending s. 320.62, F.S., relating to manufacturers, distributors, and importers of motor vehicles; providing for extended licensure periods; providing fees; amending s. 320.77, F.S., relating to mobile home dealers; providing for extended licensure periods; providing fees; amending s. 320.771, F.S., relating to recreational vehicle dealers; providing for extended licensure periods; providing fees; amending s. 320.8225, F.S., relating to mobile home and recreational vehicle manufacturers, distributors, and importers; providing for extended licensure periods; providing fees; amending s. 322.095, F.S.; requiring an applicant for a driver license to complete a traffic law and substance abuse

education course; providing exceptions; revising procedures for evaluation and approval of such courses; revising criteria for such courses and the schools conducting the courses; providing for collection and disposition of certain fees; requiring providers to maintain records; directing the department to conduct effectiveness studies; requiring a provider to cease offering a course that fails the study; requiring courses to be updated at the request of the department; providing a timeframe for course length; prohibiting a provider from charging for a completion certificate; requiring providers to disclose certain information; requiring providers to submit course completion information to the department within a certain time period; prohibiting certain acts; providing that the department shall not accept certification from certain students; prohibiting a person convicted of certain crimes from conducting courses; directing the department to suspend course approval for certain purposes; providing for the department to deny, suspend, or revoke course approval for certain acts; providing for administrative hearing before final action denying, suspending, or revoking course approval; providing penalties for violations; amending s. 322.125, F.S.; revising criteria for members of the Medical Advisory Board; amending s. 322.135, F.S.; removing a provision that authorizes a tax collector to direct certain licensees to the department for examination or reexamination; creating s. 322.143, F.S.; defining terms; prohibiting a private entity from swiping an individual's driver license or identification card except for certain specified purposes; providing that a private entity that swipes an individual's driver license or identification card may not store, sell, or share personal information collected from swiping the driver license or identification card; providing that a private entity may store or share personal information collected from swiping an individual's driver license or identification card for the purpose of preventing fraud or other criminal activity against the private entity; providing that the private entity may manually collect personal information; prohibiting a private entity from withholding the provision of goods or services solely as a result of the individual requesting the collection of the data through manual means; providing remedies; amending s. 322.18, F.S.; revising provisions for a vision test required for driver license renewal for certain drivers; amending s. 322.21, F.S.; making grammatical changes; amending s. 322.212, F.S.; providing penalties for certain violations involving application and testing for a commercial driver license or a commercial learner's permit; amending s. 322.22, F.S.; authorizing the department to withhold issuance or renewal of a driver license, identification card, vehicle or vessel registration, or fuel-use decal under certain circumstances; amending s. 322.245, F.S.; requiring a depository or clerk of court to electronically notify the department of a person's failure to pay support or comply with directives of the court; amending s. 322.25, F.S.; removing a provision for a court order to reinstate a person's driving privilege on a temporary basis when the person's license and driving privilege have been revoked under certain circumstances; amending s. 322.2615, F.S., relating to review of a license suspension when the driver had blood or breath alcohol at a certain level or the driver refused a test of his or her blood or breath to determine the alcohol level; providing procedures for a driver to be issued a restricted license under certain circumstances; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; amending s. 322.2616, F.S., relating to review of a license suspension when the driver is under 21 years of age and had blood or breath alcohol at a certain level; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; amending s. 322.271, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing procedures for certain persons who have no previous convictions for certain alcohol-related driving offenses to be issued a driver license for business purposes only; amending s. 322.2715, F.S.; providing requirements for issuance of a restricted license for a person convicted of a DUI offense if a medical waiver of placement of an ignition interlock device was given to such person; amending s. 322.28, F.S., relating to revocation of driver license for convictions of DUI offenses; providing that convictions occurring on the same date for offenses occurring on separate dates are considered separate convictions; removing a provision relating to a court order for reinstatement of a revoked license; repealing s. 322.331, F.S., relating to habitual traffic offenders; amending s. 322.61, F.S.; revising provisions for disqualification from operating a commercial motor vehicle; providing for application of such provisions to persons holding a commercial learner's permit; revising the offenses for which certain disqualifications apply; amending s. 322.64, F.S., relating

to driving with unlawful blood-alcohol level or refusal to submit to breath, urine, or blood test by a commercial driver license holder or person driving a commercial motor vehicle; providing that a disqualification from driving a commercial motor vehicle is considered a conviction for certain purposes; revising the time period a person is disqualified from driving for alcohol-related violations; revising requirements for notice of the disqualification; providing that under the review of a disqualification the hearing officer shall consider the crash report; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 323.002, F.S.; revising the definition of a wrecker operator system; providing that an unauthorized wrecker, tow truck, or other motor vehicle used during certain offenses may be immediately removed and impounded; requiring that an unauthorized wrecker operator disclose in writing to the owner or operator of a disabled motor vehicle certain information; requiring that the unauthorized wrecker operator provide such disclosure to the owner or operator of the disabled vehicle in the presence of a law enforcement officer if one is present at the scene of a motor vehicle accident; authorizing a law enforcement officer from a local governmental agency or state law enforcement agency to remove and impound an unauthorized wrecker, tow truck, or other motor vehicle from the scene of a disabled vehicle or wreck; authorizing the authority that caused the removal and impoundment to assess a cost-recovery fine; requiring a release form; requiring that the wrecker, tow truck, or other motor vehicle remain impounded until the fine has been paid; providing for public sale of an impounded vehicle; providing fines for violations; requiring that the unauthorized wrecker operator pay the fees associated with the removal and storage of the wrecker, tow truck, or other motor vehicle; amending s. 324.0221, F.S.; revising the actions which must be reported to the department by an insurer that has issued a policy providing personal injury protection coverage or property damage liability coverage; revising time allowed for submitting the report; amending s. 324.031, F.S.; revising the methods a vehicle owner or operator may use to prove financial responsibility; removing a provision for posting a bond with the department; amending s. 324.091, F.S.; revising provisions requiring motor vehicle owners and operators to provide evidence to the department of liability insurance coverage under certain circumstances; revising provisions for verification by insurers of such evidence; amending s. 324.161, F.S.; providing requirements for issuance of a certificate of insurance; requiring proof of a certificate of deposit of a certain amount of money in a financial institution; providing for power of attorney to be issued to the department for execution under certain circumstances; amending s. 328.01, F.S., relating to vessel titles; revising identification requirements for applications for a certificate of title; amending s. 328.48, F.S., relating to vessel registration; revising identification requirements for applications for vessel registration; amending s. 328.76, F.S., relating to vessel registration funds; revising provisions for funds to be deposited into the Highway Safety Operating Trust Fund; amending s. 713.585, F.S.; requiring that a lienholder check the National Motor Vehicle Title Information System or the records of any corresponding agency of any other state before enforcing a lien by selling the motor vehicle; requiring the lienholder to notify the local law enforcement agency in writing by certified mail informing the law enforcement agency that the lienholder has made a good faith effort to locate the owner or lienholder; specifying that a good faith effort includes a check of the Department of Highway Safety and Motor Vehicles database records and the National Motor Vehicle Title Information System; setting requirements for notification of the sale of the vehicle as a way to enforce a lien; requiring the lienholder to publish notice; requiring the lienholder to keep a record of proof of checking the National Motor Vehicle Title Information System; amending s. 713.78, F.S.; revising provisions for enforcement of a lien for recovering, towing, or storing a vehicle or vessel; amending ss. 212.08, 261.03, 316.2122, 316.2124, 316.21265, 316.3026, 316.550, 317.0003, 320.08, 320.0847, 322.282, 324.023, 324.171, 324.191, 627.733, and 627.7415, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing an effective date.

Senator Brandes moved the following amendments to **Amendment 1** which were adopted:



**Amendment 1A (228538) (with title amendment)**—Delete lines 111-397 and insert:

Section 3. Paragraph (b) of subsection (2) of section 316.066, Florida Statutes, is amended to read:

316.066 Written reports of crashes.—

(2)

(b) Crash reports held by an agency under paragraph (a) may be made immediately available to the parties involved in the crash, their legal representatives, their licensed insurance agents, their insurers or insurers to which they have applied for coverage, persons under contract with such insurers to provide claims or underwriting information, prosecutorial authorities, law enforcement agencies, *the Department of Transportation*, county traffic operations, victim services programs, radio and television stations licensed by the Federal Communications Commission, newspapers qualified to publish legal notices under ss. 50.011 and 50.031, and free newspapers of general circulation, published once a week or more often, available and of interest to the public generally for the dissemination of news. For the purposes of this section, the following products or publications are not newspapers as referred to in this section: those intended primarily for members of a particular profession or occupational group; those with the primary purpose of distributing advertising; and those with the primary purpose of publishing names and other personal identifying information concerning parties to motor vehicle crashes.

Section 4. Subsections (3) and (4) of section 316.081, Florida Statutes, are renumbered as subsections (4) and (5), respectively, and a new subsection (3) is added to that section to read:

316.081 Driving on right side of roadway; exceptions.—

(3) *On a road, street, or highway having two or more lanes allowing movement in the same direction, a driver may not continue to operate a motor vehicle at any speed which is more than 10 miles per hour slower than the posted speed limit in the furthestmost left-hand lane if the driver knows or reasonably should know that he or she is being overtaken in that lane from the rear by a motor vehicle traveling at a higher rate of speed. This subsection does not apply to drivers operating a vehicle that is overtaking another vehicle proceeding in the same direction, or is preparing for a left turn at an intersection.*

(4)(3) Upon any roadway having four or more lanes for moving traffic and providing for two-way movement of traffic, no vehicle shall be driven to the left of the centerline of the roadway, except when authorized by official traffic control devices designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use such lanes, or except as permitted under paragraph (1)(b). However, this subsection shall not be construed as prohibiting the crossing of the centerline in making a left turn into or from an alley, private road, or driveway.

(5)(4) A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

Section 6. Subsection (1) of section 316.1937, Florida Statutes, is amended to read:

316.1937 Ignition interlock devices, requiring; unlawful acts.—

(1) In addition to any other authorized penalties, the court may require that any person who is convicted of driving under the influence in violation of s. 316.193 shall not operate a motor vehicle unless that vehicle is equipped with a functioning ignition interlock device certified by the department as provided in s. 316.1938, and installed in such a manner that the vehicle will not start if the operator's blood alcohol level is in excess of 0.025 ~~0.05~~ percent or as otherwise specified by the court. The court may require the use of an approved ignition interlock device for a period of *at least not less than* 6 continuous months, if the person is permitted to operate a motor vehicle, whether or not the privilege to operate a motor vehicle is restricted, as determined by the court. The court, however, shall order placement of an ignition interlock device in those circumstances required by s. 316.193.

Section 7. Paragraph (b) of subsection (1), paragraph (a) of subsection (4), and subsection (9) of section 316.302, Florida Statutes, are amended to read:

316.302 Commercial motor vehicles; safety regulations; transporters and shippers of hazardous materials; enforcement.—

(1)

(b) Except as otherwise provided in this section, all owners or drivers of commercial motor vehicles that are engaged in intrastate commerce are subject to the rules and regulations contained in 49 C.F.R. parts 382, 383, 385, and 390-397, with the exception of 49 C.F.R. s. 390.5 as it relates to the definition of bus, as such rules and regulations existed on *December 31, 2012* ~~October 1, 2011~~.

(4)(a) Except as provided in this subsection, all commercial motor vehicles transporting any hazardous material on any road, street, or highway open to the public, whether engaged in interstate or intrastate commerce, and any person who offers hazardous materials for such transportation, are subject to the regulations contained in 49 C.F.R. part 107, *subparts F and subpart G*, and 49 C.F.R. parts 171, 172, 173, 177, 178, and 180. Effective July 1, 1997, the exceptions for intrastate motor carriers provided in 49 C.F.R. 173.5 and 173.8 are hereby adopted.

~~(9)(a) This section is not applicable to the transporting of liquefied petroleum gas. The rules and regulations applicable to the transporting of liquefied petroleum gas on the highways, roads, or streets of this state shall be only those adopted by the Department of Agriculture and Consumer Services under chapter 527. However, transporters of liquefied petroleum gas must comply with the requirements of 49 C.F.R. parts 393 and 396.9.~~

~~(b)~~ This section does not apply to any nonpublic sector bus.

Section 8. Paragraph (b) of subsection (3) and subsection (5) of section 316.3025, Florida Statutes, is amended, present subsection (6) of that section is renumbered as subsection (7), and a new subsection (6) is added to that section, to read:

316.3025 Penalties.—

(3)

(b) A civil penalty of \$100 may be assessed for:

1. Each violation of the North American Uniform Driver Out-of-Service Criteria;

2. A violation of s. 316.302(2)(b) or (c);

3. A violation of 49 C.F.R. s. 392.60; ~~or~~

4. A violation of the North American Standard Vehicle Out-of-Service Criteria resulting from an inspection of a commercial motor vehicle involved in a crash; *or*

5. *A violation of 49 C.F.R. s. 391.41.*

(5) Whenever any person or motor carrier as defined in chapter 320 violates the provisions of this section and becomes indebted to the state because of such violation and refuses to pay the appropriate penalty, in addition to the provisions of s. 316.3026, such penalty becomes a lien upon the property including the motor vehicles of such person or motor carrier and may be *seized and* foreclosed by the state in a civil action in any court of this state. It shall be presumed that the owner of the motor vehicle is liable for the sum, and the vehicle may be detained or impounded until the penalty is paid.

(6)(a) *A driver who violates 49 C.F.R. s. 392.80, which prohibits texting while operating a commercial motor vehicle, or 49 C.F.R. s. 392.82, which prohibits using a handheld mobile telephone while operating a commercial motor vehicle, may be assessed a civil penalty and commercial driver license disqualification as follows:*

1. *First violation: \$500.*

2. *Second violation: \$1,000 and a 60-day commercial driver license disqualification pursuant to 49 C.F.R. part 383.*

3. *Third and subsequent violations: \$2,750 and a 120-day commercial driver license disqualification pursuant to 49 C.F.R. part 383.*

(b) *A company requiring or allowing a driver to violate 49 C.F.R. s. 392.80, which prohibits texting while operating a commercial motor vehicle, or 49 C.F.R. s. 392.82, which prohibits using a handheld mobile telephone while operating a commercial motor vehicle, may, in addition to any other penalty assessed, be assessed the following civil penalty. The driver shall not be charged with an offense for the first violation under this paragraph by the company.*

1. *First violation: \$2,750.*
2. *Second violation: \$5,000.*
3. *Third and subsequent violations: \$11,000.*

(c) *The emergency exceptions provided by 49 C.F.R. s.*

*392.82 also apply to communications between utility drivers and utility contractor drivers during a Level 1 activation of the State Emergency Operations Center, as provided in the Florida Comprehensive Emergency Management plan, or during a state of emergency declared by executive order or proclamation of the Governor.*

Section 9. Paragraph (a) of subsection (3) and paragraph (c) of subsection (5) of section 316.515, Florida Statutes, is amended to read:

316.515 Maximum width, height, length.—

(3) **LENGTH LIMITATION.**—Except as otherwise provided in this section, length limitations apply solely to a semitrailer or trailer, and not to a truck tractor or to the overall length of a combination of vehicles. No combination of commercial motor vehicles coupled together and operating on the public roads may consist of more than one truck tractor and two trailing units. Unless otherwise specifically provided for in this section, a combination of vehicles not qualifying as commercial motor vehicles may consist of no more than two units coupled together; such nonqualifying combination of vehicles may not exceed a total length of 65 feet, inclusive of the load carried thereon, but exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. Notwithstanding any other provision of this section, a truck tractor-semitrailer combination engaged in the transportation of automobiles or boats may transport motor vehicles or boats on part of the power unit; and, except as may otherwise be mandated under federal law, an automobile or boat transporter semitrailer may not exceed 50 feet in length, exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer. The 50-foot length limitation does not apply to non-stinger-steered automobile or boat transporters that are 65 feet or less in overall length, exclusive of the load carried thereon, or to stinger-steered automobile or boat transporters that are 75 feet or less in overall length, exclusive of the load carried thereon. For purposes of this subsection, a “stinger-steered automobile or boat transporter” is an automobile or boat transporter configured as a semitrailer combination wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit. Notwithstanding paragraphs (a) and (b), any straight truck or truck tractor-semitrailer combination engaged in the transportation of horticultural trees may allow the load to extend up to an additional 10 feet beyond the rear of the vehicle, provided said trees are resting against a retaining bar mounted above the truck bed so that the root balls of the trees rest on the floor and to the front of the truck bed and the tops of the trees extend up over and to the rear of the truck bed, and provided the overhanging portion of the load is covered with protective fabric.

(a) *Straight trucks.*—A straight truck may not exceed a length of 40 feet in extreme overall dimension, exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. *A straight truck may attach a forklift to the rear of the cargo bed, provided the overall combined length of the vehicle and the forklift does not exceed 50 feet.* A straight truck may tow no more than one trailer, and the overall length of the truck-trailer combination may not exceed 68 feet, including the load thereon. Notwithstanding any other provisions of this section, a truck-trailer combination engaged in the transportation of boats, or boat trailers whose design dictates a front-to-rear stacking method may not exceed the length limitations of this

paragraph exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer.

(5) **IMPLEMENTS OF HUSBANDRY AND FARM EQUIPMENT; AGRICULTURAL TRAILERS; FORESTRY EQUIPMENT; SAFETY REQUIREMENTS.**—

(c) The width and height limitations of this section do not apply to farming or agricultural equipment, whether self-propelled, pulled, or hauled, when temporarily operated during daylight hours upon a public road that is not a limited access facility as defined in s. 334.03(12), and the width and height limitations may be exceeded by such equipment without a permit. To be eligible for this exemption, the equipment shall be operated within a radius of 50 miles of the real property owned, rented, *managed, harvested*, or leased by the equipment owner. However, equipment being delivered by a dealer to a purchaser is not subject to the 50-mile limitation. Farming or agricultural equipment greater than 174 inches in width must have one warning lamp mounted on each side of the equipment to denote the width and must have a slow-moving vehicle sign. Warning lamps required by this paragraph must be visible from the front and rear of the vehicle and must be visible from a distance of at least 1,000 feet.

And the title is amended as follows:

Delete lines 4622-4658 and insert: vehicle”; amending s. 316.066, F.S., authorizing the Department of Transportation to immediately receive a crash report; amending s. 316.081, F.S.; prohibiting a driver from driving at less than the posted speed in the furthestmost left-hand lane of road, street, or highway having two or more lanes if being overtaken by a motor vehicle ; providing exceptions; providing penalties; amending s. 316.1937, F.S., revising operational specifications for ignition interlock devices; amending 316.302, F.S., revising provisions for certain commercial motor vehicles and transporters and shippers of hazardous materials; providing for application of specified federal regulations; removing a provision for application of specified provisions and federal regulations to transporting liquefied petroleum gas; amending s. 316.3025, F.S.; refusal to pay penalty; providing penalties for violation of specified federal regulations relating to commercial drivers and the use of mobile telephones and texting while driving a commercial motor vehicle; clarifying an exception; amending s. 316.515, F.S., revising the maximum allowable length of certain vehicle combinations; expanding an exemption from width and height limitations to farming and agricultural equipment operated in a certain proximity to real property that is managed or harvested by the equipment owner; amending

**Amendment 1B (882190) (with title amendment)**—Between lines 151 and 152 insert:

Section 6. Subsection (91) is added to section 316.003, Florida Statutes, to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(91) **LOCAL HEARING OFFICER.**—*The person, designated by a department, county, or municipality that elects to authorize traffic infraction enforcement officers to issue traffic citations under s. 316.0083(1)(a), who is authorized to conduct hearings related to a notice of violation issued pursuant to 316.0083. The charter county, noncharter county, or municipality may use its currently appointed code enforcement board or special magistrate to serve as the local hearing officer. The department may enter into an interlocal agreement to use the local hearing officer of a county or municipality.*

Section 7. Subsection (1) of section 316.0083, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

316.0083 Mark Wandall Traffic Safety Program; administration; report.—

(1)(a) For purposes of administering this section, the department, a county, or a municipality may authorize a traffic infraction enforcement officer under s. 316.640 to issue a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. A notice of violation and a traffic citation may not be issued for failure to stop at a red light if the driver is making a right-hand turn in a careful and prudent manner at an intersection

where right-hand turns are permissible. *A notice of violation and a traffic citation may not be issued under this section if the driver of the vehicle came to a complete stop after crossing the stop line and before turning right if permissible at a red light, but failed to stop before crossing over the stop line or other point at which a stop is required.* This paragraph does not prohibit a review of information from a traffic infraction detector by an authorized employee or agent of the department, a county, or a municipality before issuance of the traffic citation by the traffic infraction enforcement officer. This paragraph does not prohibit the department, a county, or a municipality from issuing notification as provided in paragraph (b) to the registered owner of the motor vehicle involved in the violation of s. 316.074(1) or s. 316.075(1)(c)1.

(b)1.a. Within 30 days after a violation, notification must be sent to the registered owner of the motor vehicle involved in the violation specifying the remedies available under s. 318.14 and that the violator must pay the penalty of \$158 to the department, county, or municipality, or furnish an affidavit in accordance with paragraph (d), *or request a hearing within 60 30 days following the date of the notification in order to avoid court fees, costs, and the issuance of a traffic citation. The notification must shall be sent by first-class mail. The mailing of the notice of violation constitutes notification.*

b. Included with the notification to the registered owner of the motor vehicle involved in the infraction must be a notice that the owner has the right to review the photographic or electronic images or the streaming video evidence that constitutes a rebuttable presumption against the owner of the vehicle. The notice must state the time and place or Internet location where the evidence may be examined and observed.

c. *Notwithstanding any other provision of law, a person who receives a notice of violation under this section may request a hearing within 60 days following the notification of violation or pay the penalty pursuant to the notice of violation, but a payment or fee may not be required before the hearing requested by the person. The notice of violation must be accompanied by, or direct the person to a website that provides, information on the person's right to request a hearing and on all court costs related thereto and a form to request a hearing. As used in this sub-subparagraph, the term "person" includes a natural person, registered owner or coowner of a motor vehicle, or person identified on an affidavit as having care, custody, or control of the motor vehicle at the time of the violation.*

d. *If the registered owner or coowner of the motor vehicle, or the person designated as having care, custody, or control of the motor vehicle at the time of the violation, or an authorized representative of the owner, coowner, or designated person, initiates a proceeding to challenge the violation pursuant to this paragraph, such person waives any challenge or dispute as to the delivery of the notice of violation.*

2. Penalties assessed and collected by the department, county, or municipality authorized to collect the funds provided for in this paragraph, less the amount retained by the county or municipality pursuant to subparagraph 3., shall be paid to the Department of Revenue weekly. Payment by the department, county, or municipality to the state shall be made by means of electronic funds transfers. In addition to the payment, summary detail of the penalties remitted shall be reported to the Department of Revenue.

3. Penalties to be assessed and collected by the department, county, or municipality are as follows:

a. One hundred fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver ~~has~~ failed to stop at a traffic signal if enforcement is by the department's traffic infraction enforcement officer. One hundred dollars shall be remitted to the Department of Revenue for deposit into the General Revenue Fund, \$10 shall be remitted to the Department of Revenue for deposit into the Department of Health Emergency Medical Services Trust Fund, \$3 shall be remitted to the Department of Revenue for deposit into the Brain and Spinal Cord Injury Trust Fund, and \$45 shall be distributed to the municipality in which the violation occurred, or, if the violation occurred in an unincorporated area, to the county in which the violation occurred. Funds deposited into the Department of Health Emergency Medical Services Trust Fund under this sub-subparagraph shall be distributed as provided in s. 395.4036(1). Proceeds of the infractions in the Brain and Spinal Cord Injury Trust Fund shall be distributed quarterly to the

Miami Project to Cure Paralysis and ~~shall be~~ used for brain and spinal cord research.

b. One hundred fifty-eight dollars for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver ~~has~~ failed to stop at a traffic signal if enforcement is by a county or municipal traffic infraction enforcement officer. Seventy dollars shall be remitted by the county or municipality to the Department of Revenue for deposit into the General Revenue Fund, \$10 shall be remitted to the Department of Revenue for deposit into the Department of Health Emergency Medical Services Trust Fund, \$3 shall be remitted to the Department of Revenue for deposit into the Brain and Spinal Cord Injury Trust Fund, and \$75 shall be retained by the county or municipality enforcing the ordinance enacted pursuant to this section. Funds deposited into the Department of Health Emergency Medical Services Trust Fund under this sub-subparagraph shall be distributed as provided in s. 395.4036(1). Proceeds of the infractions in the Brain and Spinal Cord Injury Trust Fund shall be distributed quarterly to the Miami Project to Cure Paralysis and ~~shall be~~ used for brain and spinal cord research.

4. An individual may not receive a commission from any revenue collected from violations detected through the use of a traffic infraction detector. A manufacturer or vendor may not receive a fee or remuneration based upon the number of violations detected through the use of a traffic infraction detector.

(c)1.a. A traffic citation issued under this section shall be issued by mailing the traffic citation by certified mail to the address of the registered owner of the motor vehicle involved in the violation *if when* payment has not been made within 60 30 days after notification under paragraph (b), *if the registered owner has not requested a hearing as authorized under paragraph (b), or if the registered owner has not submitted an affidavit under this section* ~~subparagraph (b)1.~~

b. Delivery of the traffic citation constitutes notification under this paragraph. *If the registered owner or coowner of the motor vehicle, or the person designated as having care, custody, or control of the motor vehicle at the time of the violation, or a duly authorized representative of the owner, coowner, or designated person, initiates a proceeding to challenge the citation pursuant to this section, such person waives any challenge or dispute as to the delivery of the traffic citation.*

c. In the case of joint ownership of a motor vehicle, the traffic citation shall be mailed to the first name appearing on the registration, unless the first name appearing on the registration is a business organization, in which case the second name appearing on the registration may be used.

d. ~~The traffic citation shall be mailed to the registered owner of the motor vehicle involved in the violation no later than 60 days after the date of the violation.~~

2. Included with the notification to the registered owner of the motor vehicle involved in the infraction shall be a notice that the owner has the right to review, ~~either~~ in person or remotely, the photographic or electronic images or the streaming video evidence that constitutes a rebuttable presumption against the owner of the vehicle. The notice must state the time and place or Internet location where the evidence may be examined and observed.

(d)1. The owner of the motor vehicle involved in the violation is responsible and liable for paying the uniform traffic citation issued for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal, unless the owner can establish that:

a. The motor vehicle passed through the intersection in order to yield right-of-way to an emergency vehicle or as part of a funeral procession;

b. The motor vehicle passed through the intersection at the direction of a law enforcement officer;

c. The motor vehicle was, at the time of the violation, in the care, custody, or control of another person;

d. A uniform traffic citation was issued by a law enforcement officer to the driver of the motor vehicle for the alleged violation of s. 316.074(1) or s. 316.075(1)(c)1; or

e. The motor vehicle's owner was deceased on or before the date that the uniform traffic citation was issued, as established by an affidavit submitted by the representative of the motor vehicle owner's estate or other designated person or family member.

2. In order to establish such facts, the owner of the motor vehicle shall, within 30 days after the date of issuance of the traffic citation, furnish to the appropriate governmental entity an affidavit setting forth detailed information supporting an exemption as provided in this paragraph.

a. An affidavit supporting an exemption under sub-subparagraph 1.c. must include the name, address, date of birth, and, if known, the driver license number of the person who leased, rented, or otherwise had care, custody, or control of the motor vehicle at the time of the alleged violation. If the vehicle was stolen at the time of the alleged offense, the affidavit must include the police report indicating that the vehicle was stolen.

b. If a traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c) 1. was issued at the location of the violation by a law enforcement officer, the affidavit must include the serial number of the uniform traffic citation.

c. If the motor vehicle's owner to whom a traffic citation has been issued is deceased, the affidavit must include a certified copy of the owner's death certificate showing that the date of death occurred on or before the issuance of the uniform traffic citation and one of the following:

(I) A bill of sale or other document showing that the deceased owner's motor vehicle was sold or transferred after his or her death, but on or before the date of the alleged violation.

(II) Documentary proof that the registered license plate belonging to the deceased owner's vehicle was returned to the department or any branch office or authorized agent of the department, but on or before the date of the alleged violation.

(III) A copy of a police report showing that the deceased owner's registered license plate or motor vehicle was stolen after the owner's death, but on or before the date of the alleged violation.

Upon receipt of the affidavit and documentation required under this sub-subparagraph, the governmental entity must dismiss the citation and provide proof of such dismissal to the person that submitted the affidavit.

3. Upon receipt of an affidavit, the person designated as having care, custody, or ~~and~~ control of the motor vehicle at the time of the violation may be issued a *notice of violation pursuant to paragraph (b) traffic citation* for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal. The affidavit is admissible in a proceeding pursuant to this section for the purpose of providing proof that the person identified in the affidavit was in actual care, custody, or control of the motor vehicle. The owner of a leased vehicle for which a traffic citation is issued for a violation of s. 316.074(1) or s. 316.075(1)(c) 1. when the driver failed to stop at a traffic signal is not responsible for paying the traffic citation and is not required to submit an affidavit as specified in this subsection if the motor vehicle involved in the violation is registered in the name of the lessee of such motor vehicle.

4. *Paragraphs (b) and (c) apply to the person identified on the affidavit, except that the notification under sub-subparagraph (b)1.a. must be sent to the person identified on the affidavit within 30 days after receipt of an affidavit.*

5.4. The submission of a false affidavit is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(e) The photographic or electronic images or streaming video attached to or referenced in the traffic citation is evidence that a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal has occurred and is admissible in any proceeding to enforce this section and raises a rebuttable presumption that the motor vehicle named in the report or shown in the photographic or electronic images or streaming video evidence was used in violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver failed to stop at a traffic signal.

(5) *Procedures for a hearing under this section are as follows:*

(a) *The department shall publish and make available electronically to each county and municipality a model Request for Hearing form to assist each local government administering this section.*

(b) *The charter county, noncharter county, or municipality electing to authorize traffic infraction enforcement officers to issue traffic citations under s. 316.0083(1)(a) shall designate by resolution existing staff to serve as the clerk to the local hearing officer.*

(c) *Any person, herein referred to as the "petitioner," who elects to request a hearing under paragraph (1)(b) shall be scheduled for a hearing by the clerk to the local hearing officer to appear before a local hearing officer with notice to be sent by first-class mail. Upon receipt of the notice, the petitioner may reschedule the hearing once by submitting a written request to reschedule to the clerk to the local hearing officer, at least 5 calendar days before the day of the originally scheduled hearing. The petitioner may cancel his or her appearance before the local hearing officer by paying the penalty assessed under paragraph (1)(b), plus \$50 in administrative costs, before the start of the hearing.*

(d) *All testimony at the hearing shall be under oath and shall be recorded. The local hearing officer shall take testimony from a traffic infraction enforcement officer and the petitioner, and may take testimony from others. The local hearing officer shall review the photographic or electronic images or the streaming video made available under sub-subparagraph(1)(b)1.b. Formal rules of evidence do not apply, but due process shall be observed and govern the proceedings.*

(e) *At the conclusion of the hearing, the local hearing officer shall determine whether a violation under this section has occurred, in which case the hearing officer shall uphold or dismiss the violation. The local hearing officer shall issue a final administrative order including the determination and, if the notice of violation is upheld, require the petitioner to pay the penalty previously assessed under paragraph (1)(b), and may also require the petitioner to pay county or municipal costs, not to exceed \$250. The final administrative order shall be mailed to the petitioner by first-class mail.*

(f) *An aggrieved party may appeal a final administrative order consistent with the process provided under s. 162.11.*

Section 8. Paragraph (c) of subsection (3) of section 316.650, Florida Statutes, is amended to read:

316.650 Traffic citations.—

(3)

(c) If a traffic citation is issued under s. 316.0083, the traffic infraction enforcement officer shall provide by electronic transmission a replica of the traffic citation data to the court having jurisdiction over the alleged offense or its traffic violations bureau within 5 days after the date of issuance of the traffic citation to the violator. *If a hearing is requested, the traffic infraction enforcement officer shall provide a replica of the traffic notice of violation data to the clerk for the local hearing officer having jurisdiction over the alleged offense within 14 days.*

Section 9. Section 318.121, Florida Statutes, is amended to read:

318.121 Preemption of additional fees, fines, surcharges, and costs.—Notwithstanding any general or special law, or municipal or county ordinance, additional fees, fines, surcharges, or costs other than the court costs and surcharges assessed under s. 318.18(11), (13), (18), ~~and~~ (19), and (22) may not be added to the civil traffic penalties assessed under ~~in~~ this chapter.

Section 10. Subsection (3) is added to section 318.15, Florida Statutes, to read:

318.15 Failure to comply with civil penalty or to appear; penalty.—

(3) *The clerk shall notify the department of persons who were mailed a notice of violation of s. 316.074(1) or s. 316.075(1)(c)1. pursuant to s. 316.0083 and who failed to enter into, or comply with the terms of, a penalty payment plan, or order with the clerk to the local hearing officer or failed to appear at a scheduled hearing within 10 days after such*

failure, and shall reference the person's driver license number, or in the case of a business entity, vehicle registration number.

(a) Upon receipt of such notice, the department, or authorized agent thereof, may not issue a license plate or revalidation sticker for any motor vehicle owned or coowned by that person pursuant to s. 320.03(8) until the amounts assessed have been fully paid.

(b) After the issuance of the person's license plate or revalidation sticker is withheld pursuant to paragraph (a), the person may challenge the withholding of the license plate or revalidation sticker only on the basis that the outstanding fines and civil penalties have been paid pursuant to s. 320.03(8).

Section 11. Paragraph (c) of subsection (15) of section 318.18, Florida Statutes, is amended, and subsection (22) is added to that section, to read:

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

(15)

(c) If a person who is mailed a notice of violation or cited for a violation of s. 316.074(1) or s. 316.075(1)(c)1., as enforced by a traffic infraction enforcement officer under s. 316.0083, presents documentation from the appropriate governmental entity that the notice of violation or traffic citation was in error, the clerk of court or clerk to the local hearing officer may dismiss the case. The clerk of court or clerk to the local hearing officer may ~~shall~~ not charge for this service.

(22) In addition to the penalty prescribed under s. 316.0083 for violations enforced under s. 316.0083 which are upheld, the local hearing officer may also order the payment of county or municipal costs, not to exceed \$250.

Section 12. Subsection (8) of section 320.03, Florida Statutes, is amended to read:

320.03 Registration; duties of tax collectors; International Registration Plan.—

(8) If the applicant's name appears on the list referred to in s. 316.1001(4), s. 316.1967(6), s. 318.15(3), or s. 713.78(13), a license plate or revalidation sticker may not be issued until that person's name no longer appears on the list or until the person presents a receipt from the governmental entity or the clerk of court that provided the data showing that the fines outstanding have been paid. This subsection does not apply to the owner of a leased vehicle if the vehicle is registered in the name of the lessee of the vehicle. The tax collector and the clerk of the court are each entitled to receive monthly, as costs for implementing and administering this subsection, 10 percent of the civil penalties and fines recovered from such persons. As used in this subsection, the term "civil penalties and fines" does not include a wrecker operator's lien as described in s. 713.78(13). If the tax collector has private tag agents, such tag agents are entitled to receive a pro rata share of the amount paid to the tax collector, based upon the percentage of license plates and revalidation stickers issued by the tag agent compared to the total issued within the county. The authority of any private agent to issue license plates shall be revoked, after notice and a hearing as provided in chapter 120, if he or she issues any license plate or revalidation sticker contrary to the provisions of this subsection. This section applies only to the annual renewal in the owner's birth month of a motor vehicle registration and does not apply to the transfer of a registration of a motor vehicle sold by a motor vehicle dealer licensed under this chapter, except for the transfer of registrations which includes the annual renewals. This section does not affect the issuance of the title to a motor vehicle, notwithstanding s. 319.23(8)(b).

And the title is amended as follows:

Between lines 4626 and 4627 insert: amending s. 316.003, F.S.; defining the term "local hearing officer"; amending s. 316.0083, F.S.; revising provisions relating to the use of a traffic infraction detector; specifying when a citation may be issued; providing that a recipient of a notice of violation may request a hearing; providing that initiating a proceeding to challenge a violation or a citation waives any challenge or dispute as to delivery of the notice; revising provisions for issuance of a

citation; revising provisions for enforcement if a person other than the owner is designated as having care, custody, or control of the motor vehicle at the time of the violation; providing procedures for conducting hearings to determine whether a violation has occurred; amending s. 316.650, F.S.; requiring notification of violation data to be sent within a certain timeframe; amending s. 318.121, F.S.; limiting the assessment of costs and charges added to certain penalties; amending s. 318.15, F.S.; providing for the registration of a vehicle owned by a person who fails to comply with the terms of the local hearing officer; amending s. 318.18, F.S.; providing for dismissal of cases by presentation of appropriate documentation; authorizing the assessment of county or municipal costs when certain violations are upheld following a hearing; amending 320.03, F.S.; adding a cross-reference;

Senator Evers moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1C (285808)**—Between lines 296 and 297 insert:

(c) The emergency exceptions provided by 49 C.F.R. s. 392.82 also apply to communications by utility drivers and utility contractor drivers during a Level 1 activation of the State Emergency Operations Center, as provided in the Florida Comprehensive Emergency Management plan, or during a state of emergency declared by executive order or proclamation of the Governor.

Senator Brandes moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1D (663040)**—Delete line 667 and insert: *sanction a course provider for any*

Senator Diaz de la Portilla moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1E (371162) (with title amendment)**—Delete lines 685-731.

And the title is amended as follows:

Delete lines 4688-4695 and insert: rules; amending s. 319.225, F.S.; revising

Senator Brandes moved the following amendments to **Amendment 1** which were adopted:

**Amendment 1F (406684) (with title amendment)**—Between lines 958 and 959 insert:

Section 23. Section 319.30, Florida Statutes, is amended to read:

319.30 Definitions; dismantling, destruction, change of identity of motor vehicle or mobile home; salvage.—

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

(a) "Certificate of destruction" means the certificate issued pursuant to s. 713.78(11) or s. 713.785(7)(a).

(b) "Certificate of registration number" means the certificate of registration number issued by the Department of Revenue of the State of Florida pursuant to s. 538.25.

(c) "Certificate of title" means a record that serves as evidence of ownership of a vehicle, whether such record is a paper certificate authorized by the department or by a motor vehicle department authorized to issue titles in another state or a certificate consisting of information stored in electronic form in the department's database.

(d) "Derelict" means any material which is or may have been a motor vehicle or mobile home, which is not a major part or major component part, which is inoperable, and which is in such condition that its highest or primary value is in its sale or transfer as scrap metal.

(e) "Derelict motor vehicle" means:

1. Any motor vehicle as defined in s. 320.01(1) or mobile home as defined in s. 320.01(2), with or without all parts, major parts, or major component parts, which is valued under \$1,000, is at least 10 model

years old, beginning with the model year of the vehicle as year one, and is in such condition that its highest or primary value is for sale, transport, or delivery to a licensed salvage motor vehicle dealer or registered secondary metals recycler for dismantling its component parts or conversion to scrap metal; or

2. Any trailer as defined in s. 320.01(1), with or without all parts, major parts, or major component parts, which is valued under \$5,000, is at least 10 model years old, beginning with the model year of the vehicle as year one, and is in such condition that its highest or primary value is for sale, transport, or delivery to a licensed salvage motor vehicle dealer or registered secondary metals recycler for conversion to scrap metal.

(f) “Derelict motor vehicle certificate” means a certificate issued by the department which serves as evidence that a derelict motor vehicle will be dismantled or converted to scrap metal. This certificate may be obtained by completing a derelict motor vehicle certificate application authorized by the department. A derelict motor vehicle certificate may be reassigned only one time if the derelict motor vehicle certificate was completed by a licensed salvage motor vehicle dealer and the derelict motor vehicle was sold to another licensed salvage motor vehicle dealer or a secondary metals recycler.

(g) “Independent entity” means a business or entity that may temporarily store damaged or dismantled motor vehicles pursuant to an agreement with an insurance company and is engaged in the sale or resale of damaged or dismantled motor vehicles. The term does not include a wrecker operator, a towing company, or a repair facility.

(h) “Junk” means any material which is or may have been a motor vehicle or mobile home, with or without all component parts, which is inoperable and which material is in such condition that its highest or primary value is either in its sale or transfer as scrap metal or for its component parts, or a combination of the two, except when sold or delivered to or when purchased, possessed, or received by a secondary metals recycler or salvage motor vehicle dealer.

(i) “Major component parts” means:

1. For motor vehicles other than motorcycles, any fender, hood, bumper, cowl assembly, rear quarter panel, trunk lid, door, decklid, floor pan, engine, frame, transmission, catalytic converter, or airbag.

2. For trucks, in addition to those parts listed in subparagraph 1., any truck bed, including dump, wrecker, crane, mixer, cargo box, or any bed which mounts to a truck frame.

3. For motorcycles, the body assembly, frame, fenders, gas tanks, engine, cylinder block, heads, engine case, crank case, transmission, drive train, front fork assembly, and wheels.

4. For mobile homes, the frame.

(j) “Major part” means the front-end assembly, cowl assembly, or rear body section.

(k) “Materials” means motor vehicles, derelicts, and major parts that are not prepared materials.

(l) “Mobile home” means mobile home as defined in s. 320.01(2).

(m) “Motor vehicle” means motor vehicle as defined in s. 320.01(1).

(n) “National Motor Vehicle Title Information System” means the national mandated vehicle history database maintained by the United States Department of Justice to link the states’ motor vehicle title records, including Florida’s Department of Highway Safety and Motor Vehicles’ title records, and ensure that states, law enforcement agencies, and consumers have access to vehicle titling, branding, and other information that enables them to verify the accuracy and legality of a motor vehicle title before purchase or title transfer of the vehicle occurs.

(o) ~~(n)~~ “Parts” means parts of motor vehicles or combinations thereof that do not constitute materials or prepared materials.

(p) ~~(o)~~ “Prepared materials” means motor vehicles, mobile homes, derelict motor vehicles, major parts, or parts that have been processed by mechanically flattening or crushing, or otherwise processed such that

they are not the motor vehicle or mobile home described in the certificate of title, or their only value is as scrap metal.

(q) ~~(p)~~ “Processing” means the business of performing the manufacturing process by which ferrous metals or nonferrous metals are converted into raw material products consisting of prepared grades and having an existing or potential economic value, or the purchase of materials, prepared materials, or parts therefor.

(r) ~~(q)~~ “Recreational vehicle” means a motor vehicle as defined in s. 320.01(1).

(s) ~~(r)~~ “Salvage” means a motor vehicle or mobile home which is a total loss as defined in paragraph (3)(a).

(t) ~~(s)~~ “Salvage certificate of title” means a salvage certificate of title issued by the department or by another motor vehicle department authorized to issue titles in another state.

(u) ~~(t)~~ “Salvage motor vehicle dealer” means salvage motor vehicle dealer as defined in s. 320.27(1)(c)5.

(v) ~~(u)~~ “Secondary metals recycler” means secondary metals recycler as defined in s. 538.18.

(w) ~~(v)~~ “Seller” means the owner of record or a person who has physical possession and responsibility for a derelict motor vehicle and attests that possession of the vehicle was obtained through lawful means along with all ownership rights. A seller does not include a towing company, repair shop, or landlord unless the towing company, repair shop, or landlord has obtained title, salvage title, or a certificate of destruction in the name of the towing company, repair shop, or landlord.

(2)(a) Each person mentioned as owner in the last issued certificate of title, when such motor vehicle or mobile home is dismantled, destroyed, or changed in such manner that it is not the motor vehicle or mobile home described in the certificate of title, shall surrender his or her certificate of title to the department, and thereupon the department shall, with the consent of any lienholders noted thereon, enter a cancellation upon its records. Upon cancellation of a certificate of title in the manner prescribed by this section, the department may cancel and destroy all certificates in that chain of title. Any person who knowingly violates this paragraph commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b)1. When a motor vehicle, recreational vehicle, or mobile home is sold, transported, delivered to, or received by a salvage motor vehicle dealer, *the purchaser shall make the required notification to the National Motor Vehicle Title Information System* and it shall be accompanied by:

a. A valid certificate of title issued in the name of the seller or properly endorsed, as required in s. 319.22, over to the seller;

b. A valid salvage certificate of title issued in the name of the seller or properly endorsed, as required in s. 319.22, over to the seller; or

c. A valid certificate of destruction issued in the name of the seller or properly endorsed over to the seller.

2. Any person who knowingly violates this paragraph by selling, transporting, delivering, purchasing, or receiving a motor vehicle, recreational vehicle, or mobile home without obtaining a properly endorsed certificate of title, salvage certificate of title, or certificate of destruction from the owner *or does not make the required notification to the National Motor Vehicle Title Information System* commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c)1. When a derelict motor vehicle is sold, transported, or delivered to a licensed salvage motor vehicle dealer, the purchaser shall *make the required notification of the derelict motor vehicle to the National Motor Vehicle Title Information System* and record the date of purchase and the name, address, and valid Florida ~~driver~~ *driver’s* license number or valid Florida identification card number, or a valid ~~driver~~ *driver’s* license number or identification card number issued by another state, of the person selling the derelict motor vehicle, and it shall be accompanied by:

a. A valid certificate of title issued in the name of the seller or properly endorsed over to the seller;

- b. A valid salvage certificate of title issued in the name of the seller or properly endorsed over to the seller; or
- c. A valid certificate of destruction issued in the name of the seller or properly endorsed over to the seller.

2. If a valid certificate of title, salvage certificate of title, or certificate of destruction is not available, a derelict motor vehicle certificate application shall be completed by the seller or owner of the motor vehicle or mobile home, the seller's or owner's authorized transporter, and the licensed salvage motor vehicle dealer at the time of sale, transport, or delivery to the licensed salvage motor vehicle dealer. The derelict motor vehicle certificate application shall be used by the seller or owner, the seller's or owner's authorized transporter, and the licensed salvage motor vehicle dealer to obtain a derelict motor vehicle certificate from the department. The derelict motor vehicle certificate application must be accompanied by a legible copy of the seller's or owner's valid Florida driver's license or Florida identification card, or a valid ~~driver's~~ *driver's* license or identification card issued by another state. If the seller is not the owner of record of the vehicle being sold, the dealer shall, at the time of sale, ensure that a smudge-free right thumbprint, or other digit if the seller has no right thumb, of the seller is imprinted upon the derelict motor vehicle certificate application and that a legible copy of the seller's ~~driver's~~ *driver's* license or identification card is affixed to the application and transmitted to the department. The licensed salvage motor vehicle dealer shall *make the required notification of the derelict motor vehicle to the National Motor Vehicle Title Information System* and secure the derelict motor vehicle for 3 full business days, excluding weekends and holidays, if there is no active lien or a lien of 3 years or more on the department's records before destroying or dismantling the derelict motor vehicle and shall follow all reporting procedures established by the department, including electronic notification to the department or delivery of the original derelict motor vehicle certificate application to an agent of the department within 24 hours after receiving the derelict motor vehicle. If there is an active lien of less than 3 years on the derelict motor vehicle, the licensed salvage motor vehicle dealer shall secure the derelict motor vehicle for 10 days. The department shall notify the lienholder that a derelict motor vehicle certificate has been issued and shall notify the lienholder of its intention to remove the lien. Ten days after receipt of the motor vehicle derelict certificate application, the department may remove the lien from its records if a written statement protesting removal of the lien is not received by the department from the lienholder within the 10-day period. However, if the lienholder files with the department and the licensed salvage motor vehicle dealer within the 10-day period a written statement that the lien is still outstanding, the department shall not remove the lien and shall place an administrative hold on the record for 30 days to allow the lienholder to apply for title to the vehicle or a repossession certificate under s. 319.28. The licensed salvage motor vehicle dealer must secure the derelict motor vehicle until the department's administrative stop is removed, the lienholder submits a lien satisfaction, or the lienholder takes possession of the vehicle.

3. Any person who knowingly violates this paragraph by selling, transporting, delivering, purchasing, or receiving a derelict motor vehicle without obtaining a certificate of title, salvage certificate of title, certificate of destruction, or derelict motor vehicle certificate application; enters false or fictitious information on a derelict motor vehicle certificate application; does not complete the derelict motor vehicle certificate application as required; does not obtain a legible copy of the seller's or owner's valid ~~driver's~~ *driver's* license or identification card when required; does not make the required notification to the department; *does not make the required notification to the National Motor Vehicle Title Information System*; or destroys or dismantles a derelict motor vehicle without waiting the required time as set forth in subparagraph 2. commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3)(a)1. As used in this section, a motor vehicle or mobile home is a "total loss":

- a. When an insurance company pays the vehicle owner to replace the wrecked or damaged vehicle with one of like kind and quality or when an insurance company pays the owner upon the theft of the motor vehicle or mobile home; or
- b. When an uninsured motor vehicle or mobile home is wrecked or damaged and the cost, at the time of loss, of repairing or rebuilding the vehicle is 80 percent or more of the cost to the owner of replacing the

wrecked or damaged motor vehicle or mobile home with one of like kind and quality.

2. A motor vehicle or mobile home shall not be considered a "total loss" if the insurance company and owner of a motor vehicle or mobile home agree to repair, rather than to replace, the motor vehicle or mobile home. However, if the actual cost to repair the motor vehicle or mobile home to the insurance company exceeds 100 percent of the cost of replacing the wrecked or damaged motor vehicle or mobile home with one of like kind and quality, the owner shall forward to the department, within 72 hours after the agreement, a request to brand the certificate of title with the words "Total Loss Vehicle." Such a brand shall become a part of the vehicle's title history.

(b) The owner, including persons who are self-insured, of any motor vehicle or mobile home which is considered to be salvage shall, within 72 hours after the motor vehicle or mobile home becomes salvage, forward the title to the motor vehicle or mobile home to the department for processing. However, an insurance company which pays money as compensation for total loss of a motor vehicle or mobile home shall obtain the certificate of title for the motor vehicle or mobile home, *make the required notification to the National Motor Vehicle Title Information System*, and, within 72 hours after receiving such certificate of title, shall forward such title to the department for processing. The owner or insurance company, as the case may be, may not dispose of a vehicle or mobile home that is a total loss before it has obtained a salvage certificate of title or certificate of destruction from the department. When applying for a salvage certificate of title or certificate of destruction, the owner or insurance company must provide the department with an estimate of the costs of repairing the physical and mechanical damage suffered by the vehicle for which a salvage certificate of title or certificate of destruction is sought. If the estimated costs of repairing the physical and mechanical damage to the vehicle are equal to 80 percent or more of the current retail cost of the vehicle, as established in any official used car or used mobile home guide, the department shall declare the vehicle unrebuildable and print a certificate of destruction, which authorizes the dismantling or destruction of the motor vehicle or mobile home described therein. However, if the damaged motor vehicle is equipped with custom-lowered floors for wheelchair access or a wheelchair lift, the insurance company may, upon determining that the vehicle is repairable to a condition that is safe for operation on public roads, submit the certificate of title to the department for reissuance as a salvage rebuildable title and the addition of a title brand of "insurance-declared total loss." The certificate of destruction shall be reassignable a maximum of two times before dismantling or destruction of the vehicle shall be required, and shall accompany the motor vehicle or mobile home for which it is issued, when such motor vehicle or mobile home is sold for such purposes, in lieu of a certificate of title, and, thereafter, the department shall refuse issuance of any certificate of title for that vehicle. Nothing in this subsection shall be applicable when a vehicle is worth less than \$1,500 retail in undamaged condition in any official used motor vehicle guide or used mobile home guide or when a stolen motor vehicle or mobile home is recovered in substantially intact condition and is readily resalable without extensive repairs to or replacement of the frame or engine. Any person who knowingly violates this paragraph or falsifies any document to avoid the requirements of this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(4) It is unlawful for any person to have in his or her possession any motor vehicle or mobile home when the manufacturer's or state-assigned identification number plate or serial plate has been removed therefrom.

(a) Nothing in this subsection shall be applicable when a vehicle defined in this section as a derelict or salvage was purchased or acquired from a foreign state requiring such vehicle's identification number plate to be surrendered to such state, provided the person shall have an affidavit from the seller describing the vehicle by manufacturer's serial number and the state to which such vehicle's identification number plate was surrendered.

(b) Nothing in this subsection shall be applicable if a certificate of destruction has been obtained for the vehicle.

(5)(a) It is unlawful for any person to knowingly possess, sell, or exchange, offer to sell or exchange, or give away any certificate of title or manufacturer's or state-assigned identification number plate or serial plate of any motor vehicle, mobile home, or derelict that has been sold as salvage contrary to the provisions of this section, and it is unlawful for



any person to authorize, direct, aid in, or consent to the possession, sale, or exchange or to offer to sell, exchange, or give away such certificate of title or manufacturer's or state-assigned identification number plate or serial plate.

(b) It is unlawful for any person to knowingly possess, sell, or exchange, offer to sell or exchange, or give away any manufacturer's or state-assigned identification number plate or serial plate of any motor vehicle or mobile home that has been removed from the motor vehicle or mobile home for which it was manufactured, and it is unlawful for any person to authorize, direct, aid in, or consent to the possession, sale, or exchange or to offer to sell, exchange, or give away such manufacturer's or state-assigned identification number plate or serial plate.

(c) This chapter does not apply to anyone who removes, possesses, or replaces a manufacturer's or state-assigned identification number plate, in the course of performing repairs on a vehicle, that require such removal or replacement. If the repair requires replacement of a vehicle part that contains the manufacturer's or state-assigned identification number plate, the manufacturer's or state-assigned identification number plate that is assigned to the vehicle being repaired will be installed on the replacement part. The manufacturer's or state-assigned identification number plate that was removed from this replacement part will be installed on the part that was removed from the vehicle being repaired.

(6)(a) In the event of a purchase by a salvage motor vehicle dealer of materials or major component parts for any reason, the purchaser shall:

1. For each item of materials or major component parts purchased, the salvage motor vehicle dealer shall record the date of purchase and the name, address, and personal identification card number of the person selling such items, as well as the vehicle identification number, if available.

2. With respect to each item of materials or major component parts purchased, obtain such documentation as may be required by subsection (2).

(b) Any person who violates this subsection commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(7)(a) In the event of a purchase by a secondary metals recycler, that has been issued a certificate of registration number, of:

1. Materials, prepared materials, or parts from any seller for purposes other than the processing of such materials, prepared materials, or parts, the purchaser shall obtain such documentation as may be required by this section and shall record the seller's name and address, date of purchase, and the personal identification card number of the person delivering such items.

2. Parts or prepared materials from any seller for purposes of the processing of such parts or prepared materials, the purchaser shall record the seller's name and address and date of purchase and, in the event of a purchase transaction consisting primarily of parts or prepared materials, the personal identification card number of the person delivering such items.

3. Materials from another secondary metals recycler for purposes of the processing of such materials, the purchaser shall record the seller's name and address and date of purchase.

- 4.a. Motor vehicles, recreational vehicles, mobile homes, or derelict motor vehicles from other than a secondary metals recycler for purposes of the processing of such motor vehicles, recreational vehicles, mobile homes, or derelict motor vehicles, the purchaser shall *make the required notification to the National Motor Vehicle Title Information* record the date of purchase and the name, address, and personal identification card number of the person selling such items and shall obtain the following documentation from the seller with respect to each item purchased:

- (I) A valid certificate of title issued in the name of the seller or properly endorsed, as required in s. 319.22, over to the seller;

- (II) A valid salvage certificate of title issued in the name of the seller or properly endorsed, as required in s. 319.22, over to the seller;

- (III) A valid certificate of destruction issued in the name of the seller or properly endorsed over to the seller; or

- (IV) A valid derelict motor vehicle certificate obtained from the department by a licensed salvage motor vehicle dealer and properly reassigned to the secondary metals recycler.

- b. If a valid certificate of title, salvage certificate of title, certificate of destruction, or derelict motor vehicle certificate is not available and the motor vehicle or mobile home is a derelict motor vehicle, a derelict motor vehicle certificate application shall be completed by the seller or owner of the motor vehicle or mobile home, the seller's or owner's authorized transporter, and the registered secondary metals recycler at the time of sale, transport, or delivery to the registered secondary metals recycler to obtain a derelict motor vehicle certificate from the department. The derelict motor vehicle certificate application must be accompanied by a legible copy of the seller's or owner's valid Florida *driver driver's* license or Florida identification card, or a valid *driver driver's* license or identification card from another state. If the seller is not the owner of record of the vehicle being sold, the recycler shall, at the time of sale, ensure that a smudge-free right thumbprint, or other digit if the seller has no right thumb, of the seller is imprinted upon the derelict motor vehicle certificate application and that the legible copy of the seller's *driver driver's* license or identification card is affixed to the application and transmitted to the department. The derelict motor vehicle certificate shall be used by the owner, the owner's authorized transporter, and the registered secondary metals recycler. The registered secondary metals recycler *shall make the required notification of the derelict motor vehicle to the National Motor Vehicle Title Information System* and shall secure the derelict motor vehicle for 3 full business days, excluding weekends and holidays, if there is no active lien or a lien of 3 years or more on the department's records before destroying or dismantling the derelict motor vehicle and shall follow all reporting procedures established by the department, including electronic notification to the department or delivery of the original derelict motor vehicle certificate application to an agent of the department within 24 hours after receiving the derelict motor vehicle. If there is an active lien of less than 3 years on the derelict motor vehicle, the registered secondary metals recycler shall secure the derelict motor vehicle for 10 days. The department shall notify the lienholder of the application for a derelict motor vehicle certificate and shall notify the lienholder of its intention to remove the lien. Ten days after receipt of the motor vehicle derelict application, the department may remove the lien from its records if a written statement protesting removal of the lien is not received by the department from the lienholder within the 10-day period. However, if the lienholder files with the department and the registered secondary metals recycler within the 10-day period a written statement that the lien is still outstanding, the department shall not remove the lien and shall place an administrative hold on the record for 30 days to allow the lienholder to apply for title to the vehicle or a repossession certificate under s. 319.28. The registered secondary metals recycler must secure the derelict motor vehicle until the department's administrative stop is removed, the lienholder submits a lien satisfaction, or the lienholder takes possession of the vehicle.

- c. Any person who knowingly violates this subparagraph by selling, transporting, delivering, purchasing, or receiving a motor vehicle, recreational motor vehicle, mobile home, or derelict motor vehicle without obtaining a certificate of title, salvage certificate of title, certificate of destruction, or derelict motor vehicle certificate; enters false or fictitious information on a derelict motor vehicle certificate application; does not complete the derelict motor vehicle certificate application as required or does not make the required notification to the department; *does not make the required notification to the National Motor Vehicle Title Information System*; does not obtain a legible copy of the seller's or owner's *driver driver's* license or identification card when required; or destroys or dismantles a derelict motor vehicle without waiting the required time as set forth in sub-subparagraph b. commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

5. Major parts from other than a secondary metals recycler for purposes of the processing of such major parts, the purchaser shall record the seller's name, address, date of purchase, and the personal identification card number of the person delivering such items, as well as the vehicle identification number, if available, of each major part purchased.

- (b) Any person who violates this subsection commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(8)(a) Secondary metals recyclers and salvage motor vehicle dealers shall return to the department on a monthly basis all certificates of title and salvage certificates of title that are required by this section to be obtained. Secondary metals recyclers and salvage motor vehicle dealers may elect to notify the department electronically through procedures established by the department when they receive each motor vehicle or mobile home, salvage motor vehicle or mobile home, or derelict motor vehicle with a certificate of title or salvage certificate of title through procedures established by the department. The department may adopt rules and establish fees as it deems necessary or proper for the administration of the electronic notification service.

(b) Secondary metals recyclers and salvage motor vehicle dealers shall keep originals, or a copy in the event the original was returned to the department, of all certificates of title, salvage certificates of title, certificates of destruction, derelict motor vehicle certificates, and all other information required by this section to be recorded or obtained, on file in the offices of such secondary metals recyclers or salvage motor vehicle dealers for a period of 3 years after the date of purchase of the items reflected in such certificates of title, salvage certificates of title, certificates of destruction, or derelict motor vehicle certificates. These records shall be maintained in chronological order.

(c) For the purpose of enforcement of this section, the department or its agents and employees have the same right of inspection as law enforcement officers as provided in s. 812.055.

(d) Whenever the department, its agent or employee, or any law enforcement officer has reason to believe that a stolen or fraudulently titled motor vehicle, mobile home, recreational vehicle, salvage motor vehicle, or derelict motor vehicle is in the possession of a salvage motor vehicle dealer or secondary metals recycler, the department, its agent or employee, or the law enforcement officer may issue an extended hold notice, not to exceed 5 additional business days, excluding weekends and holidays, to the salvage motor vehicle dealer or registered secondary metals recycler.

(e) Whenever a salvage motor vehicle dealer or registered secondary metals recycler is notified by the department, its agent or employee, or any law enforcement officer to hold a motor vehicle, mobile home, recreational vehicle, salvage motor vehicle, or derelict motor vehicle that is believed to be stolen or fraudulently titled, the salvage motor vehicle dealer or registered secondary metals recycler shall hold the motor vehicle, mobile home, recreational vehicle, salvage motor vehicle, or derelict motor vehicle and may not dismantle or destroy the motor vehicle, mobile home, recreational vehicle, salvage motor vehicle, or derelict motor vehicle until it is recovered by a law enforcement officer, the hold is released by the department or the law enforcement officer placing the hold, or the 5 additional business days have passed since being notified of the hold.

(f) This section does not authorize any person who is engaged in the business of recovering, towing, or storing vehicles pursuant to s. 713.78, and who is claiming a lien for performing labor or services on a motor vehicle or mobile home pursuant to s. 713.58, or is claiming that a motor vehicle or mobile home has remained on any premises after tenancy has terminated pursuant to s. 715.104, to use a derelict motor vehicle certificate application for the purpose of transporting, selling, disposing of, or delivering a motor vehicle to a salvage motor vehicle dealer or secondary metals recycler without obtaining the title or certificate of destruction required under s. 713.58, s. 713.78, or s. 715.104.

(g) The department shall accept all properly endorsed and completed derelict motor vehicle certificate applications and shall issue a derelict motor vehicle certificate having an effective date that authorizes when a derelict motor vehicle is eligible for dismantling or destruction. The electronic information obtained from the derelict motor vehicle certificate application shall be stored electronically and shall be made available to authorized persons after issuance of the derelict motor vehicle certificate in the Florida Real Time Vehicle Information System.

(h) The department is authorized to adopt rules pursuant to ss. 120.536(1) and 120.54 establishing policies and procedures to administer and enforce this section.

(i) The department shall charge a fee of \$3 for each derelict motor vehicle certificate delivered to the department or one of its agents for

processing and shall mark the title record canceled. A service charge may be collected under s. 320.04.

(j) The licensed salvage motor vehicle dealer or registered secondary metals recycler shall make all payments for the purchase of any derelict motor vehicle that is sold by a seller who is not the owner of record on file with the department by check or money order made payable to the seller and may not make payment to the authorized transporter. The licensed salvage motor vehicle dealer or registered secondary metals recycler may not cash the check that such dealer or recycler issued to the seller.

(9)(a) An insurance company may notify an independent entity that obtains possession of a damaged or dismantled motor vehicle to release the vehicle to the owner. The insurance company shall provide the independent entity a release statement on a form prescribed by the department authorizing the independent entity to release the vehicle to the owner. The form shall, at a minimum, contain the following:

1. The policy and claim number.
2. The name and address of the insured.
3. The vehicle identification number.
4. The signature of an authorized representative of the insurance company.

(b) The independent entity in possession of a motor vehicle must send a notice to the owner that the vehicle is available for pick up when it receives a release statement from the insurance company. The notice shall be sent by certified mail to the owner at the owner's address reflected in the department's records. The notice must inform the owner that the owner has 30 days after receipt of the notice to pick up the vehicle from the independent entity. If the motor vehicle is not claimed within 30 days after the owner receives the notice, the independent entity may apply for a certificate of destruction or a certificate of title.

(c) *The independent entity shall make the required notification to the National Motor Vehicle Title Information System before releasing any damaged or dismantled motor vehicle to the owner or before applying for a certificate of destruction or salvage certificate of title.*

(d)(e) Upon applying for a certificate of destruction or salvage certificate of title, the independent entity shall provide a copy of the release statement from the insurance company to the independent entity, proof of providing the 30-day notice to the owner, *proof of notification to the National Motor Vehicle Title Information System*, and applicable fees.

(e)(d) The independent entity may not charge an owner of the vehicle storage fees or apply for a title under s. 713.585 or s. 713.78.

(10) The department may adopt rules to implement an electronic system for issuing salvage certificates of title and certificates of destruction.

(11) Except as otherwise provided in this section, any person who violates this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

And the title is amended as follows:

Delete line 4704 and insert: repossession; amending s. 319.30, F.S., relating to disposition of derelict motor vehicles; defining the term "National Motor Vehicle Title Information System"; requiring salvage motor vehicle dealers, insurance companies, and other persons to notify the system when receiving or disposing of such a vehicle; requiring proof of such notification when applying for a certificate of destruction or salvage certificate of title; providing penalties; amending s. 319.323, F.S., relating to

**Amendment 1G (595286) (with title amendment)**—Delete lines 1007-1037 and insert:

Section 25. Paragraph (a) of subsection (2) and paragraph (a) of subsection (5) of section 320.02, Florida Statutes, are amended, and paragraph (s) is added to subsection (15), to read:

320.02 Registration required; application for registration; forms.—

(2)(a) The application for registration ~~must shall~~ include the street address of the owner's permanent residence or the address of his or her permanent place of business and ~~shall~~ be accompanied by personal or business identification information. *An individual applicant must provide which may include, but need not be limited to, a valid driver license or number, Florida identification card issued by this state or another state or a valid passport. A business applicant must provide a number, or federal employer identification number, if applicable, or verification that the business is authorized to conduct business in the state, or a Florida municipal or county business license or number.*

1. If the owner does not have a permanent residence or permanent place of business or if the owner's permanent residence or permanent place of business cannot be identified by a street address, the application ~~must shall~~ include:

~~a.1.~~ If the vehicle is registered to a business, the name and street address of the permanent residence of an owner of the business, an officer of the corporation, or an employee who is in a supervisory position.

~~b.2.~~ If the vehicle is registered to an individual, the name and street address of the permanent residence of a close relative or friend who is a resident of this state.

2. If the vehicle is registered to an active duty member of the Armed Forces of the United States who is a Florida resident, the active duty member is exempt from the requirement to provide the street address of a permanent residence.

(5)(a) Proof that personal injury protection benefits have been purchased ~~if when~~ required under s. 627.733, that property damage liability coverage has been purchased as required under s. 324.022, that bodily injury or death coverage has been purchased if required under s. 324.023, and that combined bodily liability insurance and property damage liability insurance have been purchased ~~if when~~ required under s. 627.7415 shall be provided in the manner prescribed by law by the applicant at the time of application for registration of any motor vehicle that is subject to such requirements. The issuing agent shall refuse to issue registration if such proof of purchase is not provided. Insurers shall furnish uniform proof-of-purchase cards in a paper or electronic format in a form prescribed by the department and ~~shall~~ include the name of the insured's insurance company, the coverage identification number, and the make, year, and vehicle identification number of the vehicle insured. The card ~~must shall~~ contain a statement notifying the applicant of the penalty specified ~~under in~~ s. 316.646(4). The card or insurance policy, insurance policy binder, or certificate of insurance or a photocopy of any of these; an affidavit containing the name of the insured's insurance company, the insured's policy number, and the make and year of the vehicle insured; or such other proof as may be prescribed by the department shall constitute sufficient proof of purchase. If an affidavit is provided as proof, it ~~must shall~~ be in substantially the following form:

Under penalty of perjury, I (Name of insured) do hereby certify that I have (Personal Injury Protection, Property Damage Liability, and, if when required, Bodily Injury Liability) Insurance currently in effect with (Name of insurance company) under (policy number) covering (make, year, and vehicle identification number of vehicle). (Signature of Insured)

Such affidavit ~~must shall~~ include the following warning:

WARNING: GIVING FALSE INFORMATION IN ORDER TO OBTAIN A VEHICLE REGISTRATION CERTIFICATE IS A CRIMINAL OFFENSE UNDER FLORIDA LAW. ANYONE GIVING FALSE INFORMATION ON THIS AFFIDAVIT IS SUBJECT TO PROSECUTION.

~~If When~~ an application is made through a licensed motor vehicle dealer as required ~~under in~~ s. 319.23, the original or a photostatic copy of such card, insurance policy, insurance policy binder, or certificate of insurance or the original affidavit from the insured shall be forwarded by the dealer to the tax collector of the county or the Department of Highway Safety and Motor Vehicles for processing. By executing the aforesaid affidavit, no licensed motor vehicle dealer will be liable in damages for any inadequacy, insufficiency, or falsification of any statement contained therein. A card ~~must shall~~ also indicate the existence of any bodily injury liability insurance voluntarily purchased.

(15)

(s) *The application form for motor vehicle registration and renewal registration must include language permitting a voluntary contribution of \$1 or more per applicant, which shall be distributed to the Auto Club Group Traffic Safety Foundation, Inc., a nonprofit organization. Funds received by the foundation must be used to improve traffic safety culture in communities through effective outreach, education, and activities in the state which will save lives, reduce injuries, and prevent crashes. The foundation must comply with s. 320.023.*

For the purpose of applying the service charge provided in s. 215.20, contributions received under this subsection are not income of a revenue nature.

And the title is amended as follows:

Delete line 4711 and insert: vehicle registration; requiring insurers to furnish proof-of-purchase cards in a paper or electronic format; requiring the application form for motor vehicle registration and renewal registration to include language permitting the applicant to make a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.; amending s. 320.03, F.S.;

**Amendment 1H (525032) (with title amendment)**—Between lines 1091 and 1092 insert:

Section 29. Subsection (4) of section 320.089, Florida Statutes, is amended to read:

320.089 Members of National Guard and active United States Armed Forces reservists; former prisoners of war; survivors of Pearl Harbor; Purple Heart medal recipients; *Operation Desert Storm Veterans; Operation Desert Shield Veterans; Operation Iraqi Freedom and Operation Enduring Freedom Veterans; Combat Infantry Badge or Combat Action Badge recipients; Vietnam War Veterans; Korean Conflict Veterans; special license plates; fee.*—

(4) The owner or lessee of an automobile or truck for private use, a truck weighing not more than 7,999 pounds, or a recreational vehicle as specified in s. 320.08(9)(c) or (d) which automobile, truck, or recreational vehicle is not used for hire or commercial use who is a resident of the state and a current or former member of the United States military who was deployed and served in *Saudi Arabia, Kuwait, or another area of the Persian Gulf during Operation Desert Storm or Operation Desert Shield; in Iraq during Operation Iraqi Freedom; or in Afghanistan during Operation Enduring Freedom* shall, upon application to the department, accompanied by proof of active membership or former active duty status during one of these operations, and upon payment of the license tax for the vehicle as provided in s. 320.08, be issued a license plate as provided by s. 320.06 upon which, in lieu of the registration license number prescribed by s. 320.06, shall be stamped the words "*Operation Desert Storm,*" "*Operation Desert Shield,*" "*Operation Iraqi Freedom,*" or "*Operation Enduring Freedom,*" as appropriate, followed by the registration license number of the plate.

And the title is amended as follows:

Delete line 4718 and insert: International Registration Plan; amending s. 320.089, F.S.; creating a special use license plate for current or former members of the United States Armed Forces who participated in Operation Desert Storm or Operation Desert Shield; amending s. 320.18,

Senator Diaz de la Portilla moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1I (889618) (with title amendment)**—Between lines 1091 and 1092 insert:

Section 29. Paragraph (c) of subsection (71) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(71) HISPANIC ACHIEVERS LICENSE PLATES.—

(c) National Hispanic Corporate Achievers, Inc., may retain all proceeds from the annual use fee until documented startup costs for de-

veloping and establishing the plate have been recovered. Thereafter, the proceeds from the annual use fee shall be used as follows:

1. Up to 5 ~~40~~ percent of the proceeds may be used for the cost of administration of the Hispanic Achievers License Plate Fund, the Hispanic Achievers Grant Council, and related matters.

2. Funds may be used as necessary for annual audit or compliance affidavit costs.

3. *Up to 20 percent of the proceeds may be used to market and promote the Hispanic Achievers license plate.*

~~4.3.~~ Twenty-five percent of the proceeds shall be used by the Hispanic Corporate Achievers, Inc., located in Seminole County, for grants.

~~5.4.~~ The remaining proceeds shall be available to the Hispanic Achievers Grant Council to award grants for services, programs, or scholarships for Hispanic and minority individuals and organizations throughout Florida. All grant recipients must provide to the Hispanic Achievers Grant Council an annual program and financial report regarding the use of grant funds. Such reports must be available to the public.

And the title is amended as follows:

Delete line 4718 and insert: International Registration Plan; amending s. 320.08058, F.S.; revising the prescribed use of proceeds from the sale of Hispanic Achievers license plates; amending s. 320.18,

Senator Bean moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1J (180120) (with title amendment)**—Between lines 1091 and 1092 insert:

Section 29. Paragraph (aaaa) is added to subsection (4) of section 320.08056, Florida Statutes, to read:

320.08056 Specialty license plates.—

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

(aaaa) *American Legion license plate, \$25.*

Section 30. Subsection (79) is added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(79) *AMERICAN LEGION LICENSE PLATES.—*

(a) *Notwithstanding s. 320.08053(1) and s. 45, chapter 2008-176, Laws of Florida, as amended by s. 21, chapter 2010-223, Laws of Florida, the department shall develop an American Legion license plate as provided in s. 320.08053(2) and (3) and this section. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “American Legion” must appear at the bottom of the plate.*

(b) *The department shall retain all annual use fees from the sale of such plates until all startup costs for developing and issuing the plates have been recovered. Thereafter, the annual use fees from the sale of the plate shall be distributed to the American Legion Department of Florida, which may use up to 10 percent of such fees for administrative costs and marketing of the plate. The balance of the fees shall be used by the American Legion Department of Florida to support Florida American Legion Boys State, the American Legion Auxiliary Girls State, the American Legion Department of Florida Veteran Affairs and Rehabilitation program, the Gilchrist Endowment Fund, and other appropriate activities.*

And the title is amended as follows:

Delete line 4718 and insert: International Registration Plan; amending ss. 320.08056 and 320.08058, F.S.; creating an American Legion license plate; establishing an annual use fee for the plate; providing

for the distribution of annual use fees received from the sale of the plate; amending s. 320.18,

Senator Brandes moved the following amendments to **Amendment 1** which were adopted:

**Amendment 1K (872768) (with title amendment)**—Between lines 1091 and 1092 insert:

Section 29. Paragraph (aaaa) is added to subsection (4) of section 320.08056, Florida Statutes, to read:

320.08056 Specialty license plates.—

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

(aaaa) *Lauren’s Kids license plate, \$25.*

Section 30. Subsection (79) is added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(79) *LAUREN’S KIDS LICENSE PLATES.—*

(a) *Notwithstanding s. 320.08053(1) and s. 45, chapter 2008-176, Laws of Florida, as amended by s. 21, chapter 2010-223, Laws of Florida, the department shall develop a Lauren’s Kids, Prevent Child Sexual Abuse license plate as provided in s. 320.08053(2) and (3), and this section. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Lauren’s Kids” must appear at the bottom of the plate.*

(b) *The department shall retain all annual use fees from the sale of the plate until all startup costs for developing and issuing the plate have been recovered. Thereafter, the annual use fees from the sale of the plate shall be distributed to Lauren’s Kids, Inc., a Florida nonprofit corporation, which may use up to 10 percent of such fees for administrative costs and marketing of the plate. The balance of the fees shall be used by Lauren’s Kids, Inc., to prevent sexual abuse through awareness and education and to help survivors heal with guidance and support.*

And the title is amended as follows:

Delete line 4718 and insert: International Registration Plan; amending ss. 320.08056 and 320.08058, F.S.; creating a Lauren’s Kids license plate; establishing an annual use fee for the plate; providing for the distribution of annual use fees received from the sale of the plate; amending s. 320.18,

## THE PRESIDENT PRESIDING

**Amendment 1L (356518) (with title amendment)**—Between lines 1091 and 1092 insert:

Section 29. Section 320.08062, Florida Statutes, is amended to read:

320.08062 Audits and attestations required; annual use fees of specialty license plates.—

(1)(a) All organizations that receive annual use fee proceeds from the department are responsible for ensuring that proceeds are used in accordance with ss. 320.08056 and 320.08058.

(b) Any organization not subject to audit pursuant to s. 215.97 shall annually attest, under penalties of perjury, that such proceeds were used in compliance with ss. 320.08056 and 320.08058. The attestation shall be made annually in a form and format determined by the department.

(c) Any organization subject to audit pursuant to s. 215.97 shall submit an audit report in accordance with rules promulgated by the Auditor General. The annual attestation shall be submitted to the department for review within 9 months after the end of the organization’s fiscal year.

(2)(a)(~~2~~) Within 90 days after receiving an organization’s audit or attestation, the department shall determine which recipients of revenues from specialty license plate annual use fees have not complied with

subsection (1). If the department determines that an organization has not complied or has failed to use the revenues in accordance with ss. 320.08056 and 320.08058, the department must discontinue the distribution of the revenues to the organization until the department determines that the organization has complied. If an organization fails to comply within 12 months after the annual use fee proceeds are withheld by the department, the proceeds shall be deposited into the Highway Safety Operating Trust Fund to offset department costs related to the issuance of specialty license plates.

*(b) In lieu of discontinuing revenue disbursement pursuant to this subsection, upon determining that a recipient has not complied or has failed to use the revenues in accordance with ss. 320.08056 and 320.08058, F.S., and with the approval of the Legislative Budget Commission, the department is authorized to redirect previously-collected and future revenues to an organization that is able to perform the same or similar purpose(s) as the original recipient.*

(3) The department has the authority to examine all records pertaining to the use of funds from the sale of specialty license plates.

And the title is amended as follows:

Delete line 4718 and insert: International Registration Plan; amending s. 320.08062, F.S.; redirecting specialty plate funds; providing approval of the Legislature; amending s. 320.18,

Senator Flores moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1M (158530) (with title amendment)**—Between lines 1091 and 1092 insert:

Section 29. Paragraph (aaaa) is added to subsection (4) of section 320.08056, Florida Statutes, to read:

320.08056 Specialty license plates.—

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

*(aaaa) Big Brothers Big Sisters license plate, \$25.*

Section 30. Subsection (79) is added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

**(79) BIG BROTHERS BIG SISTERS LICENSE PLATES.—**

*(a) Notwithstanding s. 320.08053(1) and s. 45, chapter 2008-176, Laws of Florida, as amended by s. 21, chapter 2010-223, Laws of Florida, the department shall develop a Big Brothers Big Sisters license plate as provided in s. 320.08053(2) and (3), and this section. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Big Brothers Big Sisters” must appear at the bottom of the plate.*

*(b) The department shall retain all annual use fees from the sale of the plate until all startup costs for developing and issuing the plate have been recovered. Thereafter, the annual use fees from the sale of the plate shall be distributed to Big Brothers Big Sisters Association of Florida, Inc., which may use up to 10 percent of such fees for administrative costs and marketing of the plate. The balance of the fees shall be used by Big Brothers Big Sisters Association of Florida, Inc., to promote mentoring.*

And the title is amended as follows:

Delete line 4718 and insert: International Registration Plan; amending ss. 320.08056 and 320.08058, F.S.; creating a Big Brothers Big Sisters license plate; establishing an annual use fee for the plate; providing for the distribution and use of fees received from the sale of the plate; amending s. 320.18,

Senator Brandes moved the following amendments to **Amendment 1** which were adopted:

**Amendment 1N (957886) (with title amendment)**—Between lines 1437 and 1438 insert:

Section 35. Subsection (7) of section 322.08, Florida Statutes, is amended to read:

322.08 Application for license; requirements for license and identification card forms.—

(7) The application form for an original, renewal, or replacement driver license or identification card ~~must shall~~ include language permitting the following:

(a) A voluntary contribution of \$1 per applicant, which contribution shall be deposited into the Health Care Trust Fund for organ and tissue donor education and for maintaining the organ and tissue donor registry.

(b) A voluntary contribution of \$1 per applicant, which ~~contribution~~ shall be distributed to the Florida Council of the Blind.

(c) A voluntary contribution of \$2 per applicant, which shall be distributed to the Hearing Research Institute, Incorporated.

(d) A voluntary contribution of \$1 per applicant, which shall be distributed to the Juvenile Diabetes Foundation International.

(e) A voluntary contribution of \$1 per applicant, which shall be distributed to the Children’s Hearing Help Fund.

(f) A voluntary contribution of \$1 per applicant, which shall be distributed to Family First, a nonprofit organization.

(g) A voluntary contribution of \$1 per applicant to Stop Heart Disease, which shall be distributed to the Florida Heart Research Institute, a nonprofit organization.

(h) A voluntary contribution of \$1 per applicant to Senior Vision Services, which shall be distributed to the Florida Association of Agencies Serving the Blind, Inc., a not-for-profit organization.

(i) A voluntary contribution of \$1 per applicant for services for persons with developmental disabilities, which shall be distributed to The Arc of Florida.

(j) A voluntary contribution of \$1 to the Ronald McDonald House, which shall be distributed each month to Ronald McDonald House Charities of Tampa Bay, Inc.

(k) Notwithstanding s. 322.081, a voluntary contribution of \$1 per applicant, which shall be distributed to the League Against Cancer/La Liga Contra el Cancer, a not-for-profit organization.

(l) A voluntary contribution of \$1 per applicant to Prevent Child Sexual Abuse, which shall be distributed to Lauren’s Kids, Inc., a nonprofit organization.

(m) A voluntary contribution of \$1 per applicant, which shall be distributed to Prevent Blindness Florida, a not-for-profit organization, to prevent blindness and preserve the sight of the residents of this state.

(n) Notwithstanding s. 322.081, a voluntary contribution of \$1 per applicant to the state homes for veterans, to be distributed on a quarterly basis by the department to the State Homes for Veterans Trust Fund, which is administered by the Department of Veterans’ Affairs.

(o) A voluntary contribution of \$1 per applicant to the Disabled American Veterans, Department of Florida, which shall be distributed quarterly to Disabled American Veterans, Department of Florida, a nonprofit organization.

(p) A voluntary contribution of \$1 per applicant for Autism Services and Supports, which shall be distributed to Achievement and Rehabilitation Centers, Inc., Autism Services Fund.

(q) A voluntary contribution of \$1 per applicant to Support Our Troops, which shall be distributed to Support Our Troops, Inc., a Florida not-for-profit organization.

*(r) A voluntary contribution of \$1 or more per applicant, which shall be distributed to the Auto Club Group Traffic Safety Foundation, Inc., a not-for-profit organization.*

A statement providing an explanation of the purpose of the trust funds shall also be included. For the purpose of applying the service charge provided under ~~in~~ s. 215.20, contributions received under paragraphs (b)-(r) ~~(b)-(q)~~ are not income of a revenue nature.

And the title is amended as follows:

Delete line 4741 and insert: periods; providing fees; amending s. 322.08, F.S.; requiring the application forms for an original, renewal, or replacement driver license or identification card to include language permitting an applicant to make a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.; amending s. 322.095, F.S.;

**Amendment 10 (370266)**—Delete line 1528 and insert: *courses approved pursuant to this section on a recurring 5-year*

Senator Gardiner moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1P (370784) (with title amendment)**—Delete lines 1647-1723 and insert:

Section 38. Section 322.143, Florida Statutes, is created to read:

322.143 *Use of a driver license or identification card.*—

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

(a) *“Personal information” means an individual’s name, address, date of birth, driver license number, or identification card number.*

(b) *“Private entity” means any nongovernmental entity, such as a corporation, partnership, company or nonprofit organization, any other legal entity, or any natural person.*

(c) *“Swipe” means the act of passing a driver license or identification card through a device that is capable of deciphering, in an electronically readable format, the information electronically encoded in a magnetic strip or bar code on the driver license or identification card.*

(2) *Except as provided in subsection (6), a private entity may not swipe an individual’s driver license or identification card, except for the following purposes:*

(a) *To verify the authenticity of a driver license or identification card or to verify the identity of the individual if the individual pays for a good or service with a method other than cash, returns an item, or requests a refund.*

(b) *To verify the individual’s age when providing an age-restricted good or service.*

(c) *To prevent fraud or other criminal activity if an individual returns an item or requests a refund and the private entity uses a fraud prevention service company or system.*

(d) *To transmit information to a check services company for the purpose of approving negotiable instruments, electronic funds transfers, or similar methods of payment.*

(e) *To comply with a legal requirement to record, retain, or transmit the driver license information.*

(3) *A private entity that swipes an individual’s driver license or identification card under paragraph (2)(a) or paragraph (2)(b) may not store, sell, or share personal information collected from swiping the driver license or identification card.*

(4) *A private entity that swipes an individual’s driver license or identification card under paragraph (2)(c) or paragraph (2)(d) may store or share personal information collected from swiping an individual’s driver license or identification card for the purpose of preventing fraud or other criminal activity against the private entity.*

(5)(a) *A person other than an entity regulated by the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et seq., who receives personal information from a private entity under subsection (4) may use the personal information received only to prevent fraud or other criminal activity against the private entity that provided the personal information.*

(b) *A person who is regulated by the federal Fair Credit Reporting Act and who receives personal information from a private entity under subsection (4) may use or provide the personal information received only to effect, administer, or enforce a transaction or prevent fraud or other criminal activity, if the person provides or receives personal information under contract from the private entity.*

(6)(a) *An individual may consent to allow the private entity to swipe the individual’s driver license or identification card to collect and store personal information. However, the individual must be informed what information is collected and the purpose or purposes for which it will be used.*

(b) *If the individual does not want the private entity to swipe the individual’s driver license or identification card, the private entity may manually collect personal information from the individual.*

(7) *The private entity may not withhold the provision of goods or services solely as a result of the individual requesting the collection of the data in subsection (6) from the individual through manual means.*

(8) *In addition to any other remedy provided by law, an individual may bring an action to recover actual damages and to obtain equitable relief, if equitable relief is available, against an entity that swipes, stores, shares, sells, or otherwise uses the individual’s personal information in violation of this section. If a court finds that a violation of this section was willful or knowing, the court may increase the amount of the award to no more than three times the amount otherwise available.*

(9) *This section does not apply to a financial institution as defined in s. 655.005(i).*

And the title is amended as follows:

Delete line 4790 and insert: means; providing remedies; exempting financial institutions; amending s. 322.18, F.S.;

Senator Latvala moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1Q (918134) (with title amendment)**—Delete lines 1715-1723 and insert:

(8) *A private entity that violates this section may be subject to a civil penalty not to exceed \$5,000 per occurrence.*

And the title is amended as follows:

Delete line 4790 and insert: means; providing that a private entity is subject to a civil penalty under certain circumstances; amending s. 322.18, F.S.;

Senator Brandes moved the following amendments to **Amendment 1** which were adopted:

**Amendment 1R (834936) (with title amendment)**—Delete lines 1724-1748.

And the title is amended as follows:

Delete lines 4790-4792 and insert: means; providing remedies; amending

**Amendment 1S (626878)**—Delete line 1944 and insert: *review of eligibility for a restricted driving privilege under s. 322.271(7).*

**Amendment 1T (951944)**—Delete lines 2547-2571 and insert:

(7) *Notwithstanding the provisions of s. 322.2615(10)(a) and (b), a person who has never previously had a driver license suspended under s. 322.2615, has never been disqualified under section s. 322.64, has never been convicted of a violation of s. 316.193, and whose driving privilege is now suspended under section s. 322.2615 is eligible for a restricted driving privilege pursuant to a hearing under section (2).*

(a) *For purposes of this subsection, a previous conviction outside of this state for driving under the influence, driving while intoxicated, driving with an unlawful blood-alcohol level, or any other alcohol-related or drug-related traffic offense similar to the offense of driving under the*

influence as provided in s. 316.193 will be considered a previous conviction for a violation of s. 316.193, and a conviction for violation of former s. 316.028, former s. 316.1931, or former s. 860.01 is considered a conviction for a violation of s. 316.193.

(b) The reinstatement shall be restricted to business purposes only, as defined in this section, for the duration of the suspension imposed under s. 322.2615.

(c) Acceptance of the reinstated driving privilege as provided in this subsection is deemed a waiver of the right to formal and informal review under s. 322.2615. The waiver may not be used as evidence in any other proceeding.

**Amendment 1U (561490)**—Delete lines 3415 and 3416 and insert: thereof to the department within 10 45 days after the processing date or effective date of each renewal, cancellation, or nonrenewal.

Senator Montford moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1V (553740) (with title amendment)**—Delete line 3604 and insert: and aquaculture development law enforcement and quality control programs.

(e) After all administrative costs are funded and the distributions in paragraphs (a)-(d) have been made, up to \$400,000 shall be transferred by the Department of Highway Safety and Motor Vehicles to the General Inspection Trust Fund of the Department of Agriculture and Consumer Services to fund activities relating to the protection, restoration, and research of the natural oyster reefs and beds of the state. This paragraph expires July 1, 2017.

(f) After all administrative costs are funded and the distributions in paragraphs (a)-(d) have been made, up to \$300,000 may be used by the Fish and Wildlife Conservation Commission for boating safety education. This paragraph expires July 1, 2017.

And the title is amended as follows:

Delete lines 4923 and 4924 and insert: revising how such funds are distributed; amending s.

Senator Brandes moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1W (569180)**—Between lines 3604 and 3605 insert:

Section 61. Section 339.0801, Florida Statutes, is amended to read:

339.0801 Allocation of increased revenues derived from amendments to s. 319.32(5)(a) by ch. 2012-128.—Funds that result from increased revenues to the State Transportation Trust Fund derived from the amendments to s. 319.32(5)(a) made by this act must be used annually, first as set forth in subsection (1) and then as set forth in subsections (2)-(5), as follows, notwithstanding any other provision of law:

(1)(a) In the 2012-2013 fiscal year, \$200 million, or actual receipts up to \$200 million, shall be transferred to the General Revenue Fund.

(b) The Department of Transportation shall transfer the actual receipts monthly to the General Revenue Fund. These transfers shall be made in the month following the deposit of those receipts into the State Transportation Trust Fund.

(2) Beginning in the 2013-2014 fiscal year and annually for up to 30 years thereafter, \$10 million shall be for the purpose of funding any seaport project identified in the adopted work program of the Department of Transportation, to be known as the Seaport Investment Program.

(b) The revenues may be assigned, pledged, or set aside as a trust for the payment of principal or interest on revenue bonds, tax anticipation certificates, or other forms of indebtedness issued by an individual port or appropriate local government having jurisdiction thereof, or collectively by interlocal agreement among any of the ports, or used to purchase credit support to permit such borrowings. Alternatively, revenue bonds shall be issued by the Division of Bond Finance at the request of the

Department of Transportation under the State Bond Act and shall be secured by such revenues as are provided in this subsection.

(c) ~~However, the debt is~~ Revenue bonds or other indebtedness issued hereunder are not a general obligation of the state and are secured solely by a first lien on the revenues distributed under this subsection.

(d) The state covenants with holders of the revenue bonds or other instruments of indebtedness issued pursuant to this subsection that it will not repeal or impair or amend this subsection; nor take any other action, including but not limited to amending this subsection, in any manner that will materially and or adversely affect the rights of such holders so long as revenue bonds or other indebtedness authorized by this subsection are outstanding.

(e) The proceeds of any revenue bonds or other indebtedness secured by a pledge of the funding, after payment of costs of issuance and establishment of any required reserves, shall be invested in projects approved by the Department of Transportation and included in the department's adopted work program, by amendment if necessary. As required under s. 11(f), Art. VII of the State Constitution, the Legislature approves projects included in the department's adopted work program, including any projects added to the work program by amendment under s. 339.135(7).

(f) Any revenues that are not used for pledged to the payment repayment of bonds as authorized by this subsection section may be used for purposes authorized under the Florida Seaport Transportation and Economic Development Program. This revenue source is in addition to any amounts provided for and appropriated in accordance with ss. 311.07 and 320.20(3) and (4). Revenue bonds shall be issued by the Division of Bond Finance at the request of the Department of Transportation pursuant to the State Bond Act.

(2)(3) Beginning in the 2013-2014 fiscal year and annually for up to 30 years thereafter, \$35 million shall be transferred to Florida's Turnpike Enterprise, to be used in accordance with Florida Turnpike Enterprise Law, to the maximum extent feasible for feeder roads, structures, interchanges, appurtenances, and other rights to create or facilitate access to the existing turnpike system.

(3)(4) Beginning in the 2013-2014 fiscal year and annually thereafter, \$10 million shall be transferred to the Transportation Disadvantaged Trust Fund, to be used as specified in s. 427.0159.

(4)(5) Beginning in the 2013-2014 fiscal year and annually thereafter, \$10 million shall be allocated to the Small County Outreach Program, to be used as specified in s. 339.2818. These funds are in addition to the funds provided in s. 201.15(1)(c)1.b.

(5)(6) After the distributions required pursuant to subsections (1)-(4)(5), the remaining funds shall be used annually for transportation projects within this state for existing or planned strategic transportation projects which connect major markets within this state or between this state and other states, which focus on job creation, and which increase this state's viability in the national and global markets.

(6)(7) Pursuant to s. 339.135(7), the department shall amend the work program to add the projects provided for in this section.

And the title is amended as follows:

Between lines 4924 and 4925 insert: 339.0801, F.S.; requiring the increased revenues derived from amendments to s. 319.32(5)(a), F.S.; by ch. 2012-128, Laws of Florida, to be first annually used beginning in FY 2013-2014 and for 30 years thereafter to fund seaport projects identified in the department's adopted work program; removing the authority to assign, pledge, or set aside revenues for the payment of principal or interest on tax anticipation certificates; providing that revenue bonds or other indebtedness are secured solely by first lien; revising provisions for the protection of bondholders; amending s.

Senator Latvala moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1X (975300) (with title amendment)**—Delete lines 3621-3920 and insert: Motor Vehicle Title Information System or an equivalent commercially available system as being the current state where the vehicle is titled appears registered. Such notice must contain:



(a) A description of the vehicle (year, make, vehicle identification number) and its location.

(b) The name and address of the owner of the vehicle, the customer as indicated on the order for repair, and any person claiming an interest in or lien thereon.

(c) The name, address, and telephone number of the lienor.

(d) Notice that the lienor claims a lien on the vehicle for labor and services performed and storage charges, if any, and the cash sum which, if paid to the lienor, would be sufficient to redeem the vehicle from the lien claimed by the lienor.

(e) Notice that the lien claimed by the lienor is subject to enforcement pursuant to this section and that the vehicle may be sold to satisfy the lien.

(f) If known, the date, time, and location of any proposed or scheduled sale of the vehicle. No vehicle may be sold earlier than 60 days after completion of the repair work.

(g) Notice that the owner of the vehicle or any person claiming an interest in or lien thereon has a right to a hearing at any time prior to the scheduled date of sale by filing a demand for hearing with the clerk of the circuit court in the county in which the vehicle is held and mailing copies of the demand for hearing to all other owners and lienors as reflected on the notice.

(h) Notice that the owner of the vehicle has a right to recover possession of the vehicle without instituting judicial proceedings by posting bond in accordance with the provisions of s. 559.917.

(i) Notice that any proceeds from the sale of the vehicle remaining after payment of the amount claimed to be due and owing to the lienor will be deposited with the clerk of the circuit court for disposition upon court order pursuant to subsection (8).

(2) If attempts to locate the owner or lienholder are unsuccessful *after a check of the records of the Department of Highway Safety and Motor Vehicles and any state disclosed by the check of the National Motor Vehicle Title Information System or an equivalent commercially available system*, the lienor must notify the local law enforcement agency in writing by certified mail or acknowledged hand delivery that the lienor has been unable to locate the owner or lienholder, that a physical search of the vehicle has disclosed no ownership information, and that a good faith effort, *including records checks of the Department of Highway Safety and Motor Vehicles database and the National Motor Vehicle Title Information System or an equivalent commercially available system*, has been made. A description of the motor vehicle which includes the year, make, and identification number must be given on the notice. This notification must take place within 15 business days, excluding Saturday and Sunday, from the beginning date of the assessment of storage charges on said motor vehicle. For purposes of this paragraph, the term "good faith effort" means that the following checks have been performed by the company to establish the prior state of registration and title:

(a) *A check of the Department of Highway Safety and Motor Vehicles database for the owner and any lienholder;*

(b) *A check of the federally mandated electronic National Motor Vehicle Title Information System or an equivalent commercially available system to determine the state of registration when there is not a current title or registration record for the vehicle on file with the Department of Highway Safety and Motor Vehicles;*

(c) ~~(a)~~ A check of vehicle for any type of tag, tag record, temporary tag, or regular tag;

(d) ~~(b)~~ A check of vehicle for inspection sticker or other stickers and decals that could indicate the state of possible registration; and

(e) ~~(c)~~ A check of the interior of the vehicle for any papers that could be in the glove box, trunk, or other areas for the state of registration.

(3) If the date of the sale was not included in the notice required in subsection (1), notice of the sale must be sent by certified mail, return receipt requested, not less than 15 days before the date of sale, to the customer as indicated on the order for repair, and to all other persons

claiming an interest in or lien on the motor vehicle, as disclosed by the records of the Department of Highway Safety and Motor Vehicles or of a corresponding agency of any other state in which the vehicle appears to have been registered *after completion of a check of the National Motor Vehicle Title Information System or an equivalent commercially available system*. ~~After diligent search and inquiry, if the name and address of the registered owner or the owner of the recorded lien cannot be ascertained, the requirements for this notice may be disregarded.~~

(4) The lienor, at least 15 days before the proposed or scheduled date of sale of the vehicle, shall publish the notice required by this section once in a newspaper circulated in the county where the vehicle is held. A certificate of compliance with the notification provisions of this section, verified by the lienor, together with a copy of the notice and return receipt for mailing of the notice required by this section, ~~and~~ proof of publication, ~~and checks of the Department of Highway Safety and Motor Vehicles and the National Motor Vehicle Title Information System or an equivalent commercially available system, must be duly and expeditiously filed with the clerk of the circuit court in the county where the vehicle is held. The lienor, at the time of filing the certificate of compliance, must pay to the clerk of that court a service charge of \$10 for indexing and recording the certificate.~~

(9) A copy of the certificate of compliance and the report of sale, certified by the clerk of the court, *and proof of the required check of the National Motor Vehicle Title Information System or an equivalent commercially available system* shall constitute satisfactory proof for application to the Department of Highway Safety and Motor Vehicles for transfer of title, together with any other proof required by any rules and regulations of the department.

(13) A failure to make good faith efforts as defined in subsection (2) precludes the imposition of any storage charges against the vehicle. If a lienor fails to provide notice to any person claiming a lien on a vehicle under subsection (1) within 15 business days after the assessment of storage charges have begun, then the lienor is precluded from charging for more than 15 days of storage, but failure to provide timely notice does not affect charges made for repairs, adjustments, or modifications to the vehicle or the priority of liens on the vehicle.

Section 62. Section 713.78, Florida Statutes, is amended to read:

713.78 Liens for recovering, towing, or storing vehicles and vessels.—

(1) For the purposes of this section, the term:

(a) "Vehicle" means any mobile item, whether motorized or not, which is mounted on wheels.

(b) "Vessel" means every description of watercraft, barge, and airboat used or capable of being used as a means of transportation on water, other than a seaplane or a "documented vessel" as defined in s. 327.02(9).

(c) "Wrecker" means any truck or other vehicle which is used to tow, carry, or otherwise transport motor vehicles or vessels upon the streets and highways of this state and which is equipped for that purpose with a boom, winch, car carrier, or other similar equipment.

(d) "National Motor Vehicle Title Information System" means the federally authorized electronic National Motor Vehicle Title Information System.

(e) "Equivalent commercially available system" means a service that charges a fee to provide vehicle information and that at a minimum maintains records from those states participating in data sharing with the National Motor Vehicle Title Information System.

(2) Whenever a person regularly engaged in the business of transporting vehicles or vessels by wrecker, tow truck, or car carrier recovers, removes, or stores a vehicle or vessel upon instructions from:

(a) The owner thereof;

(b) The owner or lessor, or a person authorized by the owner or lessor, of property on which such vehicle or vessel is wrongfully parked, and the removal is done in compliance with s. 715.07; ~~or~~

(c) *The landlord or a person authorized by the landlord, when such motor vehicle or vessel remained on the premises after the tenancy terminated and the removal is done in compliance with s. 715.104; or*

(d)(e) Any law enforcement agency,

she or he shall have a lien on the vehicle or vessel for a reasonable towing fee and for a reasonable storage fee; except that no storage fee shall be charged if the vehicle is stored for less than 6 hours.

(3) This section does not authorize any person to claim a lien on a vehicle for fees or charges connected with the immobilization of such vehicle using a vehicle boot or other similar device pursuant to s. 715.07.

(4)(a) Any person regularly engaged in the business of recovering, towing, or storing vehicles or vessels who comes into possession of a vehicle or vessel pursuant to subsection (2), and who claims a lien for recovery, towing, or storage services, shall give notice to the registered owner, the insurance company insuring the vehicle notwithstanding the provisions of s. 627.736, and to all persons claiming a lien thereon, as disclosed by the records in the Department of Highway Safety and Motor Vehicles or *as disclosed by the records of any of a corresponding agency in any other state in which the vehicle is identified through a records check of the National Motor Vehicle Title Information System or an equivalent commercially available system as being titled or registered.*

(b) Whenever any law enforcement agency authorizes the removal of a vehicle or vessel or whenever any towing service, garage, repair shop, or automotive service, storage, or parking place notifies the law enforcement agency of possession of a vehicle or vessel pursuant to s. 715.07(2)(a)2., the law enforcement agency of the jurisdiction where the vehicle or vessel is stored shall contact the Department of Highway Safety and Motor Vehicles, or the appropriate agency of the state of registration, if known, within 24 hours through the medium of electronic communications, giving the full description of the vehicle or vessel. Upon receipt of the full description of the vehicle or vessel, the department shall search its files to determine the owner's name, the insurance company insuring the vehicle or vessel, and whether any person has filed a lien upon the vehicle or vessel as provided in s. 319.27(2) and (3) and notify the applicable law enforcement agency within 72 hours. The person in charge of the towing service, garage, repair shop, or automotive service, storage, or parking place shall obtain such information from the applicable law enforcement agency within 5 days after the date of storage and shall give notice pursuant to paragraph (a). The department may release the insurance company information to the requestor notwithstanding the provisions of s. 627.736.

(c) Notice by certified mail shall be sent within 7 business days after the date of storage of the vehicle or vessel to the registered owner, the insurance company insuring the vehicle notwithstanding the provisions of s. 627.736, and all persons of record claiming a lien against the vehicle or vessel. It shall state the fact of possession of the vehicle or vessel, that a lien as provided in subsection (2) is claimed, that charges have accrued and the amount thereof, that the lien is subject to enforcement pursuant to law, and that the owner or lienholder, if any, has the right to a hearing as set forth in subsection (5), and that any vehicle or vessel which remains unclaimed, or for which the charges for recovery, towing, or storage services remain unpaid, may be sold free of all prior liens after 35 days if the vehicle or vessel is more than 3 years of age or after 50 days if the vehicle or vessel is 3 years of age or less.

(d) If attempts to locate the name and address of the owner or lienholder prove unsuccessful, the towing-storage operator shall, after 7 working days, excluding Saturday and Sunday, of the initial tow or storage, notify the public agency of jurisdiction where the vehicle or vessel is stored in writing by certified mail or acknowledged hand delivery that the towing-storage company has been unable to locate the name and address of the owner or lienholder and a physical search of the vehicle or vessel has disclosed no ownership information and a good faith effort has been made, *including records checks of the Department of Highway Safety and Motor Vehicles and the National Motor Vehicle Title Information System or an equivalent commercially available system databases.* For purposes of this paragraph and subsection (9), "good faith effort" means that the following checks have been performed by the company to establish prior state of registration and for title:

1. *Check of the Department of Highway Safety and Motor Vehicles database for the owner and any lienholder.*

2. *Check of the electronic National Motor Vehicle Title Information System or an equivalent commercially available system to determine the state of registration when there is not a current registration record for the vehicle on file with the Department of Highway Safety and Motor Vehicles.*

3.1- Check of vehicle or vessel for any type of tag, tag record, temporary tag, or regular tag.

4.2- Check of law enforcement report for tag number or other information identifying the vehicle or vessel, if the vehicle or vessel was towed at the request of a law enforcement officer.

5.3- Check of trip sheet or tow ticket of tow truck operator to see if a tag was on vehicle or vessel at beginning of tow, if private tow.

6.4- If there is no address of the owner on the impound report, check of law enforcement report to see if an out-of-state address is indicated from driver license information.

7.5- Check of vehicle or vessel for inspection sticker or other stickers and decals that may indicate a state of possible registration.

8.6- Check of the interior of the vehicle or vessel for any papers that may be in the glove box, trunk, or other areas for a state of registration.

9.7- Check of vehicle for vehicle identification number.

10.8- Check of vessel for vessel registration number.

11.9- Check of vessel hull for a hull identification number which should be carved, burned, stamped, embossed, or otherwise permanently affixed to the outboard side of the transom or, if there is no transom, to the outmost seaboard side at the end of the hull that bears the rudder or other steering mechanism.

(5)(a) The owner of a vehicle or vessel removed pursuant to the provisions of subsection (2), or any person claiming a lien, other than the towing-storage operator, within 10 days after the time she or he has knowledge of the location of the vehicle or vessel, may file a complaint in the county court of the county in which the vehicle or vessel is stored to determine if her or his property was wrongfully taken or withheld from her or him.

(b) Upon filing of a complaint, an owner or lienholder may have her or his vehicle or vessel released upon posting with the court a cash or surety bond or other adequate security equal to the amount of the charges for towing or storage and lot rental amount to ensure the payment of such charges in the event she or he does not prevail. Upon the posting of the bond and the payment of the applicable fee set forth in s. 28.24, the clerk of the court shall issue a certificate notifying the lienor of the posting of the bond and directing the lienor to release the vehicle or vessel. At the time of such release, after reasonable inspection, she or he shall give a receipt to the towing-storage company reciting any claims she or he has for loss or damage to the vehicle or vessel or the contents thereof.

(c) Upon determining the respective rights of the parties, the court may award damages, attorney's fees, and costs in favor of the prevailing party. In any event, the final order shall provide for immediate payment in full of recovery, towing, and storage fees by the vehicle or vessel owner or lienholder; or the agency ordering the tow; or the owner, lessee, or agent thereof of the property from which the vehicle or vessel was removed.

(6) Any vehicle or vessel which is stored pursuant to subsection (2) and which remains unclaimed, or for which reasonable charges for recovery, towing, or storing remain unpaid, and any contents not released pursuant to subsection (10), may be sold by the owner or operator of the storage space for such towing or storage charge after 35 days from the time the vehicle or vessel is stored therein if the vehicle or vessel is more than 3 years of age or after 50 days following the time the vehicle or vessel is stored therein if the vehicle or vessel is 3 years of age or less. The sale shall be at public sale for cash. If the date of the sale was not included in the notice required in subsection (4), notice of the sale shall be given to the person in whose name the vehicle or vessel is registered and to all persons claiming a lien on the vehicle or vessel as shown on the records of the Department of Highway Safety and Motor Vehicles or of any ~~the~~ corresponding agency in any other state in which the vehicle is

*identified through a records check of the National Motor Vehicle Title Information System or an equivalent commercially available system as being*

And the title is amended as follows:

Delete lines 4926-4942 and insert: National Motor Vehicle Title Information System or an equivalent commercially available system, or the records of any corresponding agency of any other state before enforcing a lien by selling the motor vehicle; requiring the lienholder to notify the local law enforcement agency in writing by certified mail informing the law enforcement agency that the lienholder has made a good faith effort to locate the owner or lienholder; specifying that a good faith effort includes a check of the Department of Highway Safety and Motor Vehicles database records and the National Motor Vehicle Title Information System or an equivalent commercially available system; setting requirements for notification of the sale of the vehicle as a way to enforce a lien; requiring the lienholder to publish notice; requiring the lienholder to keep a record of proof of checking the National Motor Vehicle Title Information System or an equivalent commercially available system; amending s. 713.78, F.S.; providing definitions; revising provisions for enforcement of a

Senator Montford moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1Y (187284) (with title amendment)**—Between lines 4607 and 4608 insert:

Section 79. *For the 2013-2014 fiscal year, the sum of \$400,000 in recurring funds is appropriated from the General Inspection Trust Fund in the Department of Agriculture and Consumer Services to the Department of Agriculture and Consumer Services' Oyster Planting appropriation category to implement s. 328.76(1)(e), Florida Statutes, as created by this act.*

Section 80. *For the 2013-2014 fiscal year, the sum of \$300,000 in recurring funds is appropriated from the Marine Resources Conservation Trust Fund in the Florida Fish and Wildlife Conservation Commission to the Florida Fish and Wildlife Conservation Commission's Boating Safety Education Program appropriation category to implement s. 328.76(1)(f), Florida Statutes, as created by this act.*

And the title is amended as follows:

Delete line 4949 and insert: by the act; providing appropriations; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1Z (651454) (with title amendment)**—Delete lines 3280-3406 and insert:

Section 53. Subsection (2) of section 323.002, Florida Statutes, is amended to read:

323.002 County and municipal wrecker operator systems; penalties for operation outside of system.—

(2) In any county or municipality that operates a wrecker operator system:

(a) It is unlawful for an unauthorized wrecker operator or its employees or agents to monitor police radio for communications between patrol field units and the dispatcher in order to determine the location of a wrecked or disabled vehicle for the purpose of driving by the scene of such vehicle in a manner described in paragraph (b) or paragraph (c). Any person who violates this paragraph ~~commits is guilty of~~ a non-criminal violation, punishable as provided in s. 775.083.

(b) It is unlawful for an unauthorized wrecker operator to drive by the scene of a wrecked or disabled vehicle before the arrival of an authorized wrecker operator, initiate contact with the owner or operator of such vehicle by soliciting or offering towing services, and tow such vehicle. Any person who violates this paragraph ~~commits is guilty of~~ a

misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(c) When an unauthorized wrecker operator drives by the scene of a wrecked or disabled vehicle and the owner or operator initiates contact by signaling the wrecker operator to stop and provide towing services, the unauthorized wrecker operator must disclose in writing to the owner or operator of the vehicle *his or her full name and driver license number*, that he or she is not the authorized wrecker operator who has been designated as part of the wrecker operator system, ~~that the motor vehicle is not being towed for the owner's or operator's insurance company or lienholder, whether he or she has in effect an insurance policy providing at least \$300,000 of liability insurance and at least \$50,000 of on-hook cargo insurance, and the maximum must disclose, in writing, a fee schedule that includes what charges for towing and storage which will apply before the vehicle is connected to or disconnected from the towing apparatus, the fee charged per mile to and from the storage facility, the fee charged per 24 hours of storage, and, prominently displayed, the consumer hotline for the Department of Agriculture and Consumer Services.~~ Any person who violates this paragraph ~~commits is guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

And the title is amended as follows:

Delete lines 4872-4896 and insert: 323.002, F.S.; requiring an unauthorized wrecker operator to disclose in writing to the owner or operator of a disabled motor vehicle certain information;

## RECONSIDERATION OF AMENDMENT

On motion by Senator Diaz de la Portilla, the Senate reconsidered the vote by which **Amendment 1E (371162)** was adopted. **Amendment 1E (371162)** was withdrawn.

On motion by Senator Brandes, further consideration of **CS for CS for HB 7125** with pending **Amendment 1 (218538)**, as amended, was deferred.

## INTRODUCTION OF FORMER SENATORS

Senator Smith recognized former Senator and current U.S. Congresswoman Debbie Wasserman Schultz, who was present in the chamber.

Consideration of **CS for CS for SB 966**, **CS for CS for SB 1722**, and **CS for CS for SB 1024** was deferred.

On motion by Senator Simmons—

**CS for SB 952**—A bill to be entitled An act relating to the Orlando-Orange County Expressway Authority; amending ss. 348.751 and 348.752, F.S.; renaming the Orlando-Orange County Expressway System as the "Central Florida Expressway System"; revising definitions; making technical changes; amending s. 348.753, F.S.; creating the Central Florida Expressway Authority; providing for the transfer of governance and control, legal rights and powers, responsibilities, terms, and obligations to the authority; providing conditions for the transfer; revising the composition of the governing body of the authority; providing for appointment of officers of the authority; revising quorum and voting requirements; conforming terminology and making technical changes; amending s. 348.754, F.S.; providing that the area served by the authority is within the geopolitical boundaries of Orange, Seminole, Lake, and Osceola Counties; requiring the authority to have prior consent from the Secretary of the Department of Transportation to construct an extension, addition, or improvement to the expressway system in Lake County; extending, to 99 years from 40 years, the term of a lease or lease-purchase agreement; limiting the authority's authority to enter into a lease-purchase agreement; limiting the use of certain toll-revenues; providing exceptions; removing the requirement that the route of a project must be approved by a municipality before the right-of-way can be acquired; requiring that the authority encourage the inclusion of local-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities; removing the authority and criteria

for an authority to waive payment and performance bonds for certain public works projects that are awarded pursuant to an economic development program; conforming terminology and making technical changes; amending ss. 348.7543, 348.7544, 348.7545, 348.7546, 348.7547, 348.755, and 348.756, F.S.; conforming terminology and making technical changes; amending s. 348.757, F.S.; providing that upon termination of the lease-purchase agreement of the former Orlando-Orange County Expressway System, title in fee simple to the system will be retained by the authority; conforming terminology and making technical changes; amending ss. 348.758, 348.759, 348.760, 348.761, 348.765, and 369.317, F.S.; conforming terminology and making technical changes; amending s. 369.324, F.S.; revising the membership of the Wekiva River Basin Commission; conforming terminology; providing criteria for the transfer of the Osceola County Expressway System to the Central Florida Expressway Authority; providing for the repeal of part V of ch. 348, F.S., when the Osceola County Expressway System is transferred to the Central Florida Expressway Authority; requiring the Central Florida Expressway Authority to reimburse other governmental entities for obligations related to the Osceola County Expressway System; providing for reimbursement after payment of other obligations; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 952** was placed on the calendar of Bills on Third Reading.

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Consideration of **CS for CS for SB 1686** was deferred.

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On motion by Senator Hukill—

**CS for CS for SB 446**—A bill to be entitled An act relating to the economic development incentive application process; amending s. 288.061, F.S.; requiring an applicant to provide a surety bond to the Department of Economic Opportunity before the applicant receives incentive awards through the Quick Action Closing Fund or the Innovation Incentive Program; requiring the contract or agreement to provide that the bond remain in effect until all conditions have been satisfied; providing that the department may require the bond to cover the entire contracted amount or allow for bonds to be renewed upon completion of certain performance measures; requiring the contract or agreement to provide that funds are contingent upon receipt of the surety bond; requiring the contract or agreement to provide that up to half of the premium payment on the bond may be paid from the award up to a certain amount; requiring an applicant to notify the department of premium payments; providing for certain notice requirements upon cancellation or nonrenewal by an insurer; providing that the cancellation of the surety bond violates the contract or agreement; providing an exception; providing for a waiver if certain information is provided; providing that if the department grants a waiver, the contract or agreement must provide for securing the award in a certain form; requiring the contract or agreement to provide that the release of funds is contingent upon satisfying certain requirements; requiring the irrevocable letter of credit, trust, or security agreement to remain in effect until certain conditions have been satisfied; providing for a waiver of the surety bond or other security if certain information is provided and the department determines it to be in the best interest of the state; providing that the waiver of the surety bond or other security, for funding in excess of \$5 million, must be approved by the Legislative Budget Commission; providing that the state may bring suit upon default or upon a violation of this section; providing that the department may adopt rules to implement this section; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 446** was placed on the calendar of Bills on Third Reading.

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**CS for CS for SB 1686**—A bill to be entitled An act relating to pugilistic exhibitions; amending s. 548.002, F.S.; revising definitions; amending s. 548.004, F.S.; revising the duties and responsibilities of the executive director of the Florida State Boxing Commission; deleting a provision requiring the electronic recording of all scheduled Florida State Boxing Commission proceedings; amending s. 548.006, F.S.; providing the commission exclusive jurisdiction over approval of amateur

mixed martial arts matches; amending s. 548.007, F.S.; revising non-applicability of ch. 548, F.S.; repealing s. 548.015, F.S., which requires licensed concessionaires to obtain a security, to conform; amending s. 548.017, F.S.; deleting a requirement for the licensure of concessionaires; amending s. 548.046, F.S.; providing for immediate license suspension and other disciplinary action if a participant fails or refuses to provide a urine sample or tests positive for specified prohibited substances; amending s. 548.054, F.S.; revising procedure and requirements for requesting a hearing following the withholding of a purse; amending s. 548.06, F.S.; revising the calculation of gross receipts; requiring promoters to retain specified documents and records; authorizing the commission and the Department of Business and Professional Regulation to audit specified records retained by a promoter; requiring the commission to adopt rules; amending s. 548.07, F.S.; revising the procedure for suspension of licensure by specified persons; amending s. 548.073, F.S.; revising rules of procedure governing commission hearings; providing an appropriation; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1686**, on motion by Senator Altman, by two-thirds vote **CS for HB 1067** was withdrawn from the Committees on Regulated Industries; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Altman—

**CS for HB 1067**—A bill to be entitled An act relating to pugilistic exhibitions; amending s. 548.002, F.S.; revising definitions; amending s. 548.004, F.S.; revising the duties and responsibilities of the executive director of the Florida State Boxing Commission; deleting a provision requiring the electronic recording of all scheduled Florida State Boxing Commission proceedings; amending s. 548.006, F.S.; providing the commission exclusive jurisdiction over approval of amateur mixed martial arts matches; amending s. 548.007, F.S.; revising nonapplicability of ch. 548, F.S.; repealing s. 548.015, F.S., which requires licensed concessionaires to obtain a security, to conform; amending s. 548.017, F.S.; deleting a requirement for the licensure of concessionaires; amending s. 548.046, F.S.; providing for immediate license suspension and other disciplinary action if a participant fails or refuses to provide a urine sample or tests positive for specified prohibited substances; amending s. 548.054, F.S.; revising procedure and requirements for requesting a hearing following the withholding of a purse; amending s. 548.06, F.S.; revising the calculation of gross receipts; requiring promoters to retain specified documents and records; authorizing the commission and the Department of Business and Professional Regulation to audit specified records retained by a promoter; requiring the commission to adopt rules; amending s. 548.07, F.S.; revising the procedure for suspension of licensure by specified persons; amending s. 548.073, F.S.; revising rules of procedure governing commission hearings; providing an appropriation; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1686** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1067** was placed on the calendar of Bills on Third Reading.

## RECESS

The President declared the Senate in recess at 11:28 a.m. to reconvene at 1:30 p.m.

## AFTERNOON SESSION

The Senate was called to order by President Gaetz at 1:30 p.m. A quorum present—40:

Mr. President	Bullard	Garcia
Abruzzo	Clemens	Gardiner
Altman	Dean	Gibson
Bean	Detert	Grimsley
Benacquisto	Diaz de la Portilla	Hays
Bradley	Evers	Hukill
Brandes	Flores	Joyner
Braynon	Galvano	Latvala

Lee	Ring	Soto
Legg	Sachs	Stargel
Margolis	Simmons	Thompson
Montford	Simpson	Thrasher
Negron	Smith	
Richter	Sobel	

## SPECIAL ORDER CALENDAR

On motion by Senator Brandes, the Senate resumed consideration of—

**CS for CS for HB 7125**—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 110.205, F.S.; providing that certain positions in the department are exempt from career service; amending s. 207.002, F.S., relating to the Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981; deleting definitions of the terms “apportioned motor vehicle” and “apportionable vehicle”; amending s. 316.0083, F.S.; revising provisions for enforcement of specified provisions using a traffic infraction detector; prohibiting a notice of violation or a traffic citation for a right on red violation under specified provisions; amending s. 316.066, F.S.; authorizing the Department of Transportation to immediately receive a crash report; amending s. 316.0776, F.S.; removing a requirement that the department, a county, or a municipality notify the public of enforcement of violations concerning right turns via a traffic infraction detector; amending s. 316.081, F.S.; prohibiting a driver from driving at less than the posted speed in the furthestmost left-hand lane of a road, street, or highway having two or more lanes if being overtaken by a motor vehicle; providing exceptions; providing penalties; amending s. 316.1937, F.S.; revising operational specifications for ignition interlock devices; amending s. 316.2397, F.S.; exempting specified municipal officials from a prohibition against showing or displaying blue lights on a motor vehicle under certain conditions; amending s. 316.302, F.S.; revising provisions for certain commercial motor vehicles and transporters and shippers of hazardous materials; providing for application of specified federal regulations; removing a provision for application of specified provisions and federal regulations to transporting liquefied petroleum gas; amending s. 316.3025, F.S.; providing penalties for violation of specified federal regulations relating to medical and physical requirements for commercial drivers while driving a commercial motor vehicle; revising provisions for seizure of motor vehicle for refusal to pay penalty; providing penalties for violation of specified federal regulations relating to commercial drivers and the use of mobile telephones and texting while driving a commercial motor vehicle; providing exemptions; amending s. 316.515, F.S.; revising provisions for exceptions to width, height, and length limitations; amending s. 316.545, F.S.; revising language relating to certain commercial motor vehicles not properly licensed and registered; amending s. 316.646, F.S., relating to proof of property damage liability security and display thereof; providing for proof of insurance in an electronic format and on an electronic device; providing conditions relating to the use of such electronic device; requiring the department to adopt rules; amending s. 317.0016, F.S., relating to expedited services; removing a requirement that the department provide such service for certain certificates; amending s. 318.14, F.S., relating to disposition of traffic citations; providing that certain alternative procedures for certain traffic offenses are not available to a person who holds a commercial learner's permit; amending s. 318.1451, F.S.; revising provisions relating to driver improvement schools; removing a provision for a chief judge to establish requirements for the location of schools within a judicial circuit; removing a provision that authorizes a person to operate a driver improvement school; revising provisions for persons taking unapproved course; providing criteria for initial approval of courses; revising requirements for courses, course certificates, and course providers; directing the department to adopt rules; creating s. 319.141, F.S.; directing the department to conduct a pilot program to evaluate rebuilt vehicle inspection services performed by the private sector; providing definitions; providing for the department to enter into a memorandum of understanding with the private provider; providing minimum criteria and certain requirements; requiring the department to provide a report to the Legislature; providing for future expiration; amending s. 319.225, F.S.; revising provisions for certificates of title, reassignment of title, and forms; revising procedures for transfer of title; amending s. 319.23, F.S.; revising requirements for content of certificates of title and applications for title; amending s. 319.28, F.S.; revising provisions for transfer of ownership by operation of law when a motor vehicle or mobile home is repossessed; removing provisions for a certificate of repossession;

amending s. 319.30, F.S., relating to disposition of derelict motor vehicles; defining the term “National Motor Vehicle Title Information System”; requiring salvage motor vehicle dealers, insurance companies, and other persons to notify the system when receiving or disposing of such a vehicle; requiring proof of such notification when applying for a certificate of destruction or salvage certificate of title; providing penalties; amending s. 319.323, F.S., relating to expedited services of the department; removing certificates of repossession; amending s. 320.01, F.S.; removing the definition of the term “apportioned motor vehicle”; revising the definition of the term “apportionable vehicle”; amending s. 320.02, F.S.; revising requirements for application for motor vehicle registration; providing for insurers to furnish proof-of-purchase cards in a paper or an electronic format; requiring the application form for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.; amending s. 320.03, F.S.; revising a provision for registration under the International Registration Plan; amending s. 320.071, F.S.; revising a provision for advance renewal of registration under the International Registration Plan; amending s. 320.0715, F.S.; revising provisions for vehicles required to be registered under the International Registration Plan; amending s. 320.08058, F.S.; revising the prescribed use of proceeds from the sale of Hispanic Achievers license plates; amending s. 320.089, F.S.; creating a special use license plate for current or former members of the United States Armed Forces who participated in Operation Desert Storm or Operation Desert Shield; amending s. 320.18, F.S.; providing for withholding of motor vehicle or mobile home registration when a coowner has failed to register the motor vehicle or mobile home during a previous period when such registration was required; providing for cancelling a vehicle or vessel registration, driver license, identification card, or fuel-use tax decal if the coowner pays certain fees and other liabilities with a dishonored check; amending s. 320.27, F.S., relating to motor vehicle dealers; providing for extended periods for dealer licenses and supplemental licenses; providing fees; amending s. 320.62, F.S., relating to manufacturers, distributors, and importers of motor vehicles; providing for extended licensure periods; providing fees; amending s. 320.77, F.S., relating to mobile home dealers; providing for extended licensure periods; providing fees; amending s. 320.771, F.S., relating to recreational vehicle dealers; providing for extended licensure periods; providing fees; amending s. 320.8225, F.S., relating to mobile home and recreational vehicle manufacturers, distributors, and importers; providing for extended licensure periods; providing fees; amending s. 322.08, F.S.; requiring the application form for an original, renewal, or replacement driver license or identification card to include language permitting the applicant to make a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.; amending s. 322.095, F.S.; requiring an applicant for a driver license to complete a traffic law and substance abuse education course; providing exceptions; revising procedures for evaluation and approval of such courses; revising criteria for such courses and the schools conducting the courses; providing for collection and disposition of certain fees; requiring providers to maintain records; directing the department to conduct effectiveness studies; requiring a provider to cease offering a course that fails the study; requiring courses to be updated at the request of the department; requiring providers to disclose certain information; requiring providers to submit course completion information to the department within a certain time period; prohibiting certain acts; providing that the department shall not accept certification from students; prohibiting a person convicted of certain crimes from conducting courses; directing the department to suspend course approval for certain purposes; providing for the department to deny, suspend, or revoke course approval for certain acts; providing for administrative hearing before final action denying, suspending, or revoking course approval; providing penalties for violations; amending s. 322.125, F.S.; revising criteria for members of the Medical Advisory Board; amending s. 322.135, F.S.; removing a provision that authorizes a tax collector to direct certain licensees to the department for examination or reexamination; creating s. 322.143, F.S.; defining terms; prohibiting a private entity from swiping an individual's driver license or identification card except for certain specified purposes; providing that a private entity that swipes an individual's driver license or identification card may not store, sell, or share personal information collected from swiping the driver license or identification card; providing exceptions; providing that the private entity may manually collect personal information; prohibiting a private entity from withholding the provision of goods or services solely as a result of the individual requesting the collection of the data through manual means; providing remedies; amending s. 322.212, F.S.; providing penalties for certain violations involving

application and testing for a commercial driver license or a commercial learner's permit; amending s. 322.22, F.S.; authorizing the department to withhold issuance or renewal of a driver license, identification card, vehicle or vessel registration, or fuel-use decal under certain circumstances; amending s. 322.245, F.S.; requiring a depository or clerk of court to electronically notify the department of a person's failure to pay support or comply with directives of the court; amending s. 322.25, F.S.; removing a provision for a court order to reinstate a person's driving privilege on a temporary basis when the person's license and driving privilege have been revoked under certain circumstances; amending ss. 322.2615 and 322.2616, F.S., relating to review of a license suspension when the driver had blood or breath alcohol at a certain level or the driver refused a test of his or her blood or breath to determine the alcohol level; authorizing the driver to request a review of eligibility for a restricted driving privilege; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 322.271, F.S.; providing conditions under which a person whose driver license is suspended for a DUI-related offense may be eligible to receive a restricted driving privilege; amending s. 322.2715, F.S.; providing requirements for issuance of a restricted driver license for a person convicted of a DUI offense if a medical waiver of placement of an ignition interlock device was given to such person; amending s. 322.28, F.S., relating to revocation of driver license for convictions of DUI offenses; providing that convictions occurring on the same date for offenses occurring on separate dates are considered separate convictions; removing a provision relating to a court order for reinstatement of a revoked driver license; repealing s. 322.331, F.S., relating to habitual traffic offenders; amending s. 322.61, F.S.; revising provisions for disqualification from operating a commercial motor vehicle; providing for application of such provisions to persons holding a commercial learner's permit; revising the offenses for which certain disqualifications apply; amending s. 322.64, F.S., relating to driving with unlawful blood-alcohol level or refusal to submit to breath, urine, or blood test by a commercial driver license holder or person driving a commercial motor vehicle; providing that a disqualification from driving a commercial motor vehicle is considered a conviction for certain purposes; revising the time period a person is disqualified from driving for alcohol-related violations; revising requirements for notice of the disqualification; providing that under the review of a disqualification the hearing officer shall consider the crash report; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 323.002, F.S.; providing that an unauthorized wrecker operator's wrecker, tow truck, or other motor vehicle used during certain offenses may be removed and impounded; requiring an unauthorized wrecker operator to disclose certain information in writing to the owner or operator of a motor vehicle and provide a copy of the disclosure to the owner or operator in the presence of a law enforcement officer if an officer is present; authorizing state and local government law enforcement officers to cause to be removed and impounded any wrecker, tow truck, or other motor vehicle used in violation of specified provisions; authorizing the authority that caused the removal and impoundment to assess a cost recovery fine; providing procedures and requirements for release of the vehicle; providing penalties; requiring that the unauthorized wrecker operator pay the fees associated with the removal and storage of the vehicle; amending s. 324.0221, F.S.; revising the actions which must be reported to the department by an insurer that has issued a policy providing personal injury protection coverage or property damage liability coverage; revising time allowed for submitting the report; amending s. 324.031, F.S.; revising the methods a vehicle owner or operator may use to prove financial responsibility; removing a provision for posting a bond with the department; amending s. 324.091, F.S.; revising provisions requiring motor vehicle owners and operators to provide evidence to the department of liability insurance coverage under certain circumstances; revising provisions for verification by insurers of such evidence; amending s. 324.161, F.S.; providing requirements for issuance of a certificate of insurance; requiring proof of a certificate of deposit of a certain amount of money in a financial institution; providing for power of attorney to be issued to the department for execution under

certain circumstances; amending s. 328.01, F.S., relating to vessel titles; revising identification requirements for applications for a certificate of title; amending s. 328.48, F.S., relating to vessel registration; revising identification requirements for applications for vessel registration; amending s. 328.76, F.S., relating to vessel registration funds; revising provisions for funds to be deposited into the Highway Safety Operating Trust Fund; providing for certain funds to be used for aquaculture development; providing appropriations; amending s. 713.585, F.S.; revising procedures and requirements for enforcement of lien by sale of motor vehicle when ownership is not established; revising provisions for establishing a good faith effort to locate the owner or lienholder; requiring the lienholder to make certain records checks, including records of the department and the National Motor Vehicle Title Information System and any state disclosed by the check of that system; revising requirements for notification to the local law enforcement agency; revising requirements for notification of the sale of the vehicle; revising documents and proofs the lienholder is required to furnish with a certificate of compliance filed with the clerk of the circuit court; requiring the lienholder to provide the department proof of checking the National Motor Vehicle Title Information System for application for transfer of title; amending s. 713.78, F.S.; revising provisions for enforcement of liens for recovering, towing, or storing a vehicle or vessel; providing a definition; providing for a lien on a vehicle or vessel when a landlord or the landlord's designee authorized removal after tenancy is terminated and specified conditions are met; revising provisions requiring notice to the owner, insurance company, and lienholders; revising procedures and requirements when ownership is not established; revising provisions for establishing a good faith effort to locate the owner or lienholder; requiring certain records checks, including records of the department and the National Motor Vehicle Title Information System and any state disclosed by the check of that system; revising provisions for notice of sale; requiring that insurance company representatives shall be allowed to inspect the vehicle or vessel; providing that when the vehicle is to be sold for purposes of being dismantled, destroyed, or changed in such manner that it is not the motor vehicle or vessel described in the certificate of title, it must be reported to the National Motor Vehicle Title Information System and application made to the department for a certificate of destruction; authorizing the governing body of a county to create a yellow dot critical motorist medical information program for certain purposes; authorizing a county to solicit sponsorships for the medical information program and enter into an interlocal agreement with another county to solicit such sponsorships; authorizing the Department of Highway Safety and Motor Vehicles and the Department of Transportation to provide education and training and publicize the program; requiring the program to be free to participants; providing for applications to participate; providing for a yellow dot decal and a yellow dot folder to be issued to participants and a form containing specified information about the participant; providing procedures for use of the decal, folder, and form; providing for limited use of information on the forms by emergency medical responders; limiting liability of emergency medical responders; requiring the governing body of a participating county to adopt guidelines and procedures to ensure that confidential information is not made public; providing for contingent effect; amending ss. 212.08, 261.03, 316.2122, 316.2124, 316.21265, 316.3026, 316.550, 317.0003, 320.08, 320.0847, 322.271, 322.282, 324.023, 324.171, 324.191, 627.733, and 627.7415, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing effective dates.

—which was previously considered this day. Pending **Amendment 1 (218538)** by Senator Brandes as amended was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 7125** as amended was placed on the calendar of Bills on Third Reading.

## BILLS ON THIRD READING

The Senate resumed consideration of—

**CS for CS for HB 635**—A bill to be entitled An act relating to insurance; amending s. 215.555, F.S.; revising the date of the future repeal of an exemption of medical malpractice insurance premiums from emergency assessments imposed to fund certain obligations, costs, and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation; amending s. 316.646, F.S.; authorizing a uniform motor vehicle proof-of-insurance card to be in an electronic format; providing construction with respect to the para-

meters of a person's consent to access information on an electronic device presented to provide proof of insurance; providing immunity from liability to a law enforcement officer for damage to an electronic device presented to provide proof of insurance; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending s. 320.02, F.S.; authorizing insurers to furnish uniform proof-of-purchase cards in an electronic format for use by insureds to prove the purchase of required insurance coverage when registering a motor vehicle; amending s. 554.1021, F.S.; defining the term "authorized inspection agency"; amending s. 554.107, F.S.; requiring the chief inspector of the state boiler inspection program to issue a certificate of competency as a special inspector to certain individuals; specifying how long such certificate remains in effect; amending s. 554.109, F.S.; authorizing specified insurers to contract with an authorized inspection agency for boiler inspections; requiring such insurers to annually report the identity of contracted authorized inspection agencies to the Department of Financial Services; amending s. 624.413, F.S.; revising a specified time period applicable to a certified examination that must be filed by a foreign or alien insurer applying for a certificate of authority; amending s. 626.0428, F.S.; requiring a branch place of business to have an agent in charge; authorizing an agent to be in charge of more than one branch office under certain circumstances; providing requirements relating to the designation of an agent in charge; providing that the agent in charge is accountable for misconduct and violations committed by the licensee and any person under his or her supervision; prohibiting an insurance agency from conducting insurance business at a location without a designated agent in charge; providing for expiration of an agency license under specified circumstances; amending s. 626.112, F.S.; providing licensure exemptions that allow specified individuals or entities to conduct insurance business at specified locations under certain circumstances; revising licensure requirements and penalties with respect to registered insurance agencies; providing that the registration of an approved registered insurance agency automatically converts to an insurance agency license on a specified date; amending s. 626.172, F.S.; revising requirements relating to applications for insurance agency licenses; conforming provisions to changes made by the act; amending s. 626.321, F.S.; providing that a limited license to offer motor vehicle rental insurance issued to a business that rents or leases motor vehicles encompasses the employees of such business; amending s. 626.382, F.S.; providing that an insurance agency license continues in force until canceled, suspended, revoked, or terminated; amending s. 626.601, F.S.; revising terminology relating to investigations conducted by the Department of Financial Services and the Office of Insurance Regulation with respect to individuals and entities involved in the insurance industry; repealing s. 626.747, F.S., relating to branch agencies, agents in charge, and the payment of additional county tax under certain circumstances; amending s. 626.8411, F.S.; conforming a cross-reference; amending s. 626.8805, F.S.; revising insurance administrator application requirements; amending s. 626.8817, F.S.; authorizing an insurer's designee to provide certain coverage information to an insurance administrator; authorizing an insurer to subcontract the audit of an insurance administrator; amending s. 626.882, F.S.; prohibiting a person from acting as an insurance administrator without a specific written agreement; amending s. 626.883, F.S.; requiring insurance administrators to furnish fiduciary account records to an insurer's designee; requiring administrator withdrawals from a fiduciary account to be made according to specific written agreements; providing that an insurer's designee may authorize payment of claims; amending s. 626.884, F.S.; revising an insurer's right of access to certain administrator records; amending s. 626.89, F.S.; revising the deadline for filing certain financial statements; amending s. 626.931, F.S.; deleting provisions requiring a surplus lines agent to file a quarterly affidavit with the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; revising the due date of surplus lines tax; amending ss. 626.935 and 626.936, F.S.; conforming provisions to changes made by the act; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to use certain models or straight averages of certain models to estimate hurricane losses when determining whether the rates in a rate filing are excessive, inadequate, or unfairly discriminatory; amending s. 627.0628, F.S.; increasing the length of time during which an insurer must adhere to certain findings made by the Commission on Hurricane Loss Projection Methodology with respect to certain methods, principles, standards, models, or output ranges used in a rate finding; providing that the requirement to adhere to such findings does not limit an insurer from using a straight average of results of certain models or output ranges under specified circumstances; amending s. 627.072, F.S.; authorizing retrospective rating plans relating to workers' compensation and employer's liability in-

surance to allow negotiations between certain employers and insurers with respect to rating factors used to calculate premiums; amending s. 627.281, F.S.; conforming a cross-reference; amending s. 627.351, F.S.; requiring Citizens Property Insurance Corporation to submit a biannual report on the number of residential sinkhole policies issued and declined; requiring the corporation to establish a Citizens Sinkhole Stabilization Repair Program for sinkhole claims; providing definitions; providing program components; specifying the corporation's liability with respect to sinkhole claims; requiring the offering by the corporation of specified deductible amounts for sinkhole loss coverage; repealing s. 627.3519, F.S., relating to an annual report from the Financial Services Commission to the Legislature of aggregate net probable maximum losses, financing options, and potential assessments of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; amending s. 627.4133, F.S.; increasing the amount of prior notice required with respect to the nonrenewal, cancellation, or termination of certain insurance policies; deleting certain provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies; prohibiting the cancellation of certain policies that have been in effect for a specified amount of time except under certain circumstances; amending s. 627.4137, F.S.; adding licensed company adjusters to the list of persons who may respond to a claimant's written request for information relating to liability insurance coverage; amending s. 627.421, F.S.; authorizing the electronic delivery of certain insurance documents; amending s. 627.43141, F.S.; authorizing a notice of change in policy terms to be sent in a separate mailing to an insured under certain circumstances; requiring an insurer to provide such notice to insured's insurance agent; amending s. 627.6484, F.S.; providing that coverage for each policyholder of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide assistance to policyholders; requiring the association to notify policyholders of termination of coverage and provide information concerning how to obtain other coverage; requiring the association to impose a final assessment or provide a refund to member insurers, sell or dispose of physical assets, perform a final accounting, legally dissolve the association, submit a required report, and transfer all records to the Office of Insurance Regulation; repealing s. 627.64872, F.S., relating to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association Act, definitions, termination of enrollment and availability of other coverage, eligibility, the Florida Comprehensive Health Association, the Disease Management Program, the administrator of the health insurance plan, participation of insurers, insurer assessments, deferment, and assessment limitations, issuing of policies, minimum benefits coverage and exclusions, premiums, and deductibles, and reporting by insurers and third-party administrators, respectively; amending s. 627.7015, F.S.; revising the rulemaking authority of the department with respect to qualifications and specified types of penalties covered under the property insurance mediation program; creating s. 627.70151, F.S.; providing criteria for an insurer or policyholder to challenge the impartiality of a loss appraisal umpire for purposes of disqualifying such umpire; amending s. 627.706, F.S.; revising the definition of the term "neutral evaluator"; amending s. 627.7074, F.S.; requiring the department to adopt rules relating to certification of neutral evaluators; amending s. 627.736, F.S.; revising the time period for applicability of certain Medicare fee schedules or payment limitations; amending s. 627.745, F.S.; revising qualifications for approval as a mediator by the department; providing grounds for the department to deny an application, or suspend or revoke approval of a mediator or certification of a neutral evaluator; authorizing the department to adopt rules; amending s. 627.782, F.S.; revising the date by which title insurance agencies and certain insurers must annually submit specified information to the Office of Insurance Regulation; amending s. 627.841, F.S.; providing that an insurance premium finance company may impose a charge for payments returned, declined, or unable to be processed due to insufficient funds; amending s. 627.952, F.S.; providing that certain persons who are not residents of this state must be licensed and appointed as nonresident surplus lines agents in this state in order to engage in specified activities with respect to servicing insurance contracts, certificates, or agreements for purchasing or risk retention groups; deleting a fidelity bond requirement applicable to certain nonresident agents who are licensed as surplus lines agents in another state; amending ss. 627.971 and 627.972, F.S.; including licensed mutual insurers in financial guaranty insurance corporations; amending s. 628.901, F.S.; revising the definition of the term "qualifying



reinsurer parent company”; amending s. 628.909, F.S.; providing for applicability of certain provisions of the Insurance Code to specified captive insurers; amending s. 634.406, F.S.; revising criteria authorizing premiums of certain service warranty associations to exceed their specified net assets limitations; revising requirements relating to contractual liability policies that insure warranty associations; providing effective dates.

—which was previously considered this day and amended April 26 with pending **Amendment 5 (332122)** and pending point of order.

## RULING ON POINT OF ORDER

On recommendation of Senator Thrasher, Chair of the Committee on Rules, President Gaetz ruled the point not well taken.

Pending **Amendment 5 (332122)** by Senator Flores was adopted by two-thirds vote.

Senator Richter moved the following amendment which was adopted by two-thirds vote:

**Amendment 6 (648292) (with title amendment)**—Between lines 1851 and 1852 insert:

Section 44. Subsection (1) and paragraphs (a) and (b) of subsection (2) of section 627.744, Florida Statutes, are amended to read:

627.744 Required preinsurance inspection of private passenger motor vehicles.—

(1) A private passenger motor vehicle insurance policy providing physical damage coverage, including collision or comprehensive coverage, may not be issued in this state unless the insurer has inspected the motor vehicle in accordance with this section. *Physical damage coverage on a motor vehicle may not be suspended during the term of the policy due to the applicant's failure to provide required documents. However, payment of a claim may be conditioned upon the insurer's receipt of the required documents, and physical damage loss occurring after the effective date of coverage is not payable until the documents are provided to the insurer.*

(2) This section does not apply:

(a) To a policy for a policyholder who has been insured for 2 years or longer, without interruption, under a private passenger motor vehicle policy ~~that which~~ provides physical damage coverage on any vehicle; if the agent of the insurer verifies the previous coverage.

(b) To a new, unused motor vehicle purchased or leased from a licensed motor vehicle dealer or leasing company; if the insurer is provided with:

1. A bill of sale or buyer's order or lease agreement ~~that which~~ contains a full description of the motor vehicle, ~~including all options and accessories~~; or

2. A copy of the title or registration which establishes transfer of ownership from the dealer or leasing company to the customer and a copy of the window sticker ~~or the dealer invoice showing the itemized options and equipment and the total retail price of the vehicle.~~

~~For the purposes of this paragraph, the physical damage coverage on the motor vehicle may not be suspended during the term of the policy due to the applicant's failure to provide the required documents. However, payment of a claim is conditioned upon the receipt by the insurer of the required documents, and no physical damage loss occurring after the effective date of the coverage is payable until the documents are provided to the insurer.~~

And the title is amended as follows:

Delete line 197 and insert: payment limitations; amending s. 627.744, F.S.; revising and clarifying provisions relating to required preinsurance inspections of private passenger motor vehicles; amending s. 627.745, F.S.;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Benacquisto moved the following amendment which was adopted by two-thirds vote:

**Amendment 7 (615260) (with title amendment)**—Between lines 2123 and 2124 insert:

Section 53. *Sections 627.42391 and 641.313, Florida Statutes, may be cited as the “Cancer Treatment Fairness Act.”*

Section 54. Effective July 1, 2013, section 627.42391, Florida Statutes, is created to read:

627.42391 *Cancer treatment parity; orally administered cancer treatment medications.—*

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

(a) *“Cancer treatment medication” means medication prescribed by a treating physician who determines that the medication is medically necessary to kill or slow the growth of cancerous cells in a manner consistent with nationally accepted standards of practice.*

(b) *“Cost sharing” includes copayments, coinsurance, dollar limits, and deductibles imposed on the covered person.*

(2) *Beginning January 1, 2014, an individual or group insurance policy, including a policy issued to a small employer as defined in s. 627.6699, delivered, issued for delivery, renewed, amended, or continued in this state which provides medical, major medical, or similar comprehensive coverage and includes coverage for cancer treatment medications, must also cover prescribed, orally administered cancer treatment medications and may not apply cost-sharing requirements for prescribed, orally administered cancer treatment medications which are less favorable to the covered person than cost-sharing requirements for intravenous or injected cancer treatment medications covered under the policy.*

(3) *An insurer that provides a policy described in subsection (2), and any participating entity through which the insurer offers health services, may not:*

(a) *Vary the terms of a policy in effect on July 1, 2013, in order to avoid compliance with this section.*

(b) *Provide any incentive, including, but not limited to, a monetary incentive, or impose treatment limitations to encourage a covered person to accept less than the minimum protections available under this section.*

(c) *Penalize a health care practitioner or reduce or limit the compensation of a health care practitioner for recommending or providing services or care to a covered person as required under this section.*

(d) *Provide any incentive, including, but not limited to, a monetary incentive, to induce a health care practitioner to provide care or services that do not comply with this section.*

(e) *Change the classification of any intravenous or injected cancer treatment medication or increase the amount of cost sharing applicable to any intravenous or injected cancer treatment medication in effect on July 1, 2013, in order to comply with this section.*

Section 55. Effective July 1, 2013, section 641.313, Florida Statutes, is created to read:

641.313 *Cancer treatment parity; orally administered cancer treatment medications.—*

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

(a) *“Cancer treatment medication” means medication prescribed by a treating physician who determines that the medication is medically necessary to kill or slow the growth of cancerous cells in a manner consistent with nationally accepted standards of practice.*

(b) *“Cost sharing” includes copayments, coinsurance, dollar limits, and deductibles imposed on the covered person.*

(2) *Beginning January 1, 2014, a health maintenance contract, including a contract issued to a small employer as defined in s. 627.6699, delivered, issued for delivery, renewed, amended, or continued in this state which provides medical, major medical, or similar comprehensive coverage and includes coverage for cancer treatment medications, must also cover prescribed, orally administered cancer treatment medications and may not apply cost-sharing requirements for prescribed, orally administered cancer treatment medications which are less favorable to the covered person than cost-sharing requirements for intravenous or injected cancer treatment medications covered under the contract.*

(3) *A health maintenance organization that provides a contract described in subsection (2), and any participating entity through which the health maintenance organization offers health services, may not:*

(a) *Vary the terms of a contract in effect on July 1, 2013, in order to avoid compliance with this section.*

(b) *Provide any incentive, including, but not limited to, a monetary incentive, or impose treatment limitations to encourage a covered person to accept less than the minimum protections available under this section.*

(c) *Penalize a health care practitioner or reduce or limit the compensation of a health care practitioner for recommending or providing services or care to a covered person as required under this section.*

(d) *Provide any incentive, including, but not limited to, a monetary incentive, to induce a health care practitioner to provide care or services that do not comply with this section.*

(e) *Change the classification of any intravenous or injected cancer treatment medication or increase the amount of cost sharing applicable to any intravenous or injected cancer treatment medication in effect on July 1, 2013, in order to comply with this section.*

Section 56. Effective July 1, 2013, subsection (2) of section 627.6515, Florida Statutes, is amended to read:

627.6515 Out-of-state groups.—

(2) Except as otherwise provided in this part, this part does not apply to a group health insurance policy issued or delivered outside this state under which a resident of this state is provided coverage if:

(a) The policy is issued to an employee group the composition of which is substantially as described in s. 627.653; a labor union group or association group the composition of which is substantially as described in s. 627.654; an additional group the composition of which is substantially as described in s. 627.656; a group insured under a blanket health policy when the composition of the group is substantially in compliance with s. 627.659; a group insured under a franchise health policy when the composition of the group is substantially in compliance with s. 627.663; an association group to cover persons associated in any other common group, which common group is formed primarily for purposes other than providing insurance; a group that is established primarily for the purpose of providing group insurance, provided the benefits are reasonable in relation to the premiums charged thereunder and the issuance of the group policy has resulted, or will result, in economies of administration; or a group of insurance agents of an insurer, which insurer is the policyholder;

(b) Certificates evidencing coverage under the policy are issued to residents of this state and contain in contrasting color and not less than 10-point type the following statement: "The benefits of the policy providing your coverage are governed primarily by the law of a state other than Florida"; and

(c) The policy provides the benefits specified in ss. 627.419, 627.42391, 627.6574, 627.6575, 627.6579, 627.6612, 627.66121, 627.66122, 627.6613, 627.667, 627.6675, 627.6691, and 627.66911, and complies with the requirements of s. 627.66996.

(d) Applications for certificates of coverage offered to residents of this state must contain, in contrasting color and not less than 12-point type, the following statement on the same page as the applicant's signature:

"This policy is primarily governed by the laws of insert state where the master policy is filed. As a result, all of the rating laws applicable to policies filed in this state do not apply to this coverage, which may

result in increases in your premium at renewal that would not be permissible under a Florida-approved policy. Any purchase of individual health insurance should be considered carefully, as future medical conditions may make it impossible to qualify for another individual health policy. For information concerning individual health coverage under a Florida-approved policy, consult your agent or the Florida Department of Financial Services."

This paragraph applies only to group certificates providing health insurance coverage which require individualized underwriting to determine coverage eligibility for an individual or premium rates to be charged to an individual except for the following:

1. Policies issued to provide coverage to groups of persons all of whom are in the same or functionally related licensed professions, and providing coverage only to such licensed professionals, their employees, or their dependents;

2. Policies providing coverage to small employers as defined by s. 627.6699. Such policies shall be subject to, and governed by, the provisions of s. 627.6699;

3. Policies issued to a bona fide association, as defined by s. 627.6571(5), provided that there is a person or board acting as a fiduciary for the benefit of the members, and such association is not owned, controlled by, or otherwise associated with the insurance company; or

4. Any accidental death, accidental death and dismemberment, accident-only, vision-only, dental-only, hospital indemnity-only, hospital accident-only, cancer, specified disease, Medicare supplement, products that supplement Medicare, long-term care, or disability income insurance, or similar supplemental plans provided under a separate policy, certificate, or contract of insurance, which cannot duplicate coverage under an underlying health plan, coinsurance, or deductibles or coverage issued as a supplement to workers' compensation or similar insurance, or automobile medical-payment insurance.

Section 57. Sections 627.42391 and 641.313, Florida Statutes, as created by this act apply to policies and contracts issued or renewed on or after that date.

And the title is amended as follows:

Delete line 231 and insert: associations; providing a short title; creating ss. 627.42391 and 641.313, F.S.; providing definitions; requiring that an individual or group insurance policy or a health maintenance contract that provides coverage for cancer treatment medications provide coverage for orally administered cancer treatment medications on a basis no less favorable than that required by the policy or contract for intravenously administered or injected cancer treatment medications; prohibiting insurers, health maintenance organizations, and certain other entities from engaging in specified actions to avoid compliance with this act; amending s. 627.6515, F.S.; adding a cross-reference to conform to changes made by the act; providing applicability; providing effective dates.

Senator Simmons moved the following amendment which was adopted by two-thirds vote:

**Amendment 8 (800292) (with directory and title amendments)**—Between lines 1186 and 1187 insert:

(3)

(d)1. The following categories or kinds of insurance and types of commercial lines risks are not subject to paragraph (2)(a) or paragraph (2)(f):

a. Excess or umbrella.

b. Surety and fidelity.

c. Boiler and machinery and leakage and fire extinguishing equipment.

d. Errors and omissions.

- e. Directors and officers, employment practices, fiduciary liability, and management liability.
- f. Intellectual property and patent infringement liability.
- g. Advertising injury and Internet liability insurance.
- h. Property risks rated under a highly protected risks rating plan.
- i. General liability.
- j. Nonresidential property, except for collateral protection insurance as defined in s. 624.6085.
- k. Nonresidential multiperil.
- l. Excess property.
- m. Burglary and theft.

*n. Medical malpractice for a facility that is not a hospital licensed under chapter 395, a nursing home licensed under part II of chapter 400, or an assisted living facility licensed under part I of chapter 429.*

*o. Medical malpractice for a health care practitioner who is not a dentist licensed under chapter 466, a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, a chiropractic physician licensed under chapter 460, a podiatric physician licensed under chapter 461, a pharmacist licensed under chapter 465, or a pharmacy technician registered under chapter 465.*

~~p. Any other commercial lines categories or kinds of insurance or types of commercial lines risks that the office determines should not be subject to paragraph (2)(a) or paragraph (2)(f) because of the existence of a competitive market for such insurance, similarity of such insurance to other categories or kinds of insurance not subject to paragraph (2)(a) or paragraph (2)(f), or to improve the general operational efficiency of the office.~~

2. Insurers or rating organizations shall establish and use rates, rating schedules, or rating manuals to allow the insurer a reasonable rate of return on insurance and risks described in subparagraph 1. which are written in this state.

3. An insurer ~~shall must~~ notify the office of any changes to rates for insurance and risks described in subparagraph 1. within 30 days after the effective date of the change. The notice must include the name of the insurer, the type or kind of insurance subject to rate change, total premium written during the immediately preceding year by the insurer for the type or kind of insurance subject to the rate change, and the average statewide percentage change in rates. ~~Actuarial data Underwriting files, premiums, losses, and expense statistics with regard to rates for such insurance and risks written by an insurer must be maintained by the insurer for 3 years after the effective date of changes to those rates and are subject to examination by the office. The office may require the insurer to incur the costs associated with an examination.~~ Upon examination, the office, in accordance with generally accepted and reasonable actuarial techniques, shall consider the rate factors in paragraphs (2)(b), (c), and (d) and the standards in paragraph (2)(e) to determine if the rate is excessive, inadequate, or unfairly discriminatory.

4. A rating organization ~~shall must~~ notify the office of any changes to loss cost for insurance and risks described in subparagraph 1. within 30 days after the effective date of the change. The notice must include the name of the rating organization, the type or kind of insurance subject to a loss cost change, loss costs during the immediately preceding year for the type or kind of insurance subject to the loss cost change, and the average statewide percentage change in loss cost. Actuarial data with regard to changes to loss cost for risks not subject to paragraph (2)(a) or paragraph (2)(f) must be maintained by the rating organization for 2 years after the effective date of the change and are subject to examination by the office. The office may require the rating organization to incur the costs associated with an examination. Upon examination, the office, in accordance with generally accepted and reasonable actuarial techniques, shall consider the rate factors in paragraphs (2)(b)-(d) and the standards in paragraph (2)(e) to determine if the rate is excessive, inadequate, or unfairly discriminatory.

Section 27. If SB 468 or similar legislation is adopted in the same legislative session and becomes law, effective July 2, 2013, paragraph (d) of subsection (3) of section 627.062, Florida Statutes, as amended by SB 468 or similar legislation, is amended to read:

627.062 Rate standards.—

(3)

(d)1. The following categories or kinds of insurance and types of commercial lines risks are not subject to paragraph (2)(a) or paragraph (2)(f):

- a. Excess or umbrella.
- b. Surety and fidelity.
- c. Boiler and machinery and leakage and fire extinguishing equipment.
- d. Errors and omissions.
- e. Directors and officers, employment practices, fiduciary liability, and management liability.
- f. Intellectual property and patent infringement liability.
- g. Advertising injury and Internet liability insurance.
- h. Property risks rated under a highly protected risks rating plan.
- i. General liability.
- j. Nonresidential property, except for collateral protection insurance as defined in s. 624.6085.
- k. Nonresidential multiperil.
- l. Excess property.
- m. Burglary and theft.

*n. Medical malpractice for a facility that is not a hospital licensed under chapter 395, a nursing home licensed under part II of chapter 400, or an assisted living facility licensed under part I of chapter 429.*

*o. Medical malpractice for a health care practitioner who is not a dentist licensed under chapter 466, a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, a chiropractic physician licensed under chapter 460, a podiatric physician licensed under chapter 461, a pharmacist licensed under chapter 465, or a pharmacy technician registered under chapter 465.*

~~p. Any other commercial lines categories or kinds of insurance or types of commercial lines risks that the office determines should not be subject to paragraph (2)(a) or paragraph (2)(f) because of the existence of a competitive market for such insurance, similarity of such insurance to other categories or kinds of insurance not subject to paragraph (2)(a) or paragraph (2)(f), or to improve the general operational efficiency of the office.~~

2. Insurers or rating organizations shall establish and use rates, rating schedules, or rating manuals to allow the insurer a reasonable rate of return on insurance and risks described in subparagraph 1. which are written in this state.

3. An insurer shall notify the office of any changes to rates for insurance and risks described in subparagraph 1. within 30 days after the effective date of the change. The notice must include the name of the insurer, the type or kind of insurance subject to rate change, total premium written during the immediately preceding year by the insurer for the type or kind of insurance subject to the rate change, and the average statewide percentage change in rates. Actuarial data with regard to rates for such risks must be maintained by the insurer for 3 2 years after the effective date of changes to those rates and are subject to examination by the office. The office may require the insurer to incur the costs associated with an examination. Upon examination, the office, in accordance with generally accepted and reasonable actuarial techniques, shall consider the rate factors in paragraphs (2)(b), (c), and (d) and the

standards in paragraph (2)(e) to determine if the rate is excessive, inadequate, or unfairly discriminatory.

4. A rating organization shall notify the office of any changes to loss cost for insurance and risks described in subparagraph 1. within 30 days after the effective date of the change. The notice must include the name of the rating organization, the type or kind of insurance subject to a loss cost change, loss costs during the immediately preceding year for the type or kind of insurance subject to the loss cost change, and the average statewide percentage change in loss cost. Actuarial data with regard to changes to loss cost for risks not subject to paragraph (2)(a) or paragraph (2)(f) must be maintained by the rating organization for 2 years after the effective date of the change and are subject to examination by the office. The office may require the rating organization to incur the costs associated with an examination. Upon examination, the office, in accordance with generally accepted and reasonable actuarial techniques, shall consider the rate factors in paragraphs (2)(b)-(d) and the standards in paragraph (2)(e) to determine if the rate is excessive, inadequate, or unfairly discriminatory.

And the directory clause is amended as follows:

Delete lines 1135 and 1136 and insert:

Section 26. Paragraph (b) of subsection (2) and paragraph (d) of subsection (3) of section 627.062, Florida Statutes, are amended to read:

And the title is amended as follows:

Delete line 105 and insert: or unfairly discriminatory; revising provisions relating to requirements for maintaining and examining actuarial data with regard to rate changes; amending s. 627.0628,

On motion by Senator Thrasher, **CS for CS for HB 635** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

## SPECIAL GUESTS

Senator Legg introduced his son, Jack, daughter, Evangeline, and wife, Suzanne, who were present in the gallery.

## SPECIAL ORDER CALENDAR

**CS for CS for SB 904**—A bill to be entitled An act relating to education; amending s. 1002.45, F.S.; allowing individuals or organizations that provide individual online courses, including massive open online courses, which are measured by statewide assessments to apply for approval as state-level providers; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to recommend a funding model and financial accountability mechanism for providers of online courses; requiring the Office of Program Policy Analysis and Government Accountability to review and provide recommendations to allow student access to massive open online courses for funding purposes; providing review requirements; requiring the office to provide findings and recommendations to the Governor and the Legislature by a specified date; requiring the Department of Education to develop a methodology and plan for calculating the Florida Education Finance Program which limits

the sum of each student's full-time equivalent student membership value from all virtual programs or courses; providing requirements for the plan; requiring the department to conduct a student-based simulation of the revised methodology; requiring the department to submit a report to the Governor and the Legislature by a specified date; creating s. 1007.012, F.S.; creating the Florida Accredited Courses and Tests Initiative (FACTs); providing the purpose of the initiative; providing legislative intent; providing that implementing the initiative allows students to satisfy certain requirements; defining the term "Florida-accredited course" as it relates to the initiative; providing for application of certain courses and assessments toward promotion, graduation, and degree attainment; requiring that Florida-accredited courses and their assessments be annually identified, approved, published, and shared for consideration by certain students and entities; requiring the Commissioner of Education and the Chancellor of the State University System to approve each Florida-accredited course and its assessments; requiring the Articulation Coordinating Committee to annually publish and share a list of approved Florida-accredited courses, their assessments, and other courses; amending s. 1007.24, F.S.; including providers of online courses in the statewide course numbering system; amending s. 1008.24, F.S.; authorizing a school district, a Florida College System institution, and a state university to contract with qualified contractors to administer and proctor statewide standardized assessments or assessments associated with Florida-accredited courses; authorizing the Department of Education to contract for these services on behalf of the state or a school district, Florida College System institution, or state university; providing that assessments may be administered or proctored by qualified contractors at sites that meet certain criteria; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 904**, on motion by Senator Brandes, by two-thirds vote **CS for HB 7029** was withdrawn from the Committees on Education; and Rules.

On motion by Senator Brandes, the rules were waived and—

**CS for HB 7029**—A bill to be entitled An act relating to digital learning; amending s. 1001.42, F.S.; revising district school board duties relating to virtual instruction; amending s. 1002.321, F.S.; requiring the Department of Education to develop an online catalog of digital learning courses; amending s. 1002.37, F.S.; revising and clarifying the requirements for reporting and funding a full-time equivalent student in the Florida Virtual School; providing requirements for funding a home education student enrolled in the Florida Virtual School; providing reporting requirements relating to Florida Virtual School Global; requiring the Auditor General to conduct an operational audit of the Florida Virtual School; amending s. 1002.45, F.S.; authorizing a school district to provide part-time virtual instruction for K-12 students in all courses; revising requirements for the use of virtual instruction in core-curricula courses for the purpose of meeting class size requirements; revising requirements for approval as a provider of virtual instruction programs or courses; providing requirements for conditional approval; revising and clarifying the requirements for reporting and funding a full-time equivalent student enrolled in a virtual instruction program; creating s. 1002.451, F.S.; authorizing a district school board to operate a district innovation school as a pilot program; providing delivery models for implementation of a schoolwide blended learning program; providing funding requirements; providing exemption from statutes and rules; amending s. 1003.01, F.S.; removing blended learning courses provided by a traditional public school, a charter school, or a district innovation school from the definition of core curricular courses for purposes of class size requirements; amending s. 1003.498, F.S.; requiring the Department of Education to provide identifiers for courses to designate their use for blended learning courses; removing restrictions on students taking online courses across district lines; clarifying the requirements for reporting a full-time student; prohibiting a school district from requiring a public school student to take an online course at certain times or places; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to recommend a funding model and financial accountability mechanism for providers of online courses; amending s. 1007.24, F.S.; including online courses provided by providers in the statewide course numbering system; amending s. 1011.61, F.S.; revising and clarifying the definition of a full-time equivalent student; revising provisions relating to funding based on student completion of end-of-course examinations; revising provisions relating to the maximum value for funding a student; creating s. 1011.622, F.S.; providing for funding

adjustments for students without a common student identifier; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 904** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following amendment:

**Amendment 1 (317092) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Subsection (23) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(23) ~~FLORIDA VIRTUAL INSTRUCTION SCHOOL.~~—Provide students with access to courses available through a virtual instruction program option or the Florida Virtual School and award credit for successful completion of such courses. ~~Access shall be available to students during and after the normal school day and through summer school enrollment.~~

Section 2. Subsection (6) is added to section 1002.321, Florida Statutes, to read:

1002.321 Digital learning.—

(6) *ONLINE CATALOG.*—*The department shall develop an online catalog of available digital learning courses provided pursuant to ss. 1002.37, 1002.45, 1003.498, and 1003.499, which provides, for each course, access to the course description, completion and passage rates, and a method for student and teacher users to provide evaluative feedback.*

Section 3. Subsection (6) and paragraph (c) of subsection (9) of section 1002.37, Florida Statutes, are amended, and subsection (11) is added to that section, to read:

1002.37 The Florida Virtual School.—

(6) The board of trustees shall annually submit to the Governor, the Legislature, the Commissioner of Education, and the State Board of Education a complete and detailed report setting forth:

(a) The operations and accomplishments of the Florida Virtual School *within the state and those occurring outside the state as Florida Virtual School Global.*

(b) The marketing and operational plan for the Florida Virtual School and Florida Virtual School Global, including recommendations regarding methods for improving the delivery of education through the Internet and other distance learning technology.

(c) The assets and liabilities of the Florida Virtual School and Florida Virtual School Global at the end of the fiscal year.

(d) A copy of an annual financial audit of the accounts and records of the Florida Virtual School and Florida Virtual School Global, conducted by an independent certified public accountant and performed in accordance with rules adopted by the Auditor General.

(e) Recommendations regarding the unit cost of providing services to students *through the Florida Virtual School and Florida Virtual School Global.* In order to most effectively develop public policy regarding any future funding of the Florida Virtual School, it is imperative that the cost of the program is accurately identified. The identified cost of the program must be based on reliable data.

(f) Recommendations regarding an accountability mechanism to assess the effectiveness of the services provided by the Florida Virtual School and Florida Virtual School Global.

(9)

(c) *Unless an alternative testing site is mutually agreed to by the Florida Virtual School and the school district or as contracted under s. 1008.24, all statewide assessments must be taken at the school to which the student would be assigned according to district school board attendance areas. A school district must provide the student with access to the school's testing facilities.*

(11) *The Auditor General shall conduct an operational audit of the Florida Virtual School, including Florida Virtual School Global. The scope of the audit shall include, but not be limited to, the administration of responsibilities relating to personnel; procurement and contracting; revenue production; school funds, including internal funds; student enrollment records; franchise agreements; information technology utilization, assets, and security; performance measures and standards; and accountability. The final report on the audit shall be submitted to the President of the Senate and the Speaker of the House of Representatives no later than January 31, 2014.*

Section 4. Subsection (14) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(14) “Core-curricula courses” means:

(a) Courses in language arts/reading, mathematics, social studies, and science in prekindergarten through grade 3, excluding any extra-curricular courses pursuant to subsection (15);

(b) Courses in grades 4 through 8 in subjects that are measured by state assessment at any grade level and courses required for middle school promotion, excluding any extracurricular courses pursuant to subsection (15);

(c) Courses in grades 9 through 12 in subjects that are measured by state assessment at any grade level and courses that are specifically identified by name in statute as required for high school graduation and that are not measured by state assessment, excluding any extra-curricular courses pursuant to subsection (15);

(d) Exceptional student education courses; and

(e) English for Speakers of Other Languages courses.

The term is limited in meaning and used for the sole purpose of designating classes that are subject to the maximum class size requirements established in s. 1, Art. IX of the State Constitution. This term does not include courses offered under ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37, 1002.415, ~~and~~ 1002.45, and 1003.499.

Section 5. Section 1003.498, Florida Statutes, is amended to read:

1003.498 School district virtual course offerings.—

(1) School districts may deliver courses in the traditional school setting by personnel certified pursuant to s. 1012.55 who provide direct instruction through virtual instruction or through blended learning courses consisting of both traditional classroom and online instructional techniques. Students in a blended learning course must be full-time students of the school and receive the online instruction in a classroom setting at the school. The funding, performance, and accountability requirements for blended learning courses are the same as those for traditional courses. *To facilitate the delivery and coding of blended learning courses, the department shall provide identifiers for courses to designate courses that are used for blended learning for the efficient reporting of such courses.*

(2) School districts may offer virtual courses for students enrolled in the school district. These courses must be identified in the course code directory. Students who meet the eligibility requirements of s. 1002.455 may participate in these virtual course offerings.

(a) Any eligible student who is enrolled in a school district may register and enroll in an online course offered by his or her school district.

(b)1. Any eligible student who is enrolled in a school district may register and enroll in an online course offered by any other school district in the state, ~~except as limited by the following:~~

~~1. A student may not enroll in a course offered through a virtual instruction program provided pursuant to s. 1002.45.~~

~~2. A student may not enroll in a virtual course offered by another school district if:~~

~~a. The course is offered online by the school district in which the student resides; or~~

~~b. The course is offered in the school in which the student is enrolled. However, a student may enroll in an online course offered by another school district if the school in which the student is enrolled offers the course but the student is unable to schedule the course in his or her school.~~

~~3. The school district in which the student completes the course shall report the student's completion of that course for funding pursuant to s. 1011.61(1)(c)1.b.(VI), and the home school district shall not report the student for funding for that course.~~

2. For purposes of this paragraph, the combined total of all school district reported FTE may not be reported as more than 1.0 full-time equivalent student in any given school year. The Department of Education shall establish procedures to enable interdistrict coordination for the delivery and funding of this online option.

(3) Access to courses shall be available to students during the normal school day. A school district may not require a public school student to take a course outside the school day which is in addition to the student's courses for a given term or on school grounds.

Section 6. Section 1003.499, Florida Statutes, is created to read:

1003.499 *Florida Approved Courses and Tests (FACT) Initiative.*—

(1) *PURPOSE.*—

(a) The purpose of the initiative shall be to make available multiple options to suit unique student interests, satisfy educational requirements, and accelerate student accomplishment of goals in a productive and effective manner. The Legislature intends that state and local rules, policies, and administrative decisions are flexible in interpreting and implementing the requirements in this section in order to encourage creative, innovative, resourceful, and forward-thinking practices that can be modeled throughout this state and the country.

(b) Beginning in the 2015-2016 school year, the Florida Approved Courses and Tests (FACT) Initiative shall be implemented to expand student choices in selecting high-quality online courses, including, but not limited to, massive open online courses and instruction included under subsection (2) for promotion or graduation. Such courses and instruction may be provided using a blended learning model that shall include components such as differentiated instruction, flexible scheduling, differentiated teaching, and self-paced learning. Instruction through the blended learning model may be provided using online instructional videos, online class forums, and online homework assignments and projects, coupled with one-on-one direct instructional support to students.

(2) *FLORIDA APPROVED COURSES.*—The Department of Education shall annually publish online a list of providers approved to offer Florida approved courses which shall be listed in the online catalog pursuant to s. 1002.321(6).

(a) As used in this section, the term "Florida approved courses" means online courses provided by individuals which include, but are not limited to, massive open online courses or remedial education associated with the courses that are measured pursuant to s. 1008.22. Massive open online courses may be authorized in the following subject areas: Algebra I, biology, geometry, and civics. Courses may be applied toward requirements for promotion or graduation in whole, in subparts, or in a combination of whole and subparts. A student may not be required to repeat subparts that are satisfactorily completed.

(b) A Florida approved course must be annually identified, approved, published, and shared for consideration by interested students and school districts. The Commissioner of Education shall approve each Florida approved course for application in K-12 public schools in accordance with rules of the State Board of Education.

(3) *PROVIDER REQUIREMENTS.*—

(a) To be approved by the Department of Education, an individual provider must provide all the following documentation that demonstrates that he or she:

1. Is nonsectarian regarding courses, enrollment policies, employment practices, and operations.

2. Complies with the antidiscrimination provisions of s. 1000.05.

3. Requires all instructional staff to be Florida-certified teachers under chapter 1012 or certified as adjunct educators under s. 1012.57 and conducts background screenings for all employees or contracted personnel, as required by s. 1012.32, using state and national criminal history records.

4. Provides to parents and students specific information posted and accessible online which includes, but is not limited to, the following teacher-parent and teacher-student contact information for each course:

a. How to contact the instructor via telephone, e-mail, or online messaging tools.

b. How to contact technical support via telephone, e-mail, or online messaging tools.

c. How to contact the administration office or an individual offering online courses, including, but not limited to, massive open online courses, via telephone, e-mail, or online messaging tools.

d. Any requirement for regular contact with the instructor for the course and clear expectations for meeting the requirement.

5. Possesses prior, successful experience offering online courses to elementary, middle, or high school students as demonstrated by quantified student learning gains or student growth in each subject area and grade level provided for consideration as an instructional program option. However, for a provider without sufficient prior, successful experience offering online courses, the department may conditionally approve the provider to offer courses measured by statewide assessment program pursuant to s. 1008.22. Conditional approval is valid for 1 year. Renewal of provider approval is contingent on sufficient performance data available demonstrating success in accordance with this section and State Board of Education rule.

6. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level that the provider intends to provide through contract with the school district, including all of the following:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the Next Generation Sunshine State Standards.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate.

7. Publishes for the general public, in accordance with disclosure requirements adopted in rule by the State Board of Education, as part of the application as a provider and in all contracts negotiated pursuant to this section all of the following information:

a. Certification status and physical location of all administrative and instructional personnel.

b. Hours and times of availability of instructional personnel.

c. Student-teacher ratios.

d. Student completion and promotion rates.

e. Student, educator, and school performance accountability outcomes.

(b) *Each approved provider contracted under this section must participate in the statewide assessment program under s. 1008.22 and in the state's education performance accountability system under s. 1008.31.*

Section 7. Section 1004.0961, Florida Statutes, is created to read:

*1004.0961 Credit for online courses.—Beginning in the 2015-2016 school year, the State Board of Education and the Board of Governors shall adopt rules that enable students to earn academic credit for online courses, including massive open online courses, prior to initial enrollment at a postsecondary institution. The rules of the State Board of Education and rules of the Board of Governors must include procedures for credential evaluation and the award of credit, including, but not limited to, recommendations for credit by the American Council on Education; equivalency and alignment of coursework with appropriate courses; course descriptions; type and amount of credit that may be awarded; and transfer of credit.*

Section 8. Section 1008.24, Florida Statutes, is amended to read:

1008.24 Test administration and security.—

(1) ~~A person may not~~ ~~It is unlawful for anyone~~ knowingly and willfully to violate test security rules adopted by the State Board of Education for mandatory tests administered by or through the State Board of Education or the Commissioner of Education to students, educators, or applicants for certification or administered by school districts pursuant to s. 1008.22, or, with respect to any such test, knowingly and willfully to:

- (a) Give examinees access to test questions prior to testing;
- (b) Copy, reproduce, or use in any manner inconsistent with test security rules all or any portion of any secure test booklet;
- (c) Coach examinees during testing or alter or interfere with examinees' responses in any way;
- (d) Make answer keys available to examinees;
- (e) Fail to follow security rules for distribution and return of secure test as directed, or fail to account for all secure test materials before, during, and after testing;
- (f) Fail to follow test administration directions specified in the test administration manuals; or
- (g) Participate in, direct, aid, counsel, assist in, or encourage any of the acts prohibited in this section.

(2) ~~A~~ ~~Any~~ person who violates this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(3) *A school district may contract with qualified contractors to administer and proctor statewide standardized assessments required under s. 1008.22 or assessments associated with Florida approved courses under s. 1003.499, as approved by the Department of Education in accordance with rules of the State Board of Education. Assessments may be administered or proctored by qualified contractors at sites that meet criteria established by rules of the State Board of Education and adopted pursuant to ss. 120.536(1) and 120.54 to implement the contracting requirements of this subsection.*

(4)(a) ~~(3)(a)~~ A district school superintendent, a president of a public postsecondary educational institution, or a president of a nonpublic postsecondary educational institution shall cooperate with the Commissioner of Education in any investigation concerning the administration of a test administered pursuant to state statute or rule.

(b) The identity of a school or postsecondary educational institution, the personally identifiable information of any personnel of any school district or postsecondary educational institution, or any specific allegations of misconduct obtained or reported pursuant to an investigation conducted by the Department of Education of a testing impropriety are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the conclusion of the investigation or until such time as the investigation ceases to be active. For the purpose of this paragraph, an investigation shall be deemed concluded upon a finding that no impropriety has occurred, upon the conclusion of any

resulting preliminary investigation pursuant to s. 1012.796, upon the completion of any resulting investigation by a law enforcement agency, or upon the referral of the matter to an employer who has the authority to take disciplinary action against an individual who is suspected of a testing impropriety. For the purpose of this paragraph, an investigation shall be considered active so long as it is ongoing and there is a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2014, unless reviewed and saved from repeal through reenactment by the Legislature.

(5) *Exceptional students with disabilities, as defined in s. 1003.01(3), shall have access to testing sites. The Department of Education and each school district shall adopt policies that are necessary to ensure such access.*

Section 9. *By August 30, 2013, the Department of Education shall contract with a qualified contractor to review and provide recommendations for online courses, including massive open online courses, and competency-based online courses for K-12 and postsecondary education. The recommendations must, at a minimum, include the following components: improving access to the online courses, and approving, funding, holding providers accountable, and awarding credit for such courses. The department shall identify measures of quality based upon student outcomes, such as completion and achievement rates correlated appropriately to each delivery model; measures for students to demonstrate competency, such as prior learning assessments, end-of-course exams, assessments established by regionally accredited public institutions which may be applied as one whole assessment or as two or more discrete subassessments such that when combined, the subassessments are equivalent to a whole assessment; and opportunities to use online courses, including massive open online courses using blended learning or other tools delivered in modules or segments to provide instruction pursuant to s. 1003.499(2)(a) for students in K-12 education. The department shall provide findings and recommendations to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 1, 2014.*

Section 10. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education; amending s. 1001.42, F.S.; revising district school board duties relating to virtual instruction; amending s. 1002.321, F.S.; requiring the Department of Education to develop an online catalog of digital learning courses; amending s. 1002.37, F.S.; providing reporting requirements relating to Florida Virtual School Global; requiring the Auditor General to conduct an operational audit of the Florida Virtual School and submit a report to the Legislature; amending s. 1003.01, F.S.; removing Florida approved courses and blended learning courses provided by a traditional public school, a charter school, or a district innovation school from the definition of the term "core-curricula courses" for purposes of class size requirements; amending s. 1003.498, F.S.; requiring the Department of Education to provide identifiers for courses to designate their use for blended learning courses; removing restrictions on students' taking online courses across district lines; providing students' access to courses; prohibiting a school district from requiring a public school student to take an online course at certain times or places; creating s. 1003.499, F.S.; creating the Florida Approved Course Initiative; providing the purpose of the initiative; providing legislative intent; providing that implementing the initiative allows students to expand their choices in selecting online courses; requiring the department to annually publish online a list of providers; defining the term "Florida approved courses" as it relates to the initiative; requiring that Florida approved courses be annually identified, approved, published, and shared for consideration by certain students and school districts; requiring the Commissioner of Education to approve each Florida approved course; providing requirements for approval as a provider for the initiative; requiring an approved provider to participate in the statewide assessment program and the education performance accountability system; creating s. 1004.0961, F.S.; requiring the State Board of Education and the Board of Governors to adopt rules that enable students to earn academic credit toward online courses; providing requirements for the rules; amending s. 1008.24, F.S.; authorizing a school district to contract with qualified contractors to administer and proctor statewide standardized assessments or assess-



ments associated with Florida approved courses; providing that assessments may be administered or proctored by qualified contractors at sites that meet certain criteria; requiring exceptional students to have access to testing sites; requiring the Department of Education and school districts to adopt policies; requiring the department to contract with a qualified contractor to review and provide recommendations for improving access to online courses, and approving, funding, holding providers accountable, and awarding credit for online courses for K-12 and postsecondary education; requiring the department to identify measures of quality based upon student outcomes; requiring the department to provide findings and recommendations to the Governor and the Legislature by a specified date; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Soto moved the following amendments to **Amendment 1** which failed:

**Amendment 1A (518166) (with title amendment)**—Delete lines 368-387 and insert:

Section 9. *By December 31, 2013, the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall review and provide recommendations for online courses, including massive open online courses, and competency-based online courses for K-12 and postsecondary education. The recommendations must, at a minimum, include the following components: improving access to the online courses; approving providers, funding providers, and holding providers accountable; and awarding credit for such courses. OPPAGA shall identify measures of quality based upon student outcomes, such as completion and achievement rates correlated appropriately to each delivery model; measures for students to demonstrate competency, such as prior learning assessments, end-of-course exams, assessments established by regionally accredited public institutions which may be applied as one whole assessment or as two or more discrete subassessments such that when combined, the subassessments are equivalent to a whole assessment; and opportunities to use online courses, including massive open online courses using blended learning or other tools delivered in modules or segments to provide instruction pursuant to s. 1003.499(2)(a) for students in K-12 education. OPPAGA*

And the title is amended as follows:

Delete lines 450-457 and insert: districts to adopt policies; requiring OPPAGA to review and provide recommendations for improving access to online courses, for approving, funding, and holding providers accountable, and for awarding credit for online courses for K-12 and postsecondary education; requiring OPPAGA to identify measures of quality based upon student outcomes; requiring OPPAGA to provide

**Amendment 1B (674782)**—Delete line 247 and insert: *on demonstrating success*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Garcia moved the following amendment to **Amendment 1** which failed:

**Amendment 1C (331014) (with title amendment)**—Between lines 367 and 368 insert:

Section 9. Section 1008.331, Florida Statutes, is amended to read:

1008.331 Supplemental educational services in Title I schools; school district, provider, and department responsibilities.—

(1) **ACCOUNTABILITY.**—*A provider may offer supplemental educational services pursuant to this section only if it is a state-approved supplemental educational services provider that:*

- (a) *Demonstrates financial stability;*
- (b) *Maintains a parental complaint resolution process;*
- (c) *Uses research-based instructional methods that are consistent with the instruction provided by the district;*

(d) *Aligns curricula to the Next Generation Sunshine State Standards; and*

(e) *Submits to the department an application to be a state-approved supplemental educational services provider.*

1. *The application must require that the following persons meet the background screening requirements of s. 435.04:*

- a. *The board of directors;*
- b. *The managing members;*
- c. *The owner if it is a sole proprietor; and*
- d. *Any person who has direct contact with students, including volunteers.*

2. *The provider shall post on its website the name of each person who has direct contact with students.*

(2)(4) **INCENTIVES.**—A provider or school district may not provide incentives to entice a student or a student's parent to choose a provider. After a provider has been chosen, the student may be awarded incentives for performance or attendance, the total value of which may not exceed \$50 per student per year.

(3)(2) **RESPONSIBILITIES OF SCHOOL DISTRICT AND PROVIDER.**—

(a) School districts must create a streamlined parent enrollment and provider selection process for supplemental educational services and ensure that the process enables eligible students to begin receiving supplemental educational services no later than October 15 of each school year.

(b) Supplemental educational services enrollment forms must be made freely available to the parents of eligible students and providers both prior to and after the start of the school year.

(c) School districts must provide notification to parents of students eligible to receive supplemental educational services prior to and after the start of the school year. Notification shall include contact information for state-approved providers as well as the enrollment form, clear instructions, and timeline for the selection of providers and commencement of services.

(d) State-approved supplemental educational services providers must be able to provide services to eligible students no later than October 15 of each school year contingent upon their receipt of their district-approved student enrollment lists at least 20 days prior to the start date.

(e) In the event that the contract with a state-approved provider is signed less than 20 days prior to October 15, the provider shall be afforded no less than 20 days from the date the contract was executed to begin delivering services.

(f) A school district must hold open student enrollment for supplemental educational services unless or until it has obtained a written election to receive or reject services from parents in accordance with paragraph (4)(a) ~~(3)(a)~~.

(g) School districts, using the same policies applied to other organizations that have access to school sites, shall provide access to school facilities to providers that wish to use these sites for supplemental educational services. A school district with a student population in excess of 300,000 may only charge a state-approved supplemental educational services provider facility rental fees for the actual hours that the classrooms are used for tutoring by the provider.

(h) *School districts must inform parents of their student's progress or require providers to inform parents of their student's progress.*

(i) *School districts must notify the department of any providers that are found to have:*

- 1. *Forged, altered, or falsified attendance reports or enrollment forms in a systemic or egregious manner;*

2. *Failed to respond to parental complaints in a timely manner; or*
  3. *Violated accountability requirements in a systemic or egregious manner.*
- (j) *School districts must establish a parental complaint procedure.*

~~(4)(3)~~ COMPLIANCE; PENALTIES FOR NONCOMPLIANCE.—

(a) Compliance is met when the school district has obtained evidence of reception or rejection of services from the parents of at least a majority of the students receiving free or reduced-price lunch in Title I schools that are eligible for parental choice of transportation or supplemental educational services unless a waiver is granted by the State Board of Education. A waiver shall only be granted if there is clear and convincing evidence of the district's efforts to secure evidence of the parent's decision. Requirements for parental election to receive supplemental educational services shall not exceed the election requirements for the free and reduced-price lunch program.

(b) A provider must be able to deliver supplemental educational services to school districts in which the provider is approved by the state. If a state-approved provider withdraws from offering services to students in a school district in which it is approved and in which it has signed either a contract to provide services or a letter of intent and the minimums per site set by the provider have been met, the school district must report the provider to the department. The provider shall be immediately removed from the state-approved list for the current school year for that school district. Upon the second such withdrawal in any school district, the provider shall be ineligible to provide services in the state the following 2 years ~~year~~.

~~(5)(4)~~ REALLOCATION OF FUNDS.—If a school district has not spent the required supplemental educational services set-aside funding, the district may apply to the Department of Education after January 1 for authorization to reallocate the funds. If the Commissioner of Education does not approve the reallocation of funds, the district may appeal to the State Board of Education. The State Board of Education must consider the appeal within 60 days of its receipt, and the decision of the state board shall be final.

~~(6)(5)~~ RESPONSIBILITIES OF THE DEPARTMENT OF EDUCATION.—

(a) By May 1 of each year, each supplemental educational services provider must report to the Department of Education, unless a prior agreement has been made with the local school district, in an electronic form prescribed by the department, the following information regarding services provided to public school students in the district:

1. Student learning gains as demonstrated by mastery of applicable benchmarks or access points set forth in the Sunshine State Standards;
2. Student attendance and completion data;
3. Parent satisfaction survey results;
4. School district satisfaction survey results received directly from the school district; and
5. Satisfaction survey results received directly from the school district which were completed by principals in whose schools onsite supplemental educational services were provided.

The department shall post a uniform survey on its Internet website to be completed online by principals and school districts.

(b) The department shall evaluate each state-approved provider using the information received pursuant to paragraph (a) and assign a service designation of excellent, satisfactory, or unsatisfactory for the prior school year. However, if the student population served by the provider does not meet the minimum sample size necessary, based on accepted professional practice for statistical reliability and the prevention of the unlawful release of personally identifiable student information, the provider will not receive a service designation. The State Board of Education shall specify, by rule, the threshold requirements for assigning the service designations; however, the service designations must be based primarily on student learning gains. By July 1 of each year, the department must report the service designation to the supplemental

educational services providers, the school districts, parents, and the public.

~~(c) For the 2012-2013 school year, school districts shall use an amount equivalent to 15 percent of the Title I, Part A funds allocated to Title I schools to meet the requirements for supplemental educational services. Supplemental educational services shall be provided in Title I schools to students who are performing at Level 1 or Level 2 on the FCAT. Each school district shall contract with supplemental educational service providers that have been approved by the department. Each school district shall reserve an amount equal to 8 percent of the amount that the school district receives under Title I, Part A of the federal Elementary and Secondary Education Act, for each fiscal year, for supplemental educational services pursuant to this section to be provided by state-approved providers, including school districts.~~

(d) The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to administer the provisions of this subsection.

(e) The board's rules shall establish an internal complaint procedure to resolve disputes regarding the state approval process, the termination of state approval, and the assignment of a service designation. The internal complaint procedure must provide for an informal review by a hearing officer who is employed by the department and, if requested, a formal review by a hearing officer who is employed by the department, and shall recommend a resolution of the dispute to the Commissioner of Education. The internal complaint procedure is exempt from the provisions of chapter 120. The decision by the commissioner shall constitute final action.

(f) By September 1, 2011, the department shall approve and a district may select acceptable premethods and postmethods for measuring student learning gains, including standardized assessments, diagnostic assessments, criterion-referenced and skills-based assessments, or other applicable methods appropriate for each grade level, for use by supplemental educational services providers and local school districts in determining student learning gains. Each method must be able to measure student progress toward mastering the benchmarks or access points set forth in the Sunshine State Standards and the student's supplemental educational services plan. The use of a diagnostic and assessment instrument, which is aligned to a provider's curriculum, is an acceptable premethod and postmethod if the provider can demonstrate that the assessment meets the requirements in this paragraph and is not deemed unreliable or invalid by the department.

(g) As a condition for state approval, a provider must use a method for measuring student learning gains which results in reliable and valid results as approved by the department.

(h) The provider shall report data on individual student learning gains to the department, unless a prior agreement has been made with the local school district to report such student achievement data. The report must include individual student learning gains as demonstrated by mastery of applicable benchmarks or access points set forth in the Sunshine State Standards.

*(i) The department shall create an external complaint procedure for complaints against state-approved supplemental educational services providers. If the department finds that a state-approved supplemental educational services provider is found to have violated a provision specified in paragraph (3)(i), the department shall terminate the provider pursuant to the internal complaint procedure in this subsection.*

~~(7)(6)~~ RULES.—The State Board of Education may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section and may enforce the provisions of this section pursuant to s. 1008.32.

And the title is amended as follows:

Delete line 450 and insert: districts to adopt policies; amending s. 1008.331, F.S.; establishing requirements that a provider must meet in order to offer supplemental educational services; revising the responsibilities of school districts and the Department of Education; requiring school districts to provide certain notice to parents or to the department; requiring the department to reserve certain funds; requiring the department to create an external complaint procedure for complaints

against state-approved supplemental educational services providers; requiring the department

The question recurred on **Amendment 1 (317092)** which was adopted.

On motion by Senator Brandes, further consideration of **CS for HB 7029** as amended was deferred.

## BILLS ON THIRD READING

**HB 725**—An act relating to public records and public meetings exemptions; amending s. 383.412, F.S.; eliminating requirements that the closed portion of a meeting of the State Child Abuse Death Review Committee or a local committee at which specified identifying information is discussed be recorded, that no portion of such closed meeting be off the record, and that the recording be maintained by the state committee or a local committee; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **HB 725** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Galvano	Montford
Altman	Garcia	Negron
Bean	Gardiner	Richter
Benacquisto	Gibson	Sachs
Braynon	Grimsley	Simmons
Bullard	Hays	Simpson
Dean	Hukill	Smith
Detert	Latvala	Soto
Diaz de la Portilla	Lee	Stargel
Evers	Legg	Thompson
Flores	Margolis	Thrasher

Nays—6

Abruzzo	Brandes	Joyner
Bradley	Clemens	Sobel

## SPECIAL ORDER CALENDAR

**CS for CS for SB 1840**—A bill to be entitled An act relating to development permits; amending s. 125.022, F.S.; requiring counties and municipalities to attach certain disclaimers and include certain permit conditions when issuing development permits; amending s. 125.35, F.S.; providing that a county may include a commercial development that is ancillary to a professional sports facility in the lease of a sports facility; amending s. 166.033, F.S.; conforming provisions to changes made by the act; amending s. 381.0065, F.S.; revising treatment standards for onsite sewage and disposal systems in Monroe County; requiring areas in Monroe County not served by certain sewage and disposal systems to comply with specified rules and standards; deleting a requirement for new, modified, and repaired systems in Monroe County to meet specified standards; authorizing certain property owners in Monroe County to install certain tanks and systems; providing that certain systems in Monroe County are not required to connect to the central sewer system until a specified date; providing an extension and renewal of certain permits issued by the Department of Environmental Protection or by a water management district for areas to be served by central sewer systems within the Florida Keys Area of Critical State Concern; providing that certain extensions may not exceed a specified number of years; prohibiting certain extensions; providing for applicability; amending chapter 2012-205, Laws of Florida; revising the deadline for the holder of certain permits to notify the authorizing agency of automatic extension eligibility; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1840**, on motion by Senator Altman, by two-thirds vote **CS for HB 7019** was withdrawn from the Committees on Community Affairs; and Rules.

On motion by Senator Altman, the rules were waived and—

**CS for HB 7019**—A bill to be entitled An act relating to development permits; amending ss. 125.022 and 166.033, F.S.; requiring counties and municipalities to attach certain disclaimers and include certain permit conditions when issuing development permits; amending s. 163.3167, F.S.; providing that an initiative or referendum process for any development order is prohibited; providing that an initiative or referendum process for any local comprehensive plan amendments and map amendments is prohibited; providing an exception for an initiative or referendum process specifically authorized by local government charter provision in effect as of June 1, 2011, for certain local comprehensive plan amendments and map amendments; providing that certain charter provisions for an initiative or referendum process are not sufficient; providing legislative intent; providing that certain prohibitions apply retroactively; amending s. 341.8203, F.S.; defining “communication facilities” and “railroad company” as used in the Florida Rail Enterprise Act; amending s. 341.822, F.S.; requiring the rail enterprise to establish a process to issue permits for railroad companies to construct communication facilities within a high speed rail system; providing rulemaking authority; providing for fees for issuing a permit; creating s. 341.825, F.S.; providing for a permit authorizing the permittee to locate, construct, operate, and maintain communication facilities within a new or existing high speed rail system; providing for application procedures and fees; providing for the effects of a permit; providing an exemption from local land use and zoning regulations; authorizing the enterprise to permit variances and exemptions from rules of the enterprise or other agencies; providing that a permit is in lieu of licenses, permits, certificates, or similar documents required under specified laws; providing for a modification of a permit; amends s. 341.840, F.S.; conforming a cross-reference; amending s. 125.35, F.S.; providing that a county may include a commercial development that is ancillary to a professional sports facility in the lease of a sports facility; amending s. 32, ch. 2012-205, Laws of Florida, relating to the extension of certain permits and authorizations issued by the Department of Environmental Protection, water management districts, and local governments; revising the date by which holders of such permits and authorizations are required to notify the authorizing agency of specified information; amending s. 381.0065, F.S.; providing that certain systems constitute compliance with nitrogen standards; requiring systems in certain areas of Monroe County to comply with specified rules and standards; deleting a requirement for new, modified, and repaired systems to meet specified standards; authorizing property owners in certain areas of Monroe County to install certain tanks and systems; providing that certain systems in Monroe County are not required to connect to the central sewer system until a specified date; providing an extension and renewal of certain permits issued by the Department of Environmental Protection, a water management district, or a local government for areas to be served by central sewer systems within the Florida Keys Area of Critical State Concern; providing that certain extensions may not exceed a specified number of years; prohibiting certain extensions; providing for applicability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1840** and read the second time by title.

Senator Altman moved the following amendment which was adopted:

**Amendment 1 (703592) (with title amendment)**—Delete lines 165-342 and insert:

Section 4. Section 341.8203, Florida Statutes, is amended to read:

341.8203 Definitions.—As used in ss. 341.8201-341.842, unless the context clearly indicates otherwise, the term:

(1) “Associated development” means property, equipment, buildings, or other related facilities which are built, installed, used, or established to provide financing, funding, or revenues for the planning, building, managing, and operation of a high-speed rail system and which are associated with or part of the rail stations. The term includes air and subsurface rights, services that provide local area network devices for transmitting data over wireless networks, parking facilities, retail establishments, restaurants, hotels, offices, advertising, or other commercial, civic, residential, or support facilities.

(2) “Communication facilities” means the communication systems related to high-speed passenger rail operations, including those which are

built, installed, used, or established for the planning, building, managing, and operating of a high-speed rail system. The term includes the land; structures; improvements; rights-of-way; easements; positive train control systems; wireless communication towers and facilities that are designed to provide voice and data services for the safe and efficient operation of the high-speed rail system; voice, data, and wireless communication amenities made available to crew and passengers as part of a high-speed rail service; and any other facilities or equipment used for operation of, or the facilitation of communications for, a high-speed rail system. Owners of communication facilities may not offer voice or data service to any entity other than passengers, crew, or other persons involved in the operation of a high-speed rail system.

(3)(2) “Enterprise” means the Florida Rail Enterprise.

(4)(3) “High-speed rail system” means any high-speed fixed guideway system for transporting people or goods, which system is, by definition of the United States Department of Transportation, reasonably expected to reach speeds of at least 110 miles per hour, including, but not limited to, a monorail system, dual track rail system, suspended rail system, magnetic levitation system, pneumatic repulsion system, or other system approved by the enterprise. The term includes a corridor, associated intermodal connectors, and structures essential to the operation of the line, including the land, structures, improvements, rights-of-way, easements, rail lines, rail beds, guideway structures, switches, yards, parking facilities, power relays, switching houses, and rail stations and also includes facilities or equipment used exclusively for the purposes of design, construction, operation, maintenance, or the financing of the high-speed rail system.

(5)(4) “Joint development” means the planning, managing, financing, or constructing of projects adjacent to, functionally related to, or otherwise related to a high-speed rail system pursuant to agreements between any person, firm, corporation, association, organization, agency, or other entity, public or private.

(6)(5) “Rail station,” “station,” or “high-speed rail station” means any structure or transportation facility that is part of a high-speed rail system designed to accommodate the movement of passengers from one mode of transportation to another at which passengers board or disembark from transportation conveyances and transfer from one mode of transportation to another.

(7) “Railroad company” means a person developing, or providing service on, a high-speed rail system.

(8)(6) “Selected person or entity” means the person or entity to whom the enterprise awards a contract to establish a high-speed rail system pursuant to ss. 341.8201-341.842.

Section 5. Paragraph (c) is added to subsection (2) of section 341.822, Florida Statutes, to read:

341.822 Powers and duties.—

(2)

(c) The enterprise shall establish a process to issue permits to railroad companies for the construction of communication facilities within a new or existing public or private high-speed rail system. The enterprise may adopt rules to administer such permits, including rules regarding the form, content, and necessary supporting documentation for permit applications; the process for submitting applications; and the application fee for a permit under s. 341.825. The enterprise shall provide a copy of a completed permit application to municipalities and counties where the high-speed rail system will be located. The enterprise shall allow each such municipality and county 30 days to provide comments to the enterprise regarding the application, including any recommendations regarding conditions that may be placed on the permit.

Section 6. Section 341.825, Florida Statutes, is created to read:

341.825 Communication facilities.—

(1) **LEGISLATIVE INTENT.**—The Legislature intends to:

(a) Establish a streamlined process to authorize the location, construction, operation, and maintenance of communication facilities within new and existing high-speed rail systems.

(b) Expedite the expansion of the high-speed rail system’s wireless voice and data coverage and capacity for the safe and efficient operation of the high-speed rail system and the safety, use, and efficiency of its crew and passengers as a critical communication facilities component.

(2) **APPLICATION SUBMISSION.**—A railroad company may submit to the enterprise an application to obtain a permit to construct communication facilities within a new or existing high-speed rail system. The application shall include an application fee limited to the amount needed to pay the anticipated cost of reviewing the application, not to exceed \$10,000, which shall be deposited into the State Transportation Trust Fund. The application must include the following information:

(a) The location of the proposed communication facilities.

(b) A description of the proposed communication facilities.

(c) Any other information reasonably required by the enterprise.

(3) **APPLICATION REVIEW.**—The enterprise shall review each application for completeness within 30 days after receipt of the application.

(a) If the enterprise determines that an application is not complete, the enterprise shall, within 30 days after the receipt of the initial application, notify the applicant in writing of any errors or omissions. An applicant shall have 30 days within which to correct the errors or omissions in the initial application.

(b) If the enterprise determines that an application is complete, the enterprise shall act upon the permit application within 60 days of the receipt of the completed application by approving in whole, approving with conditions as the enterprise deems appropriate, or denying the application, and stating the reason for issuance or denial. In determining whether an application should be approved, approved with modifications or conditions, or denied, the enterprise shall consider any comments or recommendations received from a municipality or county and the extent to which the proposed communication facilities:

1. Are located in a manner that is appropriate for the communication technology specified by the applicant.

2. Serve an existing or projected future need for communication facilities.

3. Provide sufficient wireless voice and data coverage and capacity for the safe and efficient operation of the high-speed rail system and the safety, use, and efficiency of its crew and passengers.

(c) The failure to adopt any recommendation or comment may not be a basis for challenging the issuance of a permit.

(4) **EFFECT OF PERMIT.**—

(a) A permit authorizes the permittee to locate, construct, operate, and maintain the communication facilities within a new or existing high-speed rail system, subject to the conditions set forth in the permit. Such activities are not subject to local government land use or zoning regulations.

(b) A permit may include conditions that constitute variances and exemptions from rules of the enterprise or any other agency, which would otherwise be applicable to the communication facilities within the new or existing high-speed rail system.

(c) Notwithstanding any other provisions of law, the permit shall be in lieu of any license, permit, certificate, or similar document required by any local agency.

(d) Nothing in this section is intended to impose procedures or restrictions on railroad companies that are subject to the exclusive jurisdiction of the federal Surface Transportation Board pursuant to the Interstate Commerce Commission Termination Act of 1995, 49 U.S.C. ss. 10101, et seq.

(5) **MODIFICATION OF PERMIT.**—A permit may be modified by the applicant after issuance upon the filing of a petition with the enterprise.

(a) A petition for modification must set forth the proposed modification and the factual reasons asserted for the modification.

(b) *The enterprise shall act upon the petition within 30 days by approving or denying the application, and stating the reason for issuance or denial.*

Section 7. Paragraph (b) of subsection (2) of section 341.840, is amended to read:

341.840 Tax exemption.—

(2)

(b) For the purposes of this section, any item or property that is within the definition of the term “associated development” in s. 341.8203(1) may not be considered part of the high-speed rail system as defined in s. 341.8203(4) ~~s. 341.8203(3).~~

And the title is amended as follows:

Delete line 21 and insert: used in the Florida Rail Enterprise Act; prohibiting owners of communication facilities from offering certain services to persons unrelated to a high-speed rail system; amending s.

Senator Altman moved the following amendment:

**Amendment 2 (403068) (with title amendment)**—Delete lines 343-361.

And the title is amended as follows:

Delete lines 40-43 and insert: reference; amending s. 32, chapter 2012-

Senator Smith moved the following substitute amendment which was adopted:

**Amendment 3 (509504) (with title amendment)**—Delete line 360 and insert: *or contiguous to the professional sports franchise facility. The board's authority to lease the above described ancillary commercial development in conjunction with a professional sports franchise facility lease applies only if at the time the board leases the ancillary commercial development, the professional sports franchise facility lease has been in effect for at least 10 years and such lease has at least an additional 10 years remaining in the lease term* ;

And the title is amended as follows:

Delete line 43 and insert: lease of a sports facility subject to certain conditions; amending s. 32, chapter 2012-

Pursuant to Rule 4.19, **CS for HB 7019** as amended was placed on the calendar of Bills on Third Reading.

## BILLS ON THIRD READING

**CS for HB 461**— An act relating to deaf and hard-of-hearing students; amending s. 1003.55, F.S.; requiring the Department of Education to develop a model communication plan to be used in the development of an individual education plan for deaf or hard-of-hearing students; requiring the department to disseminate the model to each school district and provide technical assistance; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **CS for HB 461** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dean	Hukill
Abruzzo	Detert	Joyner
Altman	Diaz de la Portilla	Latvala
Bean	Evers	Lee
Benacquisto	Flores	Legg
Bradley	Galvano	Margolis
Brandes	Gardiner	Montford
Braynon	Gibson	Richter
Bullard	Grimsley	Ring
Clemens	Hays	Sachs

Simmons	Sobel	Thompson
Simpson	Soto	Thrasher
Smith	Stargel	

Nays—2

Garcia	Negron
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Vote after roll call:

Nay to Yea—Garcia

## RECESS

On motion by Senator Gaetz, the Senate recessed at 3:09 p.m. to reconvene at 3:45 p.m.

## EVENING SESSION

The Senate was called to order by President Gaetz at 3:55 p.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

## SPECIAL ORDER CALENDAR

On motion by Senator Brandes, the Senate resumed consideration of—

**CS for HB 7029**—A bill to be entitled An act relating to digital learning; amending s. 1001.42, F.S.; revising district school board duties relating to virtual instruction; amending s. 1002.321, F.S.; requiring the Department of Education to develop an online catalog of digital learning courses; amending s. 1002.37, F.S.; revising and clarifying the requirements for reporting and funding a full-time equivalent student in the Florida Virtual School; providing requirements for funding a home education student enrolled in the Florida Virtual School; providing reporting requirements relating to Florida Virtual School Global; requiring the Auditor General to conduct an operational audit of the Florida Virtual School; amending s. 1002.45, F.S.; authorizing a school district to provide part-time virtual instruction for K-12 students in all courses; revising requirements for the use of virtual instruction in core-curricula courses for the purpose of meeting class size requirements; revising requirements for approval as a provider of virtual instruction programs or courses; providing requirements for conditional approval; revising and clarifying the requirements for reporting and funding a full-time equivalent student enrolled in a virtual instruction program; creating s. 1002.451, F.S.; authorizing a district school board to operate a district innovation school as a pilot program; providing delivery models for implementation of a schoolwide blended learning program; providing funding requirements; providing exemption from statutes and rules; amending s. 1003.01, F.S.; removing blended learning courses provided by a traditional public school, a charter school, or a district innovation school from the definition of core curricular courses for purposes of class size requirements; amending s. 1003.498, F.S.; requiring the Department of Education to provide identifiers for courses to designate their use for blended learning courses; removing restrictions on students taking online courses across district lines; clarifying the requirements for reporting a full-time student; prohibiting a school district from requiring a public school student to take an online course at certain times or places; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to recommend a funding model and financial ac-

countability mechanism for providers of online courses; amending s. 1007.24, F.S.; including online courses provided by providers in the statewide course numbering system; amending s. 1011.61, F.S.; revising and clarifying the definition of a full-time equivalent student; revising provisions relating to funding based on student completion of end-of-course examinations; revising provisions relating to the maximum value for funding a student; creating s. 1011.622, F.S.; providing for funding adjustments for students without a common student identifier; providing an effective date.

—which was previously considered and amended this day.

## RECONSIDERATION OF AMENDMENT

Senator Brandes moved that the Senate reconsider the vote by which **Amendment 1 (317092)** was adopted.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1D (556616) (with title amendment)**—Delete lines 5-15.

And the title is amended as follows:

Delete lines 398-400 and insert: An act relating to education; amending s. 1002.321, F.S.;

**Amendment 1** as amended was adopted.

Pursuant to Rule 4.19, **CS for HB 7029** as amended was placed on the calendar of Bills on Third Reading.

## SPECIAL GUESTS

The President recognized former Representative and former Congressman, Adam Putnam, Commissioner of Agriculture, who was present in the chamber.

**CS for CS for SB 1024**—A bill to be entitled An act relating to the Department of Economic Opportunity; establishing the Economic Development Programs Evaluation; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to present the evaluation; requiring the offices to develop and submit a work plan for completing the evaluation by a certain date; requiring the offices to provide an analysis of certain economic development programs and specifying a schedule; requiring the Office of Economic and Demographic Research to make certain evaluations in its analysis; limiting the office's evaluation for the purposes of tax credits, tax refunds, sales tax exemptions, cash grants, and similar programs; requiring the office to use a certain model to evaluate each program; requiring the Office of Program Policy Analysis and Government Accountability to make certain evaluations in its analysis; providing the offices access to all data necessary to complete the evaluation; amending s. 20.60, F.S.; revising the date on which the Department of Economic Opportunity and Enterprise Florida, Inc., are required to report on the business climate and economic development in the state; specifying reports and information that must be included; amending s. 201.15, F.S.; revising the distribution of funds in the Grants and Donations Trust Fund; amending s. 212.08, F.S.; revising definitions; clarifying the application of certain amendments; amending s. 213.053, F.S.; authorizing the Department of Revenue to make certain information available to the director of the Office of Program Policy Analysis and Government Accountability and the coordinator of the Office of Economic and Demographic Research; authorizing the offices to share certain information; amending s. 220.194, F.S.; requiring the annual report for the Florida Space Business Incentives Act to be included in the annual incentives report; deleting certain reporting requirements; amending s. 288.001, F.S.; providing a network purpose; providing definitions; requiring the statewide director and the network to operate the program in compliance with federal laws and regulations and a Board of Governors regulation; requiring the statewide director to consult with the Board of Governors, the Department of Economic Opportunity, and

the network's statewide advisory board to establish certain policies and goals; requiring the network to maintain a statewide advisory board; providing for advisory board membership; providing for terms of membership; providing for certain member reimbursement; requiring the director to develop support services; specifying support service requirements; requiring businesses that receive support services to participate in certain assessments; requiring the network to provide a match equal to certain state funding; providing criteria for the match; requiring the statewide director to coordinate with the host institution to establish a pay-per-performance incentive; providing for pay-per-performance incentive funding and distribution; providing a distribution formula requirement; requiring the statewide director to coordinate with the advisory board to distribute funds for certain purposes and develop programs to distribute funds for those purposes; requiring the network to announce available funding, performance expectations, and other requirements; requiring the statewide director to present applications and recommendations to the advisory board; requiring applications approved by the advisory board to be publicly posted; providing minimum requirements for a program; prohibiting certain regional small business development centers from receiving funds; providing that match funding may not be reduced for regional small business development centers receiving additional funds; requiring the statewide director to regularly update the Board of Governors, the department, and the advisory board with certain information; requiring the statewide director, in coordination with the advisory board, to annually report certain information to the President of the Senate and the Speaker of the House of Representatives; amending s. 288.005, F.S.; providing a definition; amending s. 288.012, F.S.; requiring each State of Florida international office to submit a report to Enterprise Florida, Inc., for inclusion in its annual report; deleting a reporting date; amending s. 288.061, F.S.; requiring the Department of Economic Opportunity to analyze each economic development incentive application; requiring an applicant to provide a surety bond to the Department of Economic Opportunity before the applicant receives incentive awards through the Quick Action Closing Fund or the Innovation Incentive Program; requiring the contract or agreement to provide that the bond remain in effect until all conditions have been satisfied; providing that the department may require the bond to cover the entire contracted amount or allow for bonds to be renewed upon completion of certain performance measures; requiring the contract or agreement to provide that funds are contingent upon receipt of the surety bond; requiring the contract or agreement to provide that up to half of the premium payment on the bond may be paid from the award up to a certain amount; requiring an applicant to notify the department of premium payments; providing for certain notice requirements upon cancellation or nonrenewal by an insurer; providing that the cancellation of the surety bond violates the contract or agreement; providing an exception; providing for a waiver if certain information is provided; providing that if the department grants a waiver, the contract or agreement must provide for securing the award in a certain form; requiring the contract or agreement to provide that the release of funds is contingent upon satisfying certain requirements; requiring the irrevocable letter of credit, trust, or security agreement to remain in effect until certain conditions have been satisfied; providing for a waiver of the surety bond or other security if certain information is provided and the department determines it to be in the best interest of the state; providing that the waiver of the surety bond or other security, for funding in excess of \$5 million, must be approved by the Legislative Budget Commission; providing that the state may bring suit upon default or upon a violation of this section; providing that the department may adopt rules to implement this section; amending s. 288.0656, F.S.; requiring the Rural Economic Development Initiative to submit a report to supplement the Department of Economic Opportunity's annual report; deleting certain reporting requirements; amending s. 288.076, F.S.; providing definitions; requiring the Department of Economic Opportunity to publish on a website specified information concerning state investment in economic development programs; requiring the department to use methodology and formulas established by the Office of Economic and Demographic Research for specified calculations; requiring the Office of Economic and Demographic Research to provide a description of specified methodology and formulas to the department and the department to publish the description on its website within a specified period; providing procedures and requirements for reviewing, updating, and supplementing specified published information; requiring the department to annually publish information relating to the progress of Quick Action Closing Fund projects; requiring the department to publish certain confidential information pertaining to participant businesses upon expiration of a specified confidentiality period; requiring the department

to publish certain reports concerning businesses that fail to complete tax refund agreements under the tax refund program for qualified target industry businesses; providing for construction and legislative intent; authorizing the department to adopt rules; repealing s. 288.095(3)(c), F.S., relating to the annual report by Enterprise Florida, Inc., of programs funded by the Economic Development Incentives Account; amending s. 288.106, F.S.; deleting and adding provisions relating to the application and approval process of the tax refund program for qualified target industry businesses; requiring the Department of Economic Opportunity to include information on qualified target industry businesses in the annual incentives report; deleting certain reporting requirements; amending s. 288.107, F.S.; revising definitions; revising provisions to conform to changes made by the act; revising the minimum criteria for participation in the brownfield redevelopment bonus refund; amending s. 288.1081, F.S.; requiring the use of loan funds from the Economic Gardening Business Loan Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1082, F.S.; requiring the progress of the Economic Gardening Technical Assistance Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1088, F.S.; requiring the department to validate contractor performance for the Quick Action Closing Fund and include the performance validation in the annual incentives report; deleting certain reporting requirements; amending s. 288.1089, F.S.; requiring that certain projects in the Innovation Incentive Program provide a cumulative break-even economic benefit; requiring the department to report information relating to the Innovation Incentive Program in the annual incentives report; deleting certain reporting requirements; deleting provisions that require the Office of Program Policy Analysis and Government Accountability and the Auditor General's Office to report on the Innovation Incentive Program; amending s. 288.1253, F.S.; revising a reporting date; requiring expenditures of the Office of Film and Entertainment to be included in the annual entertainment industry financial incentive program report; amending s. 288.1254, F.S.; revising a reporting date; requiring the annual entertainment industry financial incentive program report to include certain information; amending s. 288.1258, F.S.; revising a reporting date; requiring the report detailing the relationship between tax exemptions and incentives to industry growth to be included in the annual entertainment industry financial incentive program report; amending s. 288.714, F.S.; requiring the Department of Economic Opportunity's annual report to include a report on the Black Business Loan Program; deleting certain reporting requirements; amending s. 288.7771, F.S.; requiring the Florida Export Finance Corporation to submit a report to Enterprise Florida, Inc.; amending s. 288.903, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare an annual incentives report; repealing s. 288.904(6), F.S., relating to Enterprise Florida, Inc., which requires the department to report the return on the public's investment; amending s. 288.906, F.S.; requiring certain reports to be included in the Enterprise Florida, Inc., annual report; amending s. 288.907, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare the annual incentives report; requiring the annual incentives report to include certain information; deleting a provision requiring the Division of Strategic Business Development to assist Enterprise Florida, Inc., with the report; 288.92, F.S.; requiring each division of Enterprise Florida, Inc., to submit a report; amending s. 288.95155, F.S.; requiring the financial status of the Florida Small Business Technology Growth Program to be included in the annual incentives report; amending s. 288.9918, F.S.; revising reporting requirements related to community development entities; amending s. 290.0055, F.S.; providing for the expansion of the boundaries of enterprise zones that meet certain requirements; providing an application deadline; amending s. 290.0056, F.S.; revising a reporting date; requiring the enterprise zone development agency to submit certain information for the Department of Economic Opportunity's annual report; amending s. 290.014, F.S.; revising a reporting date; requiring certain reports on enterprise zones to be included in the Department of Economic Opportunity's annual report; amending s. 290.0455, F.S.; providing for the state's guarantee of certain federal loans to local governments; requiring applicants for such loans to pledge a specified amount of revenues to guarantee the loans; revising requirements for the department to submit recommendations to the Federal Government for such loans; revising the maximum amount of the loan guarantee commitment that a local government may receive and providing exceptions; providing for reduction of a local government's future community development block grants if the local government defaults on the federal loan; providing procedures if a local government is granted entitlement community status; amending ss. 331.3051 and

331.310, F.S.; revising requirements for annual reports by Space Florida; amending s. 443.036, F.S.; providing examples of misconduct; amending s. 443.091, F.S.; providing for online work registration and providing exceptions; limiting a claimant's use of the same prospective employer to meet work search requirements; providing an exception; providing that work search requirements do not apply to individuals required to participate in reemployment services; amending s. 443.101, F.S.; providing for disqualification in any week with respect to which the department finds that his or her unemployment is due to failure without good cause to maintain a license, registration, or certification required by applicable law necessary for the employee to perform her or his assigned job duties; providing examples of "good cause"; amending s. 443.1113, F.S., relating to the Reemployment Assistance Claims and Benefits Information System; revising timeframe for deployment of a certain Internet portal as part of such system; amending s. 443.131, F.S.; requiring the tax collection service provider to calculate a certain additional rate; providing for when an assessment may not be made; requiring assessments to be available to pay interest on federal advances; requiring certain excess funds to be transferred to the Unemployment Compensation Trust Fund after a certain time period; deleting the provision referring to crediting employer accounts; providing an expiration date; amending s. 443.151, F.S.; revising provisions to conform to changes made to benefit eligibility; providing that an employer or its agent may not be relieved of benefit charges for failure to timely and adequately respond to notice of claim or request for information; requiring the department to impose a penalty against a claimant who is overpaid reemployment assistance benefits due to fraud by the claimant; requiring an appeals referee to be an attorney in good standing with the Florida Bar or successfully admitted within 8 months of hire; requiring the Department of Economic Opportunity to meet the requirements of the bill through attrition after January 1, 2014; amending s. 443.1715, F.S.; prohibiting the unlawful disclosure of certain confidential information relating to employing units and individuals under the Reemployment Assistance Program Law; providing criminal penalties; amending 443.191, F.S.; providing for the deposit of moneys recovered and penalties collected due to fraud in the Unemployment Compensation Trust Fund; amending s. 446.50, F.S.; requiring the Department of Economic Opportunity's annual report to include a plan for the displaced homemaker program; deleting certain reporting requirements; creating s. 288.80, F.S.; providing a short title; creating s. 288.801, F.S.; providing Legislative intent; creating s. 288.81, F.S.; providing definitions; creating s. 288.82, F.S.; creating Triumph Gulf Coast, Inc., as nonprofit corporation; requiring the Triumph Gulf Coast, Inc., to create and administer the Recovery Fund for the benefit of disproportionately affected counties; providing for principal of the fund; providing for payment of administrative costs from the earnings of the fund; providing any remaining funds after 30 years revert to the State Treasury; authorizing investment of the principal of the fund; requiring an investment policy; requiring competitive procurement of money managers; requiring annual audits; requiring biannual reports; creating s. 288.83, F.S.; providing for application of public records and meetings laws; providing for governance by a 5 member board of directors; providing membership; providing for terms; providing for appointment for vacancies; providing limitations on board members; limiting post-employment activities; providing for a misdemeanor for violations; requiring financial disclosures; providing travel and per diem expenses; providing for removal; requiring quarterly meetings; providing for staffing; creating s. 288.831, F.S.; providing the powers and duties of the board of directors; creating s. 288.832, F.S.; providing the duties of Triumph Gulf Coast, Inc.; creating s. 288.84, F.S.; permitting awards for projects or programs from available earnings and principal; proscribing the award categories; proscribing the award categories for certain funds; establishing priority ranking for applications; prohibiting award from financing 100 percent of a project or program; permitting Triumph Gulf Coast, Inc., to requiring a one-to-one match; prohibiting an awardee from receiving all available funds; requiring a contract for an award; requiring regular reporting; providing effective dates.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1024**, on motion by Senator Detert, by two-thirds vote **CS for CS for HB 7007** was withdrawn from the Committees on Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Appropriations.

On motion by Senator Detert—



**CS for CS for HB 7007**—A bill to be entitled An act relating to economic development; amending s. 20.60, F.S.; revising the date on which the Department of Economic Opportunity and Enterprise Florida, Inc., are required to report on the business climate and economic development in the state; specifying reports and information that must be included; amending s. 201.15, F.S.; revising the distribution of funds in the Grants and Donations Trust Fund; amending s. 212.08, F.S.; revising definitions; amending s. 213.053, F.S.; authorizing the Department of Revenue to make certain information available to the director of the Office of Program Policy Analysis and Government Accountability and the coordinator of the Office of Economic and Demographic Research; authorizing the offices to share certain information; amending s. 220.194, F.S.; requiring the annual report for the Florida Space Business Incentives Act to be included in the annual incentives report; deleting certain reporting requirements; amending s. 288.001, F.S.; providing a network purpose; providing definitions; requiring the statewide director and the network to operate the program in compliance with federal laws and regulations and a Board of Governors regulation; requiring the statewide director to consult with the Board of Governors, the Department of Economic Opportunity, and the network's statewide advisory board to establish certain policies and goals; requiring the network to maintain a statewide advisory board; providing for advisory board membership; providing for terms of membership; providing for certain member reimbursement; requiring the director to develop support services; specifying support service requirements; requiring businesses that receive support services to participate in certain assessments; requiring the network to provide a match equal to certain state funding; providing criteria for the match; requiring the statewide director to coordinate with the host institution to establish a pay-per-performance incentive; providing for pay-per-performance incentive funding and distribution; providing a distribution formula requirement; requiring the statewide director to coordinate with the advisory board to distribute funds for certain purposes and develop programs to distribute funds for those purposes; requiring the network to announce available funding, performance expectations, and other requirements; requiring the statewide director to present applications and recommendations to the advisory board; requiring applications approved by the advisory board to be publicly posted; providing minimum requirements for a program; prohibiting certain regional small business development centers from receiving funds; providing that match funding may not be reduced for regional small business development centers receiving additional funds; requiring the statewide director to regularly update the Board of Governors, the department, and the advisory board with certain information; requiring the statewide director, in coordination with the advisory board, to annually report certain information to the President of the Senate and the Speaker of the House of Representatives; amending s. 288.005, F.S.; revising definitions; amending s. 288.012, F.S.; requiring each State of Florida international office to submit a report to Enterprise Florida, Inc., for inclusion in its annual report; deleting a reporting date; amending s. 288.0656, F.S.; requiring the Rural Economic Development Initiative to submit a report to supplement the department's annual report; deleting certain reporting requirements; amending s. 288.061, F.S.; providing for the evaluation of economic development incentive applications; requiring an applicant to provide a surety bond to the department before the applicant receives incentive awards through the Quick Action Closing Fund or the Innovation Incentive Program; requiring the contract or agreement to provide that the bond remain in effect until all conditions have been satisfied; providing that the department may require the bond to cover the entire contracted amount or allow for bonds to be renewed upon completion of certain performance measures; requiring the contract or agreement to provide that funds are contingent upon receipt of the surety bond; requiring the contract or agreement to provide that up to half of the premium payment on the bond may be paid from the award up to a certain amount; requiring an applicant to notify the department of premium payments; providing for certain notice requirements upon cancellation or nonrenewal by an insurer; providing that the cancellation of the surety bond violates the contract or agreement; providing an exception; providing for a waiver if certain information is provided; providing that if the department grants a waiver, the contract or agreement must provide for securing the award in a certain form; requiring the contract or agreement to provide that the release of funds is contingent upon satisfying certain requirements; requiring the irrevocable letter of credit, trust, or security agreement to remain in effect until certain conditions have been satisfied; providing for a waiver of the surety bond or other security if certain information is provided and the department determines it to be in the best interest of the state; providing that the waiver of the surety bond or other security,

for funding in excess of \$5 million, must be approved by the Legislative Budget Commission; prohibiting the executive director from approving an economic development incentive application unless a specified written declaration is received; requiring an awardee to provide a signed written declaration in specified years; providing that the state may bring suit upon default or upon a violation of this section; providing that the department may adopt rules to implement this section; creating s. 288.076, F.S.; providing definitions; requiring the department to publish on a website specified information concerning state investment in economic development programs; requiring the department to work with the Office of Economic and Demographic Research to provide a description of specified methodology and requiring the department to publish such description on its website; providing procedures and requirements for reviewing, updating, and supplementing specified published information; requiring the department to annually publish information relating to the progress of Quick Action Closing Fund projects; requiring the department to publish certain confidential information pertaining to participant businesses upon expiration of a specified confidentiality period; requiring the department to publish certain reports concerning businesses that fail to complete tax refund agreements under the tax refund program for qualified target industry businesses; providing for construction and legislative intent; authorizing the department to adopt rules; creating s. 288.0761, F.S.; establishing the Economic Development Programs Evaluation; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to present the evaluation; requiring the offices to develop and submit a work plan for completing the evaluation by a certain date; requiring the offices to provide an analysis of certain economic development programs and specifying a schedule; requiring the Office of Economic and Demographic Research to make certain evaluations in its analysis; limiting the office's evaluation for the purposes of tax credits, tax refunds, sales tax exemptions, cash grants, and similar programs; requiring the office to use a certain model to evaluate each program; requiring the Office of Program Policy Analysis and Government Accountability to make certain evaluations in its analysis; providing the offices access to all data necessary to complete the evaluation; repealing s. 288.095(3)(c), F.S., relating to the annual report by Enterprise Florida, Inc., of programs funded by the Economic Development Incentives Account; amending s. 288.106, F.S.; revising provisions relating to the application and approval process of the tax refund program for qualified target industry businesses; requiring the department to include information on qualified target industry businesses in the annual incentives report; deleting certain reporting requirements; amending s. 288.107, F.S.; revising definitions; revising provisions to conform to changes made by the act; revising the minimum criteria for participation in the brownfield redevelopment bonus refund; amending s. 288.1081, F.S.; requiring the use of loan funds from the Economic Gardening Business Loan Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1082, F.S.; requiring the progress of the Economic Gardening Technical Assistance Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1088, F.S.; requiring the department to validate contractor performance for the Quick Action Closing Fund and include the performance validation in the annual incentives report; deleting certain reporting requirements; amending s. 288.1089, F.S.; requiring that certain projects in the Innovation Incentive Program provide a cumulative break-even economic benefit; requiring the department to report information relating to the Innovation Incentive Program in the annual incentives report; deleting certain reporting requirements; deleting provisions that require the Office of Program Policy Analysis and Government Accountability and the Auditor General's Office to report on the Innovation Incentive Program; amending s. 288.1253, F.S.; revising a reporting date; requiring expenditures of the Office of Film and Entertainment to be included in the annual entertainment industry financial incentive program report; amending s. 288.1254, F.S.; revising a reporting date; requiring the annual entertainment industry financial incentive program report to include certain information; amending s. 288.1258, F.S.; revising a reporting date; requiring the report detailing the relationship between tax exemptions and incentives to industry growth to be included in the annual entertainment industry financial incentive program report; amending s. 288.714, F.S.; requiring the department's annual report to include a report on the Black Business Loan Program; deleting certain reporting requirements; amending s. 288.7771, F.S.; requiring the Florida Export Finance Corporation to submit a report to Enterprise Florida, Inc.; amending s. 288.903, F.S.; requiring Enterprise Florida, Inc., with the department, to prepare an

annual incentives report; repealing s. 288.904(6), F.S., relating to Enterprise Florida, Inc., which requires the department to report the return on the public's investment; amending s. 288.906, F.S.; requiring certain reports to be included in the Enterprise Florida, Inc., annual report; amending s. 288.907, F.S.; requiring Enterprise Florida, Inc., in conjunction with the department, to prepare the annual incentives report; requiring the report to include certain information; deleting a provision requiring the Division of Strategic Business Development to assist Enterprise Florida, Inc., with the report; amending s. 288.92, F.S.; requiring each division of Enterprise Florida, Inc., to submit a report; amending s. 288.95155, F.S.; requiring the financial status of the Florida Small Business Technology Growth Program to be included in the annual incentives report; amending 288.9918, F.S.; revising reporting requirements related to community development entities, amending 290.0055, F.S.; providing for the expansion of the boundaries of enterprise zones that meet certain requirements; providing an application deadline; amending s. 290.0056, F.S.; revising a reporting date; requiring the enterprise zone development agency to submit certain information for the department's annual report; amending s. 290.014, F.S.; revising a reporting date; requiring certain reports on enterprise zones to be included in the department's annual report; amending s. 290.0455, F.S.; providing for the state's guarantee of certain federal loans to local governments; requiring applicants for such loans to pledge a specified amount of revenues to guarantee the loans; revising requirements for the department to submit recommendations to the Federal Government for such loans; revising the maximum amount of the loan guarantee commitment that a local government may receive and providing exceptions; providing for reduction of a local government's future community development block grants if the local government defaults on the federal loan; providing procedures if a local government is granted entitlement community status; amending s. 331.3051, F.S.; revising a reporting date; requiring Space Florida's annual report to include certain information; amending s. 331.310, F.S.; requiring the Board of Directors of Space Florida to supplement Space Florida's annual report with operations information; deleting certain reporting requirements; amending s. 376.78, F.S.; revising legislative intent with regard to community revitalization in certain areas; amending s. 376.80, F.S.; revising procedures for designation of brownfield areas by local governments; authorizing local governments to use a term other than "brownfield area" when naming such areas; amending s. 376.82, F.S.; providing relief of liability for property damages for entities that execute and implement certain brownfield site rehabilitation agreements; providing for applicability; amending s. 443.036, F.S.; providing examples of misconduct; amending s. 443.091, F.S.; providing for online work registration and providing exceptions; limiting a claimant's use of the same prospective employer to meet work search requirements; providing an exception, providing that work search requirements do not apply to individuals required to participate in reemployment services; amending s. 443.101, F.S.; providing for disqualification in any week with respect to which the department finds that his or her unemployment is due to failure without good cause to maintain a license, registration, or certification required by applicable law necessary for the employee to perform her or his assigned job duties; providing examples of "good cause"; amending s. 443.1113, F.S., relating to the Reemployment Assistance Claims and Benefits Information System; revising timeframe for deployment of a certain Internet portal as part of such system; amending s. 443.131, F.S.; revising requirements for the estimate of interest due on advances received from the Federal Government to the Unemployment Compensation Trust Fund; revising the calculation of additional assessments to contributing employers to repay the interest; providing an exemption from such additional assessments; amending s. 443.151 F.S.; revising provisions to conform to changes made to benefit eligibility; providing that an employer or its agent may not be relieved of benefit charges for failure to timely and adequately respond to notice of claim or request for information; imposing a penalty against a claimant who is overpaid reemployment assistance benefits due to fraud by the claimant; requiring appeals referees appointed on or after a specified date to be attorneys in good standing or admitted to The Florida Bar within a specified period after appointment; amending s. 443.1715, F.S.; prohibiting the unlawful disclosure of certain confidential information relating to employing units and individuals under the Reemployment Assistance Program Law; providing penalties; amending s. 443.191, F.S.; providing for deposit of moneys collected for certain penalties in the Unemployment Compensation Trust Fund; amending s. 446.50, F.S.; requiring the department's annual report to include a plan for the displaced homemaker program; deleting certain reporting requirements; providing for applicability; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 1024** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Detert moved the following amendment:

**Amendment 1 (969426) (with title amendment)**—Delete everything after the enacting clause and insert:

**Section 1. Economic Development Programs Evaluation.**—*The Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall develop and present to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees the Economic Development Programs Evaluation.*

(1) *The Office of Economic and Demographic Research and OPPAGA shall coordinate the development of a work plan for completing the Economic Development Programs Evaluation and shall submit the work plan to the President of the Senate and the Speaker of the House of Representatives by July 1, 2013.*

(2) *The Office of Economic and Demographic Research and OPPAGA shall provide a detailed analysis of economic development programs as provided in the following schedule:*

(a) *By January 1, 2014, and every 3 years thereafter, an analysis of the following:*

1. *The capital investment tax credit established under s. 220.191, Florida Statutes.*

2. *The qualified target industry tax refund established under s. 288.106, Florida Statutes.*

3. *The brownfield redevelopment bonus refund established under s. 288.107, Florida Statutes.*

4. *High-impact business performance grants established under s. 288.108, Florida Statutes.*

5. *The Quick Action Closing Fund established under s. 288.1088, Florida Statutes.*

6. *The Innovation Incentive Program established under s. 288.1089, Florida Statutes.*

7. *Enterprise Zone Program incentives established under ss. 212.08(5), 212.08(15), 212.096, 220.181, and 220.182, Florida Statutes.*

(b) *By January 1, 2015, and every 3 years thereafter, an analysis of the following:*

1. *The entertainment industry financial incentive program established under s. 288.1254, Florida Statutes.*

2. *The entertainment industry sales tax exemption program established under s. 288.1258, Florida Statutes.*

3. *VISIT Florida and its programs established or funded under ss. 288.122, 288.1226, 288.12265, and 288.124, Florida Statutes.*

4. *The Florida Sports Foundation and related programs established under ss. 288.1162, 288.11621, 288.1166, 288.1167, 288.1168, 288.1169, and 288.1171, Florida Statutes.*

(c) *By January 1, 2016, and every 3 years thereafter, an analysis of the following:*

1. *The qualified defense contractor and space flight business tax refund program established under s. 288.1045, Florida Statutes.*

2. *The tax exemption for semiconductor, defense, or space technology sales established under s. 212.08(5)(j), Florida Statutes.*

3. *The Military Base Protection Program established under s. 288.980, Florida Statutes.*

4. *The Manufacturing and Spaceport Investment Incentive Program established under s. 288.1083, Florida Statutes.*

5. *The Quick Response Training Program established under s. 288.047, Florida Statutes.*

6. *The Incumbent Worker Training Program established under s. 445.003, Florida Statutes.*

7. *International trade and business development programs established or funded under s. 288.826, Florida Statutes.*

(3) Pursuant to the schedule established in subsection (2), the Office of Economic and Demographic Research shall evaluate and determine the economic benefits, as defined in s. 288.005, Florida Statutes, of each program over the previous 3 years. The analysis must also evaluate the number of jobs created, the increase or decrease in personal income, and the impact on state gross domestic product from the direct, indirect, and induced effects of the state's investment in each program over the previous 3 years.

(a) For the purpose of evaluating tax credits, tax refunds, sales tax exemptions, cash grants, and similar programs, the Office of Economic and Demographic Research shall evaluate data only from those projects in which businesses received state funds during the evaluation period. Such projects may be fully completed, partially completed with future fund disbursement possible pending performance measures, or partially completed with no future fund disbursement possible as a result of a business's inability to meet performance measures.

(b) The analysis must use the model developed by the Office of Economic and Demographic Research, as required in s. 216.138, Florida Statutes, to evaluate each program. The office shall provide a written explanation of the key assumptions of the model and how it is used. If the office finds that another evaluation model is more appropriate to evaluate a program, it may use another model, but it must provide an explanation as to why the selected model was more appropriate.

(4) Pursuant to the schedule established in subsection (2), OPPAGA shall evaluate each program over the previous 3 years for its effectiveness and value to the taxpayers of this state and include recommendations on each program for consideration by the Legislature. The analysis may include relevant economic development reports or analyses prepared by the Department of Economic Opportunity, Enterprise Florida, Inc., or local or regional economic development organizations; interviews with the parties involved; or any other relevant data.

(5) The Office of Economic and Demographic Research and OPPAGA must be given access to all data necessary to complete the Economic Development Programs Evaluation, including any confidential data. The offices may collaborate on data collection and analysis.

Section 2. Subsection (10) of section 20.60, Florida Statutes, is amended to read:

20.60 Department of Economic Opportunity; creation; powers and duties.—

(10) The department, with assistance from Enterprise Florida, Inc., shall, by November 1 ~~January 1~~ of each year, submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the condition of the business climate and economic development in the state.

(a) The report ~~must~~ shall include the identification of problems and a prioritized list of recommendations.

(b) The report must incorporate annual reports of other programs, including:

1. *The displaced homemaker program established under s. 446.50.*
2. *Information provided by the Department of Revenue under s. 290.014.*
3. *Information provided by enterprise zone development agencies under s. 290.0056 and an analysis of the activities and accomplishments of each enterprise zone.*

4. *The Economic Gardening Business Loan Pilot Program established under s. 288.1081 and the Economic Gardening Technical Assistance Pilot Program established under s. 288.1082.*

5. *A detailed report of the performance of the Black Business Loan Program and a cumulative summary of quarterly report data required under s. 288.714.*

6. *The Rural Economic Development Initiative established under s. 288.0656.*

Section 3. Paragraph (c) of subsection (1) of section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter are subject to the service charge imposed in s. 215.20(1). Prior to distribution under this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. Such costs and the service charge may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs and service charge are required to pay any amounts relating to the bonds. After distributions are made pursuant to subsection (1), all of the costs of the collection and enforcement of the tax levied by this chapter and the service charge shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2013, secured by revenues distributed pursuant to subsection (1). All taxes remaining after deduction of costs and the service charge shall be distributed as follows:

(1) Sixty-three and thirty-one hundredths percent of the remaining taxes shall be used for the following purposes:

(c) After the required payments under paragraphs (a) and (b), the remainder shall be paid into the State Treasury to the credit of:

1. The State Transportation Trust Fund in the Department of Transportation in the amount of the lesser of 38.2 percent of the remainder or \$541.75 million in each fiscal year. Out of such funds, the first \$50 million for the 2012-2013 fiscal year; \$65 million for the 2013-2014 fiscal year; and \$75 million for the 2014-2015 fiscal year and all subsequent years, shall be transferred to the State Economic Enhancement and Development Trust Fund within the Department of Economic Opportunity. The remainder is to be used for the following specified purposes, notwithstanding any other law to the contrary:

a. For the purposes of capital funding for the New Starts Transit Program, authorized by Title 49, U.S.C. s. 5309 and specified in s. 341.051, 10 percent of these funds;

b. For the purposes of the Small County Outreach Program specified in s. 339.2818, 5 percent of these funds. Effective July 1, 2014, the percentage allocated under this sub-subparagraph shall be increased to 10 percent;

c. For the purposes of the Strategic Intermodal System specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent of these funds after allocating for the New Starts Transit Program described in sub-subparagraph a. and the Small County Outreach Program described in sub-subparagraph b.; and

d. For the purposes of the Transportation Regional Incentive Program specified in s. 339.2819, 25 percent of these funds after allocating for the New Starts Transit Program described in sub-subparagraph a. and the Small County Outreach Program described in sub-subparagraph b. Effective July 1, 2014, the first \$60 million of the funds allocated pursuant to this sub-subparagraph shall be allocated annually to the Florida Rail Enterprise for the purposes established in s. 341.303(5).

2. The Grants and Donations Trust Fund in the Department of Economic Opportunity in the amount of the lesser of .23 percent of the remainder or \$3.25 million in each fiscal year to fund technical assistance to local governments ~~and school boards on the requirements and implementation of this act.~~

3. The Ecosystem Management and Restoration Trust Fund in the amount of the lesser of 2.12 percent of the remainder or \$30 million in each fiscal year, to be used for the preservation and repair of the state's beaches as provided in ss. 161.091-161.212.

4. General Inspection Trust Fund in the amount of the lesser of .02 percent of the remainder or \$300,000 in each fiscal year to be used to fund oyster management and restoration programs as provided in s. 379.362(3).

Moneys distributed pursuant to this paragraph may not be pledged for debt service unless such pledge is approved by referendum of the voters.

Section 4. Paragraph (o) of subsection (5) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(o) *Building materials in redevelopment projects.*—

1. As used in this paragraph, the term:

a. “Building materials” means tangible personal property that becomes a component part of a housing project or a mixed-use project.

b. “Housing project” means the conversion of an existing manufacturing or industrial building to a housing unit ~~which is units~~ in an urban high-crime area, an enterprise zone, an empowerment zone, a Front Porch Community, a designated brownfield site for which a rehabilitation agreement with the Department of Environmental Protection or a local government delegated by the Department of Environmental Protection has been executed under s. 376.80 and any abutting real property parcel within a brownfield area, or an urban infill area; and in which the developer agrees to set aside at least 20 percent of the housing units in the project for low-income and moderate-income persons or the construction in a designated brownfield area of affordable housing for persons described in s. 420.0004(9), (11), (12), or (17) or in s. 159.603(7).

c. “Mixed-use project” means the conversion of an existing manufacturing or industrial building to mixed-use units that include artists’ studios, art and entertainment services, or other compatible uses. A mixed-use project must be located in an urban high-crime area, an enterprise zone, an empowerment zone, a Front Porch Community, a designated brownfield site for which a rehabilitation agreement with the Department of Environmental Protection or a local government delegated by the Department of Environmental Protection has been executed under s. 376.80 and any abutting real property parcel within a brownfield area, or an urban infill area; and the developer must agree to set aside at least 20 percent of the square footage of the project for low-income and moderate-income housing.

d. “Substantially completed” has the same meaning as provided in s. 192.042(1).

2. Building materials used in the construction of a housing project or mixed-use project are exempt from the tax imposed by this chapter upon an affirmative showing to the satisfaction of the department that the requirements of this paragraph have been met. This exemption inures to the owner through a refund of previously paid taxes. To receive this refund, the owner must file an application under oath with the department which includes:

a. The name and address of the owner.

b. The address and assessment roll parcel number of the project for which a refund is sought.

c. A copy of the building permit issued for the project.

d. A certification by the local building code inspector that the project is substantially completed.

e. A sworn statement, under penalty of perjury, from the general contractor licensed in this state with whom the owner contracted to construct the project, which statement lists the building materials used in the construction of the project and the actual cost thereof, and the amount of sales tax paid on these materials. If a general contractor was not used, the owner shall provide this information in a sworn statement,

under penalty of perjury. Copies of invoices evidencing payment of sales tax must be attached to the sworn statement.

3. An application for a refund under this paragraph must be submitted to the department within 6 months after the date the project is deemed to be substantially completed by the local building code inspector. Within 30 working days after receipt of the application, the department shall determine if it meets the requirements of this paragraph. A refund approved pursuant to this paragraph shall be made within 30 days after formal approval of the application by the department.

4. The department shall establish by rule an application form and criteria for establishing eligibility for exemption under this paragraph.

5. The exemption shall apply to purchases of materials on or after July 1, 2000.

Section 5. *The amendments to section 212.08, Florida Statutes, made by this act do not apply to any housing project or mixed-use project where site development or construction work was initiated prior to the effective date of this act.*

Section 6. Paragraph (bb) is added to subsection (8) of section 213.053, Florida Statutes, to read:

213.053 Confidentiality and information sharing.—

(8) Notwithstanding any other provision of this section, the department may provide:

(bb) *Information to the director of the Office of Program Policy Analysis and Government Accountability or his or her authorized agent, and to the coordinator of the Office of Economic and Demographic Research or his or her authorized agent, for purposes of completing the Economic Development Programs Evaluation. Information obtained from the department pursuant to this paragraph may be shared by the director and the coordinator, or the director's or coordinator's authorized agent, for purposes of completing the Economic Development Programs Evaluation.*

Disclosure of information under this subsection shall be pursuant to a written agreement between the executive director and the agency. Such agencies, governmental or nongovernmental, shall be bound by the same requirements of confidentiality as the Department of Revenue. Breach of confidentiality is a misdemeanor of the first degree, punishable as provided by s. 775.082 or s. 775.083.

Section 7. Subsection (9) of section 220.194, Florida Statutes, is amended to read:

220.194 Corporate income tax credits for spaceflight projects.—

(9) ANNUAL REPORT.—Beginning in 2014, the Department of Economic Opportunity, in cooperation with Space Florida and the department, shall include in the ~~submit an annual incentives report required under s. 288.907 a summary of summarizing~~ activities relating to the Florida Space Business Incentives Act established under this section ~~to the Governor, the President of the Senate, and the Speaker of the House of Representatives by each November 30.~~

Section 8. Section 288.001, Florida Statutes, is amended to read:

288.001 The Florida Small Business Development Center Network; ~~purpose.~~—

(1) *PURPOSE.*—The Florida Small Business Development Center Network is the principal business assistance organization for small businesses in the state. *The purpose of the network is to serve emerging and established for-profit, privately held businesses that maintain a place of business in the state.*

(2) *DEFINITIONS.*—As used in this section, the term:

(a) “Board of Governors” is the Board of Governors of the State University System.

(b) “Host institution” is the university designated by the Board of Governors to be the recipient organization in accordance with 13 C.F.R. s. 130.200.

(c) “Network” means the Florida Small Business Development Center Network.

**(3) OPERATION; POLICIES AND PROGRAMS.—**

(a) The network’s statewide director shall operate the network in compliance with the federal laws and regulations governing the network and the Board of Governors Regulation 10.015.

(b) The network’s statewide director shall consult with the Board of Governors, the department, and the network’s statewide advisory board to ensure that the network’s policies and programs align with the statewide goals of the State University System and the statewide strategic economic development plan as provided under s. 20.60.

**(4) STATEWIDE ADVISORY BOARD.—**

(a) The network shall maintain a statewide advisory board to advise, counsel, and confer with the statewide director on matters pertaining to the operation of the network.

(b) The statewide advisory board shall consist of 19 members from across the state. At least 12 members must be representatives of the private sector who are knowledgeable of the needs and challenges of small businesses. The members must represent various segments and industries of the economy in this state and must bring knowledge and skills to the statewide advisory board which would enhance the board’s collective knowledge of small business assistance needs and challenges. Minority and gender representation must be considered when making appointments to the board. The board must include the following members:

1. Three members appointed from the private sector by the President of the Senate.
2. Three members appointed from the private sector by the Speaker of the House of Representatives.
3. Three members appointed from the private sector by the Governor.
4. Three members appointed from the private sector by the network’s statewide director.
5. One member appointed by the host institution.
6. The President of Enterprise Florida, Inc., or his or her designee.
7. The Chief Financial Officer or his or her designee.
8. The President of the Florida Chamber of Commerce or his or her designee.
9. The Small Business Development Center Project Officer from the U.S. Small Business Administration at the South Florida District Office or his or her designee.
10. The executive director of the National Federation of Independent Businesses, Florida, or his or her designee.
11. The executive director of the Florida United Business Association or his or her designee.

(c) The term of an appointed member shall be for 4 years, beginning August 1, 2013, except that at the time of initial appointments, two members appointed by the Governor, one member appointed by the President of the Senate, one member appointed by the Speaker of the House of Representatives, and one member appointed by the network’s statewide director shall be appointed for 2 years. An appointed member may be reappointed to a subsequent term. Members of the statewide advisory board may not receive compensation but may be reimbursed for per diem and travel expenses in accordance with s. 112.061.

**(5) SMALL BUSINESS SUPPORT SERVICES; AGREEMENT.—**

(a) The statewide director, in consultation with the advisory board, shall develop support services that are delivered through regional small business development centers. Support services must target the needs of businesses that employ fewer than 100 persons and demonstrate an assessed capacity to grow in employment or revenue.

(b) Support services must include, but need not be limited to, providing information or research, consulting, educating, or assisting businesses in the following activities:

1. Planning related to the start-up, operation, or expansion of a small business enterprise in this state. Such activities include providing guidance on business formation, structure, management, registration, regulation, and taxes.
2. Developing and implementing strategic or business plans. Such activities include analyzing a business’s mission, vision, strategies, and goals; critiquing the overall plan; and creating performance measures.
3. Developing the financial literacy of existing businesses related to their business cash flow and financial management plans. Such activities include conducting financial analysis health checks, assessing cost control management techniques, and building financial management strategies and solutions.
4. Developing and implementing plans for existing businesses to access or expand to new or existing markets. Such activities include conducting market research, researching and identifying expansion opportunities in international markets, and identifying opportunities in selling to units of government.
5. Supporting access to capital for business investment and expansion. Such activities include providing technical assistance relating to obtaining surety bonds; identifying and assessing potential debt or equity investors or other financing opportunities; assisting in the preparation of applications, projections, or pro forma or other support documentation for surety bond, loan, financing, or investment requests; and facilitating conferences with lenders or investors.
6. Assisting existing businesses to plan for a natural or man-made disaster, and assisting businesses when such an event occurs. Such activities include creating business continuity and disaster plans, preparing disaster and bridge loan applications, and carrying out other emergency support functions.

(c) A business receiving support services must agree to participate in assessments of such services. The agreement, at a minimum, must request the business to report demographic characteristics, changes in employment and sales, debt and equity capital attained, and government contracts acquired. The host institution may require additional reporting requirements for funding described in subsection (7).

(6) **REQUIRED MATCH.—**The network must provide a match equal to the total amount of any direct legislative appropriation which is received directly by the host institution and is specifically designated for the network. The match may include funds from federal or other nonstate funding sources designated for the network. At least 50 percent of the match must be cash. The remaining 50 percent may be provided through any allowable combination of additional cash, in-kind contributions, or indirect costs.

(7) **ADDITIONAL STATE FUNDS; USES; PAY-PER-PERFORMANCE INCENTIVES; STATEWIDE SERVICE; SERVICE ENHANCEMENTS; BEST PRACTICES; ELIGIBILITY.—**

(a) The statewide director, in coordination with the host institution, shall establish a pay-per-performance incentive for regional small business development centers. Such incentive shall be funded from half of any state appropriation received directly by the host institution, which appropriation is specifically designated for the network. These funds shall be distributed to the regional small business development centers based upon data collected from the businesses as provided under paragraph (5)(c). The distribution formula must provide for the distribution of funds in part on the gross number of jobs created annually by each center and in part on the number of jobs created per support service hour. The pay-per-performance incentive must supplement the operations and support services of each regional small business development center.

(b) Half of any state funds received directly by the host institution which are specifically designated for the network shall be distributed by the statewide director, in coordination with the advisory board, for the following purposes:

1. Ensuring that support services are available statewide, especially in underserved and rural areas of the state, to assist eligible businesses;

2. *Enhancing participation in the network among state universities and colleges; and*

3. *Facilitating the adoption of innovative small business assistance best practices by the regional small business development centers.*

(c) *The statewide director, in coordination with the advisory board, shall develop annual programs to distribute funds for each of the purposes described in paragraph (b). The network shall announce the annual amount of available funds for each program, performance expectations, and other requirements. For each program, the statewide director shall present applications and recommendations to the advisory board. The advisory board shall make the final approval of applications. Approved applications must be publicly posted. At a minimum, programs must include:*

1. *New regional small business development centers; and*

2. *Awards for the top six regional small business development centers that adopt best practices, as determined by the advisory board. Detailed information about best practices must be made available to regional small business development centers for voluntary implementation.*

(d) *A regional small business development center that has been found by the statewide director to perform poorly, to engage in improper activity affecting the operation and integrity of the network, or to fail to follow the rules and procedures set forth in the laws, regulations, and policies governing the network, is not eligible for funds under this subsection.*

(e) *Funds awarded under this subsection may not reduce matching funds dedicated to the regional small business development centers.*

(8) **REPORTING.—**

(a) *The statewide director shall quarterly update the Board of Governors, the department, and the advisory board on the network's progress and outcomes, including aggregate information on businesses assisted by the network.*

(b) *The statewide director, in coordination with the advisory board, shall annually report, on October 1, to the President of the Senate and the Speaker of the House of Representatives on the network's progress and outcomes for the previous fiscal year. The report must include aggregate information on businesses assisted by the network; network services and programs; the use of all federal, state, local, and private funds received by the network and the regional small business development centers, including any additional funds specifically appropriated by the Legislature for the purposes described in subsection (7); and the network's economic benefit to the state. The report must contain specific information on performance-based metrics and contain the methodology used to calculate the network's economic benefit to the state.*

Section 9. Subsection (4) is added to section 288.005, Florida Statutes, to read:

288.005 **Definitions.**—As used in this chapter, the term:

(4) *“Jobs” means full-time equivalent positions, including, but not limited to, positions obtained from a temporary employment agency or employee leasing company or through a union agreement or coemployment under a professional employer organization agreement, which result directly from a project in this state. This number does not include temporary construction jobs involved with the construction of facilities for the project.*

Section 10. Subsection (3) of section 288.012, Florida Statutes, is amended to read:

288.012 **State of Florida international offices; state protocol officer; protocol manual.**—The Legislature finds that the expansion of international trade and tourism is vital to the overall health and growth of the economy of this state. This expansion is hampered by the lack of technical and business assistance, financial assistance, and information services for businesses in this state. The Legislature finds that these businesses could be assisted by providing these services at State of Florida international offices. The Legislature further finds that the accessibility and provision of services at these offices can be enhanced through cooperative agreements or strategic alliances between private businesses and state, local, and international governmental entities.

(3) ~~By October 1 of each year,~~ Each international office shall ~~annually~~ submit to *Enterprise Florida, Inc., the department* a complete and detailed report on its activities and accomplishments during the ~~previous~~ *preceding* fiscal year for inclusion in the annual report required under s. 288.906. In the ~~a~~ format and by the annual date prescribed ~~provided~~ by Enterprise Florida, Inc., the report must set forth information on:

- (a) The number of Florida companies assisted.
- (b) The number of inquiries received about investment opportunities in this state.
- (c) The number of trade leads generated.
- (d) The number of investment projects announced.
- (e) The estimated U.S. dollar value of sales confirmations.
- (f) The number of representation agreements.
- (g) The number of company consultations.
- (h) Barriers or other issues affecting the effective operation of the office.
- (i) Changes in office operations which are planned for the current fiscal year.
- (j) Marketing activities conducted.
- (k) Strategic alliances formed with organizations in the country in which the office is located.
- (l) Activities conducted with Florida's other international offices.
- (m) Any other information that the office believes would contribute to an understanding of its activities.

Section 11. Section 288.061, Florida Statutes, is amended to read:

288.061 **Economic development incentive application process.**—

(1) Upon receiving a submitted economic development incentive application, the Division of Strategic Business Development of the Department of Economic Opportunity and designated staff of Enterprise Florida, Inc., shall review the application to ensure that the application is complete, whether and what type of state and local permits may be necessary for the applicant's project, whether it is possible to waive such permits, and what state incentives and amounts of such incentives may be available to the applicant. The department shall recommend to the executive director to approve or disapprove an applicant business. If review of the application demonstrates that the application is incomplete, the executive director shall notify the applicant business within the first 5 business days after receiving the application.

(2) *Beginning July 1, 2013, the department shall review and evaluate each economic development incentive application for the economic benefits of the proposed award of state incentives proposed for the project. The term “economic benefits” has the same meaning as in s. 288.005. The Office of Economic and Demographic Research shall establish the methodology and model used to calculate the economic benefits. For purposes of this requirement, an amended definition of “economic benefits” may be developed by the Office of Economic and Demographic Research.*

(3)(2) Within 10 business days after the department receives the submitted economic development incentive application, the executive director shall approve or disapprove the application and issue a letter of certification to the applicant which includes a justification of that decision, unless the business requests an extension of that time.

(a) The contract or agreement with the applicant ~~must~~ *shall* specify the total amount of the award, the performance conditions that must be met to obtain the award, the schedule for payment, and sanctions that would apply for failure to meet performance conditions. The department may enter into one agreement or contract covering all of the state incentives that are being provided to the applicant. The contract must provide that release of funds is contingent upon sufficient appropriation of funds by the Legislature.

(b) The release of funds for the incentive or incentives awarded to the applicant depends upon the statutory requirements of the particular incentive program, except as provided in subsection (4).

~~(4)(3)~~ The department shall validate contractor performance and report: such ~~Such~~ validation ~~shall be reported~~ in the annual incentives ~~incentive~~ report required under s. 288.907.

(5)(a) The executive director may not approve an economic development incentive application unless the application includes a signed written declaration by the applicant which states that the applicant has read the information in the application and that the information is true, correct, and complete to the best of the applicant's knowledge and belief.

(b) After an economic development incentive application is approved, the awardee shall provide, in each year that the department is required to validate contractor performance, a signed written declaration. The written declaration must state that the awardee has reviewed the information and that the information is true, correct, and complete to the best of the awardee's knowledge and belief.

(6) The department is authorized to adopt rules to implement this section.

Section 12. Subsection (8) of section 288.0656, Florida Statutes, is amended to read:

288.0656 Rural Economic Development Initiative.—

(8) REDI shall submit a report to the ~~department Governor, the President of the Senate, and the Speaker of the House of Representatives each year on or before September 1~~ on all REDI activities for the previous ~~prior~~ fiscal year as a supplement to the department's annual report required under s. 20.60. This supplementary report must ~~shall~~ include:

(a) A status report on all projects currently being coordinated through REDI, the number of preferential awards and allowances made pursuant to this section, the dollar amount of such awards, and the names of the recipients.

~~(b) The report shall also include~~ A description of all waivers of program requirements granted.

~~(c) The report shall also include~~ Information as to the economic impact of the projects coordinated by REDI, ~~and~~

(d) Recommendations based on the review and evaluation of statutes and rules having an adverse impact on rural communities; and proposals to mitigate such adverse impacts.

Section 13. Effective October 1, 2013, section 288.076, Florida Statutes, is created to read:

288.076 Return on investment reporting for economic development programs.—

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

(a) "Jobs" has the same meaning as provided in s. 288.106(2)(i).

(b) "Participant business" means an employing unit, as defined in s. 443.036, that has entered into an agreement with the department to receive a state investment.

(c) "Project" has the same meaning as provided in s. 288.106(2)(m).

(d) "Project award date" means the date a participant business enters into an agreement with the department to receive a state investment.

(e) "State investment" means any state grants, tax exemptions, tax refunds, tax credits, or other state incentives provided to a business under a program administered by the department, including the capital investment tax credit under s. 220.191.

(2) The department shall maintain a website for the purpose of publishing the information described in this section. The information required to be published under this section must be provided in a format

accessible to the public which enables users to search for and sort specific data and to easily view and retrieve all data at once.

(3) Within 48 hours after expiration of the period of confidentiality for project information deemed confidential and exempt pursuant to s. 288.075, the department shall publish the following information pertaining to each project:

(a) Projected economic benefits.—The projected economic benefits at the time of the initial project award date.

(b) Project information.—

1. The program or programs through which state investment is being made.

2. The maximum potential cumulative state investment in the project.

3. The target industry or industries, and any high impact sectors implicated by the project.

4. The county or counties that will be impacted by the project.

5. For a project that requires local commitment, the total cumulative local financial commitment and in-kind support for the project.

(c) Participant business information.—

1. The location of the headquarters of the participant business or, if a subsidiary, the headquarters of the parent company.

2. The firm size class of the participant business, or where owned by a parent company the firm size class of the participant business's parent company, using the firm size classes established by the United States Department of Labor Bureau of Labor Statistics, and whether the participant business qualifies as a small business as defined in s. 288.703.

3. The date of the project award.

4. The expected duration of the contract.

5. The anticipated dates when the participant business will claim the last state investment.

(d) Project evaluation criteria.—Economic benefits generated by the project.

(e) Project performance goals.—

1. The incremental direct jobs attributable to the project, identifying the number of jobs generated and the number of jobs retained.

2. The number of jobs generated and the number of jobs retained by the project, and for projects commencing after October 1, 2013, the average annual wage of persons holding such jobs.

3. The incremental direct capital investment in the state generated by the project.

(f) Total state investment to date.—The total amount of state investment disbursed to the participant business to date under the terms of the contract, itemized by incentive program.

(4) The department shall calculate and publish on its website the economic benefits of each project within 48 hours after the conclusion of the agreement between each participant business and the department. The department shall work with the Office of Economic and Demographic Research to provide a description of the methodology used to calculate the economic benefits of a project, and the department must publish the information on its website.

(5) At least annually, from the project award date, the department shall:

(a) Publish verified results to update the information described in paragraphs (3)(b)-(f) to accurately reflect any changes in the published information since the project award date.

(b) Publish on its website the date on which the information collected and published for each project was last updated.



(6) Annually, the department shall publish information relating to the progress of Quick Action Closing Fund projects, including the average number of days between the date the department receives a completed application and the date on which the application is approved.

(7)(a) Within 48 hours after expiration of the period of confidentiality provided under s. 288.075, the department shall publish the contract or agreement described in s. 288.061, redacted to protect the participant business from disclosure of information that remains confidential or exempt by law.

(b) Within 48 hours after submitting any report of findings and recommendations made pursuant to s. 288.106(7)(d) concerning a business's failure to complete a tax refund agreement pursuant to the tax refund program for qualified target industry businesses, the department shall publish such report.

(8) For projects completed before October 1, 2013, the department shall compile and, by October 1, 2014, shall publish the information described in subsections (3), (4), and (5), to the extent such information is available and applicable.

(9) The provisions of this section that restrict the department's publication of information are intended only to limit the information that the department may publish on its website and shall not be construed to create an exemption from public records requirements under s. 119.07(1) or s. 24(a), Art. I of the State Constitution.

(10) The department may adopt rules to administer this section.

Section 14. Paragraph (c) of subsection (3) of section 288.095, Florida Statutes, is repealed.

Section 15. Paragraph (c) of subsection (4) and paragraph (d) of subsection (7) of section 288.106, Florida Statutes, are amended to read:

288.106 Tax refund program for qualified target industry businesses.—

#### (4) APPLICATION AND APPROVAL PROCESS.—

(c) Each application meeting the requirements of paragraph (b) must be submitted to the department for determination of eligibility. The department shall review and evaluate each application based on, but not limited to, the following criteria:

1. Expected contributions to the state's economy, consistent with the state strategic economic development plan prepared by the department.

2. The economic benefits of the proposed award of tax refunds under this section ~~and the economic benefits of state incentives proposed for the project. The term "economic benefits" has the same meaning as in s. 288.005. The Office of Economic and Demographic Research shall review and evaluate the methodology and model used to calculate the economic benefits and shall report its findings by September 1 of every 3rd year, to the President of the Senate and the Speaker of the House of Representatives.~~

3. The amount of capital investment to be made by the applicant in this state.

4. The local financial commitment and support for the project.

5. The ~~expected~~ effect of the project on the ~~unemployed and underemployed~~ unemployment rate in the county where the project will be located.

6. The ~~expected~~ effect of the award on the viability of the project and the probability that the project would be undertaken in this state if such tax refunds are granted to the applicant.

7. ~~The expected long term commitment of the applicant to economic growth and employment in this state resulting from the project.~~

7.8. A review of the business's past activities in this state or other states, including whether the ~~such~~ business has been subjected to criminal or civil fines and penalties. This subparagraph does not require the disclosure of confidential information.

#### (7) ADMINISTRATION.—

(d) Beginning with tax refund agreements signed after July 1, 2010, the department shall attempt to ascertain the causes for any business's failure to complete its agreement and ~~shall report~~ its findings and recommendations ~~must be included in the annual incentives report under s. 288.907 to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report shall be submitted by December 1 of each year beginning in 2011.~~

Section 16. Paragraphs (c) and (d) of subsection (1), subsections (2) and (3), and paragraphs (a), (b), and (f) of subsection (4) of section 288.107, Florida Statutes, are amended to read:

#### 288.107 Brownfield redevelopment bonus refunds.—

##### (1) DEFINITIONS.—As used in this section:

(c) "Brownfield area eligible for bonus refunds" means a brownfield site for which a rehabilitation agreement with the Department of Environmental Protection or a local government delegated by the Department of Environmental Protection has been executed under s. 376.80 and any abutting real property parcel within a brownfield ~~contiguous area of one or more brownfield sites, some of which may not be contaminated,~~ and which has been designated by a local government by resolution under s. 376.80. ~~Such areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas, and Environmental Protection Agency designated brownfield pilot projects.~~

##### (d) "Eligible business" means:

1. A qualified target industry business as defined in s. 288.106(2); or

2. A business that can demonstrate a fixed capital investment of at least \$2 million in mixed-use business activities, including multiunit housing, commercial, retail, and industrial in brownfield areas ~~eligible for bonus refunds, or at least \$500,000 in brownfield areas that do not require site cleanup,~~ and that provides benefits to its employees.

(2) BROWNFIELD REDEVELOPMENT BONUS REFUND.— Bonus refunds shall be approved by the department as specified in the final order and allowed from the account as follows:

(a) A bonus refund of \$2,500 shall be allowed to any qualified target industry business as defined in s. 288.106 for each new Florida job created in a brownfield area ~~eligible for bonus refunds which that~~ is claimed on the qualified target industry business's annual refund claim authorized in s. 288.106(6).

(b) A bonus refund of up to \$2,500 shall be allowed to any other eligible business as defined in subparagraph (1)(d)2. for each new Florida job created in a brownfield area ~~eligible for bonus refunds which that~~ is claimed under an annual claim procedure similar to the annual refund claim authorized in s. 288.106(6). The amount of the refund shall be equal to 20 percent of the average annual wage for the jobs created.

(3) CRITERIA.—The minimum criteria for participation in the brownfield redevelopment bonus refund are:

(a) The creation of at least 10 new full-time permanent jobs. Such jobs shall not include construction or site rehabilitation jobs associated with the implementation of a brownfield site agreement as described in s. 376.80(5).

(b) The completion of a fixed capital investment of at least \$2 million in mixed-use business activities, including multiunit housing, commercial, retail, and industrial in brownfield areas ~~eligible for bonus refunds, or at least \$500,000 in brownfield areas that do not require site cleanup,~~ by an eligible business applying for a refund under paragraph (2)(b) which provides benefits to its employees.

(c) ~~That the designation as a brownfield will diversify and strengthen the economy of the area surrounding the site.~~

(d) ~~That the designation as a brownfield will promote capital investment in the area beyond that contemplated for the rehabilitation of the site.~~

~~(c) A resolution adopted by the governing board of the county or municipality in which the project will be located that recommends that certain types of businesses be approved.~~

(4) PAYMENT OF BROWNFIELD REDEVELOPMENT BONUS REFUNDS.—

(a) To be eligible to receive a bonus refund for new Florida jobs created in a brownfield area *eligible for bonus refunds*, a business must have been certified as a qualified target industry business under s. 288.106 or eligible business as defined in paragraph (1)(d) and must have indicated on the qualified target industry business tax refund application form submitted in accordance with s. 288.106(4) or other similar agreement for other eligible business as defined in paragraph (1)(d) that the project for which the application is submitted is or will be located in a brownfield area *eligible for bonus refunds* and that the business is applying for certification as a qualified brownfield business under this section, and must have signed a qualified target industry business tax refund agreement with the department that indicates that the business has been certified as a qualified target industry business located in a brownfield area *eligible for bonus refunds* and specifies the schedule of brownfield redevelopment bonus refunds that the business may be eligible to receive in each fiscal year.

(b) To be considered to receive an eligible brownfield redevelopment bonus refund payment, the business meeting the requirements of paragraph (a) must submit a claim once each fiscal year on a claim form approved by the department which indicates the location of the brownfield site for which a rehabilitation agreement with the Department of Environmental Protection or a local government delegated by the Department of Environmental Protection has been executed under s. 376.80, the address of the business facility's brownfield location, the name of the brownfield in which it is located, the number of jobs created, and the average wage of the jobs created by the business within the brownfield as defined in s. 288.106 or other eligible business as defined in paragraph (1)(d) and the administrative rules and policies for that section.

(f) Applications shall be reviewed and certified pursuant to s. 288.061. The department shall review all applications submitted under s. 288.106 or other similar application forms for other eligible businesses as defined in paragraph (1)(d) which indicate that the proposed project will be located in a brownfield area *eligible for bonus refunds* and determine, with the assistance of the Department of Environmental Protection, that the project location is within a brownfield area *eligible for bonus refunds* as provided in this act.

Section 17. *The amendments to s. 288.107, Florida Statutes, made by this act do not apply to any party seeking a brownfield redevelopment bonus refund where, before the effective date of this act:*

(1) *A resolution endorsing the refund was approved by the local government;*

(2) *Any such party seeking the refund filed a notice of intent to seek a refund or filed an application for the refund with the Department of Economic Opportunity or Enterprise Florida, Inc.; or*

(3) *Any such party seeking the refund executed an actual tax refund agreement with the Department of Economic Opportunity.*

Section 18. Subsection (8) of section 288.1081, Florida Statutes, is amended to read:

288.1081 Economic Gardening Business Loan Pilot Program.—

(8) ~~The annual report required under s. 20.60 must describe On June 30 and December 31 of each year, the department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which describes~~ in detail the use of the loan funds. The report must include, at a minimum, the number of businesses receiving loans, the number of full-time equivalent jobs created as a result of the loans, the amount of wages paid to employees in the newly created jobs, the locations and types of economic activity undertaken by the borrowers, the amounts of loan repayments made to date, and the default rate of borrowers.

Section 19. Subsection (8) of section 288.1082, Florida Statutes, is amended to read:

288.1082 Economic Gardening Technical Assistance Pilot Program.—

(8) ~~The annual report required under s. 20.60 must describe On December 31 of each year, the department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which describes~~ in detail the progress of the pilot program. The report must include, at a minimum, the number of businesses receiving assistance, the number of full-time equivalent jobs created as a result of the assistance, if any, the amount of wages paid to employees in the newly created jobs, and the locations and types of economic activity undertaken by the businesses.

Section 20. Paragraph (e) of subsection (3) of section 288.1088, Florida Statutes, is amended to read:

288.1088 Quick Action Closing Fund.—

(3)

(e) ~~The department Enterprise Florida, Inc., shall validate contractor performance and report; such validation in the annual incentives report required under s. 288.907 shall be reported within 6 months after completion of the contract to the Governor, President of the Senate, and the Speaker of the House of Representatives.~~

Section 21. Paragraphs (b) and (d) of subsection (4), and subsections (9) and (11) of section 288.1089, Florida Statutes, are amended to read:

288.1089 Innovation Incentive Program.—

(4) To qualify for review by the department, the applicant must, at a minimum, establish the following to the satisfaction of the department:

(b) A research and development project must:

1. Serve as a catalyst for an emerging or evolving technology cluster.
2. Demonstrate a plan for significant higher education collaboration.
3. Provide the state, at a minimum, a *cumulative* break-even economic benefit ~~return on investment~~ within a 20-year period.
4. Be provided with a one-to-one match from the local community. The match requirement may be reduced or waived in rural areas of critical economic concern or reduced in rural areas, brownfield areas, and enterprise zones.

(d) For an alternative and renewable energy project in this state, the project must:

1. Demonstrate a plan for significant collaboration with an institution of higher education;
2. Provide the state, at a minimum, a *cumulative* break-even economic benefit ~~return on investment~~ within a 20-year period;
3. Include matching funds provided by the applicant or other available sources. The match requirement may be reduced or waived in rural areas of critical economic concern or reduced in rural areas, brownfield areas, and enterprise zones;
4. Be located in this state; and
5. Provide at least 35 direct, new jobs that pay an estimated annual average wage that equals at least 130 percent of the average private sector wage.

(9) The department shall validate the performance of an innovation business, a research and development facility, or an alternative and renewable energy business that has received an award. At the conclusion of the innovation incentive award agreement, or its earlier termination, the department shall *include in the annual incentives report required under s. 288.907 a detailed description of;* ~~within 90 days, submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives detailing~~ whether the recipient of the innovation incentive grant achieved its specified outcomes.

(11)(a) ~~The department shall include in submit to the Governor, the President of the Senate, and the Speaker of the House of Re-~~

representatives, as part of the annual incentives report required under s. 288.907; a report summarizing the activities and accomplishments of the recipients of grants from the Innovation Incentive Program during the previous 12 months and an evaluation of whether the recipients are catalysts for additional direct and indirect economic development in Florida.

~~(b) Beginning March 1, 2010, and every third year thereafter, the Office of Program Policy Analysis and Government Accountability, in consultation with the Auditor General's Office, shall release a report evaluating the Innovation Incentive Program's progress toward creating clusters of high wage, high skilled, complementary industries that serve as catalysts for economic growth specifically in the regions in which they are located, and generally for the state as a whole. Such report should include critical analyses of quarterly and annual reports, annual audits, and other documents prepared by the Innovation Incentive Program awardees; relevant economic development reports prepared by the department, Enterprise Florida, Inc., and local or regional economic development organizations; interviews with the parties involved; and any other relevant data. Such report should also include legislative recommendations, if necessary, on how to improve the Innovation Incentive Program so that the program reaches its anticipated potential as a catalyst for direct and indirect economic development in this state.~~

Section 22. Subsection (3) of section 288.1253, Florida Statutes, is amended to read:

288.1253 Travel and entertainment expenses.—

(3) ~~The Office of Film and Entertainment department shall include in the annual report for the entertainment industry financial incentive program required under s. 288.1254(10) a prepare an annual report of the office's expenditures of the Office of Film and Entertainment and provide such report to the Legislature no later than December 30 of each year for the expenditures of the previous fiscal year. The report must shall consist of a summary of all travel, entertainment, and incidental expenses incurred within the United States and all travel, entertainment, and incidental expenses incurred outside the United States, as well as a summary of all successful projects that developed from such travel.~~

Section 23. Subsection (10) of section 288.1254, Florida Statutes, is amended to read:

288.1254 Entertainment industry financial incentive program.—

(10) ANNUAL REPORT.—Each ~~November 1~~ ~~October 1~~, the Office of Film and Entertainment shall ~~submit~~ ~~provide~~ an annual report for the previous fiscal year to the Governor, the President of the Senate, and the Speaker of the House of Representatives which outlines the *incentive program's* return on investment and economic benefits to the state. The report ~~must shall~~ also include an estimate of the full-time equivalent positions created by each production that received tax credits under this section and information relating to the distribution of productions receiving credits by geographic region and type of production. *The report must also include the expenditures report required under s. 288.1253(3) and the information describing the relationship between tax exemptions and incentives to industry growth required under s. 288.1258(5).*

Section 24. Subsection (5) of section 288.1258, Florida Statutes, is amended to read:

288.1258 Entertainment industry qualified production companies; application procedure; categories; duties of the Department of Revenue; records and reports.—

(5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO INDUSTRY GROWTH; REPORT TO THE LEGISLATURE.—The Office of Film and Entertainment shall keep annual records from the information provided on taxpayer applications for tax exemption certificates beginning January 1, 2001. These records also ~~must shall~~ reflect a ratio of the annual amount of sales and use tax exemptions under this section, plus the incentives awarded pursuant to s. 288.1254 to the estimated amount of funds expended by certified productions. In addition, the office shall maintain data showing annual growth in Florida-based entertainment industry companies and entertainment industry employment and wages. The employment information ~~must shall~~ include an estimate of the full-time equivalent positions created by each production

that received tax credits pursuant to s. 288.1254. The Office of Film and Entertainment shall ~~include report~~ *include* this information ~~in the annual report for the entertainment industry financial incentive program required under s. 288.1254(10) to the Legislature no later than December 1 of each year.~~

Section 25. Subsection (3) of section 288.714, Florida Statutes, is amended to read:

288.714 Quarterly and annual reports.—

(3) ~~By August 31 of each year, The department shall include in its annual report required under s. 20.60 provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a detailed report of the performance of the Black Business Loan Program. The report must include a cumulative summary of the quarterly report data compiled pursuant to required by subsection (2) (4).~~

Section 26. Section 288.7771, Florida Statutes, is amended to read:

288.7771 Annual report of Florida Export Finance Corporation.—The corporation shall annually prepare and submit to *Enterprise Florida, Inc., the department* for inclusion in its annual report required under s. 288.906 ~~by s. 288.095~~ a complete and detailed report setting forth:

(1) The report required in s. 288.776(3).

(2) Its assets and liabilities at the end of its most recent fiscal year.

Section 27. Subsections (3), (4), and (5) of section 288.903, Florida Statutes, are amended to read:

288.903 Duties of Enterprise Florida, Inc.—Enterprise Florida, Inc., shall have the following duties:

(3) Prepare an annual report pursuant to s. 288.906.

(4) *Prepare, in conjunction with the department, and* an annual incentives report pursuant to s. 288.907.

~~(5)(4)~~ Assist the department with the development of an annual and a long-range strategic business blueprint for economic development required in s. 20.60.

~~(6)(5)~~ In coordination with Workforce Florida, Inc., identify education and training programs that will ensure Florida businesses have access to a skilled and competent workforce necessary to compete successfully in the domestic and global marketplace.

Section 28. *Subsection (6) of section 288.904, Florida Statutes, is repealed.*

Section 29. Subsection (3) is added to section 288.906, Florida Statutes, to read:

288.906 Annual report of Enterprise Florida, Inc., and its divisions; audits.—

(3) *The following reports must be included as supplements to the detailed report required by this section:*

(a) *The annual report of the Florida Export Finance Corporation required under s. 288.7771.*

(b) *The report on international offices required under s. 288.012.*

Section 30. Section 288.907, Florida Statutes, is amended to read:

288.907 Annual incentives report.—

~~(4) By December 30 of each year, In addition to the annual report required under s. 288.906, Enterprise Florida, Inc., in conjunction with the department, by December 30 of each year, shall provide the Governor, the President of the Senate, and the Speaker of the House of Representatives a detailed incentives report quantifying the economic benefits for all of the economic development incentive programs marketed by Enterprise Florida, Inc.~~

~~(a)~~ The annual incentives report must include:

(1) For each incentive program:

(a) ~~1-~~ A brief description of the incentive program.

(b) ~~2-~~ The amount of awards granted, by year, since inception and the annual amount actually transferred from the state treasury to businesses or for the benefit of businesses for each of the previous 3 years.

~~3- The economic benefits, as defined in s. 288.005, based on the actual amount of private capital invested, actual number of jobs created, and actual wages paid for incentive agreements completed during the previous 3 years.~~

(c) ~~4- The report shall also include~~ The actual amount of private capital invested, actual number of jobs created, and actual wages paid for incentive agreements completed during the previous 3 years for each target industry sector.

(2) ~~(b)~~ For projects completed during the previous state fiscal year, ~~the report must include:~~

(a) ~~1-~~ The number of economic development incentive applications received.

(b) ~~2-~~ The number of recommendations made to the department by Enterprise Florida, Inc., including the number recommended for approval and the number recommended for denial.

(c) ~~3-~~ The number of final decisions issued by the department for approval and for denial.

(d) ~~4-~~ The projects for which a tax refund, tax credit, or cash grant agreement was executed, identifying for each project:

1. ~~a-~~ The number of jobs committed to be created.

2. ~~b-~~ The amount of capital investments committed to be made.

3. ~~c-~~ The annual average wage committed to be paid.

4. ~~d-~~ The amount of state economic development incentives committed to the project from each incentive program under the project's terms of agreement with the Department of Economic Opportunity.

5. ~~e-~~ The amount and type of local matching funds committed to the project.

(e) Tax refunds paid or other payments made funded out of the Economic Development Incentives Account for each project.

(f) The types of projects supported.

(3) ~~(c)~~ For economic development projects that received tax refunds, tax credits, or cash grants under the terms of an agreement for incentives, ~~the report must identify:~~

(a) ~~1-~~ The number of jobs actually created.

(b) ~~2-~~ The amount of capital investments actually made.

(c) ~~3-~~ The annual average wage paid.

(4) ~~(d)~~ For a project receiving economic development incentives approved by the department and receiving federal or local incentives, ~~the report must include~~ a description of the federal or local incentives, if available.

(5) ~~(e)~~ The ~~report must state the~~ number of withdrawn or terminated projects that did not fulfill the terms of their agreements with the department and, consequently, are not receiving incentives.

(6) For any agreements signed after July 1, 2010, findings and recommendations on the efforts of the department to ascertain the causes of any business's inability to complete its agreement made under s. 288.106.

(7) ~~(f)~~ The amount ~~report must include an analysis of the economic benefits, as defined in s. 288.005, of tax refunds, tax credits, or other payments made to projects locating or expanding in state enterprise zones, rural communities, brownfield areas, or distressed urban communities. The report must include a separate analysis of the impact of~~

such tax refunds on state enterprise zones designated under s. 290.0065, rural communities, brownfield areas, and distressed urban communities.

(8) The name of and tax refund amount for each business that has received a tax refund under s. 288.1045 or s. 288.106 during the preceding fiscal year.

(9) ~~(g)~~ An identification of ~~The report must identify~~ the target industry businesses and high-impact businesses.

(10) ~~(h)~~ A description of ~~The report must describe~~ the trends relating to business interest in, and usage of, the various incentives, and the number of minority-owned or woman-owned businesses receiving incentives.

(11) ~~(i)~~ An identification of ~~The report must identify~~ incentive programs not used and recommendations for program changes or program elimination ~~utilized~~.

(12) Information related to the validation of contractor performance required under s. 288.061.

(13) Beginning in 2014, a summation of the activities related to the Florida Space Business Incentives Act.

~~(2) The Division of Strategic Business Development within the department shall assist Enterprise Florida, Inc., in the preparation of the annual incentives report.~~

Section 31. Subsection (3) of section 288.92, Florida Statutes, is amended to read:

288.92 Divisions of Enterprise Florida, Inc.—

(3) ~~By October 15 each year,~~ Each division shall draft and submit an annual report for inclusion in the report required under s. 288.906 which details the division's activities during the previous ~~year~~ prior fiscal year and includes ~~any~~ recommendations for improving current statutes related to the division's ~~related~~ area of responsibility.

Section 32. Subsection (5) of section 288.95155, Florida Statutes, is amended to read:

288.95155 Florida Small Business Technology Growth Program.—

(5) Enterprise Florida, Inc., shall prepare for inclusion in the annual report of the department required under s. 288.907 ~~by s. 288.005~~ a report on the financial status of the program. The report must specify the assets and liabilities of the program within the current fiscal year and must include a portfolio update that lists all of the businesses assisted, the private dollars leveraged by each business assisted, and the growth in sales and in employment of each business assisted.

Section 33. Section 288.9918, Florida Statutes, is amended to read:

288.9918 Annual reporting by a community development entity.—

(1) A community development entity that has issued a qualified investment shall submit an annual report to the department by ~~January 31~~ April 30 after the end of each year which includes a credit allowance date. The report shall include information on investments made in the preceding calendar year to include but not limited to the following:

~~(1) The entity's annual financial statements for the preceding tax year, audited by an independent certified public accountant.~~

(a) ~~(2)~~ The identity of the types of industries, identified by the North American Industry Classification System Code, in which qualified low-income community investments were made.

(b) ~~(3)~~ The names of the counties in which the qualified active low-income businesses are located which received qualified low-income community investments.

(c) ~~(4)~~ The number of jobs created and retained by qualified active low-income community businesses receiving qualified low-income community investments, including verification that the average wages paid meet or exceed 115 percent of the federal poverty income guidelines for a family of four.

(d)(6) A description of the relationships that the entity has established with community-based organizations and local community development offices and organizations and a summary of the outcomes resulting from those relationships.

(e)(6) Other information and documentation required by the department to verify continued certification as a qualified community development entity under 26 U.S.C. s. 45D.

(2) *By April 30 after the end of each year which includes a credit allowance date, a community development entity shall submit annual financial statements for the preceding tax year, audited by an independent certified public accountant.*

Section 34. Subsection (6) of section 290.0055, Florida Statutes, is amended to read:

290.0055 Local nominating procedure.—

(6)(a) The department may approve a change in the boundary of any enterprise zone which was designated pursuant to s. 290.0065. A boundary change must continue to satisfy the requirements of subsections (3), (4), and (5).

(b) Upon a recommendation by the enterprise zone development agency, the governing body of the jurisdiction which authorized the application for an enterprise zone may apply to the department for a change in boundary once every 3 years by adopting a resolution that:

1. States with particularity the reasons for the change; and
2. Describes specifically and, to the extent required by the department, the boundary change to be made.

(c) At least 90 days before adopting a resolution seeking a change in the boundary of an enterprise zone, the governing body shall include in a notice of the meeting at which the resolution will be considered an explanation that a change in the boundary of an enterprise zone will be considered and that the change may result in loss of enterprise zone eligibility for the area affected by the boundary change.

(d)1. The governing body of a jurisdiction which has nominated an application for an enterprise zone that is *at least 15 square miles and less than 20 square miles* ~~no larger than 12 square miles~~ and includes a portion of the state designated as a rural area of critical economic concern under s. 288.0656(7) may apply to the department to expand the boundary of the existing enterprise zone by not more than 3 square miles. ~~An application to expand the boundary of an enterprise zone under this paragraph must be submitted by December 31, 2012.~~

2. *The governing body of a jurisdiction which has nominated an application for an enterprise zone that is at least 20 square miles and includes a portion of the state designated as a rural area of critical economic concern under s. 288.0656(7) may apply to the department to expand the boundary of the existing enterprise zone by not more than 5 square miles.*

3. *An application to expand the boundary of an enterprise zone under this paragraph must be submitted by December 31, 2013.*

4. ~~2.~~ Notwithstanding the area limitations specified in subsection (4), the department may approve the request for a boundary amendment if the area continues to satisfy the remaining requirements of this section.

5. ~~3.~~ The department shall establish the initial effective date of an enterprise zone designated under this paragraph.

Section 35. Subsection (11) of section 290.0056, Florida Statutes, is amended to read:

290.0056 Enterprise zone development agency.—

(11) Before ~~October 1~~ ~~December 1~~ of each year, the agency shall submit to the department *for inclusion in the annual report required under s. 20.60* a complete and detailed written report setting forth:

- (a) Its operations and accomplishments during the fiscal year.

(b) The accomplishments and progress concerning the implementation of the strategic plan or measurable goals, and any updates to the strategic plan or measurable goals.

(c) The number and type of businesses assisted by the agency during the fiscal year.

(d) The number of jobs created within the enterprise zone during the fiscal year.

(e) The usage and revenue impact of state and local incentives granted during the calendar year.

(f) Any other information required by the department.

Section 36. Section 290.014, Florida Statutes, is amended to read:

290.014 Annual reports on enterprise zones.—

(1) ~~By October 1~~ ~~February 1~~ of each year, the Department of Revenue shall submit an annual report to the department detailing the usage and revenue impact by county of the state incentives listed in s. 290.007.

(2) ~~By March 1 of each year, the department shall submit an annual report to the Governor, the Speaker of the House of Representatives, and the President of the Senate. The annual report required under s. 20.60 shall include the information provided by the Department of Revenue pursuant to subsection (1) and the information provided by enterprise zone development agencies pursuant to s. 290.0056. In addition, the report shall include an analysis of the activities and accomplishments of each enterprise zone.~~

Section 37. Section 290.0455, Florida Statutes, is amended to read:

290.0455 Small Cities Community Development Block Grant Loan Guarantee Program; *Section 108 loan guarantees.*—

(1) The Small Cities Community Development Block Grant Loan Guarantee Program is created. The department shall administer the loan guarantee program pursuant to *Section 108* ~~s. 108~~ of Title I of the Housing and Community Development Act of 1974, as amended, and as further amended by s. 910 of the Cranston-Gonzalez National Affordable Housing Act. The purpose of the Small Cities Community Development Block Grant Loan Guarantee Program is to guarantee, or to make commitments to guarantee, notes or other obligations issued by public entities for the purposes of financing activities enumerated in 24 C.F.R. s. 570.703.

(2) Activities assisted under the loan guarantee program must meet the requirements contained in 24 C.F.R. ss. 570.700-570.710 and may not otherwise be financed in whole or in part from the Florida Small Cities Community Development Block Grant Program.

(3) The department may pledge existing revenues on deposit or future revenues projected to be available for deposit in the Florida Small Cities Community Development Block Grant Program in order to guarantee, ~~in whole or in part,~~ the payment of principal and interest on a *Section 108 loan* ~~made under the loan guarantee program.~~

(4) *An applicant approved by the United States Department of Housing and Urban Development to receive a Section 108 loan shall enter into an agreement with the Department of Economic Opportunity which requires the applicant to pledge half of the amount necessary to guarantee the loan in the event of default.*

(5) *The department shall review all Section 108 loan applications that it receives from local governments. The department shall review the applications must submit all applications it receives to the United States Department of Housing and Urban Development for loan approval, in the order received, subject to a determination by the department determining that each the application meets all eligibility requirements contained in 24 C.F.R. ss. 570.700-570.710; and has been deemed financially feasible by a loan underwriter approved by the department. If the statewide maximum available for loan guarantee commitments established in subsection (6) has not been committed, the department may submit the Section 108 loan application to the United States Department of Housing and Urban Development with a recommendation that the loan be approved, with or without conditions, or be denied provided that the*

applicant has submitted the proposed activity to a loan underwriter to document its financial feasibility.

(6)(5) The maximum amount of an individual loan guarantee commitment that an ~~commitments that any~~ eligible local government may receive is ~~may be~~ limited to \$5 ~~\$7~~ million pursuant to 24 C.F.R. s. 570.705, and the maximum amount of loan guarantee commitments statewide may not exceed an amount equal to ~~two~~ five times the amount of the most recent grant received by the department under the Florida Small Cities Community Development Block Grant Program. ~~The \$5 million loan guarantee limit does not apply to loans guaranteed prior to July 1, 2013, that may be refinanced.~~

(7)(6) Section 108 loans guaranteed by the Small Cities Community Development Block Grant Program ~~loan guarantee program~~ must be repaid within 20 years.

(8)(7) Section 108 loan applicants must demonstrate ~~guarantees may be used for an activity only if the local government provides evidence to the department that the applicant investigated alternative financing services were investigated and the services were unavailable or insufficient to meet the financing needs of the proposed activity.~~

(9) If a local government defaults on a Section 108 loan received from the United States Department of Housing and Urban Development and guaranteed through the Florida Small Cities Community Development Block Grant Program, thereby requiring the department to reduce its annual grant award in order to pay the annual debt service on the loan, any future community development block grants that the local government receives must be reduced in an amount equal to the amount of the state's grant award used in payment of debt service on the loan.

(10) If a local government receives a Section 108 loan guaranteed through the Florida Small Cities Community Development Block Grant Program and is granted entitlement community status as defined in subpart D of 24 C.F.R. part 570 by the United States Department of Housing and Urban Development before paying the loan in full, the local government must pledge its community development block grant entitlement allocation as a guarantee of its previous loan and request that the United States Department of Housing and Urban Development release the department as guarantor of the loan.

(8) The department must, before approving an application for a loan, evaluate the applicant's prior administration of block grant funds for community development. The evaluation of past performance must take into account the procedural aspects of previous grants or loans as well as substantive results. If the department finds that any applicant has failed to substantially accomplish the results proposed in the applicant's last previously funded application, the department may prohibit the applicant from receiving a loan or may penalize the applicant in the rating of the current application.

Section 38. Subsection (11) of section 331.3051, Florida Statutes, is amended to read:

331.3051 Duties of Space Florida.—Space Florida shall:

(11) Annually report on its performance with respect to its business plan, to include finance, spaceport operations, research and development, workforce development, and education. *Space Florida shall submit the report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 30 no later than September 1 for the previous prior fiscal year. The annual report must include operations information as required under s. 331.310(2)(e).*

Section 39. Paragraph (e) of subsection (2) of section 331.310, Florida Statutes, is amended to read:

331.310 Powers and duties of the board of directors.—

(2) The board of directors shall:

(e) Prepare an annual report of operations as a supplement to the annual report required under s. 331.3051(11). The report must ~~shall~~ include, but not be limited to, a balance sheet, an income statement, a statement of changes in financial position, a reconciliation of changes in equity accounts, a summary of significant accounting principles, the auditor's report, a summary of the status of existing and proposed

bonding projects, comments from management about the year's business, and prospects for the next year, ~~which shall be submitted each year by November 30 to the Governor, the President of the Senate, the Speaker of the House of Representatives, the minority leader of the Senate, and the minority leader of the House of Representatives.~~

Section 40. Paragraphs (a) and (e) of subsection (30) of section 443.036, Florida Statutes, is amended to read:

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

(30) "Misconduct," irrespective of whether the misconduct occurs at the workplace or during working hours, includes, but is not limited to, the following, which may not be construed in pari materia with each other:

(a) Conduct demonstrating conscious disregard of an employer's interests and found to be a deliberate violation or disregard of the reasonable standards of behavior which the employer expects of his or her employee. *Such conduct may include, but is not limited to, willful damage to an employer's property that results in damage of more than \$50; or theft of employer property or property of a customer or invitee of the employer.*

(e)1. A violation of an employer's rule, unless the claimant can demonstrate that:

a.1. He or she did not know, and could not reasonably know, of the rule's requirements;

b.2. The rule is not lawful or not reasonably related to the job environment and performance; or

c.3. The rule is not fairly or consistently enforced.

2. *Such conduct may include, but is not limited to, committing criminal assault or battery on another employee, or on a customer or invitee of the employer; or committing abuse or neglect of a patient, resident, disabled person, elderly person, or child in her or his professional care.*

Section 41. Paragraphs (b), (c), and (d) of subsection (1) of section 443.091, Florida Statutes, are amended to read:

443.091 Benefit eligibility conditions.—

(1) An unemployed individual is eligible to receive benefits for any week only if the Department of Economic Opportunity finds that:

(b) She or he has *completed the department's online work registration registered with the department for work* and subsequently reports to the one-stop career center as directed by the regional workforce board for reemployment services. This requirement does not apply to persons who are:

1. Non-Florida residents;

2. On a temporary layoff;

3. Union members who customarily obtain employment through a union hiring hall; ~~or~~

4. Claiming benefits under an approved short-time compensation plan as provided in s. 443.1116; or

5. *Unable to complete the online work registration due to illiteracy, physical or mental impairment, a legal prohibition from using a computer, or a language impediment. If a person is exempted from the online work registration under this subparagraph, then the filing of his or her claim constitutes registration for work.*

(c) To make continued claims for benefits, she or he is reporting to the department in accordance with this paragraph and department rules, and participating in an initial skills review, as directed by the department. Department rules may not conflict with s. 443.111(1)(b), which requires that each claimant continue to report regardless of any pending appeal relating to her or his eligibility or disqualification for benefits.

1. For each week of unemployment claimed, each report must, at a minimum, include the name, address, and telephone number of each prospective employer contacted, or the date the claimant reported to a one-stop career center, pursuant to paragraph (d).

2. The administrator or operator of the initial skills review shall notify the department when the individual completes the initial skills review and report the results of the review to the regional workforce board or the one-stop career center as directed by the workforce board. The department shall prescribe a numeric score on the initial skills review that demonstrates a minimal proficiency in workforce skills. The department, workforce board, or one-stop career center shall use the initial skills review to develop a plan for referring individuals to training and employment opportunities. The failure of the individual to comply with this requirement will result in the individual being determined ineligible for benefits for the week in which the noncompliance occurred and for any subsequent week of unemployment until the requirement is satisfied. However, this requirement does not apply if the individual ~~is able to affirmatively attest to being unable to complete such review due to illiteracy or a language impediment or~~ is exempt from the work registration requirement as set forth in paragraph (b).

3. Any individual who falls below the minimal proficiency score prescribed by the department in subparagraph 2. on the initial skills review shall be offered training opportunities and encouraged to participate in such training at no cost to the individual in order to improve his or her workforce skills to the minimal proficiency level.

4. The department shall coordinate with Workforce Florida, Inc., the workforce boards, and the one-stop career centers to identify, develop, and utilize best practices for improving the skills of individuals who choose to participate in training opportunities and who have a minimal proficiency score below the score prescribed in subparagraph 2.

5. The department, in coordination with Workforce Florida, Inc., the workforce boards, and the one-stop career centers, shall evaluate the use, effectiveness, and costs associated with the training prescribed in subparagraph 3. and report its findings and recommendations for training and the use of best practices to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2013.

(d) She or he is able to work and is available for work. In order to assess eligibility for a claimed week of unemployment, the department shall develop criteria to determine a claimant's ability to work and availability for work. A claimant must be actively seeking work in order to be considered available for work. This means engaging in systematic and sustained efforts to find work, including contacting at least five prospective employers for each week of unemployment claimed. The department may require the claimant to provide proof of such efforts to the one-stop career center as part of reemployment services. *A claimant's proof of work search efforts may not include the same prospective employer at the same location in three consecutive weeks, unless the employer has indicated since the time of the initial contact that the employer is hiring.* The department shall conduct random reviews of work search information provided by claimants. As an alternative to contacting at least five prospective employers for any week of unemployment claimed, a claimant may, for that same week, report in person to a one-stop career center to meet with a representative of the center and access reemployment services of the center. The center shall keep a record of the services or information provided to the claimant and shall provide the records to the department upon request by the department. However:

1. Notwithstanding any other provision of this paragraph or paragraphs (b) and (e), an otherwise eligible individual may not be denied benefits for any week because she or he is in training with the approval of the department, or by reason of s. 443.101(2) relating to failure to apply for, or refusal to accept, suitable work. Training may be approved by the department in accordance with criteria prescribed by rule. A claimant's eligibility during approved training is contingent upon satisfying eligibility conditions prescribed by rule.

2. Notwithstanding any other provision of this chapter, an otherwise eligible individual who is in training approved under s. 236(a)(1) of the Trade Act of 1974, as amended, may not be determined ineligible or disqualified for benefits due to enrollment in such training or because of leaving work that is not suitable employment to enter such training. As used in this subparagraph, the term "suitable employment" means work

of a substantially equal or higher skill level than the worker's past adversely affected employment, as defined for purposes of the Trade Act of 1974, as amended, the wages for which are at least 80 percent of the worker's average weekly wage as determined for purposes of the Trade Act of 1974, as amended.

3. Notwithstanding any other provision of this section, an otherwise eligible individual may not be denied benefits for any week because she or he is before any state or federal court pursuant to a lawfully issued summons to appear for jury duty.

4. Union members who customarily obtain employment through a union hiring hall may satisfy the work search requirements of this paragraph by reporting daily to their union hall.

5. The work search requirements of this paragraph do not apply to persons who are unemployed as a result of a temporary layoff or who are claiming benefits under an approved short-time compensation plan as provided in s. 443.1116.

6. In small counties as defined in s. 120.52(19), a claimant engaging in systematic and sustained efforts to find work must contact at least three prospective employers for each week of unemployment claimed.

7. *The work search requirements of this paragraph do not apply to persons required to participate in reemployment services under paragraph (e).*

Section 42. Subsection (13) is added to section 443.101, Florida Statutes, to read:

443.101 Disqualification for benefits.—An individual shall be disqualified for benefits:

(13) *For any week with respect to which the department finds that his or her unemployment is due to a discharge from employment for failure without good cause to maintain a license, registration, or certification required by applicable law necessary for the employee to perform her or his assigned job duties. For purposes of this paragraph, the term "good cause" includes, but is not limited to, failure of the employer to submit information required for a license, registration, or certification; short-term physical injury which prevents the employee from completing or taking a required test; and inability to take or complete a required test that is outside the employee's control.*

Section 43. Paragraph (b) of subsection (4) of section 443.1113, Florida Statutes, is amended to read:

443.1113 Reemployment Assistance Claims and Benefits Information System.—

(4) The project to implement the Reemployment Assistance Claims and Benefits Information System ~~is shall be~~ comprised of the following phases and corresponding implementation timeframes:

(b) The Reemployment Assistance Claims and Benefits Internet portal that replaces the Florida Unemployment Internet Direct and the Florida Continued Claims Internet Directory systems, the Call Center Interactive Voice Response System, the Benefit Overpayment Screening System, the Internet and Intranet Appeals System, and the Claims and Benefits Mainframe System shall be deployed to full operational status no later than the end of fiscal year ~~2013-2014~~ ~~2012-2013~~.

Section 44. Subsection (5) of section 443.131, Florida Statutes, is amended to read:

443.131 Contributions.—

(5) ADDITIONAL RATE FOR INTEREST ON FEDERAL ADVANCES.—

(a) When the Unemployment Compensation Trust Fund has received advances from the Federal Government under the provisions of 42 U.S.C. s. 1321, each contributing employer shall be assessed an additional rate solely for the purpose of paying interest due on such federal advances. The additional rate shall be assessed no later than February 1 in each calendar year in which an interest payment is due.



(b) The Revenue Estimating Conference shall estimate the amount of such interest due on federal advances by ~~no later than~~ December 1 of the calendar year before ~~preceding~~ the calendar year in which an interest payment is due. The Revenue Estimating Conference shall, at a minimum, consider the following as the basis for the estimate:

1. The amounts actually advanced to the trust fund.
2. Amounts expected to be advanced to the trust fund based on current and projected unemployment patterns and employer contributions.
3. The interest payment due date.
4. The interest rate that will be applied by the Federal Government to any accrued outstanding balances.

(c) ~~(b)~~ The tax collection service provider shall calculate the additional rate to be assessed against contributing employers. The additional rate assessed for a calendar year is ~~shall be~~ determined by dividing the estimated amount of interest to be paid in that year by 95 percent of the taxable wages as described in s. 443.1217 paid by all employers for the year ending June 30 of the ~~previous immediately preceding~~ calendar year. The amount to be paid by each employer is ~~shall be~~ the product obtained by multiplying such employer's taxable wages as described in s. 443.1217 for the year ending June 30 of the ~~previous immediately preceding~~ calendar year by the rate as determined by this subsection. ~~An assessment may not be made if the amount of assessments on deposit from previous years, plus any earned interest, is at least 80 percent of the estimated amount of interest.~~

(d) The tax collection service provider shall make a separate collection of such assessment, which may be collected at the time of employer contributions and subject to the same penalties for failure to file a report, imposition of the standard rate pursuant to paragraph (3)(h), and interest if the assessment is not received on or before June 30. Section 443.141(1)(d) and (e) does not apply to this separately collected assessment. The tax collection service provider shall maintain those funds in the tax collection service provider's Audit and Warrant Clearing Trust Fund until the provider is directed by the Governor or the Governor's designee to make the interest payment to the Federal Government. ~~Assessments on deposit must be available to pay the interest on advances received from the Federal Government under 42 U.S.C. s. 1321. Assessments on deposit may be invested and any interest earned shall be part of the balance available to pay the interest on advances received from the Federal Government under 42 U.S.C. s. 1321.~~

(e) ~~Four months after~~ ~~In the calendar year that~~ all advances from the Federal Government under 42 U.S.C. s. 1321 and associated interest are repaid, ~~if there are assessment funds in excess of the amount required to meet the final interest payment, any such excess assessed funds in the Audit and Warrant Clearing Trust Fund, including associated interest, shall be transferred to credited to employer accounts in the Unemployment Compensation Trust Fund. Any assessment amounts subsequently collected shall also be transferred to the Unemployment Compensation Trust Fund in an amount equal to the employer's contribution to the assessment for that year divided by the total amount of the assessment for that year, the result of which is multiplied by the amount of excess assessed funds.~~

(f) ~~If~~ ~~However, if~~ the state is permitted to defer interest payments due during a calendar year under 42 U.S.C. s. 1322, payment of the interest assessment is ~~shall not be~~ due. If a deferral of interest expires or is subsequently disallowed by the Federal Government, either prospectively or retroactively, the interest assessment shall be immediately due and payable. Notwithstanding any other provision of this section, if interest due during a calendar year on federal advances is forgiven or postponed under federal law and is no longer due during that calendar year, no interest assessment shall be assessed against an employer for that calendar year, and any assessment already assessed and collected against an employer before the forgiveness or postponement of the interest for that calendar year shall be credited to such employer's account in the Unemployment Compensation Trust Fund. However, such funds may be used only to pay benefits or refunds of erroneous contributions.

(g) This subsection expires July 1, 2014.

Section 45. Paragraph (b) of subsection (2), paragraph (a) of subsection (3), and paragraph (a) of subsection (6) of section 443.151, Florida Statutes, are amended to read:

443.151 Procedure concerning claims.—

(2) FILING OF CLAIM INVESTIGATIONS; NOTIFICATION OF CLAIMANTS AND EMPLOYERS.—

(b) *Process.*—When the Reemployment Assistance Claims and Benefits Information System described in s. 443.1113 is fully operational, the process for filing claims must incorporate the process for registering for work with the workforce information systems established pursuant to s. 445.011. *Unless exempted under s. 443.091(1)(b)5., a claim for benefits may not be processed until the work registration requirement is satisfied. The department may adopt rules as necessary to administer the work registration requirement set forth in this paragraph.*

(3) DETERMINATION OF ELIGIBILITY.—

(a) *Notices of claim.*—The Department of Economic Opportunity shall promptly provide a notice of claim to the claimant's most recent employing unit and all employers whose employment records are liable for benefits under the monetary determination. The employer must respond to the notice of claim within 20 days after the mailing date of the notice, or in lieu of mailing, within 20 days after the delivery of the notice. If a contributing employer or its agent fails to timely or adequately respond to the notice of claim or request for information, the employer's account may not be relieved of benefit charges as provided in s. 443.131(3)(a), notwithstanding paragraph (5)(b). The department may adopt rules as necessary to implement the processes described in this paragraph relating to notices of claim.

(6) RECOVERY AND RECOUPMENT.—

(a) Any person who, by reason of her or his fraud, receives benefits under this chapter to which she or he is not entitled is liable for repaying those benefits to the Department of Economic Opportunity on behalf of the trust fund or, in the discretion of the department, to have those benefits deducted from future benefits payable to her or him under this chapter. *In addition, the department shall impose upon the claimant a penalty equal to 15 percent of the amount overpaid. To enforce this paragraph, the department must find the existence of fraud through a redetermination or decision under this section within 2 years after the fraud was committed. Any recovery or recoupment of benefits must be commenced within 7 years after the redetermination or decision.*

Section 46. Effective January 1, 2014, paragraph (a) of subsection (4) of section 443.151, Florida Statutes, is amended to read:

(4) APPEALS.—

(a) *Appeals referees.*—

1. The Department of Economic Opportunity shall appoint one or more impartial salaried appeals referees in accordance with s. 443.171(3) to hear and decide appealed claims.

2. *An appeals referee must be an attorney in good standing with the Florida Bar or be successfully admitted to the Florida Bar within 8 months after his or her date of employment. This subparagraph does not apply to an appeals referee appointed before January 1, 2014.*

3. A person may not participate on behalf of the department as an appeals referee in any case in which she or he is an interested party.

4. The department may designate alternates to serve in the absence or disqualification of any appeals referee on a temporary basis. These alternates must have the same qualifications required of appeals referees.

5. The department shall provide the commission and the appeals referees with proper facilities and assistance for the execution of their functions.

Section 47. Subsection (1) of section 443.1715, Florida Statutes, is amended to read:

443.1715 Disclosure of information; confidentiality.—

(1) RECORDS AND REPORTS.—Information revealing an employing unit's or individual's identity obtained from the employing unit or any individual under the administration of this chapter, and any determination revealing that information, is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This confidential information may be released in accordance with the provisions in 20 C.F.R. part 603. *A person receiving confidential information who violates this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.* The Department of Economic Opportunity or its tax collection service provider may, however, furnish to any employer copies of any report submitted by that employer upon the request of the employer and may furnish to any claimant copies of any report submitted by that claimant upon the request of the claimant. The department or its tax collection service provider may charge a reasonable fee for copies of these reports as prescribed by rule, which may not exceed the actual reasonable cost of the preparation of the copies. Fees received for copies under this subsection must be deposited in the Employment Security Administration Trust Fund.

Section 48. Subsection (1) of section 443.191, Florida Statutes, is amended to read:

443.191 Unemployment Compensation Trust Fund; establishment and control.—

(1) There is established, as a separate trust fund apart from all other public funds of this state, an Unemployment Compensation Trust Fund, which shall be administered by the Department of Economic Opportunity exclusively for the purposes of this chapter. The fund ~~must shall~~ consist of:

(a) All contributions and reimbursements collected under this chapter;

(b) Interest earned on any moneys in the fund;

(c) Any property or securities acquired through the use of moneys belonging to the fund;

(d) All earnings of these properties or securities;

(e) All money credited to this state's account in the federal Unemployment Compensation Trust Fund under 42 U.S.C. s. 1103; ~~and~~

(f) *All money collected for penalties imposed pursuant to s. 443.151(6)(a); and*

(g) Advances on the amount in the federal Unemployment Compensation Trust Fund credited to the state under 42 U.S.C. s. 1321, as requested by the Governor or the Governor's designee.

Except as otherwise provided in s. 443.1313(4), all moneys in the fund ~~must shall~~ be mingled and undivided.

Section 49. Paragraph (b) of subsection (3) and subsection (4) of section 446.50, Florida Statutes, are amended to read:

446.50 Displaced homemakers; multiservice programs; report to the Legislature; Displaced Homemaker Trust Fund created.—

(3) POWERS AND DUTIES OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY.—

(b)1. The department shall enter into contracts with, and make grants to, public and nonprofit private entities for purposes of establishing multipurpose service programs for displaced homemakers under this section. Such grants and contracts ~~must shall~~ be awarded pursuant to chapter 287 and based on criteria established in the ~~program state plan as provided in subsection (4) developed pursuant to this section.~~ The department shall designate catchment areas that together, ~~must shall~~ compose the entire state, and, to the extent possible from revenues in the Displaced Homemaker Trust Fund, the department shall contract with, and make grants to, entities that will serve entire catchment areas so that displaced homemaker service programs are available statewide. These catchment areas ~~must shall~~ be coterminous with the state's workforce development regions. The department may give priority to existing displaced homemaker programs when evaluating bid responses to the request for proposals.

2. In order to receive funds under this section, and unless specifically prohibited by law from doing so, an entity that provides displaced homemaker service programs must receive at least 25 percent of its funding from one or more local, municipal, or county sources or nonprofit private sources. In-kind contributions may be evaluated by the department and counted as part of the required local funding.

3. The department shall require an entity that receives funds under this section to maintain appropriate data to be compiled in an annual report to the department. Such data ~~must shall~~ include, but ~~is shall~~ not be limited to, the number of clients served, the units of services provided, designated client-specific information including intake and outcome information specific to each client, costs associated with specific services and program administration, total program revenues by source and other appropriate financial data, and client followup information at specified intervals after the placement of a displaced homemaker in a job.

(4) DISPLACED HOME MAKER PROGRAM STATE PLAN.—

~~(a) The Department of Economic Opportunity shall include in its annual report required under s. 20.60 a develop a 3-year state plan for the displaced homemaker program which shall be updated annually. The plan must address, at a minimum, the need for programs specifically designed to serve displaced homemakers, any necessary service components for such programs in addition to those described enumerated in this section, goals of the displaced homemaker program with an analysis of the extent to which those goals are being met, and recommendations for ways to address any unmet program goals. Any request for funds for program expansion must be based on the state plan.~~

~~(b) The displaced homemaker program Each annual update must address any changes in the components of the 3-year state plan and a report that must include, but need not be limited to, the following:~~

~~(a)1-~~ The scope of the incidence of displaced homemakers;

~~(b)2-~~ A compilation and report, by program, of data submitted to the department pursuant to subparagraph (3)(b)3. ~~subparagraph 2-~~ by funded displaced homemaker service programs;

~~(c)3-~~ An identification and description of the programs in the state which receive funding from the department, including funding information; and

~~(d)4-~~ An assessment of the effectiveness of each displaced homemaker service program based on outcome criteria established by rule of the department.

~~(e) The 3 year state plan must be submitted to the President of the Senate, the Speaker of the House of Representatives, and the Governor on or before January 1, 2001, and annual updates of the plan must be submitted by January 1 of each subsequent year.~~

Section 50. Section 288.80, Florida Statutes, is created to read:

288.80 Short title.—Sections 288.80-288.84 may be cited as the "Gulf Coast Economic Corridor Act."

Section 51. Section 288.801, Florida Statutes, is created to read:

288.801 Gulf Coast Economic Corridor; Legislative Intent.—*The Legislature recognizes that fully supporting areas affected by the Deep-water Horizon disaster to ensure goals for economic recovery and diversification are achieved is in the best interest of the citizens of the state. The Legislature intends to provide a long-term source of funding for efforts of economic recovery and enhancement in the gulf coast region. The Legislature finds that it is important to help businesses, individuals, and local governments in the Gulf Coast region recover.*

Section 52. Section 288.81, Florida Statutes, is created to read:

288.81 Definitions.—As used in ss. 288.80-288.84, the term:

(1) "Awardee" means a person, organization, or local government granted an award of funds from the Recovery Fund for a project or program.

(2) “Disproportionately affected county” means Bay County, Escambia County, Franklin County, Gulf County, Okaloosa County, Santa Rosa County, Walton County, or Wakulla County.

(3) “Earnings” means all the income generated by investments and interest.

(4) “Recovery Fund” means a trust account established by Triumph Gulf Coast, Inc., for the benefit of the disproportionately affected counties.

Section 53. Section 288.82, Florida Statutes, is created to read:

288.82 Triumph Gulf Coast, Inc.; Recovery Fund; Creation; Investment.—

(1) There is created within the Department of Economic Opportunity a nonprofit corporation, to be known as Triumph Gulf Coast, Inc., which shall be registered, incorporated, organized, and operated in compliance with chapter 617, and which is not a unit or entity of state government. Triumph Gulf Coast, Inc., may receive, hold, invest, and administer the Recovery Fund in support of this act. Triumph Gulf Coast, Inc., is a separate budget entity and is not subject to control, supervision, or direction by the Department of Economic Opportunity in any manner, including, but not limited to, personnel, purchasing, transactions involving real or personal property, and budgetary matters.

(2) Triumph Gulf Coast, Inc., must create and administer the Recovery Fund for the benefit of the disproportionately affected counties. The principal of the fund shall derive from 75 percent of all funds recovered by the Attorney General for economic damage to the state resulting from the Deepwater Horizon disaster, after payment of reasonable and necessary attorney fees, costs, and expenses, including such attorney fees, costs, and expenses pursuant to s. 16.0155.

(3) The Recovery Fund must be maintained as a long-term and stable source of revenue, which shall decline over a 30-year period in equal amounts each year. Triumph Gulf Coast, Inc., shall establish a trust account at a federally insured financial institution to hold funds and make deposits and payments. Earnings generated by investments and interest of the fund, plus the amount of principal available each year, shall be available to make awards pursuant to this act and pay administrative costs. Earnings shall be accounted for separately from principal funds set forth in subsection (2). Administrative costs are limited to 2.25 percent of the earnings in a calendar year. Administrative costs include payment of investment fees, travel and per diem expenses of board members, audits, salary or other costs for employed or contracted staff, including required staff under s. 288.83(9), and other allowable costs. Any funds remaining in the Recovery Fund after 30 years shall revert to the State Treasury.

(4) Triumph Gulf Coast, Inc., shall invest and reinvest the principal of the Recovery Fund in accordance with s. 617.2104, in such a manner not to subject the funds to state or federal taxes, and consistent with an investment policy statement adopted by the corporation.

(a) The board of directors shall formulate an investment policy governing the investment of the principal of the Recovery Fund. The policy shall pertain to the types, kinds or nature of investment of any of the funds, and any limitations, conditions or restrictions upon the methods, practices or procedures for investment, reinvestments, purchases, sales or exchange transactions, provided such policies shall not conflict with nor be in derogation of any state constitutional provision or law. The policy shall be formulated with the advice of the financial advisor in consultation with the State Board of Administration

(b) Triumph Gulf Coast, Inc., must competitively procure one or more money managers, under the advice of the financial advisor in consultation with the State Board of Administration, to invest the principal of the Recovery Fund. The applicant manager or managers may not include representatives from the financial institution housing the trust account for the Recovery Fund. The applicant manager or managers must present a plan to invest the Recovery Fund to maximize earnings while prioritizing the preservation of Recovery Fund principal. Any agreement with a money manager must be reviewed by Triumph Gulf Coast, Inc., for continuance at least every 5 years. Plans should include investment in technology and growth businesses domiciled in, or that will be domiciled in, this state or businesses whose principal address is in this state.

(c) Costs and fees for investment services shall be deducted from the earnings as administrative costs. Fees for investment services shall be no greater than 150 basis points.

(d) Annually, Triumph Gulf Coast, Inc., shall cause an audit to be conducted of the investment of the Recovery Fund by the independent certified public accountant retained in s. 288.83. The expense of such audit shall be paid from earnings for administrative purposes.

(5) Triumph Gulf Coast, Inc., shall report on June 30 and December 30 each year to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the financial status of the Recovery Fund and its investments, the established priorities, the project and program selection process, including a list of all submitted projects and reasons for approval or denial, and the status of all approved awards.

(6) The Auditor General shall conduct an audit of the Recovery Fund and Triumph Gulf Coast, Inc., annually. Triumph Gulf Coast, Inc., shall provide to the Auditor General any detail or supplemental data required.

Section 54. Section 288.83, Florida Statutes, is created to read:

288.83 Triumph Gulf Coast, Inc.; Organization; Board of Directors.—

(1) Triumph Gulf Coast, Inc., is subject to the provisions of chapter 119 relating to public records and those provisions of chapter 286 relating to public meetings and records.

(2) Triumph Gulf Coast, Inc., shall be governed by a 5-member board of directors. Each of the Trustees of the State Board of Administration, the President of the Senate, and the Speaker of the House of Representatives shall each appoint one member from the private sector. The board of directors shall annually elect a chairperson from among the board's members. The chairperson may be removed by a majority vote of the members. His or her successor shall be elected to serve for the balance of the removed chairperson's term. The chairperson is responsible to ensure records are kept of the proceedings of the board of directors and is the custodian of all books, documents, and papers filed with the board; the minutes of meetings of the board; and the official seal of Triumph Gulf Coast, Inc.

(3) Each member of the board of directors shall serve for a term of 4 years, except that initially the appointments of the President of the Senate and the Speaker of the House of Representatives each shall serve a term of 2 years to achieve staggered terms among the members of the board. A member is not eligible for reappointment to the board, except, however, any member appointed to a term of 2 years or less may be reappointed for an additional term of 4 years. The initial appointments to the board must be made by November 15, 2013. Vacancies on the board of directors shall be filled by the officer who originally appointed the member. A vacancy that occurs before the scheduled expiration of the term of the member shall be filled for the remainder of the unexpired term.

(4) The Legislature determines that it is in the public interest for the members of the board of directors to be subject to the requirements of ss. 112.3135, 112.3143, and 112.313, notwithstanding the fact that the board members are not public officers or employees. For purposes of those sections, the board members shall be considered to be public officers or employees. In addition to the postemployment restrictions of s. 112.313(9), a person appointed to the board of directors must agree to refrain from having any direct interest in any contract, franchise, privilege, project, program, or other benefit arising from an award by Triumph Gulf Coast, Inc., during the term of his or her appointment and for 2 years after the termination of such appointment. It is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, for a person to accept appointment to the board of directors in violation of this subsection or to accept a direct interest in any contract, franchise, privilege, project, program, or other benefit granted by Triumph Gulf Coast, Inc., to an awardee within 2 years after the termination of his or her service on the board. Further, each member of the board of directors who is not otherwise required to file financial disclosure under s. 8, Art. II of the State Constitution or s. 112.3144 shall file disclosure of financial interests under s. 112.3145.

(5) Each member of the board of directors shall serve without compensation, but shall receive travel and per diem expenses as provided in s. 112.061 while in the performance of his or her duties.

(6) Each member of the board of directors is accountable for the proper performance of the duties of office, and each member owes a fiduciary duty to the people of the state to ensure that awards provided are disbursed and used, and investments are made, as prescribed by law and contract. An appointed member of the board of directors may be removed by the officer that appointed the member for malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, unexcused absence from three consecutive meetings of the board, arrest or indictment for a crime that is a felony or a misdemeanor involving theft or a crime of dishonesty, or pleading *nolo contendere* to, or being found guilty of, any crime.

(7) The board of directors shall meet at least quarterly, upon the call of the chairperson or at the request of a majority of the membership, to review the Recovery Fund, establish and review priorities for economic recovery in disproportionately affected counties, and determine use of the earnings available. A majority of the members of the board of directors constitutes a quorum. Members may not vote by proxy.

(8) The executive director of the Department of Economic Opportunity, or his or her designee, the secretary of the Department of Environmental Protection, or his or her designee, and the chair of the Committee of 8 Disproportionately Affected Counties, or his or her designee, shall be available to consult with the board of directors and may be requested to attend meetings of the board of directors. These individuals shall not be permitted to vote on any matter before the board.

(9)(a) *Triumph Gulf Coast, Inc.*, is permitted to hire or contract for all staff necessary to the proper execution of its powers and duties to implement this act. The corporation is required to retain:

1. An independent certified public accountant licensed in this state pursuant to chapter 473 to inspect the records of and to audit the expenditure of the earnings and available principal disbursed by *Triumph Gulf Coast, Inc.*

2. An independent financial advisor to assist *Triumph Gulf Coast, Inc.*, in the development and implementation of a strategic plan consistent with the requirements of this act.

3. An economic advisor who will assist in the award process, including the development of priorities, allocation decisions, and the application and process; will assist the board in determining eligibility of award applications and the evaluation and scoring of applications; and will assist in the development of award documentation.

4. A legal advisor with expertise in not-for-profit investing and contracting and who is a member of the Florida Bar to assist with contracting and carrying out the intent of this act.

(b) *Triumph Gulf Coast, Inc.*, shall require all employees of the corporation to comply with the code of ethics for public employees under part III of chapter 112. Retained staff under paragraph (a) must agree to refrain from having any direct interest in any contract, franchise, privilege, project, program, or other benefit arising from an award by *Triumph Gulf Coast, Inc.*, during the term of his or her appointment and for 2 years after the termination of such appointment.

(c) Retained staff under paragraph (a) shall be available to consult with the board of directors and shall attend meetings of the board of directors. These individuals shall not be permitted to vote on any matter before the board.

Section 55. Section 288.831, Florida Statutes, is created to read:

288.831 *Board of Directors; Powers.*—In addition to the powers and duties prescribed in chapter 617 and the articles and bylaws adopted in compliance with that chapter, the board of directors may:

(1) Make and enter into contracts and other instruments necessary or convenient for the exercise of its powers and functions.

(2) Make expenditures including any necessary administrative expenditure from earnings consistent with its powers.

(3) Adopt, use, and alter a common corporate seal. Notwithstanding any provision of chapter 617 to the contrary, this seal is not required to contain the words “corporation not for profit.”

(4) Adopt, amend, and repeal bylaws, not inconsistent with the powers granted to it or the articles of incorporation, for the administration of the activities of *Triumph Gulf Coast, Inc.*, and the exercise of its corporate powers.

(5) Use the state seal, notwithstanding the provisions of s. 15.03, when appropriate, for standard corporate identity applications. Use of the state seal is not intended to replace use of a corporate seal as provided in this section.

Under no circumstances may the credit of the State of Florida be pledged on behalf of *Triumph Gulf Coast, Inc.*

Section 56. Section 288.832, Florida Statutes, is created to read:

288.832 *Triumph Gulf Coast, Inc.; Duties.*—*Triumph Gulf Coast, Inc.*, shall have the following duties:

(1) Manage responsibly and prudently all funds received, and ensure that the use of such funds is in accordance with all applicable laws, bylaws, or contractual requirements.

(2) Administer the program created under this act.

(3) Monitor, review, and annually evaluate awardees and their projects or programs to determine whether an award should be continued, terminated, reduced, or increased.

(4) Operate in a transparent manner, providing public access to information, notice of meetings, awards, and the status of projects and programs. To this end, *Triumph Gulf Coast, Inc.*, shall maintain a website that provides public access to this information.

Section 57. Section 288.84, Florida Statutes, is created to read:

288.84 *Awards.*—

(1) *Triumph Gulf Coast, Inc.*, shall make awards from available earnings and principal derived under s. 288.82(2) to projects or programs that meet the priorities for economic recovery, diversification, and enhancement of the disproportionately affected counties, notwithstanding s. 377.43. Awards may be provided for:

(a) *Ad valorem* tax reduction within disproportionately affected counties;

(b) Payment of impact fees adopted pursuant to s. 163.31801 and imposed within disproportionately affected counties;

(c) Administrative funding for economic development organizations located within the disproportionately affected counties;

(d) Local match requirements of ss. 288.0655, 288.0659, 288.1045, and 288.106 for projects in the disproportionately affected counties;

(e) Economic development projects in the disproportionately affected counties;

(f) Infrastructure projects that are shown to enhance economic development in the disproportionately affected counties;

(g) Grants to local governments in the disproportionately affected counties to establish and maintain equipment and trained personnel for local action plans of response to respond to disasters, such as plans created for the Coastal Impacts Assistance Program;

(h) Grants to support programs of excellence that prepare students for future occupations and careers at K-20 institutions that have home campuses in the disproportionately affected counties. Eligible programs include those that increase students' technology skills and knowledge; encourage industry certifications; provide rigorous, alternative pathways for students to meet high school graduation requirements; strengthen career readiness initiatives; fund high-demand programs of emphasis at the bachelor's and master's level designated by the Board of Governors; and, similar to or the same as talent retention programs created by the Chancellor of the State University System and the Commission of Education, encourage students with interest or aptitude for science, technology, engineering, mathematics, and medical disciplines to pursue post-

secondary education at a state university within the disproportionately affected counties; and

(i) Grants to the tourism entity created under s. 288.1226 for the purpose of advertising and promoting tourism, Fresh From Florida, or related content on behalf of one or all of the disproportionately affected counties.

(2) Triumph Gulf Coast, Inc., shall establish an application procedure for awards and a scoring process for the selection of projects and programs that have the potential to generate increased economic activity in the disproportionately affected counties, giving priority to projects and programs that:

(a) Generate maximum estimated economic benefits, based on tools and models not generally employed by economic input-output analyses, including cost-benefit, return-on-investment, or dynamic scoring techniques to determine how the long-term economic growth potential of the disproportionately affected counties may be enhanced by the investment.

(b) Increase household income in the disproportionately affected counties above national average household income.

(c) Expand high growth industries or establish new high growth industries in the region.

1. Industries that are supported must have strong growth potential in the disproportionately affected counties.

2. An industry's growth potential is defined based on a detailed review of the current industry trends nationally and the necessary supporting asset base for that industry in the disproportionately affected counties region.

(d) Leverage or further enhance key regional assets, including educational institutions, research facilities, and military bases.

(e) Partner with local governments to provide funds, infrastructure, land, or other assistance for the project.

(f) Have investment commitments from private equity or private venture capital funds.

(g) Provide or encourage seed stage investments in start-up companies.

(h) Provide advice and technical assistance to companies on restructuring existing management, operations, or production to attract advantageous business opportunities.

(i) Benefit the environment in addition to the economy.

(j) Provide outcome measures for programs of excellence support, including terms of intent and metrics.

(k) Partner with K-20 educational institutions or school districts located within the disproportionately affected counties.

(l) Partner with convention and visitor bureaus, tourist development councils, or chambers of commerce located within the disproportionately affected counties.

(3) Triumph Gulf Coast, Inc., may make awards as applications are received or may establish application periods for selection. Awards may not be used to finance 100 percent of any project or program. Triumph Gulf Coast, Inc., may require a one-to-one private-sector match or higher for an award, if applicable and deemed prudent by the board of directors. An awardee may not receive all of the earnings or available principal in any given year.

(4) A contract executed by Triumph Gulf Coast, Inc., with an awardee must include provisions requiring a performance report on the contracted activities, must account for the proper use of funds provided under the contract, and must include provisions for recovery of awards in the event the award was based upon fraudulent information or the awardee is not meeting the performance requirements of the award. Awardees must regularly report to Triumph Gulf Coast, Inc., the status of the project or program on a schedule determined by the corporation.

Section 58. Gulf Coast Audits.—

(1) The scope of a financial audit conducted pursuant to s. 218.39, Florida Statutes, shall include funds related to the Deepwater Horizon oil spill for any year in which a local government entity receives or expends funds related to the Deepwater Horizon oil spill, including any funds under s. 288.84, Florida Statutes, or under 33 U.S.C. 1321(t). The scope of review for these funds shall include, but is not limited to, compliance with state and federal laws related to the receipt and expenditure of these funds.

(2) Every 2 years, the Auditor General shall conduct an operational audit, as defined in s. 11.45, Florida Statutes, of a local government entity's funds related to the Deepwater Horizon oil spill to evaluate the local government entity's performance in administering laws, policies, and procedures governing the expenditure of funds related to the Deepwater Horizon oil spill in an efficient and effective manner. The scope of review shall include, but is not limited to, evaluating internal controls, internal audit functions, reporting and performance requirements required for use of the funds, and compliance with state and federal law. The audit shall include any funds the local government entity receives or expends related to the Deepwater Horizon oil spill, including any funds under s. 288.84, Florida Statutes, or under 33 U.S.C. 1321(t).

(3) In addition to the rules of the Auditor General adopted under s. 11.45(8), Florida Statutes, the Auditor General shall adopt rules for the form and conduct of all financial audits performed by independent certified public accountants and for audits of local government entities conducted under this section for funds received under 33 U.S.C. 1321(t). Such rules shall take into account the rules for such audits set forth by the Secretary of the Treasury pursuant to 33 U.S.C. 1321(t).

(4) The Auditor General may report findings to the Secretary of the Treasury of the United States in addition to the reporting requirements under state law.

Section 59. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to economic development; establishing the Economic Development Programs Evaluation; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to present the evaluation; requiring the offices to develop and submit a work plan for completing the evaluation by a certain date; requiring the offices to provide an analysis of certain economic development programs and specifying a schedule; requiring the Office of Economic and Demographic Research to make certain evaluations in its analysis; limiting the office's evaluation for the purposes of tax credits, tax refunds, sales tax exemptions, cash grants, and similar programs; requiring the office to use a certain model to evaluate each program; requiring the Office of Program Policy Analysis and Government Accountability to make certain evaluations in its analysis; providing the offices access to all data necessary to complete the evaluation; amending s. 20.60, F.S.; revising the date on which the Department of Economic Opportunity and Enterprise Florida, Inc., are required to report on the business climate and economic development in the state; specifying reports and information that must be included; amending s. 201.15, F.S.; revising the distribution of funds in the Grants and Donations Trust Fund; amending s. 212.08, F.S.; revising definitions; clarifying the application of certain amendments; amending s. 213.053, F.S.; authorizing the Department of Revenue to make certain information available to the director of the Office of Program Policy Analysis and Government Accountability and the coordinator of the Office of Economic and Demographic Research; authorizing the offices to share certain information; amending s. 220.194, F.S.; requiring the annual report for the Florida Space Business Incentives Act to be included in the annual incentives report; deleting certain reporting requirements; amending s. 288.001, F.S.; providing a network purpose; providing definitions; requiring the statewide director and the network to operate the program in compliance with federal laws and regulations and a Board of Governors regulation; requiring the statewide director to consult with the Board of Governors, the Department of Economic Opportunity, and the network's statewide advisory board to establish certain policies and goals; requiring the network to maintain a statewide advisory board;

providing for advisory board membership; providing for terms of membership; providing for certain member reimbursement; requiring the director to develop support services; specifying support service requirements; requiring businesses that receive support services to participate in certain assessments; requiring the network to provide a match equal to certain state funding; providing criteria for the match; requiring the statewide director to coordinate with the host institution to establish a pay-per-performance incentive; providing for pay-per-performance incentive funding and distribution; providing a distribution formula requirement; requiring the statewide director to coordinate with the advisory board to distribute funds for certain purposes and develop programs to distribute funds for those purposes; requiring the network to announce available funding, performance expectations, and other requirements; requiring the statewide director to present applications and recommendations to the advisory board; requiring applications approved by the advisory board to be publicly posted; providing minimum requirements for a program; prohibiting certain regional small business development centers from receiving funds; providing that match funding may not be reduced for regional small business development centers receiving additional funds; requiring the statewide director to regularly update the Board of Governors, the department, and the advisory board with certain information; requiring the statewide director, in coordination with the advisory board, to annually report certain information to the President of the Senate and the Speaker of the House of Representatives; amending s. 288.005, F.S.; providing a definition; amending s. 288.012, F.S.; requiring each State of Florida international office to submit a report to Enterprise Florida, Inc., for inclusion in its annual report; deleting a reporting date; amending s. 288.061, F.S.; requiring the Department of Economic Opportunity to analyze each economic development incentive application; prohibiting the executive director from approving an economic development incentive application unless a specified written declaration is received; requiring an awardee to provide a signed written declaration in specified years; providing that the department may adopt rules to implement this section; amending s. 288.0656, F.S.; requiring the Rural Economic Development Initiative to submit a report to supplement the Department of Economic Opportunity's annual report; deleting certain reporting requirements; amending s. 288.076, F.S.; providing definitions; requiring the Department of Economic Opportunity to publish on a website specified information concerning state investment in economic development programs; requiring the department to work with the Office of Economic and Demographic Research to provide a description of specified methodology and requiring the department to publish such description on its website; providing procedures and requirements for reviewing, updating, and supplementing specified published information; requiring the department to annually publish information relating to the progress of Quick Action Closing Fund projects; requiring the department to publish certain confidential information pertaining to participant businesses upon expiration of a specified confidentiality period; requiring the department to publish certain reports concerning businesses that fail to complete tax refund agreements under the tax refund program for qualified target industry businesses; providing for construction and legislative intent; authorizing the department to adopt rules; repealing s. 288.095(3)(c), F.S., relating to the annual report by Enterprise Florida, Inc., of programs funded by the Economic Development Incentives Account; amending s. 288.106, F.S.; deleting and adding provisions relating to the application and approval process of the tax refund program for qualified target industry businesses; requiring the Department of Economic Opportunity to include information on qualified target industry businesses in the annual incentives report; deleting certain reporting requirements; amending 288.107, F.S.; revising definitions; revising provisions to conform to changes made by the act; revising the minimum criteria for participation in the brownfield redevelopment bonus refund; clarifying the application of certain amendments; amending s. 288.1081, F.S.; requiring the use of loan funds from the Economic Gardening Business Loan Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1082, F.S.; requiring the progress of the Economic Gardening Technical Assistance Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1088, F.S.; requiring the department to validate contractor performance for the Quick Action Closing Fund and include the performance validation in the annual incentives report; deleting certain reporting requirements; amending s. 288.1089, F.S.; requiring that certain projects in the Innovation Incentive Program provide a cumulative break-even economic benefit; re-

quiring the department to report information relating to the Innovation Incentive Program in the annual incentives report; deleting certain reporting requirements; deleting provisions that require the Office of Program Policy Analysis and Government Accountability and the Auditor General's Office to report on the Innovation Incentive Program; amending s. 288.1253, F.S.; revising a reporting date; requiring expenditures of the Office of Film and Entertainment to be included in the annual entertainment industry financial incentive program report; amending s. 288.1254, F.S.; revising a reporting date; requiring the annual entertainment industry financial incentive program report to include certain information; amending s. 288.1258, F.S.; revising a reporting date; requiring the report detailing the relationship between tax exemptions and incentives to industry growth to be included in the annual entertainment industry financial incentive program report; amending s. 288.714, F.S.; requiring the Department of Economic Opportunity's annual report to include a report on the Black Business Loan Program; deleting certain reporting requirements; amending s. 288.7771, F.S.; requiring the Florida Export Finance Corporation to submit a report to Enterprise Florida, Inc.; amending s. 288.903, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare an annual incentives report; repealing s. 288.904(6), F.S., relating to Enterprise Florida, Inc., which requires the department to report the return on the public's investment; amending s. 288.906, F.S.; requiring certain reports to be included in the Enterprise Florida, Inc., annual report; amending s. 288.907, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare the annual incentives report; requiring the annual incentives report to include certain information; deleting a provision requiring the Division of Strategic Business Development to assist Enterprise Florida, Inc., with the report; 288.92, F.S.; requiring each division of Enterprise Florida, Inc., to submit a report; amending s. 288.95155, F.S.; requiring the financial status of the Florida Small Business Technology Growth Program to be included in the annual incentives report; amending s. 288.9918, F.S.; revising reporting requirements related to community development entities; amending s. 290.0055, F.S.; providing for the expansion of the boundaries of enterprise zones that meet certain requirements; providing an application deadline; amending s. 290.0056, F.S.; revising a reporting date; requiring the enterprise zone development agency to submit certain information for the Department of Economic Opportunity's annual report; amending s. 290.014, F.S.; revising a reporting date; requiring certain reports on enterprise zones to be included in the Department of Economic Opportunity's annual report; amending s. 290.0455, F.S.; providing for the state's guarantee of certain federal loans to local governments; requiring applicants for such loans to pledge a specified amount of revenues to guarantee the loans; revising requirements for the department to submit recommendations to the Federal Government for such loans; revising the maximum amount of the loan guarantee commitment that a local government may receive and providing exceptions; providing for reduction of a local government's future community development block grants if the local government defaults on the federal loan; providing procedures if a local government is granted entitlement community status; amending ss. 331.3051 and 331.310, F.S.; revising requirements for annual reports by Space Florida; amending s. 443.036, F.S.; providing examples of misconduct; amending s. 443.091, F.S.; providing for online work registration and providing exceptions; limiting a claimant's use of the same prospective employer to meet work search requirements; providing an exception; providing that work search requirements do not apply to individuals required to participate in reemployment services; amending s. 443.101, F.S.; providing for disqualification in any week with respect to which the department finds that his or her unemployment is due to failure without good cause to maintain a license, registration, or certification required by applicable law necessary for the employee to perform her or his assigned job duties; providing examples of "good cause"; amending s. 443.1113, F.S., relating to the Reemployment Assistance Claims and Benefits Information System; revising timeframe for deployment of a certain Internet portal as part of such system; amending s. 443.131, F.S.; requiring the tax collection service provider to calculate a certain additional rate; providing for when an assessment may not be made; requiring assessments to be available to pay interest on federal advances; requiring certain excess funds to be transferred to the Unemployment Compensation Trust Fund after a certain time period; deleting the provision referring to crediting employer accounts; providing an expiration date; amending s. 443.151 F.S.; revising provisions to conform to changes made to benefit eligibility; providing that an employer or its agent may not be relieved of

benefit charges for failure to timely and adequately respond to notice of claim or request for information; requiring the department to impose a penalty against a claimant who is overpaid reemployment assistance benefits due to fraud by the claimant; requiring an appeals referee to be an attorney in good standing with the Florida Bar or successfully admitted within 8 months of hire; providing an exception; amending s. 443.1715, F.S.; prohibiting the unlawful disclosure of certain confidential information relating to employing units and individuals under the Reemployment Assistance Program Law; providing criminal penalties; amending s. 443.191, F.S.; providing for the deposit of moneys recovered and penalties collected due to fraud in the Unemployment Compensation Trust Fund; amending s. 446.50, F.S.; requiring the Department of Economic Opportunity's annual report to include a plan for the displaced homemaker program; deleting certain reporting requirements; creating s. 288.80, F.S.; providing a short title; creating s. 288.801, F.S.; providing Legislative intent; creating s. 288.81, F.S.; providing definitions; creating s. 288.82, F.S.; creating Triumph Gulf Coast, Inc., as nonprofit corporation; requiring the Triumph Gulf Coast, Inc., to create and administer the Recovery Fund for the benefit of disproportionately affected counties; providing for principal of the fund; providing for payment of administrative costs from the earnings of the fund; providing any remaining funds after 30 years revert to the State Treasury; authorizing investment of the principal of the fund; requiring an investment policy; requiring competitive procurement of money managers; requiring annual audits; requiring biannual reports; creating s. 288.83, F.S.; providing for application of public records and meetings laws; providing for governance by a 5 member board of directors; providing membership; providing for terms; providing for appointment for vacancies; providing limitations on board members; limiting post-employment activities; providing for a misdemeanor for violations; requiring financial disclosures; providing travel and per diem expenses; providing for removal; requiring quarterly meetings; providing for staffing; creating s. 288.831, F.S.; providing the powers and duties of the board of directors; creating s. 288.832, F.S.; providing the duties of Triumph Gulf Coast, Inc.; creating s. 288.84, F.S.; permitting awards for projects or programs from available earnings and principal; providing the award categories; providing the award categories for certain funds; establishing priority ranking for applications; prohibiting award from financing 100 percent of a project or program; permitting Triumph Gulf Coast, Inc., to requiring a one-to-one match; prohibiting an awardee from receiving all available funds; requiring a contract for an award; requiring regular reporting; requiring the scope of a financial audit for a local government entity to include funds related to Deepwater Horizon oil spill; requiring the Auditor General to conduct an operational audit of a local government entity's performance in the expenditure of funds related to the Deepwater Horizon oil spill; requiring the Auditor General to adopt rules for such audits; permitting the Auditor General to report to the Secretary of the Treasury of the United States; providing effective dates.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Hukill moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1A (735928) (with title amendment)**—Between lines 291 and 292 insert:

Section 6. Effective April 30, 2014, paragraph (kkk) is added to subsection (7) of section 212.08, Florida Statutes, to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the en-

tity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(kkk) *Certain machinery and equipment.*—

1. *Industrial machinery and equipment purchased by eligible manufacturing businesses which is used at a fixed location within this state for the manufacture, processing, compounding, or production of items of tangible personal property for sale shall be exempt from the tax imposed by this chapter. If at the time of purchase the purchaser furnishes the seller with a signed certificate certifying the purchaser's entitlement to exemption pursuant to this paragraph, the seller is relieved of the responsibility for collecting the tax on the sale of such items, and the department shall look solely to the purchaser for recovery of the tax if it determines that the purchaser was not entitled to the exemption.*

2. *For purposes of this paragraph, the term:*

a. *"Eligible manufacturing business" means any business whose primary business activity at the location where the industrial machinery and equipment is located is within the industries classified under NAICS codes 31, 32, and 33. As used in this subparagraph, "NAICS" means those classifications contained in the North American Industry Classification System, as published in 2007 by the Office of Management and Budget, Executive Office of the President.*

b. *"Primary business activity" means an activity representing more than fifty percent of the activities conducted at the location where the industrial machinery and equipment is located.*

c. *"Industrial machinery and equipment" means tangible personal property or other property that has a depreciable life of 3 years or more and that is used as an integral part in the manufacturing, processing, compounding, or production of tangible personal property for sale. A building and its structural components are not industrial machinery and equipment unless the building or structural component is so closely related to the industrial machinery and equipment that it houses or supports that the building or structural component can be expected to be replaced when the machinery and equipment are replaced. Heating and air conditioning systems are not industrial machinery and equipment unless the sole justification for their installation is to meet the requirements of the production process, even though the system may provide incidental comfort to employees or serve, to an insubstantial degree, nonproduction activities. The term includes parts and accessories for industrial machinery and equipment only to the extent that the parts and accessories are purchased prior to the date the machinery and equipment are placed in service.*

3. *This paragraph is repealed effective April 30, 2017.*

And the title is amended as follows:

Delete line 2459 and insert: amendments; providing for an exemption from the tax imposed under ch. 212, F.S., for certain machinery and equipment; providing for repeal; amending s. 213.053, F.S.; authorizing the

**Amendment 1 (969426)** as amended was adopted.

On motion by Senator Detert, by two-thirds vote **CS for CS for HB 7007** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President  
Abruzzo  
Altman  
Bean  
Benacquisto

Bradley  
Brandes  
Braynon  
Bullard  
Dean

Detert  
Diaz de la Portilla  
Evers  
Flores  
Galvano



Garcia	Legg	Simpson
Gardiner	Margolis	Sobel
Gibson	Montford	Soto
Grimsley	Negron	Stargel
Hays	Richter	Thompson
Hukill	Ring	Thrasher
Latvala	Sachs	
Lee	Simmons	

Nays—3

Clemens	Joyner	Smith
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### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Montford, by two-thirds vote **SB 1608** was withdrawn from the committees of reference and further consideration.

### MOTIONS

On motion by Senator Thrasher, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Thursday, May 2.

On motion by Senator Thrasher, by two-thirds vote, all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Thursday, May 2.

### REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, May 1, 2013: CS for SB 952, CS for CS for SB 1686, CS for CS for SB 446.

Respectfully submitted,  
*John Thrasher*, Rules Chair  
*Lizbeth Benacquisto*, Majority Leader  
*Christopher L. Smith*, Minority Leader

Pursuant to Rule 4.18 the Rules Chair submits the following bills to be placed on the Local Bill Calendar for Wednesday, May 1, 2013: HB 533, CS for HB 1007, CS for HB 1009, HB 1285, CS for HB 1421.

Respectfully submitted,  
*John Thrasher*, Rules Chair

### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

#### RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 50, CS for CS for SB 62, CS for CS for SB 120, CS for CS for SB 160, SB 244, SB 282, SB 326, CS for CS for SB 336, SB 342, CS for CS for SB 372, CS for CS for CS for SB 390, SB 452, CS for CS for SB 492, CS for SB 530, CS for CS for CS for SB 534, CS for CS for CS for SB 556, CS for SB 606, CS for SB 662, CS for SB 948, SB 954, CS for SB 1036, CS for CS for SB 1094, CS for SB 1108, CS for CS for CS for SB 1122, CS for CS for SB 1664, SB 1700, SB 1792, SB 1806, CS for SB 1808, SB 1830 and CS for SB 1844.

*Robert L. "Bob" Ward*, Clerk

The bills contained in the foregoing messages were ordered enrolled.

### CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 30 was corrected and approved.

### CO-INTRODUCERS

Senators Evers—CS for CS for SB 1132, CS for CS for SB 1458;  
 Sachs—CS for CS for CS for SB 390

### ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 4:49 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, May 2 or upon call of the President.



# Journal of the Senate

Number 22—Regular Session

Thursday, May 2, 2013

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## CALL TO ORDER

The Senate was called to order by President Gaetz at 10:00 a.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

## PRAYER

The following prayer was offered by Reverend Dr. Marcius O. King, WGCL (1360 AM), Jacksonville:

Dear Heavenly Father, maker and creator of all mankind and in whom our very being is. It is with the greatest sense of gratitude that we acknowledge your many blessings upon each of us. We realize that you have allowed us to see the dawning, not only of another session, but the blessings also of a new day.

We ask that you will guide our hearts and minds as we go about to do the work for the people for this, our great State of Florida. We ask if you would be in every vote that is cast and in every decision that is made. Guide our hearts and minds that we might make the right decisions for all of the people of this great state.

We realize, Heavenly Father, that you have already blessed us, but for the good that each of us will endeavor to do for every citizen of this state, we ask if you would bless us even the more. By faith, we believe that you

have accepted our humble request, and we ask that you grant us your continued love and care. Amen.

## PLEDGE

Senate Pages Zack Kanter of Sarasota and Abbey Fagan of Fleming Island led the Senate in the pledge of allegiance to the flag of the United States of America.

## SPECIAL RECOGNITION

At the request of the President, staff members of the Senate Committees and the offices of Bill Drafting, the Sergeant at Arms, the Secretary, and Information Technology were present in the chamber and gallery. The President, President Pro Tempore, and Committee Chairs recognized and thanked the staff members on behalf of the Senators.

## ADOPTION OF RESOLUTIONS

At the request of Senator Joyner—

By Senator Joyner—

**SR 576**—A resolution recognizing the love of country and lifetime public service of Bill McBride, Esquire.

WHEREAS, Bill McBride was born on May 10, 1945, in Belleville, Illinois, but soon moved with his family to Leesburg, where he graduated from Leesburg High School, and

WHEREAS, after graduating from the University of Florida with a bachelor of arts in English in 1967, Bill McBride went on to serve from 1968 through 1971 as an infantry officer in the United States Marine Corps, including a tour in Vietnam as an infantry platoon commander, company commander, and combined unit leader, and

WHEREAS, as a young soldier, Bill McBride demonstrated outstanding bravery and leadership, earning recognition as the 1968 Leadership Honor Graduate from the United States Marine Corps Basic School and as a 1969 Honor Graduate from the Army Ranger School, and receiving numerous citations and awards, including the Bronze Star with Combat V for valorous action, and

WHEREAS, in 1975, Bill McBride graduated with honors from the University of Florida College of Law, where he served as a member of the Florida Law Review, went on to serve as a managing partner with the Holland and Knight law firm and, later, was a partner with the Barnett Bolt Kirkwood Long McBride law firm, and

WHEREAS, Bill McBride was widely recognized for his benevolence, pro bono legal work, and public service in his life mission to serve this state, receiving the Tree of Life Award from the Jewish National Fund, the Silver Medallion Award from the National Conference of Christians and Jews, the Person of Vision Award from Prevent Blindness of Florida, the Dr. Martin Luther King, Jr. Individual Human Rights and Community Service Award, the Humanitarian Award and Citizen of the Year Award from the Judeo Christian Clinic of Hillsborough County, the Outstanding Citizen Award from the Hillsborough Association of Retarded Citizens, the Robert Saunders Leadership Award from the National Association for the Advancement of Colored People, the Human and Civil Rights Award from the Florida Education Association, the National Pro Bono Award from the Supreme Court of the United States, and numerous other recognitions, and

WHEREAS, renowned as a promoter for equality, Bill McBride was a champion for the survivors of the Rosewood Massacre and offered untold

pro bono legal services to those he believed were in need of, but unable to afford, legal assistance, and

WHEREAS, long considered one of Tampa's favorite political sons, Bill McBride will long be remembered for his exuberance, vitality, and cheerfulness, but his most lasting legacies will undoubtedly be his countless good deeds and his unfailing commitment to help those who are unable to advocate for themselves and his promotion of equal treatment under the law for all people, and

WHEREAS, Bill McBride was a devoted husband of 25 years to his wife, Alex Sink, and a loving and proud father to his children, William Albert and Lexi McBride Crawford and her husband, Douglas, a treasured son to Patricia Sweat, a caring brother to Cheryle McBride and Paul McBride and his wife, Pat, and a beloved uncle to Chris McBride, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That Bill McBride, Esquire, is remembered for his leadership and devotion to ensuring equality, freedom, and justice for all Floridians through his lifelong activism and steadfast campaign against social injustice, for his never-waning encouragement to others to strive for freedom from discrimination and oppression, and, foremost, for his outstanding public service.

—**SR 576** was introduced, read and adopted by publication.

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At the request of Senator Latvala—

By Senator Latvala—

**SR 1912**—A resolution recognizing “Flight 2014, The Centennial Celebration of The World’s First Airline.”

WHEREAS, on January 1, 1914, Tony Jannus made aviation history by flying the Benoist #14 on the inaugural 22-minute flight of the St. Petersburg to Tampa Airboat Line, the world’s first scheduled commercial airline, and

WHEREAS, the events of that day fostered an industry that has made worldwide travel not only possible, but practical, and

WHEREAS, that pioneering flight exemplifies the entrepreneurial spirit that has evolved into an industry that has an economic impact in this state of nearly \$100 billion and in the nation of more than \$1.3 trillion, and

WHEREAS, today, Florida has more than 100 airports, with 14 enjoying international status and 60 commercial air carriers serving the nation and employing more than 500,000 persons, and

WHEREAS, as the 100th anniversary of this historic event grows near, plans are underway to commemorate the flight with a reenactment using a full-scale replica airboat, and

WHEREAS, this prediction by Percival Fansler, founder of the St. Petersburg-Tampa Airboat Line, has proved prophetic: “The Airboat Line to Tampa will be only a forerunner of great activity along these lines in the near future. . . What was impossible yesterday is an accomplishment of today—while tomorrow heralds the unbelievable,” NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we recognize “Flight 2014, The Centennial Celebration of The World’s First Airline,” and express appreciation to the three founding organizations of the commemoration, the Florida Aviation Historical Society, the St. Petersburg Museum of History, and the Tony Jannus Distinguished Aviation Society.

—**SR 1912** was introduced, read and adopted by publication.

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At the request of Senator Bean—

By Senator Bean—

**SR 1914**—A resolution recognizing the ballad “I Am Florida.”

WHEREAS, the ballad “I Am Florida” was produced and recorded by Walter “Clyde” Orange, a Grammy Award-winning songwriter, vocalist, and founding member of The Commodores, and

WHEREAS, Clyde Orange, Adrian Rezza, and Lucas Rezza wrote the ballad, which was inspired by the lyrics of the poem “I Am Florida,” written by South Florida author Allen Autry, Sr., in 2010, and

WHEREAS, Autry’s poem “I Am Florida” reflects Clyde Orange’s deep love and affection for his birthplace and home, and so he composed the ballad “I Am Florida” to lovingly reflect the beauty and history of this great state, and

WHEREAS, the ballad “I Am Florida” illustrates the reasons that millions of men and women, families, and retired persons have made the state their home and references historical milestones that have contributed to the growth of this state, and

WHEREAS, widely appealing throughout the country, the ballad “I Am Florida” is an outstanding example of what brings so many people to this culturally rich state, and

WHEREAS, “I Am Florida” is deserving of recognition as a great song honoring this state, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we recognize the ballad “I Am Florida,” written by Walter “Clyde” Orange.

—**SR 1914** was introduced, read and adopted by publication.

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At the request of Senator Bean—

By Senator Bean—

**SR 1916**—A resolution recognizing the 50th anniversary of the Isle of Eight Flags Shrimp Boat Races and Festival.

WHEREAS, Fernandina Beach is the birthplace of the modern shrimping industry and, for more than a century, has produced the finest wild-caught shrimp brought in by skilled, hardworking fishermen plying the inland and offshore state and federal waters of the Atlantic Ocean and the Gulf of Mexico, and

WHEREAS, the Shrimp Boat Races and Festival began in 1963, under the guidance of Dee Dee Bartels, president of the Historical Society, with assistance from Melvin Daugherty, Billy Burbank, Jr., Joe Tringali, and Ray Caldwell, and

WHEREAS, the Cook, Tringali, and Lang families were the first to participate in racing, with the late Dave Cook’s daughter, Arnez Cook Jones, playing an active role in shrimping history, and

WHEREAS, Caterpillar and other businesses supported the race and donated prizes, and family members prepared, served, and sold seafood gumbo, and

WHEREAS, shrimp boats racing during the 1960s and 1970s included the Captain D. A. Cook, Sr., the Lady Annie, the Charlie B., the Annie, the Haze, the Atlantic Sun, the Dixie Queen, the Jerry and Linda, the Miss Melody, the Miss Louise, the Miss Nina Jo, the Beach King, the Florida Boys, the Wanda Peggy, the Eight Flags, the Lady Belle, the Mr. Fox, the Little David, the Murdock, the Pryor, the Ebb Tide, the Chickadee, the Miss Hazel, the Jitterbug, the Golden Isles, the Gray Ghost, the Miss Carol J., the Delores D., the Capt. Flossy, the Golden Knight, the Golden Nugget, and others, and

WHEREAS, Fernandina Beach native Wendell Herbert McCollough, born in 1914, held the distinction of being the only African-American shrimper to enter and win the Fernandina Beach shrimp boat races, winning in 1969 on Joe Tringali’s boat, the Ebb Tide, and

WHEREAS, the shrimp boat races signaled the start of the shrimping season, and, in the 1970s, the Eight Flags Shrimp Boat Races was renamed the Isle of Eight Flags Shrimp Boat Races and Festival, and

WHEREAS, shrimp boat races continued until 1974, when the cost of fuel became prohibitive, and

WHEREAS, shrimpers continue to contribute to the well-being and quality of life of their families and all Floridians, playing a vital role in competing with imported farm-raised shrimp, providing jobs, and contributing valuable natural resources to the local economy and community, and

WHEREAS, in 2005, as part of the celebration of Super Bowl XXXIX, the Shrimp Producers Association and the Amelia Island-Fernandina Beach-Yulee Chamber of Commerce organized an event, and Janie Thomas secured a permit that allowed two shrimp boats, representing the Philadelphia Eagles and the New England Patriots, respectively, to race and 36 shrimp boats representing different NFL and AFL teams to participate in the “Super Shrimp Boat Race and Parade,” the “Super Hermit Crab Races,” and the “Super Shellfish Feast,” and

WHEREAS, shrimpers have earned the respect of the general public for their dedication and contribution to people’s lives, working positively with the state and federal governments to protect sea turtles and other marine life using efficient and effective devices, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we recognize the 50th anniversary of the Isle of Eight Flags Shrimp Boat Races and Festival.

—SR 1916 was introduced, read and adopted by publication.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1472, with 1 amendment, and requests the concurrence of the Senate.

*Robert L. “Bob” Ward, Clerk*

**CS for CS for SB 1472**—A bill to be entitled An act relating to nuclear and integrated gasification combined cycle power plants; amending s. 366.93, F.S.; modifying an alternative cost recovery mechanism for the recovery of costs for the siting, design, licensing, and construction of nuclear and integrated gasification combined cycle power plants; establishing a procedure and requirements for cost recovery based on preconstruction and construction phases; providing that the commission may not determine that a utility intends to complete construction of a power plant unless the utility proves its efforts by a preponderance of the evidence; providing that a utility that elects not to complete construction of a nuclear power plant may not recover any future rate of return for related costs; requiring a utility to provide notice of its election to the commission; providing for a penalty; exempting certain actions taken before this act takes effect; providing an effective date.

**House Amendment 4 (302261) (with title amendment)**—Remove lines 159-190

Remove line 24 and insert: Section 1. Subsections (1), (2), and (3) of section

And the title is amended as follows:

Remove lines 13-19 and insert: preponderance of the evidence; providing an

On motion by Senator Legg, the Senate concurred in **House Amendment 4 (302261)**.

**CS for CS for SB 1472** passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President  
Abruzzo

Altman  
Bean

Benacquisto  
Bradley

Brandes  
Braynon  
Bullard  
Clemens  
Dean  
Detert  
Diaz de la Portilla  
Evers  
Flores  
Galvano  
Garcia  
Gardiner

Gibson  
Grimsley  
Hays  
Hukill  
Joyner  
Latvala  
Lee  
Legg  
Margolis  
Montford  
Negron  
Richter

Ring  
Sachs  
Simmons  
Simpson  
Smith  
Sobel  
Soto  
Stargel  
Thompson  
Thrasher

Nays—None

## DISCLOSURE

Pursuant to Senate Rule 1.39, I am disclosing that certain provisions in **CS for CS for SB 1472** provide special private gain or loss to a principal by whom I or my spouse, parent, or child is retained or employed. The nature of the interest and the persons or entities involved are specified below.

The passage or defeat of this bill will result in a special private gain or loss to a principal by whom I am retained. However, this will not affect my compensation as counsel for that principal, and I will not receive a special private gain or loss from the passage or defeat of this bill.

As established by Senate Rule, I must vote on this matter.

*Senator Diaz de la Portilla, 40th District*

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 648, with 1 amendment, and requests the concurrence of the Senate.

*Robert L. “Bob” Ward, Clerk*

**CS for SB 648**—A bill to be entitled An act relating to health insurance marketing materials; amending ss. 627.6699 and 627.9407, F.S.; authorizing a health insurer to immediately begin using long-term care insurance advertising material under certain circumstances; providing an effective date.

**House Amendment 1 (536753) (with title amendment)**—Between lines 97 and 98, insert:

Section 3. *The rules adopted by the Financial Services Commission to establish the format for the notice of the estimated premium impact of the federal Patient Protection and Affordable Care Act pursuant to s. 627.410, Florida Statutes, as amended by Senate Bill 1842, House Bill 7155, or similar legislation adopted in the same legislative session or an extension thereof, are not subject to s. 120.541(3), Florida Statutes.*

And the title is amended as follows:

Remove line 6 and insert: under certain circumstances; providing that rules adopted by the Financial Services Commission to establish the format for the notice of the estimated premium impact of the federal Patient Protection and Affordable Care Act pursuant to specified legislation are not subject to s. 120.541(3), F.S., relating to the adverse impact or regulatory costs of a rule; providing an effective

On motion by Senator Hukill, the Senate concurred in **House Amendment 1 (536753)**.

**CS for SB 648** passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President  
Abruzzo

Altman  
Bean

Benacquisto  
Bradley

Brandes	Gibson	Ring
Braynon	Grimsley	Sachs
Bullard	Hays	Simmons
Clemens	Hukill	Simpson
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lee	Soto
Evers	Legg	Stargel
Flores	Margolis	Thompson
Galvano	Montford	Thrasher
Garcia	Negron	
Gardiner	Richter	

Nays—None

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1770, with 1 amendment, and requests the concurrence of the Senate.

*Robert L. "Bob" Ward, Clerk*

**CS for SB 1770**—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; changing the name of the Florida Hurricane Catastrophe Fund Finance Corporation to the State Board of Administration Finance Corporation; amending s. 624.155, F.S.; providing that Citizens Property Insurance Corporation is an insurer subject to civil actions as an agent of the state covered by sovereign immunity; amending s. 626.752, F.S., relating to the exchange of business between an agent and insurer; providing an exemption from the requirements of that section to the corporation or certain private entities under certain circumstances; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to calculate and publish insurance inflation factors for use in residential property insurance filings; prohibiting the office from disapproving a rate as excessive due to the insurer's purchase of reinsurance for certain purposes; deleting obsolete provisions; conforming cross-references; amending s. 627.0628, F.S.; adding a member to the Florida Commission on Hurricane Loss Projection Methodology; amending s. 627.0629, F.S.; requiring insurers to provide notice of mitigation discounts in a residential property insurance rate filing; amending s. 627.351, F.S.; revising legislative intent with respect to the corporation; reducing the value of residential structures that can be covered by the corporation; revising the corporation's eligibility criteria for structures located seaward of the coastal construction control line; requiring the corporation's board of governors to concur with certain decisions by the executive director; providing for risk-sharing agreements between the corporation and other insurers and specifying the requirements and limitations of such agreements; revising provisions relating to the appointment of the board of governors and the executive director; providing that renewal policies are not eligible for continued coverage by the corporation unless the premium for comparable coverage from an authorized insurer exceeds a certain amount; deleting provisions allowing a policyholder removed from the corporation to remain eligible for coverage regardless of an offer of coverage from an authorized insurer; revising corporation criteria for appointing agents; requiring the corporation to provide coverage for mobile homes or manufactured homes and related structures; requiring disclosure of potential corporation surcharges and policyholder obligations to try and obtain private market coverage; revising provisions relating to the Auditor General's review of the corporation; requiring the board to contract with an independent auditing firm to conduct performance audits; authorizing the corporation to adopt programs that encourage insurers to remove policies from the corporation through a loan secured by a surplus note; deleting a provision exempting the corporation from state procurement requirements; requiring the corporation to have an inspector general; providing for appointment; providing duties; requiring an annual report to the Legislature; revising provisions relating to purchases by the corporation; providing that the corporation is subject to state agency purchasing requirements; requiring the corporation to provide notice of purchasing decisions; providing procedures for protesting such decisions; providing applicability; revising the corporation's rate standards; requiring that corporation rates be competitive with approved rates charged in the admitted market, actuarially sound, and include a catastrophe risk factor; requiring the corporation to annually certify its

rates; requiring the board of directors to provide recommendations to the Legislature on ways of providing rate relief to those who demonstrate a financial need; deleting obsolete provisions; creating s. 627.3518, F.S.; establishing a clearinghouse within the corporation for identifying and diverting insurance coverage to private insurers; providing definitions; providing requirements and duties of the corporation, insurers, and agents; amending s. 627.3519, F.S.; revising requirements relating to the preparation of the annual reports relating to the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; establishing a temporary keepout program that allows authorized insurers to provide coverage to applicants for coverage through the corporation through the market assistance program until the clearinghouse is operational; providing program components; providing for expiration; creating s. 627.352, F.S.; creating the Catastrophe Risk Capital Access Facility to facilitate insurer access to global risk capital markets and risk-transfer mechanisms; providing legislative findings and intent; providing that the facility may not operate as an insurer, reinsurer, or other risk-bearing entity, and is not a state agency, board, or commission; providing for membership; providing for an initial governing board which must submit a proposed plan of operation to the Office of Insurance Regulation and recommendations relating to public records and open meetings to the Legislature by a certain date; providing for termination of the initial board; providing for a permanent board; specifying provisions that must be addressed by the plan of operation; providing immunity from liability for the board; amending s. 627.410, F.S.; conforming provisions to changes made by the act; amending s. 627.706, F.S.; authorizing an insurer to offer a reduced amount of sinkhole coverage with an appropriate reduction in premium; providing effective dates.

**House Amendment 1 (082659) (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. Effective June 1, 2013, paragraph (n) of subsection (2), paragraph (b) of subsection (4), paragraphs (b) and (d) of subsection (6), and present subsection (16) of section 215.555, Florida Statutes, are amended, and subsections (17) and (18) of that section are renumbered as subsections (16) and (17), respectively, to read:

215.555 Florida Hurricane Catastrophe Fund.—

(2) DEFINITIONS.—As used in this section:

(n) "Corporation" means the *State Board of Administration Florida Hurricane Catastrophe Fund Finance Corporation* created in paragraph (6)(d).

(4) REIMBURSEMENT CONTRACTS.—

(b)1. The contract shall contain a promise by the board to reimburse the insurer for 45 percent, 75 percent, or 90 percent of its losses from each covered event in excess of the insurer's retention, plus 5 percent of the reimbursed losses to cover loss adjustment expenses.

2. The insurer must elect one of the percentage coverage levels specified in this paragraph and may, upon renewal of a reimbursement contract, elect a lower percentage coverage level if no revenue bonds issued under subsection (6) after a covered event are outstanding, or elect a higher percentage coverage level, regardless of whether or not revenue bonds are outstanding. All members of an insurer group must elect the same percentage coverage level. Any joint underwriting association, risk apportionment plan, or other entity created under s. 627.351 must elect the 90-percent coverage level.

3. The contract shall provide that reimbursement amounts shall not be reduced by reinsurance paid or payable to the insurer from other sources.

~~4. Notwithstanding any other provision contained in this section, the board shall make available to insurers that purchased coverage provided by this subparagraph in 2008, insurers qualifying as limited apportionment companies under s. 627.351(6)(c), and insurers that have been approved to participate in the Insurance Capital Build Up Incentive Program pursuant to s. 215.5595 a contract or contract addendum that provides an additional amount of reimbursement coverage of up to \$10 million. The premium to be charged for this additional reimbursement coverage shall be 50 percent of the additional reimbursement coverage provided, which shall include one prepaid reinstatement. The minimum~~

retention level that an eligible participating insurer must retain associated with this additional coverage layer is 30 percent of the insurer's surplus as of December 31, 2008, for the 2009 2010 contract year; as of December 31, 2009, for the 2010 2011 contract year; and as of December 31, 2010, for the 2011 2012 contract year. This coverage shall be in addition to all other coverage that may be provided under this section. The coverage provided by the fund under this subparagraph shall be in addition to the claims paying capacity as defined in subparagraph (c)1., but only with respect to those insurers that select the additional coverage option and meet the requirements of this subparagraph. The claims paying capacity with respect to all other participating insurers and limited apportionment companies that do not select the additional coverage option shall be limited to their reimbursement premium's proportionate share of the actual claims paying capacity otherwise defined in subparagraph (c)1. and as provided for under the terms of the reimbursement contract. The optional coverage retention as specified shall be accessed before the mandatory coverage under the reimbursement contract, but once the limit of coverage selected under this option is exhausted, the insurer's retention under the mandatory coverage will apply. This coverage will apply and be paid concurrently with mandatory coverage. This subparagraph expires on May 31, 2012.

(6) REVENUE BONDS.—

(b) Emergency assessments—

1. If the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy, by order, an emergency assessment on direct premiums for all property and casualty lines of business in this state, including property and casualty business of surplus lines insurers regulated under part VIII of chapter 626, but not including any workers' compensation premiums or medical malpractice premiums. As used in this subsection, the term "property and casualty business" includes all lines of business identified on Form 2, Exhibit of Premiums and Losses, in the annual statement required of authorized insurers by s. 624.424 and any rule adopted under this section, except for those lines identified as accident and health insurance and except for policies written under the National Flood Insurance Program. The assessment shall be specified as a percentage of direct written premium and is subject to annual adjustments by the board in order to meet debt obligations. The same percentage shall apply to all policies in lines of business subject to the assessment issued or renewed during the 12-month period beginning on the effective date of the assessment.

2. A premium is not subject to an annual assessment under this paragraph in excess of 6 percent of premium with respect to obligations arising out of losses attributable to any one contract year, and a premium is not subject to an aggregate annual assessment under this paragraph in excess of 10 percent of premium. An annual assessment under this paragraph shall continue as long as the revenue bonds issued with respect to which the assessment was imposed are outstanding, including any bonds the proceeds of which were used to refund the revenue bonds, unless adequate provision has been made for the payment of the bonds under the documents authorizing issuance of the bonds.

3. Emergency assessments shall be collected from policyholders. Emergency assessments shall be remitted by insurers as a percentage of direct written premium for the preceding calendar quarter as specified in the order from the Office of Insurance Regulation. The office shall verify the accurate and timely collection and remittance of emergency assessments and shall report the information to the board in a form and at a time specified by the board. Each insurer collecting assessments shall provide the information with respect to premiums and collections as may be required by the office to enable the office to monitor and verify compliance with this paragraph.

4. With respect to assessments of surplus lines premiums, each surplus lines agent shall collect the assessment at the same time as the agent collects the surplus lines tax required by s. 626.932, and the surplus lines agent shall remit the assessment to the Florida Surplus Lines Service Office created by s. 626.921 at the same time as the agent remits the surplus lines tax to the Florida Surplus Lines Service Office. The emergency assessment on each insured procuring coverage and fil-

ing under s. 626.938 shall be remitted by the insured to the Florida Surplus Lines Service Office at the time the insured pays the surplus lines tax to the Florida Surplus Lines Service Office. The Florida Surplus Lines Service Office shall remit the collected assessments to the fund or corporation as provided in the order levied by the Office of Insurance Regulation. The Florida Surplus Lines Service Office shall verify the proper application of such emergency assessments and shall assist the board in ensuring the accurate and timely collection and remittance of assessments as required by the board. The Florida Surplus Lines Service Office shall annually calculate the aggregate written premium on property and casualty business, other than workers' compensation and medical malpractice, procured through surplus lines agents and insureds procuring coverage and filing under s. 626.938 and shall report the information to the board in a form and at a time specified by the board.

5. Any assessment authority not used for a particular contract year may be used for a subsequent contract year. If, for a subsequent contract year, the board determines that the amount of revenue produced under subsection (5) is insufficient to fund the obligations, costs, and expenses of the fund and the corporation, including repayment of revenue bonds and that portion of the debt service coverage not met by reimbursement premiums, the board shall direct the Office of Insurance Regulation to levy an emergency assessment up to an amount not exceeding the amount of unused assessment authority from a previous contract year or years, plus an additional 4 percent provided that the assessments in the aggregate do not exceed the limits specified in subparagraph 2.

6. The assessments otherwise payable to the corporation under this paragraph shall be paid to the fund unless and until the Office of Insurance Regulation and the Florida Surplus Lines Service Office have received from the corporation and the fund a notice, which shall be conclusive and upon which they may rely without further inquiry, that the corporation has issued bonds and the fund has no agreements in effect with local governments under paragraph (c). On or after the date of the notice and until the date the corporation has no bonds outstanding, the fund shall have no right, title, or interest in or to the assessments, except as provided in the fund's agreement with the corporation.

7. Emergency assessments are not premium and are not subject to the premium tax, to the surplus lines tax, to any fees, or to any commissions. An insurer is liable for all assessments that it collects and must treat the failure of an insured to pay an assessment as a failure to pay the premium. An insurer is not liable for uncollectible assessments.

8. When an insurer is required to return an unearned premium, it shall also return any collected assessment attributable to the unearned premium. A credit adjustment to the collected assessment may be made by the insurer with regard to future remittances that are payable to the fund or corporation, but the insurer is not entitled to a refund.

9. When a surplus lines insured or an insured who has procured coverage and filed under s. 626.938 is entitled to the return of an unearned premium, the Florida Surplus Lines Service Office shall provide a credit or refund to the agent or such insured for the collected assessment attributable to the unearned premium prior to remitting the emergency assessment collected to the fund or corporation.

10. The exemption of medical malpractice insurance premiums from emergency assessments under this paragraph is repealed May 31, 2016 ~~2013~~, and medical malpractice insurance premiums shall be subject to emergency assessments attributable to loss events occurring in the contract years commencing on June 1, 2016 ~~2013~~.

(d) ~~State Board of Administration Florida Hurricane Catastrophe Fund~~ Finance Corporation.—

1. In addition to the findings and declarations in subsection (1), the Legislature also finds and declares that:

a. The public benefits corporation created under this paragraph will provide a mechanism necessary for the cost-effective and efficient issuance of bonds. This mechanism will eliminate unnecessary costs in the bond issuance process, thereby increasing the amounts available to pay reimbursement for losses to property sustained as a result of hurricane damage.

b. The purpose of such bonds is to fund reimbursements through the Florida Hurricane Catastrophe Fund to pay for the costs of construction, reconstruction, repair, restoration, and other costs associated with damage to properties of policyholders of covered policies due to the occurrence of a hurricane.

c. The efficacy of the financing mechanism will be enhanced by the corporation's ownership of the assessments, by the insulation of the assessments from possible bankruptcy proceedings, and by covenants of the state with the corporation's bondholders.

2.a. There is created a public benefits corporation, which is an instrumentality of the state, to be known as the *State Board of Administration Florida Hurricane Catastrophe Fund Finance Corporation*.

b. The corporation shall operate under a five-member board of directors consisting of the Governor or a designee, the Chief Financial Officer or a designee, the Attorney General or a designee, the director of the Division of Bond Finance of the State Board of Administration, and the *Chief Operating Officer senior employee of the State Board of Administration responsible for operations* of the Florida Hurricane Catastrophe Fund.

c. The corporation has all of the powers of corporations under chapter 607 and under chapter 617, subject only to the provisions of this subsection.

d. The corporation may issue bonds and engage in such other financial transactions as are necessary to provide sufficient funds to achieve the purposes of this section.

e. The corporation may invest in any of the investments authorized under s. 215.47.

f. There shall be no liability on the part of, and no cause of action shall arise against, any board members or employees of the corporation for any actions taken by them in the performance of their duties under this paragraph.

3.a. In actions under chapter 75 to validate any bonds issued by the corporation, the notice required by s. 75.06 shall be published in two newspapers of general circulation in the state, and the complaint and order of the court shall be served only on the State Attorney of the Second Judicial Circuit.

b. The state hereby covenants with holders of bonds of the corporation that the state will not repeal or abrogate the power of the board to direct the Office of Insurance Regulation to levy the assessments and to collect the proceeds of the revenues pledged to the payment of such bonds as long as any such bonds remain outstanding unless adequate provision has been made for the payment of such bonds pursuant to the documents authorizing the issuance of such bonds.

4. The bonds of the corporation are not a debt of the state or of any political subdivision, and neither the state nor any political subdivision is liable on such bonds. The corporation does not have the power to pledge the credit, the revenues, or the taxing power of the state or of any political subdivision. The credit, revenues, or taxing power of the state or of any political subdivision shall not be deemed to be pledged to the payment of any bonds of the corporation.

5.a. The property, revenues, and other assets of the corporation; the transactions and operations of the corporation and the income from such transactions and operations; and all bonds issued under this paragraph and interest on such bonds are exempt from taxation by the state and any political subdivision, including the intangibles tax under chapter 199 and the income tax under chapter 220. This exemption does not apply to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations other than the *State Board of Administration Florida Hurricane Catastrophe Fund Finance Corporation*.

b. All bonds of the corporation shall be and constitute legal investments without limitation for all public bodies of this state; for all banks, trust companies, savings banks, savings associations, savings and loan associations, and investment companies; for all administrators, executors, trustees, and other fiduciaries; for all insurance companies and associations and other persons carrying on an insurance business; and for all other persons who are now or may hereafter be authorized to

invest in bonds or other obligations of the state and shall be and constitute eligible securities to be deposited as collateral for the security of any state, county, municipal, or other public funds. This sub-subparagraph shall be considered as additional and supplemental authority and shall not be limited without specific reference to this sub-subparagraph.

6. The corporation and its corporate existence shall continue until terminated by law; however, no such law shall take effect as long as the corporation has bonds outstanding unless adequate provision has been made for the payment of such bonds pursuant to the documents authorizing the issuance of such bonds. Upon termination of the existence of the corporation, all of its rights and properties in excess of its obligations shall pass to and be vested in the state.

7. *The State Board of Administration Finance Corporation is for all purposes the successor to the Florida Hurricane Catastrophe Fund Finance Corporation.*

#### ~~(16) TEMPORARY EMERGENCY OPTIONS FOR ADDITIONAL COVERAGE.~~

##### ~~(a) Findings and intent.~~

##### ~~1. The Legislature finds that:~~

~~a. Because of temporary disruptions in the market for catastrophic reinsurance, many property insurers were unable to procure reinsurance for the 2006 hurricane season with an attachment point below the insurers' respective Florida Hurricane Catastrophe Fund attachment points, were unable to procure sufficient amounts of such reinsurance, or were able to procure such reinsurance only by incurring substantially higher costs than in prior years.~~

~~b. The reinsurance market problems were responsible, at least in part, for substantial premium increases to many consumers and increases in the number of policies issued by the Citizens Property Insurance Corporation.~~

~~c. It is likely that the reinsurance market disruptions will not significantly abate prior to the 2007 hurricane season.~~

~~2. It is the intent of the Legislature to create a temporary emergency program, applicable to the 2007, 2008, and 2009 hurricane seasons, to address these market disruptions and enable insurers, at their option, to procure additional coverage from the Florida Hurricane Catastrophe Fund.~~

~~(b) Applicability of other provisions of this section. All provisions of this section and the rules adopted under this section apply to the program created by this subsection unless specifically superseded by this subsection.~~

~~(c) Optional coverage. For the contract year commencing June 1, 2007, and ending May 31, 2008, the contract year commencing June 1, 2008, and ending May 31, 2009, and the contract year commencing June 1, 2009, and ending May 31, 2010, the board shall offer for each of such years the optional coverage as provided in this subsection.~~

##### ~~(d) Additional definitions. As used in this subsection, the term:~~

~~1. "TEACO options" means the temporary emergency additional coverage options created under this subsection.~~

~~2. "TEACO insurer" means an insurer that has opted to obtain coverage under the TEACO options in addition to the coverage provided to the insurer under its reimbursement contract.~~

~~3. "TEACO reimbursement premium" means the premium charged by the fund for coverage provided under the TEACO options.~~

~~4. "TEACO retention" means the amount of losses below which a TEACO insurer is not entitled to reimbursement from the fund under the TEACO option selected. A TEACO insurer's retention options shall be calculated as follows:~~

~~a. The board shall calculate and report to each TEACO insurer the TEACO retention multiples. There shall be three TEACO retention multiples for defining coverage. Each multiple shall be calculated by~~



dividing \$3 billion, \$4 billion, or \$5 billion by the total estimated mandatory FHCF reimbursement premium assuming all insurers selected the 90 percent coverage level.

b. The TEACO retention multiples as determined under sub-subparagraph a. shall be adjusted to reflect the coverage level elected by the insurer. For insurers electing the 90 percent coverage level, the adjusted retention multiple is 100 percent of the amount determined under sub-subparagraph a. For insurers electing the 75 percent coverage level, the retention multiple is 120 percent of the amount determined under sub-subparagraph a. For insurers electing the 45 percent coverage level, the adjusted retention multiple is 200 percent of the amount determined under sub-subparagraph a.

c. An insurer shall determine its provisional TEACO retention by multiplying its estimated mandatory FHCF reimbursement premium by the applicable adjusted TEACO retention multiple and shall determine its actual TEACO retention by multiplying its actual mandatory FHCF reimbursement premium by the applicable adjusted TEACO retention multiple.

d. For TEACO insurers who experience multiple covered events causing loss during the contract year, the insurer's full TEACO retention shall be applied to each of the covered events causing the two largest losses for that insurer. For other covered events resulting in losses, the TEACO option does not apply and the insurer's retention shall be one-third of the full retention as calculated under paragraph (2)(c).

5. "TEACO addendum" means an addendum to the reimbursement contract reflecting the obligations of the fund and TEACO insurers under the program created by this subsection.

6. "FHCF" means the Florida Hurricane Catastrophe Fund.

(c) TEACO addendum.—

1. The TEACO addendum shall provide for reimbursement of TEACO insurers for covered events occurring during the contract year, in exchange for the TEACO reimbursement premium paid into the fund under paragraph (f). Any insurer writing covered policies has the option of choosing to accept the TEACO addendum for any of the 3 contract years that the coverage is offered.

2. The TEACO addendum shall contain a promise by the board to reimburse the TEACO insurer for 45 percent, 75 percent, or 90 percent of its losses from each covered event in excess of the insurer's TEACO retention, plus 5 percent of the reimbursed losses to cover loss adjustment expenses. The percentage shall be the same as the coverage level selected by the insurer under paragraph (4)(b).

3. The TEACO addendum shall provide that reimbursement amounts shall not be reduced by reinsurance paid or payable to the insurer from other sources.

4. The TEACO addendum shall also provide that the obligation of the board with respect to all TEACO addenda shall not exceed an amount equal to two times the difference between the industry retention level calculated under paragraph (2)(c) and the \$3 billion, \$4 billion, or \$5 billion industry TEACO retention level options actually selected, but in no event may the board's obligation exceed the actual claims paying capacity of the fund plus the additional capacity created in paragraph (g). If the actual claims paying capacity and the additional capacity created under paragraph (g) fall short of the board's obligations under the reimbursement contract, each insurer's share of the fund's capacity shall be prorated based on the premium an insurer pays for its mandatory reimbursement coverage and the premium paid for its optional TEACO coverage as each such premium bears to the total premiums paid to the fund times the available capacity.

5. The priorities, schedule, and method of reimbursements under the TEACO addendum shall be the same as provided under subsection (4).

6. A TEACO insurer's maximum reimbursement for a single event shall be equal to the product of multiplying its mandatory FHCF premium by the difference between its FHCF retention multiple and its TEACO retention multiple under the TEACO option selected and by the coverage selected under paragraph (4)(b), plus an additional 5 percent for loss adjustment expenses. A TEACO insurer's maximum reimbursement under the TEACO option selected for a TEACO insurer's

two largest events shall be twice its maximum reimbursement for a single event.

(f) TEACO reimbursement premiums.—

1. Each TEACO insurer shall pay to the fund, in the manner and at the time provided in the reimbursement contract for payment of reimbursement premiums, a TEACO reimbursement premium calculated as specified in this paragraph.

2. The insurer's TEACO reimbursement premium associated with the \$3 billion retention option shall be equal to 85 percent of a TEACO insurer's maximum reimbursement for a single event as calculated under subparagraph (c)6. The TEACO reimbursement premium associated with the \$4 billion retention option shall be equal to 80 percent of a TEACO insurer's maximum reimbursement for a single event as calculated under subparagraph (c)6. The TEACO premium associated with the \$5 billion retention option shall be equal to 75 percent of a TEACO insurer's maximum reimbursement for a single event as calculated under subparagraph (c)6.

(g) Effect on claims paying capacity of the fund.—For the contract term commencing June 1, 2007, the contract year commencing June 1, 2008, and the contract term beginning June 1, 2009, the program created by this subsection shall increase the claims paying capacity of the fund as provided in subparagraph (4)(c)1. by an amount equal to two times the difference between the industry retention level calculated under paragraph (2)(c) and the \$3 billion industry TEACO retention level specified in sub-subparagraph (d)4.a. The additional capacity shall apply only to the additional coverage provided by the TEACO option and shall not otherwise affect any insurer's reimbursement from the fund.

Section 2. Subsection (4) of section 626.752, Florida Statutes, is amended to read:

626.752 Exchange of business.—

(4) The foregoing limitations and restrictions shall not be construed and shall not apply to the placing of surplus lines business under the provisions of part VIII or to the activities of Citizens Property Insurance Corporation in placing new and renewal business with authorized insurers in accordance with s. 627.3518.

Section 3. Present subsections (11), (15), and (17) of section 626.854, Florida Statutes, are amended, and a new subsection (17) is added to that section to read:

626.854 "Public adjuster" defined; prohibitions.—The Legislature finds that it is necessary for the protection of the public to regulate public insurance adjusters and to prevent the unauthorized practice of law.

(11)(a) If a public adjuster enters into a contract with an insured or claimant to reopen a claim or file a supplemental claim that seeks additional payments for a claim that has been previously paid in part or in full or settled by the insurer, the public adjuster may not charge, agree to, or accept from any source any compensation, payment, commission, fee, or any other thing of value based on a previous settlement or previous claim payments by the insurer for the same cause of loss. The charge, compensation, payment, commission, fee, or any other thing of value must be based only on the claim payments or settlement obtained through the work of the public adjuster after entering into the contract with the insured or claimant. Compensation for the reopened or supplemental claim may not exceed 20 percent of the reopened or supplemental claim payment. In no event shall the contracts described in this paragraph exceed are not subject to the limitations in paragraph (b).

(b) A public adjuster may not charge, agree to, or accept from any source any compensation, payment, commission, fee, or any other thing of value in excess of:

1. Ten percent of the amount of insurance claim payments made by the insurer for claims based on events that are the subject of a declaration of a state of emergency by the Governor. This provision applies to claims made during the year after the declaration of emergency. After that year, the limitations in subparagraph 2. apply.

2. Twenty percent of the amount of insurance claim payments made by the insurer for claims that are not based on events that are the subject of a declaration of a state of emergency by the Governor.

(c) *Any maneuver, shift, or device through which the limits on compensation set forth in this subsection are exceeded is a violation of this chapter punishable as provided under s. 626.8698.*

(15) ~~A public adjuster must ensure prompt notice of property loss claims submitted to an insurer by or through a public adjuster or on which a public adjuster represents the insured at the time the claim or notice of loss is submitted to the insurer.~~ The public adjuster must ensure that *prompt* notice is given of the claim to the insurer, the public adjuster's contract is provided to the insurer, the property is available for inspection of the loss or damage by the insurer, and the insurer is given an opportunity to interview the insured directly about the loss and claim. The insurer must be allowed to obtain necessary information to investigate and respond to the claim.

(a) The insurer may not exclude the public adjuster from its in-person meetings with the insured. The insurer shall meet or communicate with the public adjuster in an effort to reach agreement as to the scope of the covered loss under the insurance policy. *The public adjuster shall meet or communicate with the insurer in an effort to reach agreement as to the scope of the covered loss under the insurance policy.* This section does not impair the terms and conditions of the insurance policy in effect at the time the claim is filed.

(b) A public adjuster may not restrict or prevent an insurer, company employee adjuster, independent adjuster, attorney, investigator, or other person acting on behalf of the insurer from having reasonable access at reasonable times to *any* ~~an~~ insured or claimant or to the insured property that is the subject of a claim.

(c) A public adjuster may not act or fail to reasonably act in any manner that obstructs or prevents an insurer or insurer's adjuster from timely conducting an inspection of any part of the insured property for which there is a claim for loss or damage. The public adjuster representing the ~~insureds~~ *insured* may be present for the insurer's inspection, but if the unavailability of the public adjuster otherwise delays the insurer's timely inspection of the property, the public adjuster or the ~~insureds~~ *insured* must allow the insurer to have access to the property without the participation or presence of the public adjuster or ~~insureds~~ *insured* in order to facilitate the insurer's prompt inspection of the loss or damage.

(17) *A public adjuster shall not acquire any interest in salvaged property, except with the written consent and permission of the insured through a signed affidavit.*

(18)(17) The provisions of subsections (5)-(17) ~~(5)-(16)~~ apply only to residential property insurance policies and condominium unit owner policies as defined in s. 718.111(11).

Section 4. *The Legislature intends to enhance the expertise immediately available to the commission by increasing the membership of the Florida Commission on Hurricane Loss Projection Methodology to provide for the appointment of an additional member with special qualifications or attributes.*

Section 5. Subsection (2) of section 627.0628, Florida Statutes, is amended to read:

627.0628 Florida Commission on Hurricane Loss Projection Methodology; public records exemption; public meetings exemption.—

#### (2) COMMISSION CREATED.—

(a) There is created the Florida Commission on Hurricane Loss Projection Methodology, which is assigned to the State Board of Administration. For the purposes of this section, the term "commission" means the Florida Commission on Hurricane Loss Projection Methodology. The commission shall be administratively housed within the State Board of Administration, but it shall independently exercise the powers and duties specified in this section.

(b) The commission shall consist of the following ~~12~~ *11* members:

1. The insurance consumer advocate.

2. The senior employee of the State Board of Administration responsible for operations of the Florida Hurricane Catastrophe Fund.

3. The Executive Director of the Citizens Property Insurance Corporation.

4. The Director of the Division of Emergency Management.

5. The actuary member of the Florida Hurricane Catastrophe Fund Advisory Council.

6. An employee of the office who is an actuary responsible for property insurance rate filings and who is appointed by the director of the office.

7. Five members appointed by the Chief Financial Officer, as follows:

a. An actuary who is employed full time by a property and casualty insurer that was responsible for at least 1 percent of the aggregate statewide direct written premium for homeowner's insurance in the calendar year preceding the member's appointment to the commission.

b. An expert in insurance finance who is a full-time member of the faculty of the State University System and who has a background in actuarial science.

c. An expert in statistics who is a full-time member of the faculty of the State University System and who has a background in insurance.

d. An expert in computer system design who is a full-time member of the faculty of the State University System.

e. An expert in meteorology who is a full-time member of the faculty of the State University System and who specializes in hurricanes.

8. *A licensed professional structural engineer who is a full-time faculty member in the State University System and who has expertise in wind mitigation techniques. This appointment shall be made by the Governor.*

(c) Members designated under subparagraphs (b)1.-5. shall serve on the commission as long as they maintain the respective offices designated in subparagraphs (b)1.-5. The member appointed by the director of the office under subparagraph (b)6. shall serve on the commission until the end of the term of office of the director who appointed him or her, unless removed earlier by the director for cause. Members appointed by the Chief Financial Officer under subparagraph (b)7. shall serve on the commission until the end of the term of office of the Chief Financial Officer who appointed them, unless earlier removed by the Chief Financial Officer for cause. Vacancies on the commission shall be filled in the same manner as the original appointment.

(d) The State Board of Administration shall annually appoint one of the members of the commission to serve as chair.

(e) Members of the commission shall serve without compensation, but shall be reimbursed for per diem and travel expenses pursuant to s. 112.061.

(f) The State Board of Administration shall, as a cost of administration of the Florida Hurricane Catastrophe Fund, provide for travel, expenses, and staff support for the commission.

(g) There shall be no liability on the part of, and no cause of action of any nature shall arise against, any member of the commission, any member of the State Board of Administration, or any employee of the State Board of Administration for any action taken in the performance of their duties under this section. In addition, the commission may, in writing, waive any potential cause of action for negligence of a consultant, contractor, or contract employee engaged to assist the commission.

Section 6. Subsection (5) of section 627.0629, Florida Statutes, is amended to read:

627.0629 Residential property insurance; rate filings.—

(5) In order to provide an appropriate transition period, an insurer may implement an approved rate filing for residential property insurance over a period of years. Such insurer must provide an informational notice to the office setting out its schedule for implementation of

the phased-in rate filing. The insurer may include in its rate the actual cost of private market reinsurance that corresponds to available coverage of the Temporary Increase in Coverage Limits, TICL, from the Florida Hurricane Catastrophe Fund. The insurer may also include the cost of reinsurance to replace the TICL reduction implemented pursuant to s. 215.555(16)(d)9. ~~215.555(17)(d)9.~~ However, this cost for reinsurance may not include any expense or profit load or result in a total annual base rate increase in excess of 10 percent.

Section 7. Paragraphs (a), (c), (i), (k), and (q) of subsection (6) of section 627.351, Florida Statutes, are amended, and paragraphs (gg) and (hh) are added to that subsection, to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(a) The public purpose of this subsection is to ensure that there is an orderly market for property insurance for residents and businesses of this state.

1. The Legislature finds that private insurers are unwilling or unable to provide affordable property insurance coverage in this state to the extent sought and needed. The absence of affordable property insurance threatens the public health, safety, and welfare and likewise threatens the economic health of the state. The state therefore has a compelling public interest and a public purpose to assist in assuring that property in the state is insured and that it is insured at affordable rates so as to facilitate the remediation, reconstruction, and replacement of damaged or destroyed property in order to reduce or avoid the negative effects otherwise resulting to the public health, safety, and welfare, to the economy of the state, and to the revenues of the state and local governments which are needed to provide for the public welfare. It is necessary, therefore, to provide affordable property insurance to applicants who are in good faith entitled to procure insurance through the voluntary market but are unable to do so. The Legislature intends, therefore, that affordable property insurance be provided and that it continue to be provided, as long as necessary, through Citizens Property Insurance Corporation, a government entity that is an integral part of the state, and that is not a private insurance company. To that end, the corporation shall strive to increase the availability of affordable property insurance in this state, while achieving efficiencies and economies, and while providing service to policyholders, applicants, and agents which is no less than the quality generally provided in the voluntary market, for the achievement of the foregoing public purposes. Because it is essential for this government entity to have the maximum financial resources to pay claims following a catastrophic hurricane, it is the intent of the Legislature that the corporation continue to be an integral part of the state and that the income of the corporation be exempt from federal income taxation and that interest on the debt obligations issued by the corporation be exempt from federal income taxation.

2. The Residential Property and Casualty Joint Underwriting Association originally created by this statute shall be known as the Citizens Property Insurance Corporation. The corporation shall provide insurance for residential and commercial property, for applicants who are entitled, but, in good faith, are unable to procure insurance through the voluntary market. The corporation shall operate pursuant to a plan of operation approved by order of the Financial Services Commission. The plan is subject to continuous review by the commission. The commission may, by order, withdraw approval of all or part of a plan if the commission determines that conditions have changed since approval was granted and that the purposes of the plan require changes in the plan. For the purposes of this subsection, residential coverage includes both personal lines residential coverage, which consists of the type of coverage provided by homeowner's, mobile home owner's, dwelling, tenant's, condominium unit owner's, and similar policies; and commercial lines residential coverage, which consists of the type of coverage provided by condominium association, apartment building, and similar policies.

3. With respect to coverage for personal lines residential structures:

a. Effective January 1, 2014 ~~2009~~, a ~~personal lines residential~~ structure that has a dwelling replacement cost of \$1 ~~\$2~~ million or more, or a single condominium unit that has a combined dwelling and contents replacement cost of \$1 ~~\$2~~ million or more is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2013 ~~2008~~, may continue to be covered by the corporation until the

end of the policy term. ~~However, such dwellings may reapply and obtain coverage if the property owner provides the corporation with a sworn affidavit from one or more insurance agents, on a form provided by the corporation, stating that the agents have made their best efforts to obtain coverage and that the property has been rejected for coverage by at least one authorized insurer and at least three surplus lines insurers. If such conditions are met, the dwelling may be insured by the corporation for up to 3 years, after which time the dwelling is ineligible for coverage.~~ The office shall approve the method used by the corporation for valuing the dwelling replacement cost for the purposes of this subparagraph. If a policyholder is insured by the corporation ~~before~~ ~~prior to~~ being determined to be ineligible pursuant to this subparagraph and such policyholder files a lawsuit challenging the determination, the policyholder may remain insured by the corporation until the conclusion of the litigation.

b. *Effective January 1, 2015, a structure that has a dwelling replacement cost of \$900,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of \$900,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2014, may continue to be covered by the corporation only until the end of the policy term.*

c. *Effective January 1, 2016, a structure that has a dwelling replacement cost of \$800,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of \$800,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2015, may continue to be covered by the corporation until the end of the policy term.*

d. *Effective January 1, 2017, a structure that has a dwelling replacement cost of \$700,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of \$700,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2016, may continue to be covered by the corporation until the end of the policy term.*

*The requirements of sub-subparagraphs b.-d. do not apply in counties where the office determines there is not a reasonable degree of competition. In such counties a personal lines residential structure that has a dwelling replacement cost of less than \$1 million, or a single condominium unit that has a combined dwelling and contents replacement cost of less than \$1 million, is eligible for coverage by the corporation.*

4. It is the intent of the Legislature that policyholders, applicants, and agents of the corporation receive service and treatment of the highest possible level but never less than that generally provided in the voluntary market. It is also intended that the corporation be held to service standards no less than those applied to insurers in the voluntary market by the office with respect to responsiveness, timeliness, customer courtesy, and overall dealings with policyholders, applicants, or agents of the corporation.

5.a. Effective January 1, 2009, a personal lines residential structure that is located in the "wind-borne debris region," as defined in s. 1609.2, International Building Code (2006), and that has an insured value on the structure of \$750,000 or more is not eligible for coverage by the corporation unless the structure has opening protections as required under the Florida Building Code for a newly constructed residential structure in that area. A residential structure is ~~shall be~~ deemed to comply with this subparagraph if it has shutters or opening protections on all openings and if such opening protections complied with the Florida Building Code at the time they were installed.

b. *Any major structure as defined in s. 161.54(6)(a) for which a permit is applied on or after July 1, 2014, for new construction or substantial improvement as defined in s. 161.54(12) is not eligible for coverage by the corporation if the structure is seaward of the coastal construction control line established pursuant to s. 161.053 or is within the Coastal Barrier Resources System as designated by 16 U.S.C. ss. 3501-3510.*

~~6. For any claim filed under any policy of the corporation, a public adjuster may not charge, agree to, or accept any compensation, payment, commission, fee, or other thing of value greater than 10 percent of the additional amount actually paid over the amount that was originally offered by the corporation for any one claim.~~

(c) The corporation's plan of operation:

1. Must provide for adoption of residential property and casualty insurance policy forms and commercial residential and nonresidential property insurance forms, which must be approved by the office before use. The corporation shall adopt the following policy forms:

a. Standard personal lines policy forms that are comprehensive multiperil policies providing full coverage of a residential property equivalent to the coverage provided in the private insurance market under an HO-3, HO-4, or HO-6 policy.

b. Basic personal lines policy forms that are policies similar to an HO-8 policy or a dwelling fire policy that provide coverage meeting the requirements of the secondary mortgage market, but which is more limited than the coverage under a standard policy.

c. Commercial lines residential and nonresidential policy forms that are generally similar to the basic perils of full coverage obtainable for commercial residential structures and commercial nonresidential structures in the admitted voluntary market.

d. Personal lines and commercial lines residential property insurance forms that cover the peril of wind only. The forms are applicable only to residential properties located in areas eligible for coverage under the coastal account referred to in sub-subparagraph (b)2.a.

e. Commercial lines nonresidential property insurance forms that cover the peril of wind only. The forms are applicable only to nonresidential properties located in areas eligible for coverage under the coastal account referred to in sub-subparagraph (b)2.a.

f. The corporation may adopt variations of the policy forms listed in sub-subparagraphs a.-e. which contain more restrictive coverage.

g. Effective January 1, 2013, the corporation shall offer a basic personal lines policy similar to an HO-8 policy with dwelling repair based on common construction materials and methods.

2. Must provide that the corporation adopt a program in which the corporation and authorized insurers enter into quota share primary insurance agreements for hurricane coverage, as defined in s. 627.4025(2)(a), for eligible risks, and adopt property insurance forms for eligible risks which cover the peril of wind only.

a. As used in this subsection, the term:

(I) "Quota share primary insurance" means an arrangement in which the primary hurricane coverage of an eligible risk is provided in specified percentages by the corporation and an authorized insurer. The corporation and authorized insurer are each solely responsible for a specified percentage of hurricane coverage of an eligible risk as set forth in a quota share primary insurance agreement between the corporation and an authorized insurer and the insurance contract. The responsibility of the corporation or authorized insurer to pay its specified percentage of hurricane losses of an eligible risk, as set forth in the agreement, may not be altered by the inability of the other party to pay its specified percentage of losses. Eligible risks that are provided hurricane coverage through a quota share primary insurance arrangement must be provided policy forms that set forth the obligations of the corporation and authorized insurer under the arrangement, clearly specify the percentages of quota share primary insurance provided by the corporation and authorized insurer, and conspicuously and clearly state that the authorized insurer and the corporation may not be held responsible beyond their specified percentage of coverage of hurricane losses.

(II) "Eligible risks" means personal lines residential and commercial lines residential risks that meet the underwriting criteria of the corporation and are located in areas that were eligible for coverage by the Florida Windstorm Underwriting Association on January 1, 2002.

b. The corporation may enter into quota share primary insurance agreements with authorized insurers at corporation coverage levels of 90 percent and 50 percent.

c. If the corporation determines that additional coverage levels are necessary to maximize participation in quota share primary insurance agreements by authorized insurers, the corporation may establish additional coverage levels. However, the corporation's quota share primary insurance coverage level may not exceed 90 percent.

d. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation must provide for a uniform specified percentage of coverage of hurricane losses, by county or territory as set forth by the corporation board, for all eligible risks of the authorized insurer covered under the agreement.

e. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation is subject to review and approval by the office. However, such agreement shall be authorized only as to insurance contracts entered into between an authorized insurer and an insured who is already insured by the corporation for wind coverage.

f. For all eligible risks covered under quota share primary insurance agreements, the exposure and coverage levels for both the corporation and authorized insurers shall be reported by the corporation to the Florida Hurricane Catastrophe Fund. For all policies of eligible risks covered under such agreements, the corporation and the authorized insurer must maintain complete and accurate records for the purpose of exposure and loss reimbursement audits as required by fund rules. The corporation and the authorized insurer shall each maintain duplicate copies of policy declaration pages and supporting claims documents.

g. The corporation board shall establish in its plan of operation standards for quota share agreements which ensure that there is no discriminatory application among insurers as to the terms of the agreements, pricing of the agreements, incentive provisions if any, and consideration paid for servicing policies or adjusting claims.

h. The quota share primary insurance agreement between the corporation and an authorized insurer must set forth the specific terms under which coverage is provided, including, but not limited to, the sale and servicing of policies issued under the agreement by the insurance agent of the authorized insurer producing the business, the reporting of information concerning eligible risks, the payment of premium to the corporation, and arrangements for the adjustment and payment of hurricane claims incurred on eligible risks by the claims adjuster and personnel of the authorized insurer. Entering into a quota sharing insurance agreement between the corporation and an authorized insurer is voluntary and at the discretion of the authorized insurer.

3.a. May provide that the corporation may employ or otherwise contract with individuals or other entities to provide administrative or professional services that may be appropriate to effectuate the plan. The corporation may borrow funds by issuing bonds or by incurring other indebtedness, and shall have other powers reasonably necessary to effectuate the requirements of this subsection, including, without limitation, the power to issue bonds and incur other indebtedness in order to refinance outstanding bonds or other indebtedness. The corporation may seek judicial validation of its bonds or other indebtedness under chapter 75. The corporation may issue bonds or incur other indebtedness, or have bonds issued on its behalf by a unit of local government pursuant to subparagraph (q)2. in the absence of a hurricane or other weather-related event, upon a determination by the corporation, subject to approval by the office, that such action would enable it to efficiently meet the financial obligations of the corporation and that such financings are reasonably necessary to effectuate the requirements of this subsection. The corporation may take all actions needed to facilitate tax-free status for such bonds or indebtedness, including formation of trusts or other affiliated entities. The corporation may pledge assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other reinsurance recoverables, policyholder surcharges and other surcharges, and other funds available to the corporation as security for bonds or other indebtedness. In recognition of s. 10, Art. I of the State Constitution, prohibiting the impairment of obligations of contracts, it is the intent of the Legislature that no action be taken whose purpose is to impair any bond indenture or financing agreement or any revenue source committed by contract to such bond or other indebtedness.

b. To ensure that the corporation is operating in an efficient and economic manner while providing quality service to policyholders, applicants, and agents, the board shall commission an independent third-party consultant having expertise in insurance company management or insurance company management consulting to prepare a report and make recommendations on the relative costs and benefits of outsourcing various policy issuance and service functions to private servicing carriers or entities performing similar functions in the private market for a fee, rather than performing such functions in-house. In making such re-

commendations, the consultant shall consider how other residual markets, both in this state and around the country, outsource appropriate functions or use servicing carriers to better match expenses with revenues that fluctuate based on a widely varying policy count. The report must be completed by July 1, 2012. Upon receiving the report, the board shall develop a plan to implement the report and submit the plan for review, modification, and approval to the Financial Services Commission. Upon the commission's approval of the plan, the board shall begin implementing the plan by January 1, 2013.

4. Must require that the corporation operate subject to the supervision and approval of a board of governors consisting of ~~nine~~ <sup>eight</sup> individuals who are residents of this state ~~and who are;~~ from different geographical areas of the ~~this~~ state, ~~one of whom is appointed by the Governor and serves solely to advocate on behalf of the consumer. The appointment of a consumer representative by the Governor is in addition to the appointments authorized under sub-subparagraph a.~~

a. The Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives shall each appoint two members of the board. At least one of the two members appointed by each appointing officer must have demonstrated expertise in insurance and is deemed to be within the scope of the exemption provided in s. 112.313(7)(b). The Chief Financial Officer shall designate one of the appointees as chair. All board members serve at the pleasure of the appointing officer. All members of the board are subject to removal at will by the officers who appointed them. All board members, including the chair, must be appointed to serve for 3-year terms beginning annually on a date designated by the plan. However, for the first term beginning on or after July 1, 2009, each appointing officer shall appoint one member of the board for a 2-year term and one member for a 3-year term. A board vacancy shall be filled for the unexpired term by the appointing officer. The Chief Financial Officer shall appoint a technical advisory group to provide information and advice to the board in connection with the board's duties under this subsection. The executive director and senior managers of the corporation shall be engaged by the board and serve at the pleasure of the board. Any executive director appointed on or after July 1, 2006, is subject to confirmation by the Senate. The executive director is responsible for employing other staff as the corporation may require, subject to review and concurrence by the board.

b. The board shall create a Market Accountability Advisory Committee to assist the corporation in developing awareness of its rates and its customer and agent service levels in relationship to the voluntary market insurers writing similar coverage.

(I) The members of the advisory committee consist of the following 11 persons, one of whom must be elected chair by the members of the committee: four representatives, one appointed by the Florida Association of Insurance Agents, one by the Florida Association of Insurance and Financial Advisors, one by the Professional Insurance Agents of Florida, and one by the Latin American Association of Insurance Agencies; three representatives appointed by the insurers with the three highest voluntary market share of residential property insurance business in the state; one representative from the Office of Insurance Regulation; one consumer appointed by the board who is insured by the corporation at the time of appointment to the committee; one representative appointed by the Florida Association of Realtors; and one representative appointed by the Florida Bankers Association. All members shall be appointed to 3-year terms and may serve for consecutive terms.

(II) The committee shall report to the corporation at each board meeting on insurance market issues which may include rates and rate competition with the voluntary market; service, including policy issuance, claims processing, and general responsiveness to policyholders, applicants, and agents; and matters relating to depopulation.

5. Must provide a procedure for determining the eligibility of a risk for coverage, as follows:

a. Subject to s. 627.3517, with respect to personal lines residential risks, if the risk is offered coverage from an authorized insurer at the insurer's approved rate under a standard policy including wind coverage or, if consistent with the insurer's underwriting rules as filed with the office, a basic policy including wind coverage, for a new application to the corporation for coverage, the risk is not eligible for any policy issued by

the corporation unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from the corporation. *Whenever an offer of coverage for a personal lines residential risk is received for a policyholder of the corporation at renewal from an authorized insurer, if the offer is equal to or less than the corporation's renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation.* If the risk is not able to obtain such offer, the risk is eligible for a standard policy including wind coverage or a basic policy including wind coverage issued by the corporation; however, if the risk could not be insured under a standard policy including wind coverage regardless of market conditions, the risk is eligible for a basic policy including wind coverage unless rejected under subparagraph 8. However, ~~a policyholder of the corporation or a policyholder removed from the corporation through an assumption agreement remains eligible for coverage from the corporation until the end of the assumption period remains eligible for coverage from the corporation regardless of any offer of coverage from an authorized insurer or surplus lines insurer.~~ The corporation shall determine the type of policy to be provided on the basis of objective standards specified in the underwriting manual and based on generally accepted underwriting practices.

(I) If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation *other than a plan established by s. 627.3518*, before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or to the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-sub-paragraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-sub-paragraph (A).

b. With respect to commercial lines residential risks, for a new application to the corporation for coverage, if the risk is offered coverage under a policy including wind coverage from an authorized insurer at its approved rate, the risk is not eligible for a policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from the corporation. *Whenever an offer of coverage for a commercial lines residential risk is received for a policyholder of the corporation at renewal from an authorized insurer, if the offer is equal to or less than the corporation's renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation.* If the risk is not able to obtain any such offer, the risk is eligible for a policy including wind coverage issued by the corporation. However, ~~a policyholder of the corporation or a policyholder removed from the corporation through an assumption agreement remains eligible for coverage from the corporation until the~~

end of the assumption period ~~remains eligible for coverage from the corporation regardless of an offer of coverage from an authorized insurer or surplus lines insurer.~~

(I) If the risk accepts an offer of coverage through the market assistance plan or through a mechanism established by the corporation *other than a plan established by s. 627.3518*, before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-sub-paragraph (A).

(II) If the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record to continue servicing the policy for at least 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-sub-paragraph (A).

c. For purposes of determining comparable coverage under sub-paragraphs a. and b., the comparison must be based on those forms and coverages that are reasonably comparable. The corporation may rely on a determination of comparable coverage and premium made by the producing agent who submits the application to the corporation, made in the agent's capacity as the corporation's agent. A comparison may be made solely of the premium with respect to the main building or structure only on the following basis: the same coverage A or other building limits; the same percentage hurricane deductible that applies on an annual basis or that applies to each hurricane for commercial residential property; the same percentage of ordinance and law coverage, if the same limit is offered by both the corporation and the authorized insurer; the same mitigation credits, to the extent the same types of credits are offered both by the corporation and the authorized insurer; the same method for loss payment, such as replacement cost or actual cash value, if the same method is offered both by the corporation and the authorized insurer in accordance with underwriting rules; and any other form or coverage that is reasonably comparable as determined by the board. If an application is submitted to the corporation for wind-only coverage in the coastal account, the premium for the corporation's wind-only policy plus the premium for the ex-wind policy that is offered by an authorized insurer to the applicant must be compared to the premium for multiperil coverage offered by an authorized insurer, subject to the standards for comparison specified in this subparagraph. If the corporation or the applicant requests from the authorized insurer a breakdown of the premium of the offer by types of coverage so that a comparison may be made by the corporation or its agent and the authorized insurer refuses or is unable to provide such information, the corporation may treat the offer as not being an offer of coverage from an authorized insurer at the insurer's approved rate.

6. Must include rules for classifications of risks and rates.

7. Must provide that if premium and investment income for an account attributable to a particular calendar year are in excess of projected losses and expenses for the account attributable to that year, such excess shall be held in surplus in the account. Such surplus must be available to defray deficits in that account as to future years and used for that purpose before assessing assessable insurers and assessable insureds as to any calendar year.

8. Must provide objective criteria and procedures to be uniformly applied to all applicants in determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following must be considered:

a. Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

b. Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

The acceptance or rejection of a risk by the corporation shall be construed as the private placement of insurance, and the provisions of chapter 120 do not apply.

9. Must provide that the corporation make its best efforts to procure catastrophe reinsurance at reasonable rates, to cover its projected 100-year probable maximum loss as determined by the board of governors.

10. The policies issued by the corporation must provide that if the corporation or the market assistance plan obtains an offer from an authorized insurer to cover the risk at its approved rates, the risk is no longer eligible for renewal through the corporation, except as otherwise provided in this subsection.

11. Corporation policies and applications must include a notice that the corporation policy could, under this section, be replaced with a policy issued by an authorized insurer which does not provide coverage identical to the coverage provided by the corporation. The notice must also specify that acceptance of corporation coverage creates a conclusive presumption that the applicant or policyholder is aware of this potential.

12. May establish, subject to approval by the office, different eligibility requirements and operational procedures for any line or type of coverage for any specified county or area if the board determines that such changes are justified due to the voluntary market being sufficiently stable and competitive in such area or for such line or type of coverage and that consumers who, in good faith, are unable to obtain insurance through the voluntary market through ordinary methods continue to have access to coverage from the corporation. If coverage is sought in connection with a real property transfer, the requirements and procedures may not provide an effective date of coverage later than the date of the closing of the transfer as established by the transferor, the transferee, and, if applicable, the lender.

13. Must provide that, with respect to the coastal account, any assessable insurer with a surplus as to policyholders of \$25 million or less writing 25 percent or more of its total countrywide property insurance premiums in this state may petition the office, within the first 90 days of each calendar year, to qualify as a limited apportionment company. A regular assessment levied by the corporation on a limited apportionment company for a deficit incurred by the corporation for the coastal account may be paid to the corporation on a monthly basis as the assessments are collected by the limited apportionment company from its insureds, but a limited apportionment company must begin collecting the regular assessments not later than 90 days after the regular assessments are levied by the corporation, and the regular assessments must be paid in full within 15 months after being levied by the corporation. A limited apportionment company shall collect from its policyholders any emergency assessment imposed under sub-subparagraph (b)3.d. The plan must provide that, if the office determines that any regular assessment will result in an impairment of the surplus of a limited apportionment company, the office may direct that all or part of such assessment be deferred as provided in subparagraph (q)4. However, an emergency assessment to be collected from policyholders under sub-subparagraph (b)3.d. may not be limited or deferred.

14. Must provide that the corporation appoint as its licensed agents only those agents who also hold an appointment as defined in s.

626.015(3) with an insurer who at the time of the agent's initial appointment by the corporation is authorized to write and is actually writing personal lines residential property coverage, commercial residential property coverage, or commercial nonresidential property coverage within the state.

15. Must provide a premium payment plan option to its policyholders which, at a minimum, allows for quarterly and semiannual payment of premiums. A monthly payment plan may, but is not required to, be offered.

16. Must limit coverage on mobile homes or manufactured homes built before 1994 to actual cash value of the dwelling rather than replacement costs of the dwelling.

17. May provide such limits of coverage as the board determines, consistent with the requirements of this subsection.

18. May require commercial property to meet specified hurricane mitigation construction features as a condition of eligibility for coverage.

19. Must provide that new or renewal policies issued by the corporation on or after January 1, 2012, which cover sinkhole loss do not include coverage for any loss to appurtenant structures, driveways, sidewalks, decks, or patios that are directly or indirectly caused by sinkhole activity. The corporation shall exclude such coverage using a notice of coverage change, which may be included with the policy renewal, and not by issuance of a notice of nonrenewal of the excluded coverage upon renewal of the current policy.

20. As of January 1, 2012, must require that the agent obtain from an applicant for coverage from the corporation an acknowledgment signed by the applicant, which includes, at a minimum, the following statement:

**ACKNOWLEDGMENT OF POTENTIAL SURCHARGE AND ASSESSMENT LIABILITY:**

1. AS A POLICYHOLDER OF CITIZENS PROPERTY INSURANCE CORPORATION, I UNDERSTAND THAT IF THE CORPORATION SUSTAINS A DEFICIT AS A RESULT OF HURRICANE LOSSES OR FOR ANY OTHER REASON, MY POLICY COULD BE SUBJECT TO SURCHARGES, WHICH WILL BE DUE AND PAYABLE UPON RENEWAL, CANCELLATION, OR TERMINATION OF THE POLICY, AND THAT THE SURCHARGES COULD BE AS HIGH AS 45 PERCENT OF MY PREMIUM, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.

2. I UNDERSTAND THAT I CAN AVOID THE CITIZENS POLICYHOLDER SURCHARGE, WHICH COULD BE AS HIGH AS 45 PERCENT OF MY PREMIUM, BY OBTAINING COVERAGE FROM A PRIVATE MARKET INSURER AND THAT TO BE ELIGIBLE FOR COVERAGE BY CITIZENS, I MUST FIRST TRY TO OBTAIN PRIVATE MARKET COVERAGE BEFORE APPLYING FOR OR RENEWING COVERAGE WITH CITIZENS. I UNDERSTAND THAT PRIVATE MARKET INSURANCE RATES ARE REGULATED AND APPROVED BY THE STATE.

3. I ALSO UNDERSTAND THAT I MAY BE SUBJECT TO EMERGENCY ASSESSMENTS TO THE SAME EXTENT AS POLICYHOLDERS OF OTHER INSURANCE COMPANIES, OR A DIFFERENT AMOUNT AS IMPOSED BY THE FLORIDA LEGISLATURE.

4. I ALSO UNDERSTAND THAT CITIZENS PROPERTY INSURANCE CORPORATION IS NOT SUPPORTED BY THE FULL FAITH AND CREDIT OF THE STATE OF FLORIDA.

a. The corporation shall maintain, in electronic format or otherwise, a copy of the applicant's signed acknowledgment and provide a copy of the statement to the policyholder as part of the first renewal after the effective date of this subparagraph.

b. The signed acknowledgment form creates a conclusive presumption that the policyholder understood and accepted his or her potential surcharge and assessment liability as a policyholder of the corporation.

(i)1. The Office of the Internal Auditor is established within the corporation to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency to the policyholders and to the taxpayers of this state. The internal auditor

shall be appointed by the board of governors, shall report to and be under the general supervision of the board of governors, and is not subject to supervision by ~~an~~ any employee of the corporation. Administrative staff and support shall be provided by the corporation. The internal auditor shall be appointed without regard to political affiliation. It is the duty and responsibility of the internal auditor to:

a. Provide direction for, supervise, conduct, and coordinate audits, investigations, and management reviews relating to the programs and operations of the corporation.

b. Conduct, supervise, or coordinate other activities carried out or financed by the corporation for the purpose of promoting efficiency in the administration of, or preventing and detecting fraud, abuse, and mismanagement in, its programs and operations.

c. Submit final audit reports, reviews, or investigative reports to the board of governors, the executive director, the members of the Financial Services Commission, and the President of the Senate and the Speaker of the House of Representatives.

d. Keep the board of governors informed concerning fraud, abuses, and internal control deficiencies relating to programs and operations administered or financed by the corporation, recommend corrective action, and report on the progress made in implementing corrective action.

e. ~~Cooperate and coordinate activities with the corporation's inspector general. Report expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the internal auditor has reasonable grounds to believe there has been a violation of criminal law.~~

2. On or before February 15, the internal auditor shall prepare an annual report evaluating the effectiveness of the internal controls of the corporation and providing recommendations for corrective action, if necessary, and summarizing the audits, reviews, and investigations conducted by the office during the preceding fiscal year. The final report shall be furnished to the board of governors and the executive director, the President of the Senate, the Speaker of the House of Representatives, and the Financial Services Commission.

(k)1. The corporation shall establish and maintain a unit or division to investigate possible fraudulent claims by insureds or by persons making claims for services or repairs against policies held by insureds; or it may contract with others to investigate possible fraudulent claims for services or repairs against policies held by the corporation pursuant to s. 626.9891. The corporation must comply with reporting requirements of s. 626.9891. An employee of the corporation shall notify the corporation's Office of the ~~Inspector General~~ Internal Auditor and the Division of Insurance Fraud within 48 hours after having information that would lead a reasonable person to suspect that fraud may have been committed by any employee of the corporation.

2. The corporation shall establish a unit or division responsible for receiving and responding to consumer complaints, which unit or division is the sole responsibility of a senior manager of the corporation.

(q)1. The corporation shall certify to the office its needs for annual assessments as to a particular calendar year, and for any interim assessments that it deems to be necessary to sustain operations as to a particular year pending the receipt of annual assessments. Upon verification, the office shall approve such certification, and the corporation shall levy such annual or interim assessments. Such assessments shall be prorated as provided in paragraph (b). The corporation shall take all reasonable and prudent steps necessary to collect the amount of assessments due from each assessable insurer, including, if prudent, filing suit to collect the assessments, and the office may provide such assistance to the corporation it deems appropriate. If the corporation is unable to collect an assessment from any assessable insurer, the uncollected assessments shall be levied as an additional assessment against the assessable insurers and any assessable insurer required to pay an additional assessment as a result of such failure to pay shall have a cause of action against such nonpaying assessable insurer. Assessments shall be included as an appropriate factor in the making of rates. The failure of a surplus lines agent to collect and remit any regular or emergency assessment levied by the corporation is considered to be a violation of s. 626.936 and subjects the surplus lines agent to the penalties provided in that section.



2. The governing body of any unit of local government, any residents of which are insured by the corporation, may issue bonds as defined in s. 125.013 or s. 166.101 from time to time to fund an assistance program, in conjunction with the corporation, for the purpose of defraying deficits of the corporation. In order to avoid needless and indiscriminate proliferation, duplication, and fragmentation of such assistance programs, any unit of local government, any residents of which are insured by the corporation, may provide for the payment of losses, regardless of whether or not the losses occurred within or outside of the territorial jurisdiction of the local government. Revenue bonds under this subparagraph may not be issued until validated pursuant to chapter 75, unless a state of emergency is declared by executive order or proclamation of the Governor pursuant to s. 252.36 making such findings as are necessary to determine that it is in the best interests of, and necessary for, the protection of the public health, safety, and general welfare of residents of this state and declaring it an essential public purpose to permit certain municipalities or counties to issue such bonds as will permit relief to claimants and policyholders of the corporation. Any such unit of local government may enter into such contracts with the corporation and with any other entity created pursuant to this subsection as are necessary to carry out this paragraph. Any bonds issued under this subparagraph shall be payable from and secured by moneys received by the corporation from emergency assessments under sub-subparagraph (b)3.d., and assigned and pledged to or on behalf of the unit of local government for the benefit of the holders of such bonds. The funds, credit, property, and taxing power of the state or of the unit of local government shall not be pledged for the payment of such bonds.

3.a. The corporation shall adopt one or more programs subject to approval by the office for the reduction of both new and renewal writings in the corporation. Beginning January 1, 2008, any program the corporation adopts for the payment of bonuses to an insurer for each risk the insurer removes from the corporation shall comply with s. 627.3511(2) and may not exceed the amount referenced in s. 627.3511(2) for each risk removed. The corporation may consider any prudent and not unfairly discriminatory approach to reducing corporation writings, and may adopt a credit against assessment liability or other liability that provides an incentive for insurers to take risks out of the corporation and to keep risks out of the corporation by maintaining or increasing voluntary writings in counties or areas in which corporation risks are highly concentrated and a program to provide a formula under which an insurer voluntarily taking risks out of the corporation by maintaining or increasing voluntary writings will be relieved wholly or partially from assessments under sub-subparagraph (b)3.a. However, any "take-out bonus" or payment to an insurer must be conditioned on the property being insured for at least 5 years by the insurer, unless canceled or nonrenewed by the policyholder. If the policy is canceled or nonrenewed by the policyholder before the end of the 5-year period, the amount of the take-out bonus must be prorated for the time period the policy was insured. When the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on such policy, and the insurer shall either:

(I) Pay to the producing agent of record of the policy, for the first year, an amount which is the greater of the insurer's usual and customary commission for the type of policy written or a policy fee equal to the usual and customary commission of the corporation; or

(II) Offer to allow the producing agent of record of the policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the insurer's usual and customary commission for the type of policy written. If the producing agent is unwilling or unable to accept appointment by the new insurer, the new insurer shall pay the agent in accordance with sub-sub-subparagraph (I).

b. Any credit or exemption from regular assessments adopted under this subparagraph shall last no longer than the 3 years following the cancellation or expiration of the policy by the corporation. With the approval of the office, the board may extend such credits for an additional year if the insurer guarantees an additional year of renewability for all policies removed from the corporation, or for 2 additional years if the insurer guarantees 2 additional years of renewability for all policies so removed.

c. There shall be no credit, limitation, exemption, or deferment from emergency assessments to be collected from policyholders pursuant to sub-subparagraph (b)3.d.

4. The plan shall provide for the deferment, in whole or in part, of the assessment of an assessable insurer, other than an emergency assessment collected from policyholders pursuant to sub-subparagraph (b)3.d., if the office finds that payment of the assessment would endanger or impair the solvency of the insurer. In the event an assessment against an assessable insurer is deferred in whole or in part, the amount by which such assessment is deferred may be assessed against the other assessable insurers in a manner consistent with the basis for assessments set forth in paragraph (b).

5. Effective July 1, 2007, in order to evaluate the costs and benefits of approved take-out plans, if the corporation pays a bonus or other payment to an insurer for an approved take-out plan, it shall maintain a record of the address or such other identifying information on the property or risk removed in order to track if and when the property or risk is later insured by the corporation.

6. Any policy taken out, assumed, or removed from the corporation is, as of the effective date of the take-out, assumption, or removal, direct insurance issued by the insurer and not by the corporation, even if the corporation continues to service the policies. This subparagraph applies to policies of the corporation and not policies taken out, assumed, or removed from any other entity.

7. *For a policy taken out, assumed, or removed from the corporation, the insurer may, for a period of no more than 3 years, continue to use any of the corporation's policy forms or endorsements that apply to the policy taken out, removed, or assumed without obtaining approval from the office for use of such policy form or endorsement.*

*(gg) The Office of Inspector General is established within the corporation to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency. The office shall be headed by an inspector general, which is a senior management position that involves planning, coordinating, and performing activities assigned to and assumed by the inspector general for the corporation.*

1. *The inspector general shall be appointed by the Financial Services Commission and may only be removed from office by the commission. The inspector general shall be appointed without regard to political affiliation.*

a. *At a minimum, the inspector general must possess a bachelor's degree from an accredited college or university and 8 years of professional experience related to the duties of an inspector general as described in this paragraph, of which 5 years must have been at a supervisory level.*

b. *The inspector general shall report to, and be under the supervision of, the chair of the board of governors. The executive director or corporation staff may not prevent or prohibit the inspector general from initiating, carrying out, or completing any audit, review, evaluation, study, or investigation.*

2. *The inspector general shall initiate, direct, coordinate, participate in, and perform audits, reviews, evaluations, studies, and investigations designed to assess management practices; compliance with laws, rules, and policies; and program effectiveness and efficiency. This includes:*

a. *Conducting internal examinations; investigating allegations of fraud, waste, abuse, malfeasance, mismanagement, employee misconduct, or violations of corporation policies; and conducting any other investigations as directed by the Financial Services Commission or as independently determined.*

b. *Evaluating and recommending actions regarding security, the ethical behavior of personnel and vendors, and compliance with rules, laws, policies, and personnel matters; and rendering ethics opinions.*

c. *Evaluating personnel and administrative policy compliance, management and operational matters, and human resources-related matters.*

d. *Evaluating the application of a corporation code of ethics, providing reviews and recommendations on the design and content of ethics-related policy training courses, educating employees on the code and on appropriate conduct, and checking for compliance.*

e. *Evaluating the activities of the senior management team and management's compliance with recommended solutions.*

f. Cooperating and coordinating activities with the chief of internal audit.

g. Maintaining records of investigations and discipline in accordance with established policies, or as otherwise required.

h. Supervising and directing the tasks and assignments of the staff assigned to assist with the inspector general's projects, including regular review and feedback regarding work in progress and providing recommendations regarding relevant training and staff development activities.

i. Directing, planning, preparing, and presenting interim and final reports and oral briefings which communicate the results of studies, reviews, and investigations.

j. Providing the executive director with independent and objective assessments of programs and activities.

k. Completing special projects, assignments, and other duties as requested by the Financial Services Commission.

l. Reporting expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the inspector general has reasonable grounds to believe there has been a violation of criminal law.

(hh) The corporation must prepare a report for each calendar year outlining both the statewide average and county-specific details of the loss ratio attributable to losses that are not catastrophic losses for residential coverage provided by the corporation, which information must be presented to the office and available for public inspection on the Internet website of the corporation by January 15th of the following calendar year.

Section 8. Effective October 1, 2013, paragraphs (e) and (t) of subsection (6) of section 627.351, Florida Statutes, are amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(e) The corporation is subject to s. 287.057 for the purchase of commodities and contractual services except as otherwise provided in this paragraph. Services provided by tradepersons or technical experts to assist a licensed adjuster in the evaluation of individual claims are not subject to the procurement requirements of this section. Additionally, the procurement of financial services providers and underwriters must be made pursuant to s. 627.3513. Purchases that equal or exceed \$2,500, but are less than \$25,000, shall be made by receipt of written quotes, written record of telephone quotes, or informal bids, whenever practical. The procurement of goods or services valued at or over \$25,000 shall be subject to competitive solicitation, except in situations where the goods or services are provided by a sole source or are deemed an emergency purchase; the services are exempted from competitive solicitation requirements under s. 287.057(3)(f); or the procurement of services is subject to s. 627.3513. Justification for the sole sourcing or emergency procurement must be documented. Contracts for goods or services valued at or more than over \$100,000 are subject to approval by the board.

1. The corporation is an agency for purposes of s. 287.057, except that, for purposes of s. 287.057(22), the corporation is an eligible user.

a. The authority of the Department of Management Services and the Chief Financial Officer under s. 287.057 extends to the corporation as if the corporation were an agency.

b. The executive director of the corporation is the agency head under s. 287.057, except for resolution of bid protests for which the board would serve as the agency head.

2. The corporation must provide notice of a decision or intended decision concerning a solicitation, contract award, or exceptional purchase by electronic posting. Such notice must contain the following statement: "Failure to file a protest within the time prescribed in this section constitutes a waiver of proceedings."

a. A person adversely affected by the corporation's decision or intended decision to award a contract pursuant to s. 287.057(1) or s. 287.057(3)(c) who elects to challenge the decision must file a written notice of protest

with the executive director of the corporation within 72 hours after the corporation posts a notice of its decision or intended decision. For a protest of the terms, conditions, and specifications contained in a solicitation, including any provisions governing the methods for ranking bids, proposals, replies, awarding contracts, reserving rights of further negotiation, or modifying or amending any contract, the notice of protest must be filed in writing within 72 hours after the posting of the solicitation. Saturdays, Sundays, and state holidays are excluded in the computation of the 72-hour time period.

b. A formal written protest must be filed within 10 days after the date the notice of protest is filed. The formal written protest must state with particularity the facts and law upon which the protest is based. Upon receipt of a formal written protest that has been timely filed, the corporation must stop the solicitation or contract award process until the subject of the protest is resolved by final board action unless the executive director sets forth in writing particular facts and circumstances that require the continuance of the solicitation or contract award process without delay in order to avoid an immediate and serious danger to the public health, safety, or welfare. The corporation must provide an opportunity to resolve the protest by mutual agreement between the parties within 7 business days after receipt of the formal written protest. If the subject of a protest is not resolved by mutual agreement within 7 business days, the corporation's board must place the protest on the agenda and resolve it at its next regularly scheduled meeting. The protest must be heard by the board at a publicly noticed meeting in accordance with procedures established by the board.

c. In a protest of an invitation-to-bid or request-for-proposals procurement, submissions made after the bid or proposal opening which amend or supplement the bid or proposal may not be considered. In protesting an invitation-to-negotiate procurement, submissions made after the corporation announces its intent to award a contract, reject all replies, or withdraw the solicitation that amends or supplements the reply may not be considered. Unless otherwise provided by law, the burden of proof rests with the party protesting the corporation's action. In a competitive-procurement protest, other than a rejection of all bids, proposals, or replies, the corporation's board must conduct a de novo proceeding to determine whether the corporation's proposed action is contrary to the corporation's governing statutes, the corporation's rules or policies, or the solicitation specifications. The standard of proof for the proceeding is whether the corporation's action was clearly erroneous, contrary to competition, arbitrary, or capricious. In any bid-protest proceeding contesting an intended corporation action to reject all bids, proposals, or replies, the standard of review by the board is whether the corporation's intended action is illegal, arbitrary, dishonest, or fraudulent.

d. Failure to file a notice of protest or failure to file a formal written protest constitutes a waiver of proceedings.

3. Contract actions and decisions by the board under this paragraph are final. Any further legal remedy must be made in the Circuit Court of Leon County.

(t) For the purposes of s. 199.183(1), the corporation shall be considered a political subdivision of the state and shall be exempt from the corporate income tax. The premiums, assessments, investment income, and other revenue of the corporation are funds received for providing property insurance coverage as required by this subsection, paying claims for Florida citizens insured by the corporation, securing and repaying debt obligations issued by the corporation, and conducting all other activities of the corporation, and shall not be considered taxes, fees, licenses, or charges for services imposed by the Legislature on individuals, businesses, or agencies outside state government. Bonds and other debt obligations issued by or on behalf of the corporation are not to be considered "state bonds" within the meaning of s. 215.58(8). The corporation is not subject to the procurement provisions of chapter 287 as provided in paragraph (e), and policies and decisions of the corporation relating to incurring debt, levying of assessments and the sale, issuance, continuation, terms and claims under corporation policies, and all services relating thereto, are not subject to the provisions of chapter 120. The corporation is not required to obtain or to hold a certificate of authority issued by the office, nor is it required to participate as a member insurer of the Florida Insurance Guaranty Association. However, the corporation is required to pay, in the same manner as an authorized insurer, assessments levied by the Florida Insurance Guaranty Association. It is the intent of the Legislature that the tax exemptions provided in this paragraph will augment the financial resources of the

corporation to better enable the corporation to fulfill its public purposes. Any debt obligations issued by the corporation, their transfer, and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation of every kind by the state and any political subdivision or local unit or other instrumentality thereof; however, this exemption does not apply to any tax imposed by chapter 220 on interest, income, or profits on debt obligations owned by corporations other than the corporation.

Section 9. *The purchase of commodities and contractual services by Citizens Property Insurance Corporation commenced before October 1, 2013, is governed by the law in effect on September 30, 2013.*

Section 10. Section 627.3518, Florida Statutes, is created to read:

**627.3518 Citizens Property Insurance Corporation policyholder eligibility clearinghouse program.**—*The purpose of this section is to provide a framework for the corporation to implement a clearinghouse program by January 1, 2014.*

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

(a) *“Corporation” means Citizens Property Insurance Corporation.*

(b) *“Exclusive agent” means any licensed insurance agent that has, by contract, agreed to act exclusively for one company or group of affiliated insurance companies and is disallowed by the provisions of that contract to directly write for any other unaffiliated insurer absent express consent from the company or group of affiliated insurance companies.*

(c) *“Independent agent” means any licensed insurance agent not described in paragraph (b).*

(d) *“Program” means the clearinghouse created under this section.*

(2) *In order to confirm eligibility with the corporation and to enhance access of new applicants for coverage and existing policyholders of the corporation to offers of coverage from authorized insurers, the corporation shall establish a program for personal residential risks in order to facilitate the diversion of ineligible applicants and existing policyholders from the corporation into the voluntary insurance market. The corporation shall also develop appropriate procedures for facilitating the diversion of ineligible applicants and existing policyholders for commercial residential coverage into the private insurance market and shall report such procedures to the President of the Senate and the Speaker of the House of Representatives by January 1, 2014.*

(3) *The corporation board shall establish the clearinghouse program as an organizational unit within the corporation. The program shall have all the rights and responsibilities in carrying out its duties as a licensed general lines agent, but may not be required to employ or engage a licensed general lines agent or to maintain an insurance agency license to carry out its activities in the solicitation and placement of insurance coverage. In establishing the program, the corporation may:*

(a) *Require all new applications, and all policies due for renewal, to be submitted for coverage to the program in order to facilitate obtaining an offer of coverage from an authorized insurer before binding or renewing coverage by the corporation.*

(b) *Employ or otherwise contract with individuals or other entities for appropriate administrative or professional services to effectuate the plan within the corporation in accordance with the applicable purchasing requirements under s. 627.351.*

(c) *Enter into contracts with any authorized insurer to participate in the program and accept an appointment by such insurer.*

(d) *Provide funds to operate the program. Insurers and agents participating in the program are not required to pay a fee to offset or partially offset the cost of the program or use the program for renewal of policies initially written through the clearinghouse.*

(e) *Develop an enhanced application that includes information to assist private insurers in determining whether to make an offer of coverage through the program.*

(f) *For personal lines residential risks, require, before approving all new applications for coverage by the corporation, that every application be*

*subject to a period of 2 business days when any insurer participating in the program may select the application for coverage. The insurer may issue a binder on any policy selected for coverage for a period of at least 30 days but not more than 60 days.*

(4) *Any authorized insurer may participate in the program; however, participation is not mandatory for any insurer. Insurers making offers of coverage to new applicants or renewal policyholders through the program:*

(a) *May not be required to individually appoint any agent whose customer is underwritten and bound through the program. Notwithstanding s. 626.112, insurers are not required to appoint any agent on a policy underwritten through the program for as long as that policy remains with the insurer. Insurers may, at their election, appoint any agent whose customer is initially underwritten and bound through the program. In the event an insurer accepts a policy from an agent who is not appointed pursuant to this paragraph, and thereafter elects to accept a policy from such agent, the provisions of s. 626.112 requiring appointment apply to the agent.*

(b) *Must enter into a limited agency agreement with each agent that is not appointed in accordance with paragraph (a) and whose customer is underwritten and bound through the program.*

(c) *Must enter into its standard agency agreement with each agent whose customer is underwritten and bound through the program when that agent has been appointed by the insurer pursuant to s. 626.112.*

(d) *Must comply with s. 627.4133(2).*

(e) *May participate through their single-designated managing general agent or broker; however, the provisions of paragraph (6)(a) regarding ownership, control, and use of the expirations continue to apply.*

(f) *Must pay to the producing agent a commission equal to that paid by the corporation or the usual and customary commission paid by the insurer for that line of business, whichever is greater.*

(5) *Notwithstanding s. 627.3517, any applicant for new coverage from the corporation is not eligible for coverage from the corporation, if provided an offer of coverage from an authorized insurer through the program at a premium that is at or below the eligibility threshold established in s. 627.351(6)(c)5.a. Whenever an offer of coverage for a personal lines risk is received for a policyholder of the corporation at renewal from an authorized insurer through the program, if the offer is equal to or less than the corporation’s renewal premium for comparable coverage, the risk is not eligible for coverage with the corporation. In the event an offer of coverage for a new applicant is received from an authorized insurer through the program, and the premium offered exceeds the eligibility threshold contained in s. 627.351(6)(c)5.a., the applicant or insured may elect to accept such coverage, or may elect to accept or continue coverage with the corporation. In the event an offer of coverage for a personal lines risk is received from an authorized insurer at renewal through the program, and the premium offered is more than the corporation’s renewal premium for comparable coverage, the insured may elect to accept such coverage, or may elect to accept or continue coverage with the corporation. Sub-sub-paragraph 627.351(6)(c)5.a.(I) does not apply to an offer of coverage from an authorized insurer obtained through the program. An applicant for coverage from the corporation who was previously declared ineligible for coverage at renewal by the corporation in the previous 36 months due to an offer of coverage pursuant to this subsection shall be considered a renewal under this section if the corporation determines that the authorized insurer making the offer of coverage pursuant to this subsection continues to insure the applicant and increased the rate on the policy in excess of the increase allowed for the corporation under s. 627.351(6)(n)6.*

(6) *Independent insurance agents submitting new applications for coverage or that are the agent of record on a renewal policy submitted to the program:*

(a) *Are granted and must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such applications or renewals written through the corporation or through an insurer participating in the program, notwithstanding s. 627.351(6)(c)5.a.(I)(B) and (II)(B). Such ownership is granted for as long as the insured remains with the agency or until sold or surrendered in writing by the agent. Contracts with the corporation or required by the*

corporation must not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application, issue a policy, or for any other purpose necessary for placing such business through the program.

(b) May not be required to be appointed by any insurer participating in the program for policies written solely through the program, notwithstanding the provisions of s. 626.112.

(c) May accept an appointment from any insurer participating in the program.

(d) May enter into either a standard or limited agency agreement with the insurer, at the insurer's option.

Applicants ineligible for coverage in accordance with subsection (5) remain ineligible if their independent agent is unwilling or unable to enter into a standard or limited agency agreement with an insurer participating in the program.

(7) Exclusive agents submitting new applications for coverage or that are the agent of record on a renewal policy submitted to the program:

(a) Must maintain ownership and the exclusive use of expirations, records, or other written or electronic information directly related to such applications or renewals written through the corporation or through an insurer participating in the program, notwithstanding s. 627.351(6)(c) 5.a.(I)(B) and (II)(B). Contracts with the corporation or required by the corporation must not amend, modify, interfere with, or limit such rights of ownership. Such expirations, records, or other written or electronic information may be used to review an application, issue a policy, or for any other purpose necessary for placing such business through the program.

(b) May not be required to be appointed by any insurer participating in the program for policies written solely through the program, notwithstanding the provisions of s. 626.112.

(c) Must only facilitate the placement of an offer of coverage from an insurer whose limited servicing agreement is approved by that exclusive agent's exclusive insurer.

(d) May enter into a limited servicing agreement with the insurer making an offer of coverage, and only after the exclusive agent's insurer has approved the limited servicing agreement terms. The exclusive agent's insurer must approve a limited service agreement for the program for any insurer for which it has approved a service agreement for other purposes.

Applicants ineligible for coverage in accordance with subsection (5) remain ineligible if their exclusive agent is unwilling or unable to enter into a standard or limited agency agreement with an insurer making an offer of coverage to that applicant.

(8) Submission of an application for coverage by the corporation to the program does not constitute the binding of coverage by the corporation, and failure of the program to obtain an offer of coverage by an insurer may not be considered acceptance of coverage of the risk by the corporation.

(9) The 45-day notice of nonrenewal requirement set forth in s. 627.4133(2)(b)4. b. applies when a policy is nonrenewed by the corporation because the risk has received an offer of coverage pursuant to this section which renders the risk ineligible for coverage by the corporation.

(10) The program may not include commercial nonresidential policies.

Section 11. Section 627.35191, Florida Statutes, is created to read:

627.35191 Annual report of aggregate net probable maximum losses, financing options, and potential assessments.—No later than February 1 of each year, the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation shall each submit a report to the Legislature and the Financial Services Commission identifying their respective aggregate net probable maximum losses, financing options, and potential assessments. The report issued by the fund and the corporation must include their respective 50-year, 100-year, and 250-year probable maximum losses; analysis of all reasonable financing strategies for each such probable maximum loss, including the amount and term of debt instruments; specification of the percentage assessments that would be needed to support each of the financing strategies; and calculations of the aggregate

assessment burden on Florida property and casualty policyholders for each of the probable maximum losses.

Section 12. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2013.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S., relating to the Florida Hurricane Catastrophe Fund; revising the definition of the term "corporation"; deleting an outdated coverage level; revising the exemption of medical malpractice insurance premiums from emergency assessments if certain revenues are determined to be insufficient to fund the obligations, costs, and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation; changing the name of the Florida Hurricane Catastrophe Fund Finance Corporation; deleting provisions relating to temporary emergency options for additional coverage; amending s. 626.752, F.S.; exempting Citizens Property Insurance Corporation from exchange of business limitations and restrictions when placing business with authorized insurers; amending s. 626.854, F.S.; revising the restrictions on public adjuster compensation, payment, commission, fee, or any other thing of value; providing penalties; deleting a provision requiring the public adjuster to ensure prompt notice of property loss claims; requiring a public adjuster to ensure that prompt notice is given of a claim to the insurer; requiring a public adjuster to meet or communicate with the insurer for a specified purpose; prohibiting a public adjuster from acquiring any interest in salvaged property; providing an exception; providing legislative intent; amending s. 627.0628, F.S.; revising the membership of the Florida Commission on Hurricane Loss Projection Methodology; amending s. 627.0629, F.S.; conforming a cross-reference; amending s. 627.351, F.S.; providing that certain residential structures are not eligible for coverage by the corporation after specified dates; providing an exception; prohibiting the corporation from covering any new construction of a major structure, or substantial improvements on any major structure, commencing on or after July 1, 2014, that is seaward of the coastal construction control line or is within the Coastal Barrier Resources System; deleting a provision that limits the amount that a public adjuster may charge, agree to, or accept as compensation with respect to a claim filed under a policy of the Citizens Property Insurance Corporation; revising the membership of the board of governors of the corporation; restricting the eligibility of a risk for a renewal policy issued by the corporation under certain circumstances; revising provisions allowing a policyholder removed from the corporation to remain eligible for coverage under certain circumstances; requiring disclosure of potential corporation surcharges and policyholder obligations to try to obtain private market coverage; revising the duties and responsibilities of the internal auditor of the corporation; authorizing insurers taking out, assuming, or removing policies from the corporation to use the corporation's policy forms and endorsements for a specified time without approval by the Office of Insurance Regulation; establishing the Office of Inspector General within the corporation; providing for appointment, qualifications, duties, and responsibilities of the inspector general; requiring the corporation to prepare a report for each calendar year relating to the loss ratio attributable to losses that are not catastrophic losses for residential coverage provided by the corporation; revising provisions relating to purchases by the corporation; providing that the corporation is subject to state agency purchasing requirements; requiring the corporation to provide notice of purchasing decisions; providing procedures for protesting such decisions; providing applicability; creating s. 627.3518, F.S.; providing purpose; providing definitions; requiring the creation of a clearinghouse program within the corporation; specifying the purposes of the program; requiring the corporation to provide a report to the Legislature; specifying certain rights and responsibilities with respect to the program; authorizing the corporation to take specified actions in establishing the program; providing conditions and requirements relating to the participation of insurers in the program; providing conditions, requirements, limitations, and procedures applicable to offers of coverage with respect to applicants for coverage with the corporation and existing policyholders of the corporation; providing requirements for certain independent insurance agents and exclusive agents with respect to submitting applications for coverage or policies for renewal to the program; providing for applicability and construction; creating s. 627.35191, F.S.; requiring the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation to each submit reports annually to the Legislature and the Financial Ser-

vices Commission relating to aggregate net probable maximum losses, financing options, and potential assessments; providing effective dates.

Senator Simmons moved that the Senate concur in **House Amendment 1 (082659)**.

On motion by Senator Simmons, further consideration of **CS for SB 1770** with pending **House Amendment 1 (082659)** was deferred.

## RECESS

By direction of the President, the Senate recessed at 12:29 p.m. to reconvene at 1:30 p.m.

## AFTERNOON SESSION

The Senate was called to order by President Gaetz at 1:30 p.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Senate resumed consideration of the returning message on—

**CS for SB 1770**—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; changing the name of the Florida Hurricane Catastrophe Fund Finance Corporation to the State Board of Administration Finance Corporation; amending s. 624.155, F.S.; providing that Citizens Property Insurance Corporation is an insurer subject to civil actions as an agent of the state covered by sovereign immunity; amending s. 626.752, F.S., relating to the exchange of business between an agent and insurer; providing an exemption from the requirements of that section to the corporation or certain private entities under certain circumstances; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to calculate and publish insurance inflation factors for use in residential property insurance filings; prohibiting the office from disapproving a rate as excessive due to the insurer's purchase of reinsurance for certain purposes; deleting obsolete provisions; conforming cross-references; amending s. 627.0628, F.S.; adding a member to the Florida Commission on Hurricane Loss Projection Methodology; amending s. 627.0629, F.S.; requiring insurers to provide notice of mitigation discounts in a residential property insurance rate filing; amending s. 627.351, F.S.; revising legislative intent with respect to the corporation; reducing the value of residential structures that can be covered by the corporation; revising the corporation's eligibility criteria for structures located seaward of the coastal construction control line; requiring the corporation's board of governors to concur with certain decisions by the executive director; providing for risk-sharing agreements between the corporation and other insurers and specifying the requirements and limitations of such agreements; revising provisions relating to the appointment of the board of governors and the executive director; providing that renewal policies are not eligible for continued coverage by the corporation unless the premium for comparable coverage from an authorized insurer exceeds a certain amount; deleting provisions allowing a policyholder removed from the corporation to remain eligible for coverage regardless of an offer of coverage from an authorized insurer; revising corporation criteria for appointing agents; requiring the corporation to provide coverage for mobile homes or manufactured homes and related structures; requiring disclosure of

potential corporation surcharges and policyholder obligations to try and obtain private market coverage; revising provisions relating to the Auditor General's review of the corporation; requiring the board to contract with an independent auditing firm to conduct performance audits; authorizing the corporation to adopt programs that encourage insurers to remove policies from the corporation through a loan secured by a surplus note; deleting a provision exempting the corporation from state procurement requirements; requiring the corporation to have an inspector general; providing for appointment; providing duties; requiring an annual report to the Legislature; revising provisions relating to purchases by the corporation; providing that the corporation is subject to state agency purchasing requirements; requiring the corporation to provide notice of purchasing decisions; providing procedures for protesting such decisions; providing applicability; revising the corporation's rate standards; requiring that corporation rates be competitive with approved rates charged in the admitted market, actuarially sound, and include a catastrophe risk factor; requiring the corporation to annually certify its rates; requiring the board of directors to provide recommendations to the Legislature on ways of providing rate relief to those who demonstrate a financial need; deleting obsolete provisions; creating s. 627.3518, F.S.; establishing a clearinghouse within the corporation for identifying and diverting insurance coverage to private insurers; providing definitions; providing requirements and duties of the corporation, insurers, and agents; amending s. 627.3519, F.S.; revising requirements relating to the preparation of the annual reports relating to the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; establishing a temporary keepout program that allows authorized insurers to provide coverage to applicants for coverage through the corporation through the market assistance program until the clearinghouse is operational; providing program components; providing for expiration; creating s. 627.352, F.S.; creating the Catastrophe Risk Capital Access Facility to facilitate insurer access to global risk capital markets and risk-transfer mechanisms; providing legislative findings and intent; providing that the facility may not operate as an insurer, reinsurer, or other risk-bearing entity, and is not a state agency, board, or commission; providing for membership; providing for an initial governing board which must submit a proposed plan of operation to the Office of Insurance Regulation and recommendations relating to public records and open meetings to the Legislature by a certain date; providing for termination of the initial board; providing for a permanent board; specifying provisions that must be addressed by the plan of operation; providing immunity from liability for the board; amending s. 627.410, F.S.; conforming provisions to changes made by the act; amending s. 627.706, F.S.; authorizing an insurer to offer a reduced amount of sinkhole coverage with an appropriate reduction in premium; providing effective dates.

—which was previously considered this day. The pending motion by Senator Simmons was adopted and the Senate concurred in **House Amendment 1 (082659)**.

**CS for SB 1770** passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Galvano	Ring
Abruzzo	Gardiner	Sachs
Altman	Gibson	Simmons
Bean	Grimsley	Simpson
Benacquisto	Hays	Smith
Bradley	Joyner	Sobel
Brandes	Lee	Soto
Clemens	Legg	Stargel
Dean	Montford	Thompson
Diaz de la Portilla	Negron	Thrasher
Evers	Richter	

Nays—1

Bullard

Vote after roll call:

Yea—Detert, Garcia, Hukill, Margolis

Nay—Flores

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 874, with 1 amendment, and requests the concurrence of the Senate.

*Robert L. "Bob" Ward, Clerk*

**CS for CS for SB 874**—A bill to be entitled An act relating to open parties; amending s. 856.015, F.S.; revising definitions; prohibiting a person from allowing a party to take place if a minor is in possession of or consuming alcohol or drugs; revising an exemption; providing criminal penalties; conforming provisions; providing an effective date.

**House Amendment 1 (454625)**—Remove lines 19-31 and insert:

(b) "Control" means the authority ~~and~~ *or* ability to regulate, direct, or dominate.

(c) "Drug" means a controlled substance, as that term is defined in ss. 893.02(4) and 893.03.

(d) "Minor" means an individual not legally permitted by reason of age to possess alcoholic beverages pursuant to chapter 562.

~~(e) "Open house party" means a social gathering at a residence.~~

(e) ~~(f)~~ "Person" means an individual 18 years of age or older.

(f) "Property" means unenclosed curtilage as defined in s. 810.09.

On motion by Senator Galvano, the Senate refused to concur in **House Amendment 1 (454625)** to **CS for CS for SB 874** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1828, with 1 amendment, and requests the concurrence of the Senate.

*Robert L. "Bob" Ward, Clerk*

**CS for SB 1828**—A bill to be entitled An act relating to tax administration; amending s. 125.0104, F.S.; providing an additional use for tourist development tax revenues for certain coastal counties; authorizing counties to require certain information for tax returns filed with county governments; amending s. 198.13, F.S.; deleting a requirement for filing a tax return for a decedent who dies after a certain date; amending s. 211.3103, F.S.; expanding the definition of "phosphate-related expenses" for the purpose of distributing certain tax proceeds; amending s. 212.03, F.S.; providing that charges for the storage of towed vehicles that are impounded by a local, state, or federal law enforcement agency are not taxable; amending s. 212.0305, F.S.; authorizing counties to require certain information for tax returns filed with county governments; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; providing monetary and criminal penalties for a dealer's willful failure to collect certain taxes or fees after receiving notice of such duty to collect from the Department of Revenue; amending s. 212.12, F.S.; deleting provisions relating to the imposition of criminal penalties after department notice of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee; amending s. 212.14, F.S.; modifying the definition of the term "person"; authorizing the department to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; providing criminal penalties for a person who willfully fails to register as a dealer after receiving notice of such duty by the department; making technical and grammatical changes; reenacting

s. 212.20, F.S., relating to the disposition of funds collected; amending s. 213.13, F.S.; revising the due date for transmitting funds collected by the clerks of court to the department; amending s. 213.21, F.S.; increasing dollar threshold of compromise authority that can be delegated to the executive director; creating s. 213.295, F.S., relating to automated sales suppression devices; providing definitions; subjecting a person to criminal penalties and monetary penalties for knowingly selling or engaging in certain other actions involving a zipper or phantom-ware; providing that sales suppression devices and phantom-ware are contraband articles under the Florida Contraband Forfeiture Act; amending s. 288.106, F.S.; revising the criteria applicable to the definition of the term "target industry business" to specifically reference sports training or competition for the amateur athlete; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of reemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; providing effective dates.

**House Amendment 1 (113961) (with title amendment)**—Remove lines 70-108 and insert:

Section 1. Paragraph (a) of subsection (10) of section 125.0104, Florida Statutes, is amended to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

And the title is amended as follows:

Remove lines 3-5 and insert: 125.0104, F.S.; authorizing counties to require certain

On motion by Senator Hukill, further consideration of **CS for SB 1828** with pending **House Amendment 1 (113961)** was deferred.

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 422, with 1 amendment, and requests the concurrence of the Senate.

*Robert L. "Bob" Ward, Clerk*

**CS for SB 422**—A bill to be entitled An act relating to cancer treatment; providing a short title; creating ss. 627.42391 and 641.313, F.S.; providing definitions; requiring that an individual or group insurance policy or a health maintenance contract that provides coverage for cancer treatment medications provide coverage for orally administered cancer treatment medications on a basis no less favorable than that required by the policy or contract for intravenously administered or injected cancer treatment medications; prohibiting insurers, health maintenance organizations, and certain other entities from engaging in specified actions to avoid compliance with this act; amending s. 627.6515, F.S.; adding a cross-reference to conform to changes made by the act; providing an effective date.

**House Amendment 1 (929271) (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. *This act may be cited as the "Cancer Treatment Fairness Act."*

Section 2. Section 627.42391, Florida Statutes, is created to read:

627.42391 Insurance policies; cancer treatment parity; orally administered cancer treatment medications.—

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

(a) "Cancer treatment medication" means medication prescribed by a treating physician who determines that the medication is medically necessary to kill or slow the growth of cancerous cells in a manner consistent with nationally accepted standards of practice.

(b) "Cost sharing" includes copayments, coinsurance, dollar limits, and deductibles imposed on the covered person.

(c) “Grandfathered health plan” has the same meaning as provided in 42 U.S.C. s. 18011 and is subject to the conditions for maintaining status as a grandfathered health plan as specified in 45 C.F.R. s. 147.140.

(2) An individual or group insurance policy delivered, issued for delivery, renewed, amended, or continued in this state that provides medical, major medical, or similar comprehensive coverage and includes coverage for cancer treatment medications must also cover prescribed, orally administered cancer treatment medications and may not apply cost-sharing requirements for orally administered cancer treatment medications that are less favorable to the covered person than cost-sharing requirements for intravenous or injected cancer treatment medications covered under the policy or contract.

(3) An insurer providing a policy or contract described in subsection (2) and any participating entity through which the insurer offers health services may not:

(a) Vary the terms of the policy in effect on the effective date of this act to avoid compliance with this section.

(b) Provide any incentive, including, but not limited to, a monetary incentive, or impose treatment limitations to encourage a covered person to accept less than the minimum protections available under this section.

(c) Penalize a health care practitioner or reduce or limit the compensation of a health care practitioner for recommending or providing services or care to a covered person as required under this section.

(d) Provide any incentive, including, but not limited to, a monetary incentive, to induce a health care practitioner to provide care or services that do not comply with this section.

(e) Change the classification of any intravenous or injected cancer treatment medication or increase the amount of cost sharing applicable to any intravenous or injected cancer treatment medication in effect on the effective date of this section in order to achieve compliance with this section.

(4) This section does not apply to grandfathered health plans.

Notwithstanding this section, if the cost-sharing requirements for intravenous or injected cancer treatment medications under the policy or contract are less than \$50 per month, then the cost-sharing requirements for orally administered cancer treatment medications may be up to \$50 per month.

Section 3. Section 641.313, Florida Statutes, is created to read:

**641.313 Health maintenance contracts; cancer treatment parity; orally administered cancer treatment medications.—**

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

(a) “Cancer treatment medication” means medication prescribed by a treating physician who determines that the medication is medically necessary to kill or slow the growth of cancerous cells in a manner consistent with nationally accepted standards of practice.

(b) “Cost sharing” includes copayments, coinsurance, dollar limits, and deductibles imposed on the covered person.

(c) “Grandfathered health plan” has the same meaning as provided in 42 U.S.C. s. 18011 and is subject to the conditions for maintaining status as a grandfathered health plan as specified in 45 C.F.R. s. 147.140.

(2) A health maintenance contract delivered, issued for delivery, renewed, amended, or continued in this state that provides medical, major medical, or similar comprehensive coverage and includes coverage for cancer treatment medications must also cover prescribed, orally administered cancer treatment medications and may not apply cost-sharing requirements for orally administered cancer treatment medications that are less favorable to the covered person than cost-sharing requirements for intravenous or injected cancer treatment medications covered under the contract.

(3) A health maintenance organization providing a contract described in subsection (2) and any participating entity through which the health maintenance organization offers health services may not:

(a) Vary the terms of the policy in effect on the effective date of this act to avoid compliance with this section.

(b) Provide any incentive, including, but not limited to, a monetary incentive, or impose treatment limitations to encourage a covered person to accept less than the minimum protections available under this section.

(c) Penalize a health care practitioner or reduce or limit the compensation of a health care practitioner for recommending or providing services or care to a covered person as required under this section.

(d) Provide any incentive, including, but not limited to, a monetary incentive, to induce a health care practitioner to provide care or services that do not comply with this section.

(e) Change the classification of any intravenous or injected cancer treatment medication or increase the amount of cost sharing applicable to any intravenous or injected cancer treatment medication in effect on the effective date of this section in order to achieve compliance with this section.

(4) This section does not apply to grandfathered health plans.

Notwithstanding this section, if the cost-sharing requirements for intravenous or injected cancer treatment medications under the contract are less than \$50 per month, then the cost-sharing requirements for orally administered cancer treatment medications may be up to \$50 per month.

Section 4. The Division of Law Revision and Information is directed to replace the phrase “the effective date of this act” and “the effective date of this section” wherever it occurs in this act with the date this act takes effect.

Section 5. This act shall take effect January 1, 2015, and applies to policies and contracts issued or renewed on or after that date.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to cancer treatment; providing a short title; creating ss. 627.42391 and 641.313, F.S.; providing definitions; requiring that an individual or group insurance policy or contract or a health maintenance contract that provides coverage for cancer treatment medications provide coverage for orally administered cancer treatment medications; requiring that an individual or group insurance policy or contract or a health maintenance contract provide coverage for orally administered cancer treatment medications on a basis no less favorable than that required by the policy or contract for intravenously administered or injected cancer treatment medications; excluding grandfathered health plans from coverage and cost-sharing requirements; prohibiting insurers, health maintenance organizations, and certain other entities from engaging in specified actions to avoid compliance with this act; providing limits on certain cost-sharing requirements; providing a directive to the Division of Law Revision and Information; providing applicability; providing an effective date.

On motion by Senator Benacquisto, the Senate refused to concur in **House Amendment 1 (919171)** to **CS for SB 422** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendment 1 to CS for HB 655 and requests the Senate to recede.

Robert L. “Bob” Ward, Clerk

**CS for HB 655**—A bill to be entitled An act relating to political subdivisions; amending s. 218.077, F.S.; providing and revising definitions; prohibiting political subdivisions from requiring employers to provide certain employment benefits; prohibiting political subdivisions from requiring, or awarding preference on the basis of, certain wages or employment benefits when contracting for goods or services; providing for applicability and future repeal of certain ordinances; conforming provisions to constitutional requirements relating to the state minimum wage; providing an effective date.



On motion by Senator Simmons, the Senate refused to recede from **Senate Amendment 1 (942696)** to **CS for HB 655** and again requested that the House concur. The action of the Senate was certified to the House.

### BILLS ON THIRD READING

**CS for HB 7065**—A bill to be entitled An act relating to Everglades improvement and management; amending s. 373.4592, F.S.; revising legislative findings for achieving water quality goals; revising the definition of the term “Long-Term Plan”; revising provisions for use of certain ad valorem tax proceeds; directing the South Florida Water Management District to complete a specified analysis; revising provisions for collection of the agricultural privilege tax; providing for the use of such tax proceeds; providing that payment of the tax and certain costs fulfills certain constitutional obligations; providing appropriations; providing effective dates.

—was read the third time by title.

On motion by Senator Simpson, **CS for HB 7065** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Margolis

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Consideration of **CS for CS for HB 617** was deferred.

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**CS for CS for HB 57**—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 489.140, F.S.; clarifying funding requirements for the Florida Homeowners’ Construction Recovery Fund; amending s. 468.631, F.S.; authorizing the department to transfer certain funds from the Professional Regulation Trust Fund to the Florida Homeowners’ Construction Recovery Fund; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for CS for HB 57** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Detert	Joyner
Abruzzo	Diaz de la Portilla	Latvala
Altman	Evers	Lee
Bean	Flores	Legg
Benacquisto	Galvano	Margolis
Bradley	Garcia	Montford
Brandes	Gardiner	Negron
Braynon	Gibson	Ring
Bullard	Grimsley	Sachs
Clemens	Hays	Simmons
Dean	Hukill	Simpson

Smith	Soto	Thompson
Sobel	Stargel	Thrasher

Nays—None

Vote after roll call:

Yea—Richter

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Consideration of **CS for SB 1350**, **CS for SB 808**, **CS for CS for HB 7127**, and **CS for HB 7019** was deferred.

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**CS for HB 7029**—A bill to be entitled An act relating to digital learning; amending s. 1001.42, F.S.; revising district school board duties relating to virtual instruction; amending s. 1002.321, F.S.; requiring the Department of Education to develop an online catalog of digital learning courses; amending s. 1002.37, F.S.; revising and clarifying the requirements for reporting and funding a full-time equivalent student in the Florida Virtual School; providing requirements for funding a home education student enrolled in the Florida Virtual School; providing reporting requirements relating to Florida Virtual School Global; requiring the Auditor General to conduct an operational audit of the Florida Virtual School; amending s. 1002.45, F.S.; authorizing a school district to provide part-time virtual instruction for K-12 students in all courses; revising requirements for the use of virtual instruction in core-curricula courses for the purpose of meeting class size requirements; revising requirements for approval as a provider of virtual instruction programs or courses; providing requirements for conditional approval; revising and clarifying the requirements for reporting and funding a full-time equivalent student enrolled in a virtual instruction program; creating s. 1002.451, F.S.; authorizing a district school board to operate a district innovation school as a pilot program; providing delivery models for implementation of a schoolwide blended learning program; providing funding requirements; providing exemption from statutes and rules; amending s. 1003.01, F.S.; removing blended learning courses provided by a traditional public school, a charter school, or a district innovation school from the definition of core curricular courses for purposes of class size requirements; amending s. 1003.498, F.S.; requiring the Department of Education to provide identifiers for courses to designate their use for blended learning courses; removing restrictions on students taking online courses across district lines; clarifying the requirements for reporting a full-time student; prohibiting a school district from requiring a public school student to take an online course at certain times or places; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to recommend a funding model and financial accountability mechanism for providers of online courses; amending s. 1007.24, F.S.; including online courses provided by providers in the statewide course numbering system; amending s. 1011.61, F.S.; revising and clarifying the definition of a full-time equivalent student; revising provisions relating to funding based on student completion of end-of-course examinations; revising provisions relating to the maximum value for funding a student; creating s. 1011.622, F.S.; providing for funding adjustments for students without a common student identifier; providing an effective date.

—as amended May 1 was read the third time by title.

On motion by Senator Brandes, **CS for HB 7029** as amended was passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Evers	Legg
Altman	Flores	Margolis
Bean	Galvano	Negron
Benacquisto	Garcia	Richter
Bradley	Gardiner	Ring
Brandes	Grimsley	Simmons
Dean	Hays	Simpson
Detert	Hukill	Stargel
Diaz de la Portilla	Lee	Thrasher

Nays—12

Braynon	Joyner	Smith
Bullard	Latvala	Sobel
Clemens	Montford	Soto
Gibson	Sachs	Thompson

Vote after roll call:

Nay—Abruzzo

**SENATOR RICHTER PRESIDING**

**CS for HB 7087**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 253.034, F.S.; requiring public hearings relating to the development of land management plans to be held in any one, rather than each, county affected by such plans; amending s. 259.1052, F.S.; providing for Lee County to retain ownership and assume responsibility for management of a specified portion of the Babcock Crescent B Ranch Florida Forever acquisition; requiring certain activities on the property to be compatible with working ranch and agricultural activities; amending s. 259.10521, F.S.; revising provisions relating to the citizen support organization for the Babcock Ranch Preserve and use of the ranch property; amending s. 259.1053, F.S.; revising provisions of the Babcock Preserve Ranch Act to conform to the termination or expiration of the management agreement and the dissolution of Babcock Ranch, Inc.; creating the Babcock Ranch Advisory Group; providing for the department to manage and operate the preserve; requiring certain fees to be deposited into the Incidental Trust Fund of the Florida Forest Service, subject to appropriation; directing the Fish and Wildlife Commission, in cooperation with the Florida Forest Service, to establish, implement, and administer certain activities and fees; requiring such fees to be deposited into the State Game Trust Fund of the Fish and Wildlife Conservation Commission and used for specified purposes; authorizing the Board of Trustees of the Internal Improvement Trust Fund to negotiate and enter into certain agreements and grant certain privileges, leases, concessions, and permits; providing for transfer of the Babcock Ranch, Inc., to the department upon dissolution of the corporation; providing for certain funds to revert to the Incidental Trust Fund of the Florida Forest Service upon such dissolution; amending s. 388.261, F.S.; revising provisions for the distribution and use of state funds for local mosquito control programs; amending s. 388.271, F.S.; revising the date by which mosquito control districts must submit their certified budgets for approval by the department; amending s. 487.160, F.S.; deleting provisions requiring the department to conduct a survey and compile a report on restricted-use pesticides; amending s. 534.083, F.S.; deleting permitting requirements for livestock haulers; creating s. 570.087, F.S.; providing for the department and the Fish and Wildlife Conservation Commission to enter into a memorandum of agreement to develop best management practices for the agriculture industry; authorizing the department to adopt certain rules; providing that implementation of such best management practices is voluntary; prohibiting governmental agencies from adopting or enforcing specified ordinances, resolutions, regulations, rules, or policies; amending s. 570.07, F.S.; clarifying the authority of the department to regulate certain open burning; creating s. 570.64, F.S.; establishing the duties of the Division of Food, Nutrition, and Wellness within the department; providing for a director of the division; amending s. 570.902, F.S.; clarifying the applicability of definitions relating to certain designated programs and direct-support organizations; amending s. 570.903, F.S.; authorizing the department to establish direct-support organizations for museums and other programs of the department; deleting provisions that limit the establishment of direct-support organizations to particular museums and programs; deleting provisions authorizing direct-support organizations to enter into certain contracts or agreements; clarifying provisions prohibiting specified entities from receiving commissions, fees, or financial benefits in connection with the sale or exchange of real property and historical objects; providing for the termination of agreements between the department and direct-support organizations; providing for the distribution of certain assets; deleting provisions requiring the department to establish certain procedures relating to museum artifacts and records; amending s. 576.051, F.S.; authorizing the department to establish certain criteria for fertilizer sampling and analysis; amending s. 576.061, F.S.; requiring the department to adopt rules establishing certain investigational allowances for fertilizer deficiencies; providing a date by which such allowances are

effective and other allowances are repealed; amending s. 576.181, F.S.; revising the department's authority to adopt rules establishing certain criteria for fertilizer analysis; amending s. 585.61, F.S.; deleting provisions for the establishment of an animal disease diagnostic laboratory in Suwannee County; amending s. 586.10, F.S.; authorizing apiary inspectors to be certified beekeepers under certain conditions; amending s. 586.15, F.S.; providing for the collection and deposit of costs related to enforcement of prohibitions against the adulteration or misbranding of honey; amending s. 589.02, F.S.; deleting annual and special meeting requirements for the Florida Forestry Council; amending s. 589.19, F.S.; establishing the Operation Outdoor Freedom Program within the Florida Forest Service to replace provisions for the designation of specified hunt areas in state forests for wounded veterans and servicemembers; providing purpose and intent of the program; providing eligibility requirements for program participation; providing exceptions from eligibility requirements for certain activities; providing for deposit and use of funds donated to the program; limiting the liability of private landowners who provide land for designation as hunting sites for purposes of the program; amending s. 589.30, F.S.; revising references to certain Florida Forest Service personnel titles; amending s. 590.02, F.S.; authorizing the Florida Forest Service to allow certain types of burning; specifying that sovereign immunity applies to certain planning level activities; deleting provisions relating to the composition and duties of the Florida Forest Training Center advisory council; prohibiting government entities from banning certain types of burning; authorizing the service to delegate authority to special districts to manage certain types of burning; revising such authority delegated to counties and municipalities; amending s. 590.11, F.S.; revising the prohibition on leaving certain recreational fires unattended, to which penalties apply; amending s. 590.125, F.S.; revising and providing definitions relating to open burning authorized by the Florida Forest Service; revising requirements for noncertified and certified burning; limiting the liability of the service and certain persons related to certain burns; amending s. 590.25, F.S.; revising provisions relating to criminal penalties for obstructing the prevention, detection, or suppression of wildfires; creating chapter 595, F.S., to establish the Florida School Food and Nutrition Act; creating s. 595.401, F.S.; providing a short title; creating s. 595.402, F.S.; providing definitions; creating s. 595.403, F.S.; declaring state policy relating to school food and nutrition services; transferring, renumbering, and amending ss. 570.98 and 570.981, F.S., relating to school food and nutrition services and the Florida Farm Fresh Schools Program; revising the department's duties and responsibilities for administering such services and program; revising requirements for school districts and sponsors; transferring, renumbering, and amending s. 570.982, F.S., relating to the children's summer nutrition program; clarifying provisions; transferring, renumbering, and amending s. 570.072, F.S., relating to the authority of the department to conduct, supervise, and administer commodity distribution services for school food and nutrition services; creating s. 595.501, F.S.; providing certain penalties; transferring, renumbering, and amending s. 570.983, relating to the Food and Nutrition Services Trust Fund; conforming a cross-reference; transferring and renumbering s. 570.984, F.S., relating to the Healthy Schools for Healthy Lives Council; amending s. 1001.42, F.S.; requiring district school boards to perform duties relating to school lunch programs as required by the department's rules; amending s. 1003.453, F.S.; deleting an obsolete provision; requiring school districts to submit certain policies to the Department of Agriculture and Consumer Services and the Department of Education; repealing ss. 487.0615, 570.382, 570.97, and 590.50, F.S., relating to the Pesticide Review Council, Arabian horse racing and the Arabian Horse Council, the Gertrude Maxwell Save a Pet Direct-Support Organization, and permits for the sale of cypress products, respectively; amending ss. 487.041, 550.2625, and 550.2633, F.S.; conforming provisions; providing for the disbursement of specified funds; providing an effective date.

—was read the third time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Thompson moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (933372) (with title amendment)**—Between lines 2349 and 2350 insert:

Section 46. (1) *As used in this section, the term:*

(a) “Market” means a farmers’ market, community farmers’ market, flea market, or other open-air market.

(b) “SNAP” means the federal Supplemental Nutrition Assistance Program established under 7 U.S.C. ss. 2011 et seq.

(2)(a) The owner or operator of a market selling fresh produce who is not an authorized SNAP retailer may allow an authorized Food and Nutrition Service group or association of produce sellers that is actively participating in produce sales in the market, or an authorized Food and Nutrition Service third-party organization, to implement and operate an electronic benefits transfer system for purposes of accepting SNAP benefits in the market on behalf of the produce sellers to the extent and manner allowed by federal law and regulation.

(b) The authorized Food and Nutrition Service group, association, or third-party organization responsible for implementation and operation of the electronic benefits transfer system may not be another market that competes with the market being served.

(c) The market owner or operator shall reasonably accommodate the authorized Food and Nutrition Service group, association, or third-party organization in the implementation and operation of an electronic benefits transfer system for purposes of accepting SNAP benefits.

(3) This section does not:

(a) Apply to a market selling fresh produce whose owner or operator has an electronic benefits transfer system for accepting SNAP benefits in the market.

(b) Prohibit an authorized Food and Nutrition Service produce seller in a market selling fresh produce from operating his or her own electronic benefits transfer system as part of his or her customer transaction options.

(c) Require a market owner or operator to create, operate, or maintain an electronic benefits transfer system on behalf of its produce sellers.

And the title is amended as follows:

Delete line 174 and insert: of specified funds; providing definitions; authorizing certain owners and operators of farmers’ markets, community farmers’ markets, flea markets, and other open-air markets selling fresh produce to allow authorized Food and Nutrition Service groups, associations, and third-party organizations to operate electronic benefits transfer systems in such markets; providing for applicability; providing an effective date.

On motion by Senator Montford, **CS for HB 7087** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

**CS for CS for HB 7125**—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 110.205, F.S.; providing that certain positions in the department are exempt from career service; amending s. 207.002, F.S., relating to the Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981; deleting definitions of the terms “apportioned motor vehicle” and “apportionable vehicle”; amending s. 316.0083, F.S.; revising provisions for enforcement

of specified provisions using a traffic infraction detector; prohibiting a notice of violation or a traffic citation for a right on red violation under specified provisions; amending s. 316.066, F.S.; authorizing the Department of Transportation to immediately receive a crash report; amending s. 316.0776, F.S.; removing a requirement that the department, a county, or a municipality notify the public of enforcement of violations concerning right turns via a traffic infraction detector; amending s. 316.081, F.S.; prohibiting a driver from driving at less than the posted speed in the furthestmost left-hand lane of a road, street, or highway having two or more lanes if being overtaken by a motor vehicle; providing exceptions; providing penalties; amending s. 316.1937, F.S.; revising operational specifications for ignition interlock devices; amending s. 316.2397, F.S.; exempting specified municipal officials from a prohibition against showing or displaying blue lights on a motor vehicle under certain conditions; amending s. 316.302, F.S.; revising provisions for certain commercial motor vehicles and transporters and shippers of hazardous materials; providing for application of specified federal regulations; removing a provision for application of specified provisions and federal regulations to transporting liquefied petroleum gas; amending s. 316.3025, F.S.; providing penalties for violation of specified federal regulations relating to medical and physical requirements for commercial drivers while driving a commercial motor vehicle; revising provisions for seizure of motor vehicle for refusal to pay penalty; providing penalties for violation of specified federal regulations relating to commercial drivers and the use of mobile telephones and texting while driving a commercial motor vehicle; providing exemptions; amending s. 316.515, F.S.; revising provisions for exceptions to width, height, and length limitations; amending s. 316.545, F.S.; revising language relating to certain commercial motor vehicles not properly licensed and registered; amending s. 316.646, F.S., relating to proof of property damage liability security and display thereof; providing for proof of insurance in an electronic format and on an electronic device; providing conditions relating to the use of such electronic device; requiring the department to adopt rules; amending s. 317.0016, F.S., relating to expedited services; removing a requirement that the department provide such service for certain certificates; amending s. 318.14, F.S., relating to disposition of traffic citations; providing that certain alternative procedures for certain traffic offenses are not available to a person who holds a commercial learner’s permit; amending s. 318.1451, F.S.; revising provisions relating to driver improvement schools; removing a provision for a chief judge to establish requirements for the location of schools within a judicial circuit; removing a provision that authorizes a person to operate a driver improvement school; revising provisions for persons taking unapproved course; providing criteria for initial approval of courses; revising requirements for courses, course certificates, and course providers; directing the department to adopt rules; creating s. 319.141, F.S.; directing the department to conduct a pilot program to evaluate rebuilt vehicle inspection services performed by the private sector; providing definitions; providing for the department to enter into a memorandum of understanding with the private provider; providing minimum criteria and certain requirements; requiring the department to provide a report to the Legislature; providing for future expiration; amending s. 319.225, F.S.; revising provisions for certificates of title, reassignment of title, and forms; revising procedures for transfer of title; amending s. 319.23, F.S.; revising requirements for content of certificates of title and applications for title; amending s. 319.28, F.S.; revising provisions for transfer of ownership by operation of law when a motor vehicle or mobile home is repossessed; removing provisions for a certificate of repossession; amending s. 319.30, F.S., relating to disposition of derelict motor vehicles; defining the term “National Motor Vehicle Title Information System”; requiring salvage motor vehicle dealers, insurance companies, and other persons to notify the system when receiving or disposing of such a vehicle; requiring proof of such notification when applying for a certificate of destruction or salvage certificate of title; providing penalties; amending s. 319.323, F.S., relating to expedited services of the department; removing certificates of repossession; amending s. 320.01, F.S.; removing the definition of the term “apportioned motor vehicle”; revising the definition of the term “apportionable vehicle”; amending s. 320.02, F.S.; revising requirements for application for motor vehicle registration; providing for insurers to furnish proof-of-purchase cards in a paper or an electronic format; requiring the application form for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.; amending s. 320.03, F.S.; revising a provision for registration under the International Registration Plan; amending s. 320.071, F.S.; revising a provision for advance renewal of registration under the International Registration Plan;

amending s. 320.0715, F.S.; revising provisions for vehicles required to be registered under the International Registration Plan; amending s. 320.08058, F.S.; revising the prescribed use of proceeds from the sale of Hispanic Achievers license plates; amending s. 320.089, F.S.; creating a special use license plate for current or former members of the United States Armed Forces who participated in Operation Desert Storm or Operation Desert Shield; amending s. 320.18, F.S.; providing for withholding of motor vehicle or mobile home registration when a coowner has failed to register the motor vehicle or mobile home during a previous period when such registration was required; providing for cancelling a vehicle or vessel registration, driver license, identification card, or fuel-use tax decal if the coowner pays certain fees and other liabilities with a dishonored check; amending s. 320.27, F.S., relating to motor vehicle dealers; providing for extended periods for dealer licenses and supplemental licenses; providing fees; amending s. 320.62, F.S., relating to manufacturers, distributors, and importers of motor vehicles; providing for extended licensure periods; providing fees; amending s. 320.77, F.S., relating to mobile home dealers; providing for extended licensure periods; providing fees; amending s. 320.771, F.S., relating to recreational vehicle dealers; providing for extended licensure periods; providing fees; amending s. 320.8225, F.S., relating to mobile home and recreational vehicle manufacturers, distributors, and importers; providing for extended licensure periods; providing fees; amending s. 322.08, F.S.; requiring the application form for an original, renewal, or replacement driver license or identification card to include language permitting the applicant to make a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.; amending s. 322.095, F.S.; requiring an applicant for a driver license to complete a traffic law and substance abuse education course; providing exceptions; revising procedures for evaluation and approval of such courses; revising criteria for such courses and the schools conducting the courses; providing for collection and disposition of certain fees; requiring providers to maintain records; directing the department to conduct effectiveness studies; requiring a provider to cease offering a course that fails the study; requiring courses to be updated at the request of the department; requiring providers to disclose certain information; requiring providers to submit course completion information to the department within a certain time period; prohibiting certain acts; providing that the department shall not accept certification from students; prohibiting a person convicted of certain crimes from conducting courses; directing the department to suspend course approval for certain purposes; providing for the department to deny, suspend, or revoke course approval for certain acts; providing for administrative hearing before final action denying, suspending, or revoking course approval; providing penalties for violations; amending s. 322.125, F.S.; revising criteria for members of the Medical Advisory Board; amending s. 322.135, F.S.; removing a provision that authorizes a tax collector to direct certain licensees to the department for examination or reexamination; creating s. 322.143, F.S.; defining terms; prohibiting a private entity from swiping an individual's driver license or identification card except for certain specified purposes; providing that a private entity that swipes an individual's driver license or identification card may not store, sell, or share personal information collected from swiping the driver license or identification card; providing exceptions; providing that the private entity may manually collect personal information; prohibiting a private entity from withholding the provision of goods or services solely as a result of the individual requesting the collection of the data through manual means; providing remedies; amending s. 322.212, F.S.; providing penalties for certain violations involving application and testing for a commercial driver license or a commercial learner's permit; amending s. 322.22, F.S.; authorizing the department to withhold issuance or renewal of a driver license, identification card, vehicle or vessel registration, or fuel-use decal under certain circumstances; amending s. 322.245, F.S.; requiring a depository or clerk of court to electronically notify the department of a person's failure to pay support or comply with directives of the court; amending s. 322.25, F.S.; removing a provision for a court order to reinstate a person's driving privilege on a temporary basis when the person's license and driving privilege have been revoked under certain circumstances; amending ss. 322.2615 and 322.2616, F.S., relating to review of a license suspension when the driver had blood or breath alcohol at a certain level or the driver refused a test of his or her blood or breath to determine the alcohol level; authorizing the driver to request a review of eligibility for a restricted driving privilege; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit

or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 322.271, F.S.; providing conditions under which a person whose driver license is suspended for a DUI-related offense may be eligible to receive a restricted driving privilege; amending s. 322.2715, F.S.; providing requirements for issuance of a restricted driver license for a person convicted of a DUI offense if a medical waiver of placement of an ignition interlock device was given to such person; amending s. 322.28, F.S., relating to revocation of driver license for convictions of DUI offenses; providing that convictions occurring on the same date for offenses occurring on separate dates are considered separate convictions; removing a provision relating to a court order for reinstatement of a revoked driver license; repealing s. 322.331, F.S., relating to habitual traffic offenders; amending s. 322.61, F.S.; revising provisions for disqualification from operating a commercial motor vehicle; providing for application of such provisions to persons holding a commercial learner's permit; revising the offenses for which certain disqualifications apply; amending s. 322.64, F.S., relating to driving with unlawful blood-alcohol level or refusal to submit to breath, urine, or blood test by a commercial driver license holder or person driving a commercial motor vehicle; providing that a disqualification from driving a commercial motor vehicle is considered a conviction for certain purposes; revising the time period a person is disqualified from driving for alcohol-related violations; revising requirements for notice of the disqualification; providing that under the review of a disqualification the hearing officer shall consider the crash report; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 323.002, F.S.; providing that an unauthorized wrecker operator's wrecker, tow truck, or other motor vehicle used during certain offenses may be removed and impounded; requiring an unauthorized wrecker operator to disclose certain information in writing to the owner or operator of a motor vehicle and provide a copy of the disclosure to the owner or operator in the presence of a law enforcement officer if an officer is present; authorizing state and local government law enforcement officers to cause to be removed and impounded any wrecker, tow truck, or other motor vehicle used in violation of specified provisions; authorizing the authority that caused the removal and impoundment to assess a cost recovery fine; providing procedures and requirements for release of the vehicle; providing penalties; requiring that the unauthorized wrecker operator pay the fees associated with the removal and storage of the vehicle; amending s. 324.0221, F.S.; revising the actions which must be reported to the department by an insurer that has issued a policy providing personal injury protection coverage or property damage liability coverage; revising time allowed for submitting the report; amending s. 324.031, F.S.; revising the methods a vehicle owner or operator may use to prove financial responsibility; removing a provision for posting a bond with the department; amending s. 324.091, F.S.; revising provisions requiring motor vehicle owners and operators to provide evidence to the department of liability insurance coverage under certain circumstances; revising provisions for verification by insurers of such evidence; amending s. 324.161, F.S.; providing requirements for issuance of a certificate of insurance; requiring proof of a certificate of deposit of a certain amount of money in a financial institution; providing for power of attorney to be issued to the department for execution under certain circumstances; amending s. 328.01, F.S., relating to vessel titles; revising identification requirements for applications for a certificate of title; amending s. 328.48, F.S., relating to vessel registration; revising identification requirements for applications for vessel registration; amending s. 328.76, F.S., relating to vessel registration funds; revising provisions for funds to be deposited into the Highway Safety Operating Trust Fund; providing for certain funds to be used for aquaculture development; providing appropriations; amending s. 713.585, F.S.; revising procedures and requirements for enforcement of lien by sale of motor vehicle when ownership is not established; revising provisions for establishing a good faith effort to locate the owner or lienholder; requiring the lienholder to make certain records checks, including records of the department and the National Motor Vehicle Title Information System and any state disclosed by the check of that system; revising requirements for notification to the local law enforcement agency; revising requirements for notification of the sale of the vehicle; revising documents and proofs the lienholder is required to furnish with a certificate of compliance filed with the clerk of the circuit court; requiring the lienholder to provide the department proof of checking the National Motor

Vehicle Title Information System for application for transfer of title; amending s. 713.78, F.S.; revising provisions for enforcement of liens for recovering, towing, or storing a vehicle or vessel; providing a definition; providing for a lien on a vehicle or vessel when a landlord or the landlord's designee authorized removal after tenancy is terminated and specified conditions are met; revising provisions requiring notice to the owner, insurance company, and lienholders; revising procedures and requirements when ownership is not established; revising provisions for establishing a good faith effort to locate the owner or lienholder; requiring certain records checks, including records of the department and the National Motor Vehicle Title Information System and any state disclosed by the check of that system; revising provisions for notice of sale; requiring that insurance company representatives shall be allowed to inspect the vehicle or vessel; providing that when the vehicle is to be sold for purposes of being dismantled, destroyed, or changed in such manner that it is not the motor vehicle or vessel described in the certificate of title, it must be reported to the National Motor Vehicle Title Information System and application made to the department for a certificate of destruction; authorizing the governing body of a county to create a yellow dot critical motorist medical information program for certain purposes; authorizing a county to solicit sponsorships for the medical information program and enter into an interlocal agreement with another county to solicit such sponsorships; authorizing the Department of Highway Safety and Motor Vehicles and the Department of Transportation to provide education and training and publicize the program; requiring the program to be free to participants; providing for applications to participate; providing for a yellow dot decal and a yellow dot folder to be issued to participants and a form containing specified information about the participant; providing procedures for use of the decal, folder, and form; providing for limited use of information on the forms by emergency medical responders; limiting liability of emergency medical responders; requiring the governing body of a participating county to adopt guidelines and procedures to ensure that confidential information is not made public; providing for contingent effect; amending ss. 212.08, 261.03, 316.2122, 316.2124, 316.21265, 316.3026, 316.550, 317.0003, 320.08, 320.0847, 322.271, 322.282, 324.023, 324.171, 324.191, 627.733, and 627.7415, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing effective dates.

—as amended May 1 was read the third time by title.

On motion by Senator Brandes, **CS for CS for HB 7125** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

Nays—None

**CS for SB 952**—A bill to be entitled An act relating to the Orlando-Orange County Expressway Authority; amending ss. 348.751 and 348.752, F.S.; renaming the Orlando-Orange County Expressway System as the “Central Florida Expressway System”; revising definitions; making technical changes; amending s. 348.753, F.S.; creating the Central Florida Expressway Authority; providing for the transfer of governance and control, legal rights and powers, responsibilities, terms, and obligations to the authority; providing conditions for the transfer; revising the composition of the governing body of the authority; providing for appointment of officers of the authority; revising quorum and voting requirements; conforming terminology and making technical changes; amending s. 348.754, F.S.; providing that the area served by

the authority is within the geopolitical boundaries of Orange, Seminole, Lake, and Osceola Counties; requiring the authority to have prior consent from the Secretary of the Department of Transportation to construct an extension, addition, or improvement to the expressway system in Lake County; extending, to 99 years from 40 years, the term of a lease or lease-purchase agreement; limiting the authority's authority to enter into a lease-purchase agreement; limiting the use of certain toll-revenues; providing exceptions; removing the requirement that the route of a project must be approved by a municipality before the right-of-way can be acquired; requiring that the authority encourage the inclusion of local-, small-, minority-, and women-owned businesses in its procurement and contracting opportunities; removing the authority and criteria for an authority to waive payment and performance bonds for certain public works projects that are awarded pursuant to an economic development program; conforming terminology and making technical changes; amending ss. 348.7543, 348.7544, 348.7545, 348.7546, 348.7547, 348.755, and 348.756, F.S.; conforming terminology and making technical changes; amending s. 348.757, F.S.; providing that upon termination of the lease-purchase agreement of the former Orlando-Orange County Expressway System, title in fee simple to the system will be retained by the authority; conforming terminology and making technical changes; amending ss. 348.758, 348.759, 348.760, 348.761, 348.765, and 369.317, F.S.; conforming terminology and making technical changes; amending s. 369.324, F.S.; revising the membership of the Wekiva River Basin Commission; conforming terminology; providing criteria for the transfer of the Osceola County Expressway System to the Central Florida Expressway Authority; providing for the repeal of part V of ch. 348, F.S., when the Osceola County Expressway System is transferred to the Central Florida Expressway Authority; requiring the Central Florida Expressway Authority to reimburse other governmental entities for obligations related to the Osceola County Expressway System; providing for reimbursement after payment of other obligations; providing an effective date.

—was read the third time by title.

On motion by Senator Simmons, **CS for SB 952** was passed and certified to the House. The vote on passage was:

Yeas—39

Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Consideration of **CS for HB 1067** was deferred.

**CS for CS for SB 446**—A bill to be entitled An act relating to the economic development incentive application process; amending s. 288.061, F.S.; requiring an applicant to provide a surety bond to the Department of Economic Opportunity before the applicant receives incentive awards through the Quick Action Closing Fund or the Innovation Incentive Program; requiring the contract or agreement to provide that the bond remain in effect until all conditions have been satisfied; providing that the department may require the bond to cover the entire contracted amount or allow for bonds to be renewed upon completion of certain performance measures; requiring the contract or agreement to provide that funds are contingent upon receipt of the surety bond; requiring the contract or agreement to provide that up to half of the premium payment on the bond may be paid from the award up to a certain amount; requiring an applicant to notify the department of premium payments; providing for certain notice requirements upon cancellation

or nonrenewal by an insurer; providing that the cancellation of the surety bond violates the contract or agreement; providing an exception; providing for a waiver if certain information is provided; providing that if the department grants a waiver, the contract or agreement must provide for securing the award in a certain form; requiring the contract or agreement to provide that the release of funds is contingent upon satisfying certain requirements; requiring the irrevocable letter of credit, trust, or security agreement to remain in effect until certain conditions have been satisfied; providing for a waiver of the surety bond or other security if certain information is provided and the department determines it to be in the best interest of the state; providing that the waiver of the surety bond or other security, for funding in excess of \$5 million, must be approved by the Legislative Budget Commission; providing that the state may bring suit upon default or upon a violation of this section; providing that the department may adopt rules to implement this section; providing an effective date.

—was read the third time by title.

On motion by Senator Hukill, **CS for CS for SB 446** was passed and certified to the House. The vote on passage was:

Yeas—38

Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

**CS for HB 7019**—A bill to be entitled An act relating to development permits; amending ss. 125.022 and 166.033, F.S.; requiring counties and municipalities to attach certain disclaimers and include certain permit conditions when issuing development permits; amending s. 163.3167, F.S.; providing that an initiative or referendum process for any development order is prohibited; providing that an initiative or referendum process for any local comprehensive plan amendments and map amendments is prohibited; providing an exception for an initiative or referendum process specifically authorized by local government charter provision in effect as of June 1, 2011, for certain local comprehensive plan amendments and map amendments; providing that certain charter provisions for an initiative or referendum process are not sufficient; providing legislative intent; providing that certain prohibitions apply retroactively; amending s. 341.8203, F.S.; defining “communication facilities” and “railroad company” as used in the Florida Rail Enterprise Act; amending s. 341.822, F.S.; requiring the rail enterprise to establish a process to issue permits for railroad companies to construct communication facilities within a high speed rail system; providing rulemaking authority; providing for fees for issuing a permit; creating s. 341.825, F.S.; providing for a permit authorizing the permittee to locate, construct, operate, and maintain communication facilities within a new or existing high speed rail system; providing for application procedures and fees; providing for the effects of a permit; providing an exemption from local land use and zoning regulations; authorizing the enterprise to permit variances and exemptions from rules of the enterprise or other agencies; providing that a permit is in lieu of licenses, permits, certificates, or similar documents required under specified laws; providing for a modification of a permit; amends s. 341.840, F.S.; conforming a cross-reference; amending s. 125.35, F.S.; providing that a county may include a commercial development that is ancillary to a professional sports facility in the lease of a sports facility; amending s. 32, ch. 2012-205, Laws of Florida, relating to the extension of certain permits and authorizations issued by the Department of Environmental Protection, water management districts, and local governments; revising the date by which holders of such permits and authorizations are required to notify

the authorizing agency of specified information; amending s. 381.0065, F.S.; providing that certain systems constitute compliance with nitrogen standards; requiring systems in certain areas of Monroe County to comply with specified rules and standards; deleting a requirement for new, modified, and repaired systems to meet specified standards; authorizing property owners in certain areas of Monroe County to install certain tanks and systems; providing that certain systems in Monroe County are not required to connect to the central sewer system until a specified date; providing an extension and renewal of certain permits issued by the Department of Environmental Protection, a water management district, or a local government for areas to be served by central sewer systems within the Florida Keys Area of Critical State Concern; providing that certain extensions may not exceed a specified number of years; prohibiting certain extensions; providing for applicability; providing an effective date.

—as amended May 1 was read the third time by title.

On motion by Senator Altman, **CS for HB 7019** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—None

## SPECIAL ORDER CALENDAR

Consideration of **CS for CS for SB 966** was deferred.

## THE PRESIDENT PRESIDING

**CS for CS for SB 1722**—A bill to be entitled An act relating to early learning; creating s. 1001.213, F.S.; creating the Office of Early Learning within the Department of Education’s Office of Independent Education and Parental Choice; providing duties relating to the establishment and operation of the school readiness program and the Voluntary Prekindergarten Education Program; amending s. 1002.51, F.S.; conforming a cross-reference; providing a definition; amending s. 1002.53, F.S.; clarifying Voluntary Prekindergarten Education Program student enrollment provisions; amending s. 1002.55, F.S.; providing additional requirements for private prekindergarten providers and instructors; providing duties of the office; amending s. 1002.57, F.S.; requiring the office to adopt standards for a prekindergarten director credential; amending s. 1002.59, F.S.; requiring the office to adopt standards for training courses; amending s. 1002.61, F.S.; providing a requirement for a public school delivering the summer prekindergarten program; amending s. 1002.63, F.S.; providing a requirement for a public school delivering the school-year prekindergarten program; amending s. 1002.66, F.S.; deleting obsolete provisions; amending s. 1002.67, F.S.; requiring the office to adopt performance standards for students in the Voluntary Prekindergarten Education Program and approve curricula; revising provisions relating to removal of provider eligibility, submission of an improvement plan, and required corrective actions; amending s. 1002.69, F.S.; providing duties of the office relating to statewide kindergarten screening, kindergarten readiness rates, and good cause exemptions for providers; amending s. 1002.71, F.S.; revising provisions relating to payment of funds to providers; amending s. 1002.72, F.S.; providing for the release of Voluntary Prekindergarten Education Program student records for the purpose of investigations; amending s. 1002.75, F.S.; revising duties of the office for administering the Volun-

tary Prekindergarten Education Program; amending s. 1002.77, F.S.; revising provisions relating to the Florida Early Learning Advisory Council; amending s. 1002.79, F.S.; deleting certain State Board of Education rulemaking authority for the Voluntary Prekindergarten Education Program; creating part VI of ch. 1002, F.S., consisting of ss. 1002.81-1002.96, relating to the school readiness program; providing definitions; providing powers and duties of the Office of Early Learning; providing for early learning coalitions; providing early learning coalition powers and duties for the school readiness program; providing requirements for early learning coalition plans; providing a school readiness program education component; providing school readiness program eligibility and enrollment requirements; providing school readiness program provider standards and eligibility to deliver the school readiness program; providing school readiness program funding; providing a market rate schedule; providing for the investigation of fraud or overpayment; providing penalties; providing for child care and early childhood resource and referral; providing for school readiness program transportation services; providing for the Child Care Executive Partnership Program; providing for the Teacher Education and Compensation Helps scholarship program; providing for Early Head Start collaboration grants; transferring, renumbering, and amending s. 411.011, F.S., relating to the confidentiality of records of children in the school readiness program; revising provisions with respect to the release of records; amending s. 11.45, F.S.; conforming a cross-reference; amending s. 20.15, F.S.; conforming provisions; amending s. 216.136, F.S.; conforming a cross-reference; amending s. 402.281, F.S.; revising requirements relating to receipt of a Gold Seal Quality Care designation; amending s. 402.302, F.S.; conforming a cross-reference; amending s. 402.305, F.S.; providing that certain child care after-school programs may provide meals through a federal program; amending ss. 445.023, 490.014, and 491.014, F.S.; conforming cross-references; amending s. 1001.11, F.S.; providing a duty of the Commissioner of Education relating to early learning programs; repealing s. 411.01, F.S., relating to the school readiness program and early learning coalitions; repealing s. 411.0101, F.S., relating to child care and early childhood resource and referral; repealing s. 411.01013, F.S., relating to the prevailing market rate schedule; repealing s. 411.01014, F.S., relating to school readiness transportation services; repealing s. 411.01015, F.S., relating to consultation to child care centers and family day care homes; repealing s. 411.0102, F.S., relating to the Child Care Executive Partnership Act; repealing s. 411.0103, F.S., relating to the Teacher Education and Compensation Helps scholarship program; repealing s. 411.0104, relating to Early Head Start collaboration grants; repealing s. 411.0105, F.S., relating to the Early Learning Opportunities Act and Even Start Family Literacy Programs; repealing s. 411.0106, F.S., relating to infants and toddlers in state-funded education and care programs; authorizing specified positions for the Office of Early Learning; requiring the office to develop a reorganization plan for the office and submit the plan to the Governor and the Legislature; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1722**, on motion by Senator Legg, by two-thirds vote **CS for HB 7165** was withdrawn from the Committees on Education; Appropriations Subcommittee on Education; and Appropriations.

On motion by Senator Legg—

**CS for HB 7165**—A bill to be entitled An act relating to early learning; creating s. 1001.213, F.S.; creating the Office of Early Learning within the Department of Education; providing duties relating to the establishment and operation of the school readiness program and the Voluntary Prekindergarten Education Program; amending s. 1002.51, F.S.; conforming a cross-reference; amending s. 1002.53, F.S.; clarifying Voluntary Prekindergarten Education Program student enrollment provisions; amending s. 1002.55, F.S.; providing additional requirements for private prekindergarten providers and instructors; providing duties of the office; amending s. 1002.57, F.S.; requiring the office to adopt standards for a prekindergarten director credential; amending s. 1002.59, F.S.; requiring the office to adopt standards for training courses; amending s. 1002.61, F.S.; providing a requirement for a public school delivering the summer prekindergarten program; amending s. 1002.63, F.S.; providing a requirement for a public school delivering the school-year prekindergarten program; amending s. 1002.66, F.S.; deleting obsolete provisions; amending s. 1002.67, F.S.; requiring the office to adopt performance standards for students in the Voluntary Prekindergarten Education Program and approve curricula; revising pro-

visions relating to removal of provider eligibility, submission of an improvement plan, and required corrective actions; amending s. 1002.69, F.S.; providing duties of the office relating to statewide kindergarten screening, kindergarten readiness rates, and good cause exemptions for providers; amending s. 1002.71, F.S.; revising provisions relating to payment of funds to providers; amending s. 1002.72, F.S.; providing for the release of Voluntary Prekindergarten Education Program student records for the purpose of investigations; amending s. 1002.75, F.S.; revising duties of the office for administering the Voluntary Prekindergarten Education Program; amending s. 1002.77, F.S.; revising provisions relating to the Florida Early Learning Advisory Council; amending s. 1002.79, F.S.; deleting certain State Board of Education rulemaking authority for the Voluntary Prekindergarten Education Program; creating part VI of ch. 1002, F.S., consisting of ss. 1002.81-1002.96, relating to the school readiness program; providing definitions; providing powers and duties of the Office of Early Learning; providing for early learning coalitions; providing early learning coalition powers and duties for the school readiness program; providing requirements for early learning coalition plans; providing a school readiness program education component; providing school readiness program eligibility and enrollment requirements; providing school readiness program provider standards and eligibility to deliver the school readiness program; providing school readiness program funding; providing a market rate schedule; providing for investigation of fraud or overpayment and penalties therefor; providing for child care and early childhood resource and referral; providing for school readiness program transportation services; providing for the Child Care Executive Partnership Program; providing for the Teacher Education and Compensation Helps scholarship program; providing for Early Head Start collaboration grants; transferring, renumbering, and amending s. 411.011, F.S., relating to the confidentiality of records of children in the school readiness program; revising provisions with respect to the release of records; amending s. 11.45, F.S.; conforming a cross-reference; amending s. 20.15, F.S.; conforming provisions; amending s. 216.136, F.S.; conforming a cross-reference; amending s. 402.281, F.S.; revising requirements relating to receipt of a Gold Seal Quality Care designation; amending s. 402.302, F.S.; conforming a cross-reference; amending s. 402.305, F.S.; providing that certain child care after-school programs may provide meals through a federal program; amending ss. 445.023, 490.014, and 491.014, F.S.; conforming cross-references; amending s. 1001.11, F.S.; providing a duty of the Commissioner of Education relating to early learning programs; repealing s. 411.01, F.S., relating to the school readiness program and early learning coalitions; repealing s. 411.0101, F.S., relating to child care and early childhood resource and referral; repealing s. 411.01013, F.S., relating to the prevailing market rate schedule; repealing s. 411.01014, F.S., relating to school readiness transportation services; repealing s. 411.01015, F.S., relating to consultation to child care centers and family day care homes; repealing s. 411.0102, F.S., relating to the Child Care Executive Partnership Act; repealing s. 411.0103, F.S., relating to the Teacher Education and Compensation Helps scholarship program; repealing s. 411.0104, relating to Early Head Start collaboration grants; repealing s. 411.0105, F.S., relating to the Early Learning Opportunities Act and Even Start Family Literacy Programs; repealing s. 411.0106, F.S., relating to infants and toddlers in state-funded education and care programs; authorizing specified positions for the Office of Early Learning; requiring the office to develop a reorganization plan for the office and submit the plan to the Governor and the Legislature; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1722** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendments was allowed:

Senator Legg moved the following amendments which were adopted:

**Amendment 1 (207746) (with title amendment)**—Delete line 2248 and insert:

(h) *The Office of Independent Education and Parental Choice, which must include the following offices:*

1. *The Office of Early Learning, which shall be administered by an executive director who is fully accountable to the Commissioner of Education. The executive director shall, pursuant to s. 1001.213, administer the early learning programs, including the school readiness program and the Voluntary Prekindergarten Education Program at the state level.*



2. *The Office of K-12 School Choice, which shall be administered by an executive director who is fully accountable to the Commissioner of Education. The Office of Early Learning, which shall administer*

And the title is amended as follows:

Delete line 72 and insert: conforming provisions; modifying the organizational structure within the Department of Education; amending s. 216.136, F.S.;

**Amendment 2 (591464) (with title amendment)**—Delete line 112 and insert: *the Office of Independent Education and Parental Choice the Office of Early Learning, as required under s. 20.15, which*

And the title is amended as follows:

Delete line 4 and insert: within the Office of Independent Education and Parental Choice; providing duties

**Amendment 3 (767148)**—Delete lines 1698-1709 and insert:

(6) *Costs shall be kept to the minimum necessary for the efficient and effective administration of the school readiness program with the highest priority of expenditure being direct services for eligible children. However, no more than 5 percent of the funds described in subsection (5) may be used for administrative costs and no more than 22 percent of the funds described in subsection (5) may be used in any fiscal year for any combination of administrative costs, quality activities, and nondirect services as follows:*

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following amendment:

**Amendment 4 (242714) (with title amendment)**—Between lines 2437 and 2438 insert:

Section 32. Subsection (6) is added to section 1002.321, Florida Statutes, to read:

1002.321 Digital learning.—

(6) *ONLINE CATALOG.—The department shall develop an online catalog of available digital learning courses provided pursuant to ss. 1002.37, 1002.45, 1003.498, and 1003.499, which provides, for each course, access to the course description, completion and passage rates, and a method for student and teacher users to provide evaluative feedback.*

Section 33. Subsection (6) and paragraph (c) of subsection (9) of section 1002.37, Florida Statutes, are amended, and subsection (11) is added to that section, to read:

1002.37 The Florida Virtual School.—

(6) The board of trustees shall annually submit to the Governor, the Legislature, the Commissioner of Education, and the State Board of Education a complete and detailed report setting forth:

(a) The operations and accomplishments of the Florida Virtual School *within the state and those occurring outside the state as Florida Virtual School Global.*

(b) The marketing and operational plan for the Florida Virtual School *and Florida Virtual School Global*, including recommendations regarding methods for improving the delivery of education through the Internet and other distance learning technology.

(c) The assets and liabilities of the Florida Virtual School *and Florida Virtual School Global* at the end of the fiscal year.

(d) A copy of an annual financial audit of the accounts and records of the Florida Virtual School *and Florida Virtual School Global*, conducted by an independent certified public accountant and performed in accordance with rules adopted by the Auditor General.

(e) Recommendations regarding the unit cost of providing services to students *through the Florida Virtual School and Florida Virtual School Global*. In order to most effectively develop public policy regarding any

future funding of the Florida Virtual School, it is imperative that the cost of the program is accurately identified. The identified cost of the program must be based on reliable data.

(f) Recommendations regarding an accountability mechanism to assess the effectiveness of the services provided by the Florida Virtual School *and Florida Virtual School Global*.

(9)

(c) *Unless an alternative testing site is mutually agreed to by the Florida Virtual School and the school district or as contracted under s. 1008.24, all statewide assessments must be taken at the school to which the student would be assigned according to district school board attendance areas. A school district must provide the student with access to the school's testing facilities.*

(11) *The Auditor General shall conduct an operational audit of the Florida Virtual School, including Florida Virtual School Global. The scope of the audit shall include, but not be limited to, the administration of responsibilities relating to personnel; procurement and contracting; revenue production; school funds, including internal funds; student enrollment records; franchise agreements; information technology utilization, assets, and security; performance measures and standards; and accountability. The final report on the audit shall be submitted to the President of the Senate and the Speaker of the House of Representatives no later than January 31, 2014.*

Section 34. Subsection (14) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(14) “Core-curricula courses” means:

(a) Courses in language arts/reading, mathematics, social studies, and science in prekindergarten through grade 3, excluding any extra-curricular courses pursuant to subsection (15);

(b) Courses in grades 4 through 8 in subjects that are measured by state assessment at any grade level and courses required for middle school promotion, excluding any extracurricular courses pursuant to subsection (15);

(c) Courses in grades 9 through 12 in subjects that are measured by state assessment at any grade level and courses that are specifically identified by name in statute as required for high school graduation and that are not measured by state assessment, excluding any extra-curricular courses pursuant to subsection (15);

(d) Exceptional student education courses; and

(e) English for Speakers of Other Languages courses.

The term is limited in meaning and used for the sole purpose of designating classes that are subject to the maximum class size requirements established in s. 1, Art. IX of the State Constitution. This term does not include courses offered under ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37, 1002.415, ~~and~~ 1002.45, and 1003.499.

Section 35. Section 1003.498, Florida Statutes, is amended to read:

1003.498 School district virtual course offerings.—

(1) School districts may deliver courses in the traditional school setting by personnel certified pursuant to s. 1012.55 who provide direct instruction through virtual instruction or through blended learning courses consisting of both traditional classroom and online instructional techniques. Students in a blended learning course must be full-time students of the school and receive the online instruction in a classroom setting at the school. The funding, performance, and accountability requirements for blended learning courses are the same as those for traditional courses. *To facilitate the delivery and coding of blended learning courses, the department shall provide identifiers for courses to designate courses that are used for blended learning for the efficient reporting of such courses.*

(2) School districts may offer virtual courses for students enrolled in the school district. These courses must be identified in the course code

directory. Students who meet the eligibility requirements of s. 1002.455 may participate in these virtual course offerings.

(a) Any eligible student who is enrolled in a school district may register and enroll in an online course offered by his or her school district.

(b)1. Any eligible student who is enrolled in a school district may register and enroll in an online course offered by any other school district in the state, ~~except as limited by the following:~~

~~1. A student may not enroll in a course offered through a virtual instruction program provided pursuant to s. 1002.45.~~

~~2. A student may not enroll in a virtual course offered by another school district if:~~

~~a. The course is offered online by the school district in which the student resides; or~~

~~b. The course is offered in the school in which the student is enrolled. However, a student may enroll in an online course offered by another school district if the school in which the student is enrolled offers the course but the student is unable to schedule the course in his or her school.~~

~~3. The school district in which the student completes the course shall report the student's completion of that course for funding pursuant to s. 1011.61(1)(c)1.b.(VI), and the home school district shall not report the student for funding for that course.~~

2. For purposes of this paragraph, the combined total of all school district reported FTE may not be reported as more than 1.0 full-time equivalent student in any given school year. The Department of Education shall establish procedures to enable interdistrict coordination for the delivery and funding of this online option.

(3) Access to courses shall be available to students during the normal school day. A school district may not require a public school student to take a course outside the school day which is in addition to the student's courses for a given term or on school grounds.

Section 36. Section 1003.499, Florida Statutes, is created to read:

1003.499 *Florida Approved Courses and Tests (FACT) Initiative.*—

(1) *PURPOSE.*—

(a) The purpose of the initiative shall be to make available multiple options to suit unique student interests, satisfy educational requirements, and accelerate student accomplishment of goals in a productive and effective manner. The Legislature intends that state and local rules, policies, and administrative decisions are flexible in interpreting and implementing the requirements in this section in order to encourage creative, innovative, resourceful, and forward-thinking practices that can be modeled throughout this state and the country.

(b) Beginning in the 2015-2016 school year, the Florida Approved Courses and Tests (FACT) Initiative shall be implemented to expand student choices in selecting high-quality online courses, including, but not limited to, massive open online courses and instruction included under subsection (2) for promotion or graduation. Such courses and instruction may be provided using a blended learning model that shall include components such as differentiated instruction, flexible scheduling, differentiated teaching, and self-paced learning. Instruction through the blended learning model may be provided using online instructional videos, online class forums, and online homework assignments and projects, coupled with one-on-one direct instructional support to students.

(2) *FLORIDA APPROVED COURSES.*—The Department of Education shall annually publish online a list of providers approved to offer Florida approved courses which shall be listed in the online catalog pursuant to s. 1002.321(6).

(a) As used in this section, the term "Florida approved courses" means online courses provided by individuals which include, but are not limited to, massive open online courses or remedial education associated with the courses that are measured pursuant to s. 1008.22. Massive open online courses may be authorized in the following subject areas: Algebra I,

biology, geometry, and civics. Courses may be applied toward requirements for promotion or graduation in whole, in subparts, or in a combination of whole and subparts. A student may not be required to repeat subparts that are satisfactorily completed.

(b) A Florida approved course must be annually identified, approved, published, and shared for consideration by interested students and school districts. The Commissioner of Education shall approve each Florida approved course for application in K-12 public schools in accordance with rules of the State Board of Education.

(3) *PROVIDER REQUIREMENTS.*—

(a) To be approved by the Department of Education, an individual provider must provide all the following documentation that demonstrates that he or she:

1. Is nonsectarian regarding courses, enrollment policies, employment practices, and operations.

2. Complies with the antidiscrimination provisions of s. 1000.05.

3. Requires all instructional staff to be Florida-certified teachers under chapter 1012 or certified as adjunct educators under s. 1012.57 and conducts background screenings for all employees or contracted personnel, as required by s. 1012.32, using state and national criminal history records.

4. Provides to parents and students specific information posted and accessible online which includes, but is not limited to, the following teacher-parent and teacher-student contact information for each course:

a. How to contact the instructor via telephone, e-mail, or online messaging tools.

b. How to contact technical support via telephone, e-mail, or online messaging tools.

c. How to contact the administration office or an individual offering online courses, including, but not limited to, massive open online courses, via telephone, e-mail, or online messaging tools.

d. Any requirement for regular contact with the instructor for the course and clear expectations for meeting the requirement.

5. Possesses prior, successful experience offering online courses to elementary, middle, or high school students as demonstrated by quantified student learning gains or student growth in each subject area and grade level provided for consideration as an instructional program option. However, for a provider without sufficient prior, successful experience offering online courses, the department may conditionally approve the provider to offer courses measured by statewide assessment program pursuant to s. 1008.22. Conditional approval is valid for 1 year. Renewal of provider approval is contingent on sufficient performance data available demonstrating success in accordance with this section and State Board of Education rule.

6. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level that the provider intends to provide through contract with the school district, including all of the following:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the Next Generation Sunshine State Standards.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate.

7. Publishes for the general public, in accordance with disclosure requirements adopted in rule by the State Board of Education, as part of the application as a provider and in all contracts negotiated pursuant to this section all of the following information:

a. *Certification status and physical location of all administrative and instructional personnel.*

b. *Hours and times of availability of instructional personnel.*

c. *Student-teacher ratios.*

d. *Student completion and promotion rates.*

e. *Student, educator, and school performance accountability outcomes.*

(b) *Each approved provider contracted under this section must participate in the statewide assessment program under s. 1008.22 and in the state's education performance accountability system under s. 1008.31.*

Section 37. Section 1004.0961, Florida Statutes, is created to read:

*1004.0961 Credit for online courses.—Beginning in the 2015-2016 school year, the State Board of Education and the Board of Governors shall adopt rules that enable students to earn academic credit for online courses, including massive open online courses, prior to initial enrollment at a postsecondary institution. The rules of the State Board of Education and rules of the Board of Governors must include procedures for credential evaluation and the award of credit, including, but not limited to, recommendations for credit by the American Council on Education; equivalency and alignment of coursework with appropriate courses; course descriptions; type and amount of credit that may be awarded; and transfer of credit.*

Section 38. Section 1008.24, Florida Statutes, is amended to read:

**1008.24 Test administration and security.—**

(1) ~~It is unlawful for anyone~~ *A person may not* knowingly and willfully ~~to~~ violate test security rules adopted by the State Board of Education for mandatory tests administered by or through the State Board of Education or the Commissioner of Education to students, educators, or applicants for certification or administered by school districts pursuant to s. 1008.22, or, with respect to any such test, knowingly and willfully to:

(a) Give examinees access to test questions prior to testing;

(b) Copy, reproduce, or use in any manner inconsistent with test security rules all or any portion of any secure test booklet;

(c) Coach examinees during testing or alter or interfere with examinees' responses in any way;

(d) Make answer keys available to examinees;

(e) Fail to follow security rules for distribution and return of secure test as directed, or fail to account for all secure test materials before, during, and after testing;

(f) Fail to follow test administration directions specified in the test administration manuals; or

(g) Participate in, direct, aid, counsel, assist in, or encourage any of the acts prohibited in this section.

(2) ~~A~~ *Any* person who violates this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(3) *A school district may contract with qualified contractors to administer and proctor statewide standardized assessments required under s. 1008.22 or assessments associated with Florida approved courses under s. 1003.499, as approved by the Department of Education in accordance with rules of the State Board of Education. Assessments may be administered or proctored by qualified contractors at sites that meet criteria established by rules of the State Board of Education and adopted pursuant to ss. 120.536(1) and 120.54 to implement the contracting requirements of this subsection.*

(4)(a) ~~A~~ *A* district school superintendent, a president of a public postsecondary educational institution, or a president of a nonpublic postsecondary educational institution shall cooperate with the Com-

missioner of Education in any investigation concerning the administration of a test administered pursuant to state statute or rule.

(b) The identity of a school or postsecondary educational institution, the personally identifiable information of any personnel of any school district or postsecondary educational institution, or any specific allegations of misconduct obtained or reported pursuant to an investigation conducted by the Department of Education of a testing impropriety are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the conclusion of the investigation or until such time as the investigation ceases to be active. For the purpose of this paragraph, an investigation shall be deemed concluded upon a finding that no impropriety has occurred, upon the conclusion of any resulting preliminary investigation pursuant to s. 1012.796, upon the completion of any resulting investigation by a law enforcement agency, or upon the referral of the matter to an employer who has the authority to take disciplinary action against an individual who is suspected of a testing impropriety. For the purpose of this paragraph, an investigation shall be considered active so long as it is ongoing and there is a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2014, unless reviewed and saved from repeal through reenactment by the Legislature.

(5) *Exceptional students with disabilities, as defined in s. 1003.01(3), shall have access to testing sites. The Department of Education and each school district shall adopt policies that are necessary to ensure such access.*

Section 39. *By August 30, 2013, the Department of Education shall contract with a qualified contractor to review and provide recommendations for online courses, including massive open online courses, and competency-based online courses for K-12 and postsecondary education. The recommendations must, at a minimum, include the following components: improving access to the online courses, and approving, funding, holding providers accountable, and awarding credit for such courses. The department shall identify measures of quality based upon student outcomes, such as completion and achievement rates correlated appropriately to each delivery model; measures for students to demonstrate competency, such as prior learning assessments, end-of-course exams, assessments established by regionally accredited public institutions which may be applied as one whole assessment or as two or more discrete subassessments such that when combined, the subassessments are equivalent to a whole assessment; and opportunities to use online courses, including massive open online courses using blended learning or other tools delivered in modules or segments to provide instruction pursuant to s. 1003.499(2)(a) for students in K-12 education. The department shall provide findings and recommendations to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 1, 2014.*

And the title is amended as follows:

Between lines 104 and 105 insert: amending s. 1002.321, F.S.; requiring the Department of Education to develop an online catalog of digital learning courses; amending s. 1002.37, F.S.; providing reporting requirements relating to Florida Virtual School Global; requiring the Auditor General to conduct an operational audit of the Florida Virtual School and submit a report to the Legislature; amending s. 1003.01, F.S.; removing Florida approved courses and blended learning courses provided by a traditional public school, a charter school, or a district innovation school from the definition of the term "core-curricula courses" for purposes of class size requirements; amending s. 1003.498, F.S.; requiring the Department of Education to provide identifiers for courses to designate their use for blended learning courses; removing restrictions on students' taking online courses across district lines; providing students' access to courses; prohibiting a school district from requiring a public school student to take an online course at certain times or places; creating s. 1003.499, F.S.; creating the Florida Approved Course Initiative; providing the purpose of the initiative; providing legislative intent; providing that implementing the initiative allows students to expand their choices in selecting online courses; requiring the department to annually publish online a list of providers; defining the term "Florida approved courses" as it relates to the initiative; requiring that Florida approved courses be annually identified, approved, published, and shared for consideration by certain students and school districts; requiring the Commissioner of Education to approve each Florida

approved course; providing requirements for approval as a provider for the initiative; requiring an approved provider to participate in the statewide assessment program and the education performance accountability system; creating s. 1004.0961, F.S.; requiring the State Board of Education and the Board of Governors to adopt rules that enable students to earn academic credit toward online courses; providing requirements for the rules; amending s. 1008.24, F.S.; authorizing a school district to contract with qualified contractors to administer and proctor statewide standardized assessments or assessments associated with Florida approved courses; providing that assessments may be administered or proctored by qualified contractors at sites that meet certain criteria; requiring exceptional students to have access to testing sites; requiring the Department of Education and school districts to adopt policies; requiring the department to contract with a qualified contractor to review and provide recommendations for improving access to online courses, and approving, funding, holding providers accountable, and awarding credit for online courses for K-12 and postsecondary education; requiring the department to identify measures of quality based upon student outcomes; requiring the department to provide findings and recommendations to the Governor and the Legislature by a specified date;

### POINT OF ORDER

Senator Bullard raised a point of order that pursuant to Rule 7.1, **Amendment 4 (242714)** was not germane to the bill.

The President referred the point of order and the amendment to Senator Thrasher, Chair of the Committee on Rules.

On motion by Senator Legg, further consideration of **CS for HB 7165** as amended with pending **Amendment 4 (242714)** and pending point of order was deferred.

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Consideration of **CS for SB 1682** was deferred.

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**CS for CS for SB 1666**—A bill to be entitled An act relating to mortgage foreclosures; amending s. 25.073, F.S.; limiting the eligibility of retired judges to receive compensation and reimbursement under certain circumstances; amending s. 95.11, F.S.; revising the limitations period for commencing an action to enforce a claim of a deficiency judgment after a foreclosure action; providing for applicability to existing causes of action; providing that the amendments made by this act to s. 95.11, F.S., apply to any action commenced on or after July 1, 2013; amending s. 121.021, F.S.; defining terms; providing for the applicability of the term “termination”; amending s. 121.091, F.S.; providing that between two specified dates, a retired justice or retired judge is not subject to certain limitations otherwise applicable to retired employees; amending s. 121.591, F.S.; providing that, between two specified dates, a retired justice or retired judge who returns to temporary employment as a senior judge in any court may continue to receive a distribution of his or her retirement account after providing proof of termination from his or her regularly established position; creating s. 702.015, F.S.; providing legislative intent; specifying required contents of a complaint seeking to foreclose on certain types of residential properties with respect to the authority of the plaintiff to foreclose on the note and the location of the note; authorizing sanctions against plaintiffs who fail to comply with complaint requirements; providing for non-applicability to proceedings involving timeshare interests; creating s. 702.036, F.S.; requiring a court to treat a collateral attack on a final judgment of foreclosure on a mortgage as a claim for monetary damages under certain circumstances; prohibiting such court from granting certain relief affecting title to the foreclosed property; providing for construction relating to the rights of certain persons to seek specified types of relief or pursue claims against the foreclosed property under certain circumstances; amending s. 702.06, F.S.; limiting the amount of a deficiency judgment; amending s. 702.10, F.S.; revising the class of persons authorized to move for expedited foreclosure to include lienholders; defining the term “lienholder”; providing requirements and procedures with respect to an order directed to defendants to show cause why a final judgment of foreclosure should not be entered; providing that certain failures by a defendant to make certain filings or to make certain appearances may have specified legal consequences; requiring the court to enter a final judgment of foreclosure and order a foreclosure sale under certain circumstances; revising a restriction on a mortgagee to request a court to order a mortgagor de-

fendant to make payments or to vacate the premises during an action to foreclose on residential real estate to provide that the restriction applies to all but owner-occupied residential property; providing a presumption regarding owner-occupied residential property; creating s. 702.11, F.S.; providing requirements for reasonable means of providing adequate protection under s. 673.3091, F.S., in mortgage foreclosures of certain residential properties; providing for liability of persons who wrongly claim to be holders of or entitled to enforce a lost, stolen, or destroyed note and cause the mortgage secured thereby to be foreclosed in certain circumstances; providing for construction and applicability; declaring that the act is remedial in nature and applies to all mortgages encumbering real property and all promissory notes secured by a mortgage, whether executed before, on, or after the effective date of this act; requiring that employer contribution rates be adjusted; providing a directive to the Division of Law Revision and Information; providing legislative findings; requesting the Florida Supreme Court to adopt rules and forms to expedite foreclosure proceedings; providing that certain specified provisions of the act take effect only if the Legislature appropriates a certain amount on a recurring basis to the judicial system and if the Governor does not veto the appropriation; providing that certain sections of the act stand repealed on a stated date; providing an effective date.

—was read the second time by title.

Amendments were considered and failed, and amendments were considered and adopted to conform **CS for CS for SB 1666** to **CS for CS for HB 87**.

Pending further consideration of **CS for CS for SB 1666** as amended, on motion by Senator Latvala, by two-thirds vote **CS for CS for HB 87** was withdrawn from the Committees on Banking and Insurance; Judiciary; and Appropriations.

On motion by Senator Latvala, the rules were waived and—

**CS for CS for HB 87**—A bill to be entitled An act relating to mortgage foreclosures; amending s. 95.11, F.S.; revising the limitations period for commencing an action to enforce a claim of a deficiency judgment after a foreclosure action; providing for applicability to actions commenced on or after a specified date; providing a time limitation for commencing certain actions; creating s. 702.015, F.S.; providing legislative intent; specifying required contents of a complaint seeking to foreclose on certain types of residential properties with respect to the authority of the plaintiff to foreclose on the note and the location of the note; authorizing sanctions against plaintiffs who fail to comply with complaint requirements; providing for nonapplicability to proceedings involving timeshare interests; creating s. 702.036, F.S.; requiring a court to treat a collateral attack on a final judgment of foreclosure on a mortgage as a claim for monetary damages under certain circumstances; prohibiting such court from granting certain relief affecting title to the foreclosed property; providing for construction relating to the rights of certain persons to seek specified types of relief or pursue claims against the foreclosed property under certain circumstances; amending s. 702.06, F.S.; limiting the amount of a deficiency judgment; amending s. 702.10, F.S.; revising the class of persons authorized to move for expedited foreclosure to include lienholders; defining the term “lienholder”; providing requirements and procedures with respect to an order directed to defendants to show cause why a final judgment of foreclosure should not be entered; providing that certain failures by a defendant to make certain filings or to make certain appearances may have specified legal consequences; requiring the court to enter a final judgment of foreclosure and order a foreclosure sale under certain circumstances; revising a restriction on a mortgagee to request a court to order a mortgagor defendant to make payments or to vacate the premises during an action to foreclose on residential real estate to provide that the restriction applies to all but owner-occupied residential property; providing a presumption regarding owner-occupied residential property; creating s. 702.11, F.S.; providing requirements for reasonable means of providing adequate protection under s. 673.3091, F.S., in mortgage foreclosures of certain residential properties; providing for liability of persons who wrongly claim to be holders of or entitled to enforce a lost, stolen, or destroyed note and cause the mortgage secured thereby to be foreclosed in certain circumstances; providing legislative findings; providing for applicability; requesting the Florida Supreme Court to adopt rules and forms to expedite foreclosure proceedings; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1666** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 87** was placed on the calendar of Bills on Third Reading.

### SPECIAL GUESTS

The President introduced the Governor of Florida, Rick Scott, who was present in the chamber.

**SB 1322**—A bill to be entitled An act relating to children's initiatives; amending s. 409.147, F.S.; establishing the New Town Success Zone in Duval County and the Parramore Kidz Zone in Orange County; providing for the projects to be managed by corporations not for profit that are not subject to control, supervision, or direction by any department of the state; requiring the corporations to be subject to state public records and meeting requirements and procurement of commodities and contractual services requirements; requiring designated children's initiatives to assist in the creation of community-based service networks and programming that provides certain services for children and families residing in disadvantaged areas of the state; providing for evaluation, fiscal management, and oversight of the projects; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 1322** to **CS for CS for HB 411**.

Pending further consideration of **SB 1322** as amended, on motion by Senator Gibson, by two-thirds vote **CS for CS for HB 411** was withdrawn from the Committees on Children, Families, and Elder Affairs; Community Affairs; and Appropriations.

On motion by Senator Gibson—

**CS for CS for HB 411**—A bill to be entitled An act relating to children's initiatives; amending s. 409.147, F.S.; establishing the New Town Success Zone in Duval County and the Parramore Kidz Zone in Orange County; providing for the projects to be managed by corporations not for profit that are not subject to control, supervision, or direction by any department of the state; requiring the corporations to be subject to state public records and meeting requirements and procurement of commodities and contractual services requirements; requiring designated children's initiatives to assist in the creation of community-based service networks and programming that provides certain services for children and families residing in disadvantaged areas of the state; providing for evaluation, fiscal management, and oversight of the projects; providing an effective date.

—a companion measure, was substituted for **SB 1322** as amended and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Negron moved the following amendment which was adopted:

**Amendment 1 (483252) (with title amendment)**—Between lines 90 and 91 insert:

Section 2. (1) *The sum of \$3 million in recurring general revenue funds is appropriated to the Department of Health beginning in the 2013-2014 fiscal year to provide for a rural primary care residency program at Sacred Heart Hospital to include family physicians and pediatricians.*

(2) *The sum of \$250,000 in nonrecurring general revenue funds is appropriated to the Department of Health in the 2013-2014 fiscal year for A Safe Haven for Newborns.*

(3) *The sum of \$200,000 in nonrecurring general revenue funds is appropriated to the Department of Health in the 2013-2014 fiscal year for St. John Bosco Clinic.*

And the title is amended as follows:

Delete line 17 and insert: projects; providing for appropriations from general revenue funds to the Department of Health for certain health programs benefitting children; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Gibson moved the following amendment which was adopted:

**Amendment 2 (503710) (with directory and title amendments)**—Delete lines 48-71 and insert:

(10)(9) IMPLEMENTATION.—

(a) *The Miami Children's Initiative, Inc., and the New Town Success Zone have been designated*

And the directory clause is amended as follows:

Delete lines 21-24 and insert:

Section 1. Present subsection (9) of section 409.147, Florida Statutes, is renumbered as subsection (10) and amended, and a new subsection (9) is added to that section, to read:

And the title is amended as follows:

Delete lines 4 and 5 and insert: in Duval County; providing for the projects to be managed by

Pursuant to Rule 4.19, **CS for CS for HB 411** as amended was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1216** was deferred.

**CS for SB 814**—A bill to be entitled An act relating to branch offices conducting securities transactions; amending s. 517.12, F.S.; providing for a branch office notice filing with the Office of Financial Regulation in lieu of registration; creating s. 517.1202, F.S.; prohibiting a securities dealer or investment advisor from conducting business from a branch office unless a specified notice has been filed with the office; providing requirements and procedures with respect to notice filing for branch offices; authorizing the Financial Services Commission to adopt rules relating to such notice filings; providing a fee for a branch office notice filing; providing for expiration, renewal, suspension, revocation, and termination of branch office notice filings under specified circumstances; providing applicability and construction with respect to fees collected for branch office notice filings; amending ss. 517.1205, 517.121, 517.161, 517.1611, and 517.211, F.S.; conforming provisions to changes made by the act with respect to requiring branch office notice filings with the Office of Financial Regulation in lieu of registration; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 814**, on motion by Senator Brandes, by two-thirds vote **CS for HB 783** was withdrawn from the Committees on Banking and Insurance; Commerce and Tourism; and Judiciary.

On motion by Senator Brandes—

**CS for HB 783**—A bill to be entitled An act relating to branch offices conducting securities transactions; amending s. 517.12, F.S.; providing for a branch office notice filing with the Office of Financial Regulation in lieu of registration; creating s. 517.1202, F.S.; prohibiting a securities dealer or investment advisor from conducting business from a branch office unless a specified notice has been filed with the office; providing requirements and procedures with respect to notice filing for branch offices; authorizing the Financial Services Commission to adopt rules relating to such notice filings; providing a fee for a branch office notice filing; providing for expiration, renewal, suspension, revocation, and termination of branch office notice filings under specified circumstances; providing applicability and construction with respect to fees collected for branch office notice filings; amending ss. 517.1205, 517.121, 517.161, 517.1611, and 517.211, F.S.; conforming provisions to changes made by the act with respect to requiring branch office notice filings with the

Office of Financial Regulation in lieu of registration; providing an effective date.

—a companion measure, was substituted for **CS for SB 814** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 783** was placed on the calendar of Bills on Third Reading.

**CS for SB 696**—A bill to be entitled An act relating to timeshares; amending s. 718.112, F.S.; specifying that certain provisions relating to condominium board elections do not apply to timeshare condominiums; amending s. 721.05, F.S.; revising the definition of “timeshare estate”; amending s. 721.07, F.S.; revising formula requirements for calculating reserves for accommodations and facilities of real property timeshare plans; amending s. 721.82, F.S.; revising definitions applicable to the Timeshare Lien Foreclosure Act; amending s. 721.84, F.S.; making an editorial change; amending s. 721.855, F.S.; revising procedure for the trustee foreclosure of assessment liens; revising conditions under which a trustee may sell a foreclosed encumbered timeshare interest; revising and providing notice requirements; providing for perfection of notice; providing requirements for a notice of lis pendens; providing sale requirements; providing exceptions for actions for failure to follow the trustee foreclosure procedure; amending s. 721.856, F.S.; revising procedure for the trustee foreclosure of mortgage liens; revising conditions under which a trustee may sell a foreclosed encumbered timeshare interest; revising and providing notice requirements; providing for perfection of notice; providing requirements for a notice of lis pendens; providing sale requirements; providing exceptions for actions for failure to follow the trustee foreclosure procedure; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 696**, on motion by Senator Stargel, by two-thirds vote **CS for HB 7025** was withdrawn from the Committees on Judiciary; and Regulated Industries.

On motion by Senator Stargel, the rules were waived and—

**CS for HB 7025**—A bill to be entitled An act relating to timeshares; amending s. 718.112, F.S.; specifying that certain provisions relating to condominium board elections do not apply to timeshare condominiums; amending s. 721.05, F.S.; revising and providing definitions related to the Florida Vacation Plan and Timesharing Act; amending s. 721.07, F.S.; revising formula requirements for calculating reserves for accommodations and facilities of real property timeshare plans; amending s. 721.15, F.S.; requiring the successor in interest to be listed as the owner of the timeshare interest under certain conditions; requiring an estoppel letter in certain timeshare resale transfer transactions; amending s. 721.17, F.S.; prohibiting certain activities related to offering timeshare interest transfer services; requiring resale transfer agreements to contain specified information; requiring the establishment of an escrow account for certain purposes; providing requirements and duties of the escrow agent; providing penalties; providing for applicability; amending s. 721.82, F.S.; revising definitions applicable to the Timeshare Lien Foreclosure Act; amending s. 721.84, F.S.; making an editorial change; amending s. 721.855, F.S.; revising procedure for the trustee foreclosure of assessment liens; revising conditions under which a trustee may sell a foreclosed encumbered timeshare interest; revising and providing notice requirements; providing for perfection of notice; providing requirements for a notice of lis pendens; providing sale requirements; providing exceptions for actions for failure to follow the trustee foreclosure procedure; amending s. 721.856, F.S.; revising procedure for the trustee foreclosure of mortgage liens; revising conditions under which a trustee may sell a foreclosed encumbered timeshare interest; revising and providing notice requirements; providing for perfection of notice; providing requirements for a notice of lis pendens; providing sale requirements; providing exceptions for actions for failure to follow the trustee foreclosure procedure; providing an effective date.

—a companion measure, was substituted for **CS for SB 696** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 7025** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 632** and **CS for CS for SB 58** was deferred.

**CS for CS for SB 1684**—A bill to be entitled An act relating to environmental regulation; amending s. 20.255, F.S.; authorizing the Department of Environmental Protection to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending ss. 125.022 and 166.033, F.S.; providing requirements for the review of development permit applications by counties and municipalities; amending s. 211.3103, F.S.; revising the definition of the term “phosphate-related expenses” to include maintenance and restoration of certain lands; amending s. 253.0345, F.S.; revising provisions for the duration of leases and letters of consent issued by the Board of Trustees of the Internal Improvement Trust Fund for special events; providing conditions for fees relating to such leases and letters of consent; creating s. 253.0346, F.S.; defining the term “first-come, first-served basis”; providing conditions for the discount and waiver of lease fees and surcharges for certain marinas, boatyards, and marine retailers; providing applicability; amending s. 253.0347, F.S.; providing exemptions from lease fees for certain lessees; amending s. 373.118, F.S.; deleting provisions requiring the department to adopt general permits for public marina facilities; deleting certain requirements under general permits for public marina facilities and mooring fields; limiting the number of vessels for mooring fields authorized under such permits; authorizing the department to issue certain leases; amending s. 373.233, F.S.; clarifying conditions for competing applications for consumptive use of water permits; amending s. 373.236, F.S.; prohibiting water management districts from reducing certain allocations as a result of activities involving a new seawater desalination plant that does not receive funding from a water management district; providing an exception; amending s. 373.246, F.S.; allowing the governing board or the department to notify a permittee by electronic mail of any change in the condition of his or her permit during a declared water shortage or emergency; amending s. 373.308, F.S.; providing that issuance of well permits is the sole responsibility of water management districts, delegated local governments, and local county health departments; prohibiting other local governmental entities from imposing requirements and fees or establishing programs for installation and abandonment of groundwater wells; amending s. 373.323, F.S.; providing that licenses issued by water management districts are the only water well contractor licenses required for location, construction, repair, or abandonment of water wells; authorizing licensed water well contractors to install equipment for all water systems; amending s. 373.406, F.S.; exempting specified ponds and wetlands from surface water management and storage requirements; requiring that a request for an exemption be made within a certain time period and that activities not begin until such exemption is made; exempting certain water control districts from certain wetlands regulation; amending s. 376.30713, F.S.; increasing maximum costs for preapproved advanced cleanup in a fiscal year; amending s. 376.313, F.S.; holding harmless a person who discharges pollution pursuant to ch. 403, F.S.; amending s. 403.031, F.S.; defining the term “beneficiary”; amending s. 403.061, F.S.; authorizing the department to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending s. 403.0872, F.S.; extending the payment deadline of permit fees for major sources of air pollution and conforming the date for related notice by the department; revising provisions for the calculation of such annual fees; amending s. 403.088, F.S.; revising conditions for water pollution operation permits; requiring the department to meet certain standards in making determinations; amending s. 403.0893, F.S.; authorizing stormwater utility fees to be charged to the beneficiaries of the stormwater utility; amending s. 403.7046, F.S.; providing requirements for the review of recovered materials dealer registration applications; providing that a recovered materials dealer may seek injunctive relief or damages for certain violations; amending s. 403.813, F.S.; revising conditions under which certain permits are not required for seawall restoration projects; creating s. 403.8141, F.S.; requiring the Department of Environmental Protection to establish permits for special events; providing permit requirements; amending s. 403.973, F.S.; authorizing expedited permitting for natural gas pipelines, subject to specified certification; providing that natural gas pipelines are subject to certain requirements; ratifying and approving certain leases approved by the Board of Trustees of the Internal Improvement Trust Fund; provided findings that the decision to authorize the use of board of trustees-owned uplands and the use of those lands as set forth in certain leases is not contrary to the public interest; providing that changes made by this act to ss. 403.031 and

403.0893, F.S., apply only to stormwater utility fees billed on or after July 1, 2013, to a stormwater utility's beneficiary for services provided on or after that date; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1684**, on motion by Senator Altman, by two-thirds vote **CS for CS for CS for HB 999** was withdrawn from the Committees on Environmental Preservation and Conservation; Appropriations Subcommittee on General Government; and Appropriations.

On motion by Senator Altman, the rules were waived and—

**CS for CS for CS for HB 999**—A bill to be entitled An act relating to environmental regulation; amending s. 20.255, F.S.; authorizing the Department of Environmental Protection to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending ss. 125.022 and 166.033, F.S.; providing requirements for the review of development permit applications by counties and municipalities; amending s. 211.3103, F.S.; revising the definition of “phosphate-related expenses” to include maintenance and restoration of certain lands; amending s. 253.0345, F.S.; revising provisions for the duration of leases and letters of consent issued by the Board of Trustees of the Internal Improvement Trust Fund for special events; providing conditions for fees relating to such leases and letters of consent; creating s. 253.0346, F.S.; defining the term “first-come, first-served basis”; providing conditions for the discount and waiver of lease fees and surcharges for certain marinas, boatyards, and marine retailers; providing applicability; amending s. 253.0347, F.S.; providing exemptions from lease fees for certain lessees; amending s. 373.118, F.S.; deleting provisions requiring the department to adopt general permits for public marina facilities; deleting certain requirements under general permits for public marina facilities and mooring fields; limiting the number of vessels for mooring fields authorized under such permits; providing for the department to issue certain leases; amending s. 373.233, F.S.; clarifying conditions for competing consumptive use of water applications; amending s. 373.236, F.S.; prohibiting water management districts from reducing certain allocations as a result of seawater desalination plant activities; providing an exception; amending s. 373.246, F.S.; authorizing the department or governing board to notify permittees by electronic mail of permit changes under certain conditions; amending s. 373.308, F.S.; providing that issuance of well permits is the sole responsibility of water management districts, delegated local governments, and local county health departments; prohibiting certain counties and other government entities from imposing requirements and fees and establishing programs for installation and abandonment of groundwater wells; amending s. 373.323, F.S.; providing that licenses issued by water management districts are the only water well contractor licenses required for construction, repair, or abandonment of water wells; authorizing licensed water well contractors to install equipment for all water systems; amending s. 373.406, F.S.; exempting specified ponds, ditches, and wetlands from surface water management and storage requirements; exempting certain water control districts from certain wetlands regulation; amending s. 376.30713, F.S.; increasing the amount of funding for preapproved advanced cleanup work contracts; increasing the amount of funding a facility is eligible for in each fiscal year; amending s. 376.313, F.S.; holding harmless a person who discharges pollution pursuant to ch. 403, F.S.; amending s. 403.031, F.S.; defining the term “beneficiary”; amending s. 403.061, F.S.; authorizing the department to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending s. 403.0872, F.S.; extending the payment deadline of permit fees for major sources of air pollution and conforming the date for related notice by the department; revising provisions for the calculation of such annual fees; amending s. 403.088, F.S.; revising conditions for denial of water pollution operation permit applications; amending s. 403.0893, F.S.; authorizing a local government to charge stormwater utility fees to the beneficiaries of the stormwater utility; providing for the collection of delinquent fees; amending s. 403.7046, F.S.; prohibiting local governments from using information contained in recovered materials dealer registration applications for specified purposes; providing that a recovered materials dealer may seek injunctive relief and damages for certain violations; amending s. 403.813, F.S.; revising conditions under which certain permits are not required for seawall restoration projects; creating s. 403.8141, F.S.; requiring the Department of Environmental Protection to establish general permits for special events; providing permit requirements; amending s. 403.973, F.S.; authorizing expedited

permitting for natural gas pipelines, subject to specified certification; providing that natural gas pipelines are subject to certain requirements; providing that natural gas pipelines are eligible for certain review; providing for applicability of specified changes made by the act; providing for legislative ratification and approval of specified leases approved by the Board of Trustees of the Internal Improvement Trust Fund; providing legislative findings with respect to such leases; creating the Florida Fertilizer Regulatory Review Council; providing legislative findings; providing for the council's purpose, membership, and duties; providing for the council to be staffed and funded jointly by the Department of Agriculture and Consumer Services and the Department of Environmental Protection; requiring the council to submit a report to the Governor, Legislature, and specified officials; providing for dissolution of the council; prohibiting local governments from adopting or enforcing certain ordinances; providing an exception; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1684** and read the second time by title.

Senator Altman moved the following amendment which was adopted:

**Amendment 1 (685648) (with directory and title amendments)**—Delete lines 479-485.

And the directory clause is amended as follows:

Delete line 449 and insert:

Section 14. Subsections (13) and (14) are added to

And the title is amended as follows:

Delete lines 55 and 56 and insert: requirements; amending

Senator Hays moved the following amendment which failed:

**Amendment 2 (127106) (with directory and title amendments)**—Between lines 485 and 486 insert:

*(16) An environmental restoration project for which a valid environmental resource permit has been issued pursuant to chapter 373 or chapter 403 and which requires matching local government funding of less than 20 percent of the estimated total project cost is exempt from further wetlands or water quality regulations imposed pursuant to chapters 125, 163, and 166.*

And the directory clause is amended as follows:

Delete line 449 and insert:

Section 14. Subsections (13) through (16) are added to

And the title is amended as follows:

Delete line 56 and insert: districts and environmental restoration projects from certain wetlands regulation; amending

Senator Altman moved the following amendments which were adopted:

**Amendment 3 (445532) (with title amendment)**—Delete lines 519-529.

And the title is amended as follows:

Delete lines 62 and 63 and insert: pollution pursuant to ch. 403, F.S.;

**Amendment 4 (204206) (with title amendment)**—Delete lines 734-773.

And the title is amended as follows:

Delete lines 74-77 and insert: applications;

**Amendment 5 (291928) (with title amendment)**—Delete lines 904-907.

And the title is amended as follows:

Delete lines 94 and 95 and insert: eligible for certain review;



**Amendment 6 (763998) (with title amendment)**—Delete lines 927-1080.

And the title is amended as follows:

Delete lines 100-110 and insert: providing an

Senator Hays moved the following amendment:

**Amendment 7 (325662)**—Delete line 1076 and insert:

(2) *An ordinance adopted after March 20, 2013, and before*

On motion by Senator Altman, further consideration of **CS for CS for CS for HB 999** as amended with pending **Amendment 7 (325662)** was deferred.

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Consideration of **CS for CS for SB 1482** was deferred.

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**CS for CS for CS for SB 84**—A bill to be entitled An act relating to public-private partnerships; amending s. 154.11, F.S.; revising the powers of a public health trust; amending s. 255.60, F.S.; authorizing certain public entities to contract for public service works with not-for-profit organizations; revising eligibility and contract requirements for not-for-profit organizations contracting with certain public entities; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or improvement by private entities of facilities used predominantly for a public purpose; creating a task force to establish specified guidelines; providing procurement procedures; providing requirements for project approval; providing project qualifications and process; providing for notice to affected local jurisdictions; providing for interim and comprehensive agreements between a public and a private entity; providing for use fees; providing for financing sources for certain projects by a private entity; providing powers and duties of private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; creating s. 336.71, F.S.; authorizing counties to enter into public-private partnership agreements for construction of roads under certain circumstances; providing bid exemption for such projects under certain circumstances; providing for a public notice and meeting; providing applicability; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for CS for SB 84**, on motion by Senator Diaz de la Portilla, by two-thirds vote **CS for CS for HB 85** was withdrawn from the Committees on Governmental Oversight and Accountability; and Community Affairs.

On motion by Senator Diaz de la Portilla, the rules were waived and—

**CS for CS for HB 85**—A bill to be entitled An act relating to public-private partnerships; amending s. 255.60, F.S.; authorizing certain public entities to contract for public service works with not-for-profit organizations; revising eligibility and contract requirements for not-for-profit organizations contracting with certain public entities; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or improvement by private entities of facilities used predominantly for a public purpose; creating a task force to establish specified guidelines; providing procurement procedures; providing requirements for project approval; providing project qualifications and process; providing for notice to affected local jurisdictions; providing for interim and comprehensive agreements between a public and a private entity; providing for use fees; providing for financing sources for certain projects by a private entity; providing powers and duties of private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; creating s. 336.71, F.S.; authorizing counties to enter into public-private partnership agreements to construct, extend, or improve county roads; providing requirements and limitations for such agreements; providing procurement procedures; requiring a fee for certain proposals; amending s. 348.754, F.S.; revising the limit on terms for leases that the Orlando-Orange County Expressway Authority may enter; amending s. 1010.62, F.S.; adding public-private partnership

agreements to the definition of the term university “debt”; revising sources that may be used to secure or pay revenue bonds; authorizing revenues from royalties and licensing and auxiliary enterprise revenues to be used to secure debt for academic, educational, and research facilities that are part of a multipurpose project; authorizing academic and educational activities to be bonded without legislative approval of the specific project; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 84** and read the second time by title.

Senator Diaz de la Portilla moved the following amendment which was adopted:

**Amendment 1 (802008) (with title amendment)**—Delete lines 775-911.

And the title is amended as follows:

Delete lines 33-43 and insert: Authority may enter; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Diaz de la Portilla moved the following amendment which was adopted:

**Amendment 2 (267884)**—Delete lines 49-67 and insert: 255.60 Special contracts with charitable or not-for-profit youth organizations.—The state, or the governing body of any political subdivision of the state, or a public-private partnership is authorized, but not required, to contract for public service work with a not-for-profit organization or charitable youth organization such as highway and park maintenance, notwithstanding competitive sealed bid procedures required under this chapter, or chapter 287, or any municipal or county charter, upon compliance with this section.

(1) The contractor or supplier must meet the following conditions:

(a) The contractor or supplier must be a not-for-profit corporation incorporated under chapter 617 and in good standing.

(b) The contractor or supplier must hold exempt status under s. 501(a) of the Internal Revenue Code, as an organization described in s. 501(c)(3) of the Internal Revenue Code.

(c) For youth organizations, the corporate charter of the contractor or supplier must state that the corporation is organized as a charitable not-for-profit youth organization exclusively for at-

Pursuant to Rule 4.19, **CS for CS for HB 85** as amended was placed on the calendar of Bills on Third Reading.

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**CS for SB 550**—A bill to be entitled An act relating to the collection of worthless payment instruments; amending s. 68.065, F.S.; defining the term “payment instrument”; applying certain provisions relating to civil actions brought to collect dishonored checks, drafts, and orders of payment to specified types of payment instruments to permit the award of triple damages, court costs, and reasonable attorney fees, the imposition of service charges, and requirements for written demands for payment that must be delivered before commencement of collection actions; authorizing the payee of a dishonored payment instrument to recover bank fees and a service charge without filing a civil action; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 550**, on motion by Senator Simpson, by two-thirds vote **CS for CS for HB 457** was withdrawn from the Committees on Banking and Insurance; Commerce and Tourism; and Judiciary.

On motion by Senator Simpson—

**CS for CS for HB 457**—A bill to be entitled An act relating to the collection of worthless payment instruments; amending s. 68.065, F.S.; defining the term “payment instrument”; applying certain provisions

relating to civil actions brought to collect dishonored checks, drafts, and orders of payment to specified types of payment instruments to permit the award of triple damages, court costs, and reasonable attorney fees, the imposition of service charges, and requirements for written demands for payment that must be delivered before commencement of collection actions; authorizing the payee of a dishonored payment instrument to recover bank fees and a service charge without filing a civil action; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 550** and read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 457** was placed on the calendar of Bills on Third Reading.

## RECONSIDERATION OF BILL

On motion by Senator Montford, the Senate reconsidered the vote by which—

**CS for HB 7087**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 253.034, F.S.; requiring public hearings relating to the development of land management plans to be held in any one, rather than each, county affected by such plans; amending s. 259.1052, F.S.; providing for Lee County to retain ownership and assume responsibility for management of a specified portion of the Babcock Crescent B Ranch Florida Forever acquisition; requiring certain activities on the property to be compatible with working ranch and agricultural activities; amending s. 259.10521, F.S.; revising provisions relating to the citizen support organization for the Babcock Ranch Preserve and use of the ranch property; amending s. 259.1053, F.S.; revising provisions of the Babcock Preserve Ranch Act to conform to the termination or expiration of the management agreement and the dissolution of Babcock Ranch, Inc.; creating the Babcock Ranch Advisory Group; providing for the department to manage and operate the preserve; requiring certain fees to be deposited into the Incidental Trust Fund of the Florida Forest Service, subject to appropriation; directing the Fish and Wildlife Commission, in cooperation with the Florida Forest Service, to establish, implement, and administer certain activities and fees; requiring such fees to be deposited into the State Game Trust Fund of the Fish and Wildlife Conservation Commission and used for specified purposes; authorizing the Board of Trustees of the Internal Improvement Trust Fund to negotiate and enter into certain agreements and grant certain privileges, leases, concessions, and permits; providing for transfer of the Babcock Ranch, Inc., to the department upon dissolution of the corporation; providing for certain funds to revert to the Incidental Trust Fund of the Florida Forest Service upon such dissolution; amending s. 388.261, F.S.; revising provisions for the distribution and use of state funds for local mosquito control programs; amending s. 388.271, F.S.; revising the date by which mosquito control districts must submit their certified budgets for approval by the department; amending s. 487.160, F.S.; deleting provisions requiring the department to conduct a survey and compile a report on restricted-use pesticides; amending s. 534.083, F.S.; deleting permitting requirements for livestock haulers; creating s. 570.087, F.S.; providing for the department and the Fish and Wildlife Conservation Commission to enter into a memorandum of agreement to develop best management practices for the agriculture industry; authorizing the department to adopt certain rules; providing that implementation of such best management practices is voluntary; prohibiting governmental agencies from adopting or enforcing specified ordinances, resolutions, regulations, rules, or policies; amending s. 570.07, F.S.; clarifying the authority of the department to regulate certain open burning; creating s. 570.64, F.S.; establishing the duties of the Division of Food, Nutrition, and Wellness within the department; providing for a director of the division; amending s. 570.902, F.S.; clarifying the applicability of definitions relating to certain designated programs and direct-support organizations; amending s. 570.903, F.S.; authorizing the department to establish direct-support organizations for museums and other programs of the department; deleting provisions that limit the establishment of direct-support organizations to particular museums and programs; deleting provisions authorizing direct-support organizations to enter into certain contracts or agreements; clarifying provisions prohibiting specified entities from receiving commissions, fees, or financial benefits in connection with the sale or exchange of real property and historical objects; providing for the termination of agreements between the department and direct-support

organizations; providing for the distribution of certain assets; deleting provisions requiring the department to establish certain procedures relating to museum artifacts and records; amending s. 576.051, F.S.; authorizing the department to establish certain criteria for fertilizer sampling and analysis; amending s. 576.061, F.S.; requiring the department to adopt rules establishing certain investigational allowances for fertilizer deficiencies; providing a date by which such allowances are effective and other allowances are repealed; amending s. 576.181, F.S.; revising the department's authority to adopt rules establishing certain criteria for fertilizer analysis; amending s. 585.61, F.S.; deleting provisions for the establishment of an animal disease diagnostic laboratory in Suwannee County; amending s. 586.10, F.S.; authorizing apiary inspectors to be certified beekeepers under certain conditions; amending s. 586.15, F.S.; providing for the collection and deposit of costs related to enforcement of prohibitions against the adulteration or misbranding of honey; amending s. 589.02, F.S.; deleting annual and special meeting requirements for the Florida Forestry Council; amending s. 589.19, F.S.; establishing the Operation Outdoor Freedom Program within the Florida Forest Service to replace provisions for the designation of specified hunt areas in state forests for wounded veterans and servicemembers; providing purpose and intent of the program; providing eligibility requirements for program participation; providing exceptions from eligibility requirements for certain activities; providing for deposit and use of funds donated to the program; limiting the liability of private landowners who provide land for designation as hunting sites for purposes of the program; amending s. 589.30, F.S.; revising references to certain Florida Forest Service personnel titles; amending s. 590.02, F.S.; authorizing the Florida Forest Service to allow certain types of burning; specifying that sovereign immunity applies to certain planning level activities; deleting provisions relating to the composition and duties of the Florida Forest Training Center advisory council; prohibiting government entities from banning certain types of burning; authorizing the service to delegate authority to special districts to manage certain types of burning; revising such authority delegated to counties and municipalities; amending s. 590.11, F.S.; revising the prohibition on leaving certain recreational fires unattended, to which penalties apply; amending s. 590.125, F.S.; revising and providing definitions relating to open burning authorized by the Florida Forest Service; revising requirements for noncertified and certified burning; limiting the liability of the service and certain persons related to certain burns; amending s. 590.25, F.S.; revising provisions relating to criminal penalties for obstructing the prevention, detection, or suppression of wildfires; creating chapter 595, F.S., to establish the Florida School Food and Nutrition Act; creating s. 595.401, F.S.; providing a short title; creating s. 595.402, F.S.; providing definitions; creating s. 595.403, F.S.; declaring state policy relating to school food and nutrition services; transferring, renumbering, and amending ss. 570.98 and 570.981, F.S., relating to school food and nutrition services and the Florida Farm Fresh Schools Program; revising the department's duties and responsibilities for administering such services and program; revising requirements for school districts and sponsors; transferring, renumbering, and amending s. 570.982, F.S., relating to the children's summer nutrition program; clarifying provisions; transferring, renumbering, and amending s. 570.072, F.S., relating to the authority of the department to conduct, supervise, and administer commodity distribution services for school food and nutrition services; creating s. 595.501, F.S.; providing certain penalties; transferring, renumbering, and amending s. 570.983, relating to the Food and Nutrition Services Trust Fund; conforming a cross-reference; transferring and renumbering s. 570.984, F.S., relating to the Healthy Schools for Healthy Lives Council; amending s. 1001.42, F.S.; requiring district school boards to perform duties relating to school lunch programs as required by the department's rules; amending s. 1003.453, F.S.; deleting an obsolete provision; requiring school districts to submit certain policies to the Department of Agriculture and Consumer Services and the Department of Education; repealing ss. 487.0615, 570.382, 570.97, and 590.50, F.S., relating to the Pesticide Review Council, Arabian horse racing and the Arabian Horse Council, the Gertrude Maxwell Save a Pet Direct-Support Organization, and permits for the sale of cypress products, respectively; amending ss. 487.041, 550.2625, and 550.2633, F.S.; conforming provisions; providing for the disbursement of specified funds; providing an effective date.

—as amended passed this day.

## RECONSIDERATION OF AMENDMENT

On motion by Senator Thompson, the Senate reconsidered the vote by which **Amendment 1 (933372)** was adopted.

**Amendment 1 (933372)** was withdrawn.

On motion by Senator Montford, **CS for HB 7087** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

## SPECIAL ORDER CALENDAR

On motion by Senator Legg, the Senate resumed consideration of—

**CS for HB 7165**—A bill to be entitled An act relating to early learning; creating s. 1001.213, F.S.; creating the Office of Early Learning within the Department of Education; providing duties relating to the establishment and operation of the school readiness program and the Voluntary Prekindergarten Education Program; amending s. 1002.51, F.S.; conforming a cross-reference; amending s. 1002.53, F.S.; clarifying Voluntary Prekindergarten Education Program student enrollment provisions; amending s. 1002.55, F.S.; providing additional requirements for private prekindergarten providers and instructors; providing duties of the office; amending s. 1002.57, F.S.; requiring the office to adopt standards for a prekindergarten director credential; amending s. 1002.59, F.S.; requiring the office to adopt standards for training courses; amending s. 1002.61, F.S.; providing a requirement for a public school delivering the summer prekindergarten program; amending s. 1002.63, F.S.; providing a requirement for a public school delivering the school-year prekindergarten program; amending s. 1002.66, F.S.; deleting obsolete provisions; amending s. 1002.67, F.S.; requiring the office to adopt performance standards for students in the Voluntary Prekindergarten Education Program and approve curricula; revising provisions relating to removal of provider eligibility, submission of an improvement plan, and required corrective actions; amending s. 1002.69, F.S.; providing duties of the office relating to statewide kindergarten screening, kindergarten readiness rates, and good cause exemptions for providers; amending s. 1002.71, F.S.; revising provisions relating to payment of funds to providers; amending s. 1002.72, F.S.; providing for the release of Voluntary Prekindergarten Education Program student records for the purpose of investigations; amending s. 1002.75, F.S.; revising duties of the office for administering the Voluntary Prekindergarten Education Program; amending s. 1002.77, F.S.; revising provisions relating to the Florida Early Learning Advisory Council; amending s. 1002.79, F.S.; deleting certain State Board of Education rulemaking authority for the Voluntary Prekindergarten Education Program; creating part VI of ch. 1002, F.S., consisting of ss. 1002.81-1002.96, relating to the school readiness program; providing definitions; providing powers and duties of the Office of Early Learning; providing for early learning coalitions; providing early learning coalition powers and duties for the school readiness program; providing requirements for early learning coalition plans; providing a school readiness program education component; providing school readiness program eligibility and enrollment requirements; providing school readiness program provider standards and eligibility to deliver the school readiness program; providing school readiness program funding; providing a market rate schedule; providing for investigation of fraud or overpayment and penalties therefor; providing for child care and early childhood resource

and referral; providing for school readiness program transportation services; providing for the Child Care Executive Partnership Program; providing for the Teacher Education and Compensation Helps scholarship program; providing for Early Head Start collaboration grants; transferring, renumbering, and amending s. 411.011, F.S., relating to the confidentiality of records of children in the school readiness program; revising provisions with respect to the release of records; amending s. 11.45, F.S.; conforming a cross-reference; amending s. 20.15, F.S.; conforming provisions; amending s. 216.136, F.S.; conforming a cross-reference; amending s. 402.281, F.S.; revising requirements relating to receipt of a Gold Seal Quality Care designation; amending s. 402.302, F.S.; conforming a cross-reference; amending s. 402.305, F.S.; providing that certain child care after-school programs may provide meals through a federal program; amending ss. 445.023, 490.014, and 491.014, F.S.; conforming cross-references; amending s. 1001.11, F.S.; providing a duty of the Commissioner of Education relating to early learning programs; repealing s. 411.01, F.S., relating to the school readiness program and early learning coalitions; repealing s. 411.0101, F.S., relating to child care and early childhood resource and referral; repealing s. 411.01013, F.S., relating to the prevailing market rate schedule; repealing s. 411.01014, F.S., relating to school readiness transportation services; repealing s. 411.01015, F.S., relating to consultation to child care centers and family day care homes; repealing s. 411.0102, F.S., relating to the Child Care Executive Partnership Act; repealing s. 411.0103, F.S., relating to the Teacher Education and Compensation Helps scholarship program; repealing s. 411.0104, relating to Early Head Start collaboration grants; repealing s. 411.0105, F.S., relating to the Early Learning Opportunities Act and Even Start Family Literacy Programs; repealing s. 411.0106, F.S., relating to infants and toddlers in state-funded education and care programs; authorizing specified positions for the Office of Early Learning; requiring the office to develop a reorganization plan for the office and submit the plan to the Governor and the Legislature; providing an effective date.

—which was previously considered and amended this day with pending **Amendment 4 (242714)** by Senator Brandes and pending point of order by Senator Bullard. **Amendment 4 (242714)** was withdrawn.

Pursuant to Rule 4.19, **CS for HB 7165** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Altman, the Senate resumed consideration of—

**CS for CS for CS for HB 999**—A bill to be entitled An act relating to environmental regulation; amending s. 20.255, F.S.; authorizing the Department of Environmental Protection to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending ss. 125.022 and 166.033, F.S.; providing requirements for the review of development permit applications by counties and municipalities; amending s. 211.3103, F.S.; revising the definition of “phosphate-related expenses” to include maintenance and restoration of certain lands; amending s. 253.0345, F.S.; revising provisions for the duration of leases and letters of consent issued by the Board of Trustees of the Internal Improvement Trust Fund for special events; providing conditions for fees relating to such leases and letters of consent; creating s. 253.0346, F.S.; defining the term “first-come, first-served basis”; providing conditions for the discount and waiver of lease fees and surcharges for certain marinas, boatyards, and marine retailers; providing applicability; amending s. 253.0347, F.S.; providing exemptions from lease fees for certain lessees; amending s. 373.118, F.S.; deleting provisions requiring the department to adopt general permits for public marina facilities; deleting certain requirements under general permits for public marina facilities and mooring fields; limiting the number of vessels for mooring fields authorized under such permits; providing for the department to issue certain leases; amending s. 373.233, F.S.; clarifying conditions for competing consumptive use of water applications; amending s. 373.236, F.S.; prohibiting water management districts from reducing certain allocations as a result of seawater desalination plant activities; providing an exception; amending s. 373.246, F.S.; authorizing the department or governing board to notify permittees by electronic mail of permit changes under certain conditions; amending s. 373.308, F.S.; providing that issuance of well permits is the sole responsibility of water management districts, delegated local governments, and local county health departments; prohibiting certain counties and other government entities from imposing requirements and fees and establishing programs for installation and abandonment of

groundwater wells; amending s. 373.323, F.S.; providing that licenses issued by water management districts are the only water well contractor licenses required for construction, repair, or abandonment of water wells; authorizing licensed water well contractors to install equipment for all water systems; amending s. 373.406, F.S.; exempting specified ponds, ditches, and wetlands from surface water management and storage requirements; exempting certain water control districts from certain wetlands regulation; amending s. 376.30713, F.S.; increasing the amount of funding for preapproved advanced cleanup work contracts; increasing the amount of funding a facility is eligible for in each fiscal year; amending s. 376.313, F.S.; holding harmless a person who discharges pollution pursuant to ch. 403, F.S.; amending s. 403.031, F.S.; defining the term “beneficiary”; amending s. 403.061, F.S.; authorizing the department to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending s. 403.0872, F.S.; extending the payment deadline of permit fees for major sources of air pollution and conforming the date for related notice by the department; revising provisions for the calculation of such annual fees; amending s. 403.088, F.S.; revising conditions for denial of water pollution operation permit applications; amending s. 403.0893, F.S.; authorizing a local government to charge stormwater utility fees to the beneficiaries of the stormwater utility; providing for the collection of delinquent fees; amending s. 403.7046, F.S.; prohibiting local governments from using information contained in recovered materials dealer registration applications for specified purposes; providing that a recovered materials dealer may seek injunctive relief and damages for certain violations; amending s. 403.813, F.S.; revising conditions under which certain permits are not required for seawall restoration projects; creating s. 403.8141, F.S.; requiring the Department of Environmental Protection to establish general permits for special events; providing permit requirements; amending s. 403.973, F.S.; authorizing expedited permitting for natural gas pipelines, subject to specified certification; providing that natural gas pipelines are subject to certain requirements; providing that natural gas pipelines are eligible for certain review; providing for applicability of specified changes made by the act; providing for legislative ratification and approval of specified leases approved by the Board of Trustees of the Internal Improvement Trust Fund; providing legislative findings with respect to such leases; creating the Florida Fertilizer Regulatory Review Council; providing legislative findings; providing for the council’s purpose, membership, and duties; providing for the council to be staffed and funded jointly by the Department of Agriculture and Consumer Services and the Department of Environmental Protection; requiring the council to submit a report to the Governor, Legislature, and specified officials; providing for dissolution of the council; prohibiting local governments from adopting or enforcing certain ordinances; providing an exception; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 7 (325662)** by Senator Hays was withdrawn.

Pursuant to Rule 4.19, **CS for CS for CS for HB 999** as amended was placed on the calendar of Bills on Third Reading.

**CS for CS for SB 1482**—A bill to be entitled An act relating to skilled nursing facilities; creating s. 408.0362, F.S.; providing an exemption from certificate-of-need requirements for construction of a licensed skilled nursing facility in a retirement community; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for CS for SB 1482**, on motion by Senator Hays, by two-thirds vote **CS for CS for HB 1159** was withdrawn from the Committees on Health Policy; and Judiciary.

On motion by Senator Hays, the rules were waived and—

**CS for CS for HB 1159**—A bill to be entitled An act relating to health care facilities; amending s. 395.003, F.S.; authorizing certain specialty-licensed children’s hospitals to provide obstetrical services under certain circumstances; amending s. 408.036, F.S.; providing for expedited review of certificate-of-need for licensed skilled nursing facilities in qualifying retirement communities; providing criteria for expedited review for licensed skilled nursing homes in qualifying retirement communities; limiting the number of beds per retirement community that can be added through expedited review; providing for severability; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1482** and read the second time by title.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Hays moved the following amendment:

**Amendment 1 (566056) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (7) and subsection (14) of section 395.4001, Florida Statutes, are amended to read:

395.4001 Definitions.—As used in this part, the term:

(7) “Level II trauma center” means a trauma center that:

(a) Is verified by the department to be in substantial compliance with Level II trauma center standards and has been approved by the department to operate as a Level II trauma center *or is designated pursuant to s. 395.4025(14)*.

(14) “Trauma center” means a hospital that has been verified by the department to be in substantial compliance with the requirements in s. 395.4025 and has been approved by the department to operate as a Level I trauma center, Level II trauma center, or pediatric trauma center, *or is designated by the department as a Level II trauma center pursuant to s. 395.4025(14)*.

Section 2. Paragraph (k) of subsection (1) of section 395.401, Florida Statutes, is amended to read:

395.401 Trauma services system plans; approval of trauma centers and pediatric trauma centers; procedures; renewal.—

(1)

(k) It is unlawful for any hospital or other facility to hold itself out as a trauma center unless it has been so verified *or designated pursuant to s. 395.4025(14)*.

Section 3. Subsection (14) of section 395.4025, Florida Statutes, is amended to read:

395.4025 Trauma centers; selection; quality assurance; records.—

(14) Notwithstanding *the procedures established pursuant to subsections (1) through (13) in this section, hospitals located in areas with limited access to trauma center services shall be designated by the department as Level II trauma centers based on documentation of a valid certificate of trauma center verification from the American College of Surgeons. Areas with limited access to trauma center services are defined by the following criteria:*

(a) *The hospital is located in a trauma service area with a population greater than 600,000 persons but a population density of less than 225 persons per square mile; and*

(b) *The hospital is located in a county with no verified trauma center; and*

(c) *The hospital is located at least 15 miles or 20 minutes travel time by ground transport from the nearest verified trauma center* ~~any other provisions of this section and rules adopted pursuant to this section, until the department has conducted the review provided under s. 395.402, only hospitals located in trauma services areas where there is no existing trauma center may apply.~~

Section 4. Subsection (2) of section 408.036, Florida Statutes, is amended to read:

408.036 Projects subject to review; exemptions.—

(2) PROJECTS SUBJECT TO EXPEDITED REVIEW.—Unless exempt pursuant to subsection (3), projects subject to an expedited review shall include, but not be limited to:

(a) A transfer of a certificate of need, except that when an existing hospital is acquired by a purchaser, all certificates of need issued to the

hospital which are not yet operational shall be acquired by the purchaser, without need for a transfer.

(b) Replacement of a nursing home within the same district, if the proposed project site is located within a geographic area that contains at least 65 percent of the facility's current residents and is within a 30-mile radius of the replaced nursing home.

(c) Relocation of a portion of a nursing home's licensed beds to a facility within the same district, if the relocation is within a 30-mile radius of the existing facility and the total number of nursing home beds in the district does not increase.

(d) *The new construction of a community nursing home in a retirement community as further provided in this paragraph.*

1. *Expedited review under this paragraph is available if all of the following criteria are met:*

a. *The residential use area of the retirement community is deed-restricted as housing for older persons as defined in s. 760.29(4)(b).*

b. *The retirement community is located in a county in which 25 percent or more of its population is age 65 and older.*

c. *The retirement community is located in a county that has a rate of no more than 16.1 beds per 1,000 persons age 65 years or older. The rate shall be determined by using the current number of licensed and approved community nursing home beds in the county per the agency's most recent published inventory.*

d. *The retirement community has a population of at least 8,000 residents within the county, based on a population data source accepted by the agency.*

e. *The number of proposed community nursing home beds in an application does not exceed the projected bed need after applying the rate of 16.1 beds per 1,000 persons aged 65 years and older projected for the county 3 years into the future using the estimates adopted by the agency, after subtracting the inventory of licensed and approved community nursing home beds in the county per the agency's most recent published inventory.*

2. *No more than 120 community nursing home beds shall be approved for a qualified retirement community under each request for application for expedited review. Subsequent requests for expedited review under this process shall not be made until 2 years after construction of the facility has commenced or 1 year after the beds approved through the initial request are licensed, whichever occurs first.*

3. *The total number of community nursing home beds which may be approved for any single deed-restricted community pursuant to this paragraph shall not exceed 240, regardless of whether the retirement community is located in more than one qualifying county.*

4. *Each nursing home facility approved under this paragraph shall be dually certified for participation in the Medicare and Medicaid programs.*

5. *Each nursing home facility approved under this paragraph shall be at least one mile from an existing approved and licensed community nursing home, measured over publicly owned roadways.*

6. *Section 408.0435 does not apply to this paragraph.*

7. *A retirement community requesting expedited review under this paragraph shall submit a written request to the agency for an expedited review. The request shall include the number of beds to be added and provide evidence of compliance with the criteria specified in subparagraph 1.*

8. *After verifying that the retirement community meets the criteria for expedited review specified in subparagraph 1., the agency shall publicly notice in the Florida Administrative Register that a request for an expedited review has been submitted by a qualifying retirement community and that the qualifying retirement community intends to make land available for the construction and operation of a community nursing home. The agency's notice shall identify where potential applicants can obtain information describing the sale price of, or terms of the land lease for, the property on which the project will be located and the requirements*

*established by the retirement community. The agency's notice shall also specify the deadline for submission of any certificate-of-need application, which shall not be earlier than the 91st day and not be later than the 125th day after the date the notice appears in the Florida Administrative Register.*

9. *The qualified retirement community shall make land available to applicants it deems to have met its requirements for the construction and operation of a community nursing home but will sell or lease the land only to the applicant that is issued a certificate of need by the agency under the provisions of this paragraph.*

a. *A certificate of need application submitted pursuant to this paragraph shall identify the intended site for the project within the retirement community and the anticipated costs for the project based on that site. The application shall also include written evidence that the retirement community has determined that the provider submitting the application and the project proposed by that provider satisfies its requirements for the project.*

b. *The retirement community's determination that more than one provider satisfies its requirements for the project does not preclude the retirement community from notifying the agency of the provider it prefers.*

10. *Each application submitted shall be reviewed by the agency. If multiple applications are submitted for the project as published pursuant to subparagraph 8. above, then the competing applications shall be reviewed by the agency.*

The agency shall develop rules to implement the provisions for expedited review, including time schedule, application content which may be reduced from the full requirements of s. 408.037(1), and application processing.

Section 5. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to health care facilities; amending s. 395.4001, F.S.; revising the definition of the terms "level II trauma center" and "trauma center"; amending s. 395.401, F.S.; making conforming changes; amending s. 395.4025, F.S.; establishing criteria for designating Level II trauma centers in areas with limited access to trauma center services; amending s. 408.036, F.S.; providing for expedited review of certificate-of-need for licensed skilled nursing facilities in qualifying retirement communities; providing criteria for expedited review for licensed skilled nursing homes in qualifying retirement communities; limiting the number of beds per retirement community that can be added through expedited review; providing an effective date.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Garcia moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1A (667482) (with title amendment)**—Between lines 51 and 52 insert:

Section 4. Paragraphs (l) and (m) of subsection (4) of section 400.9905, Florida Statutes, are amended to read:

400.9905 Definitions.—

(4) "Clinic" means an entity where health care services are provided to individuals and which tenders charges for reimbursement for such services, including a mobile clinic and a portable equipment provider. As used in this part, the term does not include and the licensure requirements of this part do not apply to:

(l) Orthotic, ~~or~~ prosthetic, pediatric cardiology, or perinatology clinical facilities or anesthesia clinical facilities that are not otherwise exempt under paragraph (a) or paragraph (k) and that are a publicly traded corporation or ~~that~~ are wholly owned, directly or indirectly, by a publicly traded corporation. As used in this paragraph, a publicly traded corporation is a corporation that issues securities traded on an exchange registered with the United States Securities and Exchange Commission as a national securities exchange.

(m) Entities that are owned by a corporation that has \$250 million or more in total annual sales of health care services provided by licensed health care practitioners where one or more of the *persons responsible for the operations of the entity are owners* is a health care practitioner who is licensed in this state and who is responsible for supervising the business activities of the entity and is ~~legally~~ responsible for the entity's compliance with state law for purposes of this part.

Notwithstanding this subsection, an entity shall be deemed a clinic and must be licensed under this part in order to receive reimbursement under the Florida Motor Vehicle No-Fault Law, ss. 627.730-627.7405, unless exempted under s. 627.736(5)(h).

And the title is amended as follows:

Between lines 179 and 180 insert: amending s. 400.9905, F.S.; revising a definition;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Grimsley moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1B (531668) (with title amendment)**—Between lines 164 and 165 insert:

Section 5. Paragraph (b) of subsection (2), subsection (10), and paragraph (c) of subsection (11) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(2)

(b) The department, ~~when the direct support organization receives at least \$20,000 in nonstate moneys or the state receives at least \$20,000 in federal grants for the prescription drug monitoring program,~~ shall adopt rules as necessary concerning the reporting, accessing the database, evaluation, management, development, implementation, operation, security, and storage of information within the system, including rules for when patient advisory reports are provided to pharmacies and prescribers. The patient advisory report shall be provided in accordance with s. 893.13(7)(a)8. The department shall work with the professional health care licensure boards, such as the Board of Medicine, the Board of Osteopathic Medicine, and the Board of Pharmacy; other appropriate organizations, such as the Florida Pharmacy Association, the Florida Medical Association, the Florida Retail Federation, and the Florida Osteopathic Medical Association, including those relating to pain management; and the Attorney General, the Department of Law Enforcement, and the Agency for Health Care Administration to develop rules appropriate for the prescription drug monitoring program.

(10) All costs incurred by the department in administering the prescription drug monitoring program shall be funded through *state funds*, federal grants, or private funding applied for or received by the state. The department may not commit funds for the monitoring program without ensuring funding is available. ~~The prescription drug monitoring program and the implementation thereof are contingent upon receipt of the nonstate funding.~~ The department and state government shall cooperate with the direct-support organization established pursuant to subsection (11) in seeking *state funds*, federal grant funds, other non-state grant funds, gifts, donations, or other private moneys for the department ~~if so long as~~ the costs of doing so are not considered material. Nonmaterial costs for this purpose include, but are not limited to, the costs of mailing and personnel assigned to research or apply for a grant. Notwithstanding the exemptions to competitive-solicitation requirements under s. 287.057(3)(f), the department shall comply with the competitive-solicitation requirements under s. 287.057 for the procurement of any goods or services required by this section. ~~Funds provided, directly or indirectly, by prescription drug manufacturers may not be used to implement the program.~~

(11) The department may establish a direct-support organization that has a board consisting of at least five members to provide assistance, funding, and promotional support for the activities authorized for the prescription drug monitoring program.

(c) The State Surgeon General shall appoint a board of directors for the direct-support organization. Members of the board shall serve at the pleasure of the State Surgeon General. The State Surgeon General shall provide guidance to members of the board to ensure that moneys received by the direct-support organization are not received from inappropriate sources. Inappropriate sources include, but are not limited to, donors, grantors, persons, ~~or~~ organizations, *or pharmaceutical companies*, that may monetarily or substantively benefit from the purchase of goods or services by the department in furtherance of the prescription drug monitoring program.

And the title is amended as follows:

Delete line 187 and insert: expedited review; amending s. 893.055, F.S.; deleting obsolete provisions; deleting a provision that prohibits funds from prescription drug manufacturers to be used to implement the prescription drug monitoring program; authorizing the prescription drug monitoring program to be funded by state funds; revising the sources of money which are inappropriate for the direct-support organization of the prescription drug monitoring program to receive; providing an effective date.

**Amendment 1 (566056)** as amended was adopted.

Pursuant to Rule 4.19, **CS for CS for HB 1159** as amended was placed on the calendar of Bills on Third Reading.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Senate resumed consideration of the returning message on—

**CS for SB 1828**—A bill to be entitled An act relating to tax administration; amending s. 125.0104, F.S.; providing an additional use for tourist development tax revenues for certain coastal counties; authorizing counties to require certain information for tax returns filed with county governments; amending s. 198.13, F.S.; deleting a requirement for filing a tax return for a decedent who dies after a certain date; amending s. 211.3103, F.S.; expanding the definition of "phosphate-related expenses" for the purpose of distributing certain tax proceeds; amending s. 212.03, F.S.; providing that charges for the storage of towed vehicles that are impounded by a local, state, or federal law enforcement agency are not taxable; amending s. 212.0305, F.S.; authorizing counties to require certain information for tax returns filed with county governments; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; providing monetary and criminal penalties for a dealer's willful failure to collect certain taxes or fees after receiving notice of such duty to collect from the Department of Revenue; amending s. 212.12, F.S.; deleting provisions relating to the imposition of criminal penalties after department notice of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee; amending s. 212.14, F.S.; modifying the definition of the term "person"; authorizing the department to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; providing criminal penalties for a person who willfully fails to register as a dealer after receiving notice of such duty by the department; making technical and grammatical changes; reenacting s. 212.20, F.S., relating to the disposition of funds collected; amending s. 213.13, F.S.; revising the due date for transmitting funds collected by the clerks of court to the department; amending s. 213.21, F.S.; increasing dollar threshold of compromise authority that can be delegated to the executive director; creating s. 213.295, F.S., relating to automated sales suppression devices; providing definitions; subjecting a person to criminal penalties and monetary penalties for knowingly selling or engaging in certain other actions involving a zipper or phantom-ware; providing that sales suppression devices and phantom-ware are contraband articles under the Florida Contraband Forfeiture Act; amending s. 288.106, F.S.; revising the criteria applicable to the definition of the term "target industry business" to specifically reference sports training or competi-

tion for the amateur athlete; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of reemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; providing effective dates.

—which was previously considered this day with pending **House Amendment 1 (113961)**.

Senator Braynon moved the following amendment which was adopted:

**Senate Amendment 1 (678958) (with title amendment) to House Amendment 1 (113961)**—Delete lines 5-8 and insert:

Section 1. Paragraph (n) of subsection (3) and subsection (5) of section 125.0104, Florida Statutes, are amended to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

(3) TAXABLE PRIVILEGES; EXEMPTIONS; LEVY; RATE.—

(n) In addition to any other tax that is imposed under this section, a county that has imposed the tax under paragraph (l) may impose an additional tax that is no greater than 1 percent on the exercise of the privilege described in paragraph (a) by a majority plus one vote of the membership of the board of county commissioners, *or as otherwise provided in this paragraph*, in order to:

1. Pay the debt service on bonds issued to finance:

a. The construction, reconstruction, or renovation of a facility *that is either* publicly owned and operated; *or is* publicly owned and operated by the owner of a professional sports franchise or other lessee with sufficient expertise or financial capability to operate such facility, and to pay the planning and design costs incurred *before* ~~prior to~~ the issuance of such bonds for a new professional sports franchise as defined in s. 288.1162.

b. The acquisition, construction, reconstruction, or renovation of a facility *either* publicly owned and operated, or publicly owned and operated by the owner of a professional sports franchise or other lessee with sufficient expertise or financial capability to operate such facility, and to pay the planning and design costs incurred *before* ~~prior to~~ the issuance of such bonds for a retained spring training franchise.

2. *Pay the debt service on bonds issued to finance the renovation of a professional sports franchise facility that is publicly owned, or located on land that is publicly owned, and that is publicly operated or operated by the owner of a professional sports franchise or other lessee who has sufficient expertise or financial capability to operate the facility, and to pay the planning and design costs incurred before the issuance of such bonds for the renovated professional sports facility. The cost to renovate the facility must be more than \$300 million, including permitting, architectural, and engineering fees, and at least a majority of the total construction cost, exclusive of in-kind contributions, must be paid for by the ownership group of the professional sports franchise or other private sources. Tax revenues available to pay debt service on bonds may be used to pay for operation and maintenance costs of the facility. A county levying the tax for the purposes specified in this subparagraph may do so only by a majority plus one vote of the membership of the board of county commissioners and after approval of the proposed use of the tax revenues by a majority vote of the electors voting in the referendum. Referendum approval of the proposed use of the tax revenues may be in an election held before or after the effective date of this act. The referendum ballot must include a brief description of the proposed use of the tax revenues and the following question:*

*FOR the Proposed Use*

*AGAINST the Proposed Use*

3.2. Promote and advertise tourism in *this the state of Florida* and nationally and internationally; however, if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or

event *must shall* have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists.

A county that imposes the tax authorized in this paragraph may not expend any ad valorem tax revenues for the acquisition, *expansion*, construction, reconstruction, or renovation of a facility for which tax revenues are used pursuant to subparagraph 1. The provision of paragraph (b) which prohibits any county authorized to levy a convention development tax pursuant to s. 212.0305 from levying more than the 2 percent ~~2-percent~~ tax authorized by this section *does shall* not apply to the additional tax authorized by this paragraph in counties *that which* levy convention development taxes pursuant to s. 212.0305(4)(a) *or (b)*. Subsection (4) does not apply to the adoption of the additional tax authorized in this paragraph. The effective date of the levy and imposition of the tax authorized under this paragraph is the first day of the second month following approval of the ordinance by the board of county commissioners or the first day of any subsequent month specified in the ordinance. A certified copy of such ordinance *must shall* be furnished by the county to the Department of Revenue within 10 days after approval of the ordinance.

(5) AUTHORIZED USES OF REVENUE.—

(a) All tax revenues received pursuant to this section by a county imposing the tourist development tax *must shall* be used by that county for the following purposes only:

1. To acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or promote one or more publicly owned and operated convention centers, sports stadiums, sports arenas, coliseums, auditoriums, aquariums, or museums that are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public, within the boundaries of the county or subcounty special taxing district in which the tax is levied. Tax revenues received pursuant to this section may also be used for promotion of zoological parks that are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public. However, these purposes may be implemented through service contracts and leases with lessees with sufficient expertise or financial capability to operate such facilities;

2. To promote and advertise tourism in *this the state of Florida* and nationally and internationally; however, if tax revenues are expended for an activity, service, venue, or event, the activity, service, venue, or event *must shall* have as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists;

3. To fund convention bureaus, tourist bureaus, tourist information centers, and news bureaus as county agencies or by contract with the chambers of commerce or similar associations in the county, which may include any indirect administrative costs for services performed by the county on behalf of the promotion agency; ~~or~~

4. To finance beach park facilities or beach improvement, maintenance, renourishment, restoration, and erosion control, including shoreline protection, enhancement, cleanup, or restoration of inland lakes and rivers to which there is public access as those uses relate to the physical preservation of the beach, shoreline, or inland lake or river. However, any funds identified by a county as the local matching source for beach renourishment, restoration, or erosion control projects included in the long-range budget plan of the state's Beach Management Plan, pursuant to s. 161.091, or funds contractually obligated by a county in the financial plan for a federally authorized shore protection project may not be used or loaned for any other purpose. In counties of less than 100,000 population, no more than 10 percent of the revenues from the tourist development tax may be used for beach park facilities; *or*:

5. *For other uses specifically allowed under this subsection (3).*

(b) Tax revenues received pursuant to this section by a county of less than 750,000 population imposing a tourist development tax may only be used by that county for the following purposes in addition to those purposes allowed pursuant to paragraph (a): to acquire, construct, extend, enlarge, remodel, repair, improve, maintain, operate, or promote one or more zoological parks, fishing piers or nature centers which are publicly owned and operated or owned and operated by not-for-profit organizations and open to the public. All population figures relating to



this subsection shall be based on the most recent population estimates prepared pursuant to the provisions of s. 186.901. These population estimates shall be those in effect on July 1 of each year.

(c) *Tax revenues received pursuant to this section by a coastal county that has a population of less than 250,000, excluding the inmate population, may also be used by that county to fund beach safety personnel and lifeguard operational activities in areas where there is public access. All population figures relating to this paragraph must be based on the most recent population estimates prepared pursuant to s. 186.901. These population estimates must be those in effect on April 1 of each year.*

(d)(e) The revenues to be derived from the tourist development tax may be pledged to secure and liquidate revenue bonds issued by the county for the purposes set forth in subparagraphs (a)1. and 4. or for the purpose of refunding bonds previously issued for such purposes, or both; however, no more than 50 percent of the revenues ~~from the tourist development tax~~ may be pledged to secure and liquidate revenue bonds or revenue refunding bonds issued for the purposes set forth in subparagraph (a)4. Such revenue bonds and revenue refunding bonds may be authorized and issued in such principal amounts, with such interest rates and maturity dates, and subject to such other terms, conditions, and covenants as the governing board of the county shall provide. The Legislature intends that this paragraph ~~shall be the full and complete authority for accomplishing such purposes, but such authority shall be supplemental and additional to, and not in derogation of, any powers now existing or later conferred under law.~~

(e)(d) Any use of the local option tourist development tax revenues collected pursuant to this section for a purpose not expressly authorized by paragraph (3)(l) or paragraph (3)(n) or paragraph (a), paragraph (b), ~~or~~ paragraph (c), or paragraph (d) of this subsection is expressly prohibited.

Section 2. Paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and s. 202.18(1)(b) and (2)(b) shall be as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) ~~must shall~~ be distributed as follows:

1. In any fiscal year, the greater of \$500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5.2 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) ~~must shall~~ be deposited in monthly installments into the General Revenue Fund.

2. After the distribution under subparagraph 1., 8.814 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 ~~must shall~~ be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred ~~must shall~~ be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less \$5,000 each month, which ~~must shall~~ be added to the amount calculated in subparagraph 3. and distributed accordingly.

3. After the distribution under subparagraphs 1. and 2., 0.095 percent ~~must shall~~ be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

4. After the distributions under subparagraphs 1., 2., and 3., 2.0440 percent of the available proceeds ~~must shall~~ be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

5. After the distributions under subparagraphs 1., 2., and 3., 1.3409 percent of the available proceeds ~~must shall~~ be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this subparagraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Fi-

nancial Assistance Trust Fund in state fiscal year 1999-2000, ~~a no~~ municipality ~~may not shall~~ receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

6. Of the remaining proceeds:

a. In each fiscal year, the sum of \$29,915,500 ~~must shall~~ be divided into as many equal parts as there are counties in the state, and one part ~~must shall~~ be distributed to each county. The distribution among the several counties must begin each fiscal year on or before January 5th and continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000 under the then-existing provisions of s. 550.135 be paid directly to the district school board, special district, or a municipal government, such payment must continue until the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards before July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 before July 1, 2000.

b. The department shall, pursuant to s. 288.1162, distribute \$166,667 monthly ~~pursuant to s. 288.1162~~ to each applicant certified as a facility for a new or retained professional sports franchise ~~pursuant to s. 288.1162~~. Up to \$41,667 ~~must shall~~ be distributed monthly by the department to each certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. However, not more than \$416,670 may be distributed monthly in the aggregate to all certified applicants for facilities for spring training franchises. Distributions begin 60 days after such certification and continue for not more than 30 years, except as otherwise provided in s. 288.11621. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided for in s. 288.1162 ~~288.1162(5)~~ or s. 288.11621(3).

c. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been certified as the professional golf hall of fame pursuant to s. 288.1168 and is open to the public, \$166,667 ~~must shall~~ be distributed monthly, for up to 300 months, to the applicant.

d. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that the applicant has been certified as the International Game Fish Association World Center facility pursuant to s. 288.1169, and the facility is open to the public, \$83,333 ~~must shall~~ be distributed monthly, for up to 168 months, to the applicant. This distribution is subject to reduction pursuant to s. 288.1169. A lump sum payment of \$999,996 ~~must shall~~ be made, after certification and before July 1, 2000.

e. Beginning 45 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.11625, the department shall distribute each month an amount equal to one-twelfth the annual distribution amount certified by the Department of Economic Opportunity for the applicant. The department may not distribute more than \$13 million annually to all applicants approved by the Legislature and certified by the Department of Economic Opportunity pursuant to s. 288.11625.

7. All other proceeds must remain in the General Revenue Fund.

Section 3. Section 288.11625, Florida Statutes, is created to read:

288.11625 Sports development.—

(1) **ADMINISTRATION.**—The department shall serve as the state agency responsible for screening applicants for state funding under s. 212.20(6)(d)6.e.

(2) **DEFINITIONS.**—As used in this section, the term:

(a) “Agreement” means a signed agreement between a unit of local government and a beneficiary.

(b) “Applicant” means a unit of local government, as defined in s. 218.369, which is responsible for the construction, management, or operation of a facility; or an entity that is responsible for the construction, management, or operation of a facility if a unit of local government holds title to the underlying property on which the facility is located.

(c) “Beneficiary” means a professional sports franchise of the National Football League, the National Hockey League, the National Basketball Association, the National League or American League of Major League Baseball, Major League Soccer, or the National Association for Stock Car Auto Racing, or a nationally recognized professional sports association that occupies or uses a facility as the facility’s primary tenant. A beneficiary may also be an applicant under this section.

(d) “Facility” means a facility primarily used to host games or events held by a beneficiary and does not include any portion used to provide transient lodging.

(e) “Project” means a proposed construction, reconstruction, renovation, or improvement of a facility, or the proposed acquisition of land to construct a new facility.

(f) “Signature event” means a professional sports event with significant export factor potential. For purposes of this paragraph, the term “export factor” means the attraction of economic activity or growth into the state which otherwise would not have occurred. Examples of signature events may include, but are not limited to:

1. National Football League Super Bowls.
2. Professional sports All-Star games.
3. International sporting events and tournaments.
4. Professional automobile race championships or Formula 1 Grand Prix.
5. The establishment of a new professional sports franchise in this state.

(g) “State sales taxes generated by sales at the facility” means state sales taxes imposed under chapter 212 generated by admissions to the facility or by sales made by vendors at the facility who are accessible to persons attending events occurring at the facility.

(3) **PURPOSE.**—The purpose of this section is to provide applicants state funding under s. 212.20(6)(d)6.e. for the public purpose of constructing, reconstructing, renovating, or improving a facility.

(4) **APPLICATION AND APPROVAL PROCESS.**—

(a) The department shall establish the procedures and application forms deemed necessary pursuant to the requirements of this section. The department may notify an applicant of any additional required or incomplete information necessary to evaluate an application.

(b) The annual application period is from June 1 through November 1.

(c) Within 60 days after receipt of a completed application, the department shall complete its evaluation of the application as provided under subsection (5) and notify the applicant in writing of the department’s decision to recommend approval of the applicant by the Legislature or to deny the application.

(d) Annually by February 1, the department shall rank the applicants and shall provide to the Legislature the list of the recommended applicants in ranked order of projects most likely to positively impact the state based on required criteria established in this section. The list must include the department’s evaluation of the applicant.

(e) A recommended applicant’s request for funding must be approved by the Legislature by general law.

1. An application by a unit of local government which is approved by the Legislature and subsequently certified by the department remains certified for the duration of the beneficiary’s agreement with the applicant or for 30 years, whichever is less, provided the certified applicant has an agreement with a beneficiary at the time of initial certification by the department.

2. An application by a beneficiary which is approved by the Legislature and subsequently certified by the department remains certified for the duration of the beneficiary’s agreement with the unit of local government that owns the underlying property or for 30 years, whichever is less, provided the certified applicant has an agreement with the unit of local government at the time of initial certification by the department.

3. An applicant that is previously certified pursuant to this section does not need legislative approval each year to receive state funding.

(f) An applicant that is recommended by the department but is not approved by the Legislature may reapply and update any information in the original application as required by the department.

(g) The department may recommend no more than one distribution under this section for any applicant, facility, or beneficiary at a time.

(5) **EVALUATION PROCESS.**—

(a) Before recommending an applicant to receive a state distribution under s. 212.20(6)(d)6.e., the department must verify that:

1. The applicant or beneficiary is responsible for the construction, reconstruction, renovation, or improvement of a facility.

2. If the applicant is also the beneficiary, a unit of local government holds title to the property on which the facility and project are located.

3. If the applicant is a unit of local government in whose jurisdiction the facility will be located, the unit of local government has an exclusive intent agreement to negotiate in this state with the beneficiary.

4.a. The unit of local government in whose jurisdiction the facility will be located supports the application for state funds. Such support must be verified by the adoption of a resolution after a public hearing that the project serves a public purpose.

b. If the unit of local government is required to pass a resolution by a majority plus one vote by the local government’s governing body and to hold a referendum for approval pursuant to s. 125.0104(3)(n)2., such resolution and referendum must affirmatively pass for the applicant to receive state funding under this section.

5. The applicant or beneficiary has not previously defaulted or failed to meet any statutory requirements of a previous state-administered sports-related program under s. 288.1162, s. 288.11621, or s. 288.1168.

6. The applicant or beneficiary has sufficiently demonstrated a commitment to employ residents of this state, contract with Florida-based firms, and purchase locally available building materials to the greatest extent possible.

7. If the applicant is a unit of local government, the applicant has a certified copy of a signed agreement with a beneficiary for the use of the facility. If the applicant is a beneficiary, the beneficiary must enter into an agreement with the department. The applicant’s or beneficiary’s agreement must also require the following:

a. The beneficiary must reimburse the state for state funds that have been distributed and will be distributed if the beneficiary relocates before the agreement expires.

b. The beneficiary must pay for signage or advertising within the facility. The signage or advertising must be placed in a prominent location as close to the field of play or competition as is practical, displayed consistent with signage or advertising in the same location and like value, and must feature Florida advertising approved by the Florida Tourism Industry Marketing Corporation.

8. *The project will commence within 12 months after receiving state funds.*

(b) *The department shall competitively evaluate and rank applicants that submit applications for state funding which are received during the application period using the following criteria to evaluate the applicant's ability to positively impact the state:*

1. *The proposed use of state funds.*
2. *The length of time that a beneficiary has agreed to use the facility.*
3. *The percentage of total project funds provided by the applicant and the percentage of total project funds provided by the beneficiary.*
4. *The number and type of signature events the facility is likely to attract during the duration of the agreement with the beneficiary.*
5. *The anticipated increase in average annual ticket sales and attendance at the facility due to the project.*
6. *The potential to attract out-of-state visitors to the facility.*
7. *The length of time a beneficiary has been in the state or partnered with the unit of local government. In order to encourage new franchises to locate in this state, an application for a new franchise shall be considered to have a significant positive impact on the state and shall be given priority in the evaluation and ranking by the department.*
8. *The multiuse capabilities of the facility.*
9. *The facility's projected employment of residents of this state, contracts with Florida-based firms, and purchases of locally available building materials.*
10. *The amount of private and local financial or in-kind contributions to the project.*
11. *The amount of positive advertising or media coverage the facility generates.*

(6) **DISTRIBUTION.—**

(a) *The department shall determine the annual distribution amount an applicant may receive based on the total cost of the project.*

1. *If the total project cost is \$200 million or greater, the applicant is eligible to receive annual distributions equal to the new incremental state sales taxes generated by sales at the facility during 12 months as provided under subparagraph (b)2., up to \$3 million.*

2. *If the total project cost is at least \$100 million but less than \$200 million, the applicant is eligible to receive annual distributions equal to the new incremental state sales taxes generated by sales at the facility during 12 months as provided under subparagraph (b)2., up to \$2 million.*

3. *If the total project cost is less than \$100 million, the applicant is eligible to receive annual distributions equal to the new incremental state sales taxes generated by sales at the facility during 12 months as provided under subparagraph (b)2., up to \$1 million.*

(b) *At the time of initial evaluation and review by the department pursuant to subsection (5), the applicant must provide an analysis by an independent certified public accountant which demonstrates:*

1. *The amount of state sales taxes generated by sales at the facility during the 12-month period immediately prior to the beginning of the application period. This amount is the baseline.*

2. *The expected amount of new incremental state sales taxes generated by sales at the facility above the baseline which will be generated as a result of the project.*

(c) *The independent analysis provided in paragraph (b) must be verified by the department.*

(d) *The Department of Revenue shall begin distributions within 45 days after notification of initial certification from the department.*

(e) *The department must consult with the Department of Revenue and the Office of Economic and Demographic Research to develop a standard calculation for estimating new incremental state sales taxes generated by sales at the facility and adjustments to distributions.*

(f) *In any 12-month period when total distributions for all certified applicants equal \$13 million, the department may not certify new distributions for any additional applicants.*

(7) **CONTRACT.—***An applicant approved by the Legislature and certified by the department must enter into a contract with the department which:*

(a) *Specifies the terms of the state's investment.*

(b) *States the criteria that the certified applicant must meet in order to remain certified.*

(c) *Requires the applicant to submit the independent analysis required under subsection (6) and an annual independent analysis.*

1. *The applicant must agree to submit to the department, beginning 12 months after completion of a project or 12 months after the first four annual distributions, whichever is earlier, an annual analysis by an independent certified public accountant demonstrating the actual amount of new incremental state sales taxes generated by sales at the facility during the previous 12-month period. The applicant shall certify to the department a comparison of the actual amount of state sales taxes generated by sales at the facility during the previous 12-month period to the baseline under subparagraph (6)(b)1.*

2. *The applicant must submit the certification within 60 days after the end of the previous 12-month period. The department shall verify the analysis.*

(d) *Specifies information that the certified applicant must report to the department.*

(e) *Requires the applicant to reimburse the state for the amount each year that the actual new incremental state sales taxes generated by sales at the facility during the most recent 12-month period was less than the annual distribution under paragraph (6)(a). This requirement applies 12 months after completion of a project or 12 months after the first four annual distributions, whichever is earlier.*

1. *If the applicant is unable or unwilling to reimburse the state in any year for the amount equal to the difference between the actual new incremental state sales taxes generated by sales at the facility and the annual distribution under paragraph (6)(a), the department may place a lien on the applicant's facility.*

2. *If the applicant is a municipality or county, it may reimburse the state from its half-cent sales tax allocation, as provided in s. 218.64(3).*

3. *Reimbursements must be sent to the Department of Revenue for deposit into the General Revenue Fund.*

(f) *Includes any provisions deemed prudent by the department.*

(8) **USE OF FUNDS.—***An applicant certified under this section may use state funds only for the following purposes:*

(a) *Constructing, reconstructing, renovating, or improving a facility, or reimbursing such costs.*

(b) *Paying or pledging for the payment of debt service on, or to fund debt service reserve funds, arbitrage rebate obligations, or other amounts payable with respect thereto, bonds issued for the construction or renovation of such facility; or for the reimbursement of such costs or the refinancing of bonds issued for such purposes.*

(9) **REPORTS.—**

(a) *On or before November 1 of each year, an applicant certified under this section and approved to receive state funds must submit to the department any information required by the department. The department shall summarize this information for inclusion in the report to the Legislature due February 1 under paragraph (4)(d).*

(b) *Every 5 years following the first month that an applicant receives a monthly distribution, the department must verify that the applicant is meeting the program requirements. If the applicant is not meeting program requirements, the department must notify the Governor and Legislature of the requirements not being met and must recommend future action as part of the report to the Legislature due February 1 pursuant to paragraph (4)(d). The department shall consider exceptions that may have prevented the applicant from meeting the program requirements. Such exceptions include:*

1. *Force majeure events.*
2. *Significant economic downturn.*
3. *Other extenuating circumstances.*

(10) **AUDITS.**—*The Auditor General may conduct audits pursuant to s. 11.45 to verify the independent analysis required under paragraphs (6)(b) and (7)(c) and to verify that the distributions are expended as required. The Auditor General shall report the findings to the department. If the Auditor General determines that the distribution payments are not expended as required, the Auditor General must notify the Department of Revenue, which may pursue recovery of distributions under the laws and rules that govern the assessment of taxes.*

(11) **REPAYMENT OF DISTRIBUTIONS.**—*An applicant that is certified under this section may be subject to repayment of distributions upon the occurrence of any of the following:*

(a) *An applicant's beneficiary has broken the terms of its agreement with the applicant and relocated from the facility. The beneficiary must reimburse the state for state funds that have been distributed and will be distributed if the beneficiary relocates before the agreement expires.*

(b) *The department has determined that an applicant has submitted any information or made a representation that is determined to be false, misleading, deceptive, or otherwise untrue. The applicant must reimburse the state for state funds that have been distributed and will be distributed if such determination is made.*

(12) **HALTING OF PAYMENTS.**—*The applicant may request to halt future distributions by providing the department with written notice at least 20 days prior to the next monthly distribution payment. The department must immediately notify the Department of Revenue to halt future payments.*

(13) **RULEMAKING.**—*The department may adopt rules to implement this section.*

Section 4. Contingent upon enactment of the Economic Development Program Evaluation as set forth in SB 406 or similar legislation, section 288.116255, Florida Statutes, is created to read:

**288.116255 Sports Development Program Evaluation.**—*Beginning in 2015, the Sports Development Program must be evaluated as part of the Economic Development Program Evaluation, and every 3 years thereafter.*

Section 5. Subsections (2) and (3) of section 218.64, Florida Statutes, are amended to read:

218.64 Local government half-cent sales tax; uses; limitations.—

(2) Municipalities shall expend their portions of the local government half-cent sales tax only for municipality-wide programs, *for reimbursing the state as required by a contract pursuant to s. 288.11625(7), or for municipality-wide property tax or municipal utility tax relief.* All utility tax rate reductions afforded by participation in the local government half-cent sales tax shall be applied uniformly across all types of taxed utility services.

(3) Subject to ordinances enacted by the majority of the members of the county governing authority and by the majority of the members of the governing authorities of municipalities representing at least 50 percent of the municipal population of such county, counties may use up to \$3 \$2 million annually of the local government half-cent sales tax allocated to that county for ~~funding for~~ **funding for** any of the following ~~purposes~~ **purposes** ~~applicants~~:

(a) *Funding a certified applicant as a facility for a new or retained professional sports franchise under s. 288.1162 or a certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. It is the Legislature's intent that the provisions of s. 288.1162, including, but not limited to, the evaluation process by the Department of Economic Opportunity except for the limitation on the number of certified applicants or facilities as provided in that section and the restrictions set forth in s. 288.1162(8), shall apply to an applicant's facility to be funded by local government as provided in this subsection.*

(b) *Funding a certified applicant as a "motorsport entertainment complex," as provided for in s. 288.1171. Funding for each franchise or motorsport complex shall begin 60 days after certification and shall continue for not more than 30 years.*

(c) *Reimbursing the state as required by a contract pursuant to s. 288.11625(7).*

Section 6. (1) *The executive director of the Department of Economic Opportunity may, and all conditions are deemed met, adopt emergency rules pursuant to ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act.*

(2) *Notwithstanding any provision of law, such emergency rules remain in effect for 6 months after the date adopted and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.*

Section 6. Paragraph (a) of subsection (10) of section 125.0104, Florida Statutes, is amended to read:

125.0104 Tourist development tax; procedure for levying; authorized uses; referendum; enforcement.—

And the title is amended as follows:

Delete lines 13 and 14 and insert: 125.0104, F.S.; providing that tourist development tax revenues may also be used to pay the debt service on bonds that finance the renovation of a professional sports facility that is publicly owned, or that is on publicly owned land, and that is publicly operated or operated by the owner of a professional sports franchise or other lessee; requiring that the renovation costs exceed a specified amount; allowing certain fees and costs to be included in the cost for renovation; requiring private contributions to the professional sports facility as a condition for the use of tourist development taxes; authorizing the use of certain tax revenues to pay for operation and maintenance costs of the renovated facility; requiring a majority plus one vote of the membership of the board of county commissioners to levy a tax for renovation of a sports franchise facility after approval by a majority of the electors voting in a referendum to approve the proposed use of the tax revenues; authorizing the referendum to be held before or after the effective date of this act; providing requirements for the referendum ballot; providing for nonapplication of the prohibition against levying such tax in certain cities and towns under certain conditions; authorizing the use of tourist development tax revenues for financing the renovation of a professional sports franchise facility; providing an additional use for tourist development tax revenues for certain coastal counties; authorizing counties to require certain information for tax returns filed with county governments; amending s. 212.20, F.S.; authorizing a distribution for an applicant that has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.11625, F.S.; providing a limitation; creating s. 288.11625, F.S.; providing that the Department of Economic Opportunity shall screen applicants for state funding for sports development; defining the terms "agreement," "applicant," "beneficiary," "facility," "project," "state sales taxes generated by sales at the facility," and "signature event"; providing a purpose to provide funding for applicants for constructing, reconstructing, renovating, or improving a facility; providing an application and approval process; providing for an annual application period; providing for the Department of Economic Opportunity to submit recommendations to the Legislature by a certain date; requiring legislative approval for state funding; providing evaluation criteria for an applicant to receive state funding; providing for evaluation and ranking of applicants under certain criteria; allowing the department to determine the

type of beneficiary; providing levels of state funding up to a certain amount of new incremental state sales tax revenue; providing for a distribution and calculation; requiring the Department of Revenue to distribute funds within a certain timeframe after notification by the department; limiting annual distributions to \$13 million; providing for a contract between the department and the applicant; limiting use of funds; requiring an applicant to submit information to the department annually; requiring a 5-year review; authorizing the Auditor General to conduct audits; providing for reimbursement of the state funding under certain circumstances; providing for discontinuation of distributions upon an applicant's request; authorizing the Department of Economic Opportunity to adopt rules; contingently creating s. 288.116255, F.S.; providing for an evaluation; amending s. 218.64, F.S.; providing for municipalities and counties to expend a portion of local government half-cent sales tax revenues to reimburse the state as required by a contract; authorizing the Department of Economic Opportunity to adopt emergency rules; amending s. 125.0104, F.S.; authorizing counties to require certain

The vote was:

Yeas—28

Mr. President	Evers	Ring
Abruzzo	Galvano	Simmons
Altman	Gardiner	Simpson
Benacquisto	Grimsley	Smith
Braynon	Hays	Sobel
Bullard	Hukill	Soto
Clemens	Joyner	Thompson
Dean	Latvala	Thrasher
Detert	Montford	
Diaz de la Portilla	Negron	

Nays—3

Bean	Flores	Garcia
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On motion by Senator Hukill, the Senate concurred in **House Amendment 1 (113961)** as amended and requested the House to concur in **Senate Amendment 1 (678958) to House Amendment 1 (113961)**.

**CS for SB 1828** passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Richter
Abruzzo	Galvano	Ring
Altman	Gardiner	Sachs
Bean	Grimsley	Simmons
Benacquisto	Hays	Simpson
Bradley	Hukill	Smith
Brandes	Joyner	Sobel
Braynon	Latvala	Soto
Bullard	Lee	Stargel
Clemens	Legg	Thompson
Dean	Margolis	Thrasher
Detert	Montford	
Diaz de la Portilla	Negron	

Nays—2

Flores	Garcia
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Vote after roll call:

Yea to Nay—Legg

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for SB 52, with 1 amendment, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

**CS for CS for CS for SB 52**—A bill to be entitled An act relating to the use of wireless communications devices while driving; creating s. 316.305, F.S.; creating the "Florida Ban on Texting While Driving Law"; providing legislative intent; prohibiting the operation of a motor vehicle while using a wireless communications device for certain purposes; defining the term "wireless communications device"; providing exceptions; specifying information that is admissible as evidence of a violation; providing penalties; providing for enforcement as a secondary action; amending s. 322.27, F.S.; providing for points to be assessed against a driver license for the unlawful use of a wireless communications device within a school safety zone or resulting in a crash; providing an effective date.

**House Amendment 1 (767961)**—Remove line 77 and insert:

*(c) Only in the event of a crash resulting in death or personal injury, a user's billing records for a wireless communications*

On motion by Senator Detert, the Senate concurred in **House Amendment 1 (767961)**.

**CS for CS for CS for SB 52** passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—1

Negron

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for CS for HB 383 as further amended, and requests the concurrence of the Senate.

Robert L. "Bob" Ward, Clerk

**CS for CS for HB 383**—A bill to be entitled An act relating to the Interstate Insurance Product Regulation Compact; providing legislative findings and intent; providing purposes; providing definitions; providing for the establishment of an Interstate Insurance Product Regulation Commission; providing responsibilities of the commission; specifying the commission as an instrumentality of the compacting states; providing for venue; specifying the commission as a separate, not-for-profit entity; providing powers of the commission; providing for organization of the commission; providing for membership, voting, and bylaws; designating the Commissioner of Insurance Regulation as the representative of the

state on the commission; authorizing the Commissioner of Insurance to designate a person to represent the state on the commission; providing for a management committee, officers, and personnel of the commission; providing authority of the management committee; providing for legislative and advisory committees; providing for qualified immunity, defense, and indemnification of members, officers, employees, and representatives of the commission; providing for meetings and acts of the commission; providing rules and operating procedures; providing rule-making functions of the commission; providing for opting out of uniform standards; providing procedures and requirements; providing for commission records and enforcement; authorizing the commission to adopt rules; providing for disclosure of certain information; specifying that certain records, data, or information of the commission, wherever received, by and in possession of the Office of Insurance Regulation, the commissioner, or the commissioner's designee are subject to ch. 119, F.S.; requiring the commission to monitor for compliance; providing for dispute resolution; providing for product filing and approval; requiring the commission to establish filing and review processes and procedures; providing for review of commission decisions regarding filings; providing for finance of commission activities; providing for payment of expenses; authorizing the commission to collect filing fees for certain purposes; providing for approval of a commission budget; exempting the commission from all taxation, except as otherwise provided by the act; prohibiting the commission from pledging the credit of any compacting states without authority; requiring the commission to keep complete accurate accounts, provide for audits, and make annual reports to the Governors and Legislatures of compacting states; providing for amendment of the compact; providing for withdrawal from the compact, default by compacting states, and dissolution of the compact; providing severability and construction; providing for binding effect of this compact and other laws; prospectively opting out of all uniform standards adopted by the commission involving long-term care insurance products; adopting all other existing uniform standards that have been adopted by the commission; providing a procedure for adoption of any new uniform standards or amendments to existing uniform standards of the commission; requiring the office to notify the Legislature of any new uniform standards or amendments to existing uniform standards of the commission; providing that any new uniform standards or amendments to existing uniform standards of the commission may only be adopted via legislation; providing for applicability with respect to taxation of the commission; providing for applicability and process with respect to certain requests for inspection and copying of information, data, or records; authorizing the Financial Services Commission to adopt rules to implement this act and opt out of certain uniform standards; providing an effective date.

**House Amendment 1 (913995) (with title amendment) to Senate Amendment 1 (760430)**—Remove lines 19-132 of the amendment and insert:

(2) *Notwithstanding subsections (3), (4), (5), and (6) of Article VII of the Interstate Insurance Product Regulation Compact as adopted by this act, this state prospectively opts out of any new uniform standard, or amendments to existing uniform standards, adopted by the Interstate Insurance Product Regulation Commission after March 1, 2013, if such amendments substantially alter or add to existing uniform standards adopted by this state pursuant to subsection (1), until such time as this state enacts legislation to adopt new uniform standards or amendments to existing standards adopted by the commission after March 1, 2013.*

(3) *The authority under Article VII of the Interstate Insurance Product Regulation Compact to opt out of a uniform standard includes an order issued under chapter 120, Florida Statutes, the Administrative Procedure Act.*

(4) *In addition to the uniform standards and amendments to uniform standards that the state opts out of pursuant to subsection (2), pursuant to subsections (4) and (5) of Article VII of the Interstate Insurance Product Regulation Compact, this state opts out of the following uniform standards adopted by the Interstate Insurance Product Regulation Commission:*

(a) *The 10-day period for the unconditional refund of premiums, plus any fees or charges under s. 626.99, Florida Statutes.*

(b) *Underwriting criteria limiting the amount, extent, or kind of life insurance based on past or future travel in a manner that is inconsistent with s. 626.9541(1)(dd), Florida Statutes, as implemented by the Office of Insurance Regulation.*

(c) *Any other uniform standard that conflicts with statutes or rules of this state providing consumer protections for products covered by the compact.*

(5) *The exclusivity provision of paragraph (2)(b) of Article XVI of the Interstate Insurance Product Regulation Compact applies only to those uniform standards adopted by the Interstate Insurance Product Regulation Commission in accordance with the terms of the compact and does not apply to those standards that this state has opted out of pursuant to this act or the compact. In addition, the exclusivity provision does not limit or render inapplicable standards adopted by this state in the absence of a standard adopted by the commission. Notwithstanding paragraph (2)(b) of Article XVI of the compact, standards adopted by this state continue to apply to the content, approval, and certification of products in this state, including, but not limited to:*

(a) *The prohibition against a surrender or deferred sales charge of more than 10 percent pursuant to s. 627.4554, Florida Statutes.*

(b) *Notification to an applicant of the right to designate a secondary addressee at the time of application under s. 627.4555, Florida Statutes.*

(c) *Notification of secondary addressees at least 21 days before the impending lapse of a policy under s. 627.4555, Florida Statutes.*

(d) *The inclusion of a clear statement pursuant to s. 627.803, Florida Statutes, that the benefits, values, or premiums under a variable annuity are indeterminate and may vary.*

(e) *Interest on surrender proceeds pursuant to s. 627.482, Florida Statutes.*

(6) *After enactment of this section, if the Interstate Insurance Product Regulation Commission adopts any new uniform standard or amendment to the existing uniform standard as specified in subsection (2), the Office of Insurance Regulation shall immediately notify the Legislature of such new standard or amendment.*

Section 6. *Notwithstanding subsection (4) of Article XII of the Interstate Insurance Product Regulation Compact, the Interstate Insurance Product Regulation Commission is subject to:*

(1) *State unemployment or reemployment taxes imposed pursuant to chapter 443, Florida Statutes, in compliance with the Federal Unemployment Tax Act, for any persons employed by the commission who perform services for it within this state.*

(2) *Taxation on any commission business or activity conducted or performed in this state.*

Section 7. *Access to records.—*

(1) *Notwithstanding subsections (1) and (2) of Article VIII, subsection (2) of Article X, and subsection (6) of Article XII of the Interstate Insurance Product Regulation Compact, a request by a resident of this state for public inspection and copying of information, data, or official records that includes:*

(a) *An insurer's trade secrets shall be referred to the commissioner who shall respond to the request, with the cooperation and assistance of the commission, in accordance with s. 624.4213, Florida Statutes; or*

(b) *Matters of privacy of individuals shall be referred to the commissioner who shall respond to the request, with the cooperation and assistance of the commission, in accordance with s. 119.07(1), Florida Statutes.*

(2) *This act does not abrogate the right of a person to access information consistent with the State Constitution and laws of this state.*

Section 8. *The Financial Services Commission may adopt rules to administer this act.*

Section 9. *Effective upon this act becoming a law, notwithstanding Article XV of the Interstate Insurance Product Regulation Compact, if any part of section 3 or section 4 of this act is invalidated by the courts, such ruling renders the entire act invalid.*

Section 10. *Effective upon this act becoming a law, the Office of Insurance Regulation shall prepare a report that examines the extent to which the Interstate Insurance Product Regulation Compact and the uniform standards adopted thereunder, provide consumer protections equivalent to those under state law and the Administrative Procedure Act for annuity, life insurance, disability income, and long-term care insurance products. The office shall submit the report to the President of the Senate, the Speaker of the House of Representatives, and the Financial Services Commission by January 1, 2014.*

Section 11. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2014.

And the title is amended as follows:

Remove lines 146-148 of the amendment and insert:

On motion by Senator Hukill, the Senate concurred in **House Amendment 1 (913995) to Senate Amendment 1 (760430).**

**CS for CS for HB 383** passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Gibson

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1410, with 1 amendment, and requests the concurrence of the Senate.

*Robert L. "Bob" Ward, Clerk*

**CS for CS for SB 1410**—A bill to be entitled An act relating to fire safety and prevention; providing a directive to the Division of Law Revision and Information to create part I of ch. 633, F.S., entitled "General Provisions"; transferring, renumbering, and amending s. 633.021, F.S.; revising and providing definitions; transferring, renumbering, and amending s. 633.01, F.S.; revising provisions relating to the authority of the State Fire Marshal; removing references to the Life Safety Code; revising the renewal period for firesafety inspector requirements for certification; conforming cross-references; authorizing the State Fire Marshal to administer oaths and take testimony; authorizing the State Fire Marshal to enter into contracts with private entities for the administration of examinations; transferring, renumbering, and amending s. 633.163, F.S.; revising provisions relating to the disciplinary authority of the State Fire Marshal; authorizing the State Fire Marshal to deny,

suspend, or revoke the licenses of certain persons; providing terms and conditions of probation; transferring and renumbering s. 633.15, F.S., relating to the force and effect of ch. 633, F.S., and rules adopted by the State Fire Marshal on municipalities, counties, and special districts having fire safety responsibilities; transferring, renumbering, and amending s. 633.101, F.S.; revising provisions relating to hearings, investigations, and recordkeeping duties and the authority of the State Fire Marshal; authorizing the State Fire Marshal to designate an agent for various purposes related to hearings; providing for the issuance of subpoenas; requiring the State Fire Marshal to investigate certain fires and explosions under certain circumstances; transferring, renumbering, and amending s. 633.111, F.S.; requiring the State Fire Marshal to keep records of all fires and explosions; transferring, renumbering, and amending s. 633.02, F.S.; revising provisions relating to the authority of agents of the State Fire Marshal; transferring and renumbering s. 633.14, F.S., relating to the powers of agents of the State Fire Marshal to make arrests, conduct searches and seizures, serve summonses, and carry firearms; transferring, renumbering, and amending s. 633.121, F.S., relating to persons authorized to enforce laws and rules of the State Fire Marshal; revising terminology; transferring, renumbering, and amending s. 633.151, F.S.; clarifying provisions relating to impersonating the State Fire Marshal, a firefighter, a firesafety inspector, or a volunteer firefighter, for which a criminal penalty is provided; transferring, renumbering, and amending s. 633.171, F.S.; providing penalties for rendering a fire protection system required by statute or by rule inoperative; providing penalties for using the certificate of another person, holding a license or certificate and allowing another person to use the license or certificate, and using or allowing the use of any certificate or permit by any individual or organization other than the individual to whom the certificate or permit is issued; conforming a cross-reference; transferring, renumbering, and amending s. 633.175, F.S., relating to investigation of fraudulent insurance claims and crimes and immunity of insurance companies supplying information relative thereto; defining the term "consultant"; revising provisions to include investigation of explosions in fraudulent insurance claim investigations; authorizing the State Fire Marshal to adopt rules to implement provisions relating to an insurance company's investigation of a suspected fire or explosion by intentional means; revising terminology; conforming a cross-reference; transferring, renumbering, and amending s. 633.45, F.S.; clarifying and revising the powers and duties of the Division of State Fire Marshal; requiring the division to establish by rule uniform minimum standards for the employment and training of firefighters and volunteer firefighters; requiring the division to establish by rule minimum curriculum requirements and criteria for the approval of education or training providers; requiring the division to specify by rule standards for the approval, denial of approval, probation, suspension, and revocation of approval of education or training providers and facilities for training firefighters and volunteer firefighters; requiring the division to specify by rule standards for the certification, denial of certification, probation, and revocation of certification for instructors; requiring the division to establish by rule minimum training qualifications for persons serving as specified fire safety coordinators; requiring the division to issue specified licenses, certificates, and permits; conforming cross-references; creating s. 633.132, F.S.; establishing fees to be collected by the division; authorizing the division to establish by rule fees necessary to cover administrative costs and to collect such fees in advance; providing for the appropriation and deposit of all funds collected by the State Fire Marshal pursuant to ch. 633, F.S.; transferring and renumbering s. 633.39, F.S., relating to acceptance by the division of donations of property and grants of money; transferring, renumbering, and amending s. 633.115, F.S., relating to the Fire and Emergency Incident Information Reporting Program; making technical changes; conforming a cross-reference; creating s. 633.138, F.S.; providing requirements with respect to notice of change of address of record for, and notice of felony actions against, a licensee, permittee, or certificateholder; transferring, renumbering and amending s. 633.042, F.S.; revising the "Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act" to include preemption by the act of local laws and rules; providing a directive to the Division of Law Revision and Information to create part II



of ch. 633, F.S., entitled "Fire Safety and Prevention"; transferring, renumbering, and amending s. 633.0215, F.S., relating to the Florida Fire Prevention Code; conforming cross-references; deleting an obsolete provision; transferring, renumbering, and amending s. 633.72, F.S., relating to the Florida Fire Code Advisory Council; revising membership of the council; providing for semiannual meetings of the council; authorizing the council to review proposed changes to the Florida Fire Prevention Code and specified uniform firesafety standards; conforming cross-references; transferring, renumbering, and amending s. 633.022, F.S., relating to uniform firesafety standards; revising applicability of uniform firesafety standards; removing obsolete provisions; transferring, renumbering, and amending s. 633.025, F.S., relating to minimum firesafety standards; deleting references to the Life Safety Code; conforming provisions to changes made by the act; conforming a cross-reference; transferring, renumbering, and amending s. 633.026, F.S., relating to informal interpretations of the Florida Fire Prevention Code and legislative intent with respect thereto; conforming provisions to changes made by the act; conforming cross-references; revising terminology to provide for declaratory statements rather than formal interpretations in nonbinding interpretations of Florida Fire Prevention Code provisions; transferring, renumbering, and amending s. 633.052, F.S., relating to ordinances relating to fire safety and penalties for violation; conforming terminology; providing that a special district may enact any ordinance relating to fire safety codes that is identical to ch. 633, F.S., or any state law, except as to penalty; transferring, renumbering, and amending s. 633.081, F.S., relating to inspection of buildings and equipment; clarifying persons authorized to inspect buildings and structures; conforming cross-references; revising requirements of persons conducting fire safety inspections; revising the period of validity of, and continuing education requirements for, fire safety inspector certificates; requiring repeat training for certified firesafety inspectors whose certification has lapsed for a specified period; revising grounds for denial, refusal to renew, suspension, or revocation of a fire safety inspector certificate; requiring the department to provide by rule for the certification of Fire Code Administrators; transferring, renumbering, and amending s. 633.085, F.S., relating to inspection of state buildings and premises; defining the terms "high-hazard occupancy" and "state-owned building"; providing for identification of state-owned buildings or state-leased buildings or space; authorizing, rather than requiring, the State Fire Marshal or agents thereof to conduct performance tests on any electronic fire warning and smoke detection system, and any pressurized air-handling unit, in any state-owned building or state-leased building or space on a recurring basis; requiring the State Fire Marshal or agents thereof to ensure that fire drills are conducted in all high-hazard state-owned buildings or high-hazard state-leased occupancies at least annually; requiring that all new construction or renovation, alteration, or change of occupancy of any existing, state-owned building or state-leased building or space comply with uniform firesafety standards; authorizing the division to inspect state-owned buildings and spaces and state-leased buildings and spaces as necessary before occupancy or during construction, renovation, or alteration to ascertain compliance with uniform firesafety standards; requiring the division to issue orders to cease construction, renovation, or alteration, or to preclude occupancy, of a state-owned or state-leased building or space for noncompliance; transferring, renumbering, and amending s. 633.027, F.S., relating to buildings with light-frame truss-type construction; conforming cross-references; transferring, renumbering, and amending s. 633.60, F.S., relating to automatic fire sprinkler systems for one-family dwellings, two-family dwellings, and mobile homes; conforming a cross-reference; transferring and renumbering s. 633.557, F.S., relating to the nonapplicability of the act to owners of property who are building or improving farm out-buildings and standpipe systems installed by plumbing contractors; transferring, renumbering, and amending s. 633.161, F.S., relating to violations and enforcement of ch. 633, F.S., orders resulting from violations, and penalties for violation; conforming cross-references; providing a directive to the Division of Law Revision and Information to create part III of ch. 633, F.S., entitled "Fire Protection and Suppression"; transferring, renumbering, and amending s. 633.511, F.S., relating to the Florida Fire Safety Board; conforming provisions to changes made by

the act; conforming cross-references; requiring the board to act in an advisory capacity; authorizing the board to review complaints and make recommendations; providing for election of officers, quorum, and compensation of the board; requiring the board to adopt a seal; transferring, renumbering, and amending s. 633.061, F.S., relating to licensure to install or maintain fire suppression equipment; removing the fee schedule from such provisions; revising provisions relating to fire equipment dealers who wish to withdraw a previously filed halon equipment exemption affidavit; providing conditions that an applicant for a license of any class who has facilities located outside the state must meet in order to obtain a required equipment inspection; providing for the adoption of rules with respect to the establishment and calculation of inspection costs; revising and clarifying provisions that exclude from licensure for a specified period applicants having a previous criminal conviction; defining the term "convicted"; providing conditions under which a licensed fire equipment dealer may apply to convert the license currently held to a higher or lower licensing category; providing a procedure for an applicant who passes an examination for licensure or permit but fails to meet remaining qualifications within 1 year after the application date; transferring, renumbering, and amending s. 633.065, F.S., relating to requirements for installation, inspection, and maintenance of fire suppression equipment; conforming a cross-reference; transferring, renumbering, and amending s. 633.071, F.S., relating to standard service tags required on all fire extinguishers and preengineered systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.082, F.S., relating to inspection of fire control systems, fire hydrants, and fire protection systems; conforming a cross-reference; making technical changes; transferring, renumbering, and amending s. 633.083, F.S., relating to the prohibited sale or use of certain types of fire extinguishers and penalty therefor; making a technical change; transferring, renumbering, and amending s. 633.162, F.S., relating to fire suppression system contractors and disciplinary actions with respect thereto; conforming cross-references; clarifying provisions; transferring, renumbering, and amending s. 633.521, F.S., relating to certification as fire protection system contractor; clarifying provisions and making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.551, F.S., relating to county and municipal powers and the effect of ch. 75-240, Laws of Florida; making technical changes; transferring and renumbering s. 633.527, F.S., relating to records concerning an applicant and the extent of confidentiality; transferring and renumbering s. 633.531, F.S., relating to statewide effectiveness and nontransferability of certificates; transferring, renumbering, and amending s. 633.534, F.S., relating to the issuance of certificates to individuals and business organizations; making a technical change; transferring, renumbering, and amending s. 633.537, F.S., relating to renewal and expiration of certificates; deleting an obsolete provision; deleting a provision which prescribes the biennial renewal fee for an inactive status certificate; making technical changes; transferring, renumbering, and amending s. 633.539, F.S., relating to requirements for installation, inspection, and maintenance of fire protection systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.541, F.S., relating to the prohibition against contracting as a fire protection contractor without a certificate and penalty for violation thereof; conforming cross-references; making a technical change; transferring, renumbering, and amending s. 633.547, F.S., relating to disciplinary action concerning fire protection system contractors; revising provisions that authorize the State Fire Marshal to suspend a fire protection system contractor's or permittee's certificate; deleting provisions authorizing revocation of a certificate for a specified period; conforming a cross-reference; transferring, renumbering, and amending s. 633.549, F.S., relating to violations that are subject to injunction; making a technical change; transferring and renumbering s. 633.554, F.S., relating to application of ch. 633, F.S., regulating contracting and contractors; transferring, renumbering, and amending s. 633.70, F.S., relating to jurisdiction of the State Fire Marshal over alarm system contractors and certified unlimited electrical contractors; conforming a cross-reference; transferring and renumbering s. 633.701, F.S., relating to requirements for fire alarm system equipment; transferring, renumbering, and amending s. 633.702, F.S., relating to prohibited acts regarding alarm

system contractors or certified unlimited electrical contractors and penalties for violations; making technical changes; providing a directive to the Division of Law Revision and Information to create part IV of ch. 633, F.S., entitled "Fire Standards and Training"; transferring, renumbering, and amending s. 633.31, F.S.; revising provisions relating to the Firefighters Employment, Standards, and Training Council; providing for an additional member of the council; providing for organization of the council, meetings, quorum, compensation, and adoption of a seal; providing for special powers of the council in connection with the employment and training of firefighters; transferring, renumbering, and amending s. 633.42, F.S., relating to the authority of fire service providers to establish qualifications and standards for hiring, training, or promoting firefighters which exceed the minimum set by the department; conforming terminology; creating s. 633.406, F.S.; specifying classes of certification awarded by the division; authorizing the division to establish specified additional certificates by rule; transferring, renumbering, and amending s. 633.35, F.S.; revising provisions relating to firefighter and volunteer firefighter training and certification; requiring the division to establish by rule specified courses and course examinations; providing that courses may only be administered by specified education or training providers and taught by certified instructors; revising provisions with respect to payment of training costs and payment of tuition for attendance at approved courses; providing requirements for issuance by the division of a firefighter certificate of compliance; providing requirements for issuance by the division of a Volunteer Firefighter Certificate of Completion; authorizing the division to issue a Special Certificate of Compliance; providing requirements and limitations with respect thereto; providing procedures and requirements for reexamination after failure of an examination; increasing the required number of hours of the structural fire training program; providing for a Forestry Certificate of Compliance and prescribing the rights, privileges, and benefits thereof; transferring, renumbering, and amending s. 633.34, F.S., relating to qualifications for certification as a firefighter; revising provisions relating to disqualifying offenses; providing requirements of the division with respect to suspension or revocation of a certificate; making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.352, F.S., relating to firefighter employment and volunteer firefighter service; revising provisions relating to retention of certification as a firefighter; defining the term "active"; transferring, renumbering, and amending s. 633.41, F.S.; prohibiting a fire service provider from employing an individual as a firefighter or supervisor of firefighters and from retaining the services of an individual volunteering as a firefighter or a supervisor of firefighters without required certification; requiring a fire service provider to make a diligent effort to determine possession of required certification prior to employing or retaining an individual for specified services; defining the term "diligent effort"; requiring a fire service provider to notify the division of specified hirings, retentions, terminations, decisions not to retain a firefighter, and determinations of failure to meet certain requirements; authorizing the division to conduct site visits to fire departments to monitor compliance; defining the term "employ"; conforming cross-references; transferring, renumbering, and amending s. 633.38, F.S., relating to curricula and standards for advanced and specialized training prescribed by the division; revising terminology to conform; conforming cross-references; transferring, renumbering, and amending s. 633.382, F.S., relating to supplemental compensation for firefighters who pursue specified higher educational opportunities; removing definitions; requiring the State Fire Marshal to determine, and adopt by rule, course work or degrees that represent the best practices toward supplemental compensation goals; specifying that supplemental compensation shall be paid to qualifying full-time employees of a fire service provider; conforming terminology; clarifying provisions; specifying that policy guidelines be adopted by rule; classifying the division as a fire service provider responsible for the payment of supplemental compensation to full-time firefighters employed by the division; transferring, renumbering, and amending s. 633.353, F.S., relating to falsification of qualifications; clarifying provisions that provide a penalty for falsification of qualifications provided to the Bureau of Fire Standards and Training of the division; transferring, renumbering, and amending s.

633.351, F.S., relating to disciplinary action and standards for revocation of certification; providing definitions; providing conditions for ineligibility to apply for certification under ch. 633, F.S.; providing conditions for permanent revocation of certification, prospective application of such provisions, and retroactive application with respect to specified convictions; revising provisions relating to revocation of certification; providing requirements with respect to application for certification; requiring specified submission of fingerprints; providing a fee; providing requirements of the Department of Law Enforcement with respect to submitted fingerprints; transferring, renumbering, and amending s. 633.43, F.S., relating to the establishment of the Florida State Fire College; conforming a provision to changes made by the act; transferring, renumbering, and amending s. 633.44, F.S., relating to the purposes of the Florida State Fire College and part IV of ch. 633, F.S.; expanding such purpose; conforming a cross-reference; transferring, renumbering, and amending s. 633.48, F.S., relating to the superintendent of the Florida State Fire College; conforming a cross-reference; transferring, renumbering, and amending s. 633.461, F.S., relating to uses of funds from the Insurance Regulatory Trust Fund; clarifying provisions; transferring and renumbering s. 633.47, F.S., relating to the procedure for making expenditures on behalf of the Florida State Fire College; transferring, renumbering, and amending s. 633.49, F.S., relating to the use of buildings, equipment, and other facilities of the fire college; conforming a cross-reference; transferring, renumbering, and amending s. 633.50, F.S., relating to additional duties of the Division of State Fire Marshal related to the Florida State Fire College; conforming cross-references; transferring and renumbering s. 633.46, F.S., relating to fees to be charged for training; providing a directive to the Division of Law Revision and Information to create part V of ch. 633, F.S., entitled "Florida Firefighters Occupational Safety and Health Act"; transferring, renumbering, and amending s. 633.801, F.S., relating to a short title; conforming a cross-reference; transferring, renumbering, and amending s. 633.802, F.S., relating to definitions; revising definitions of "firefighter employee," "firefighter employer," and "firefighter place of employment"; transferring, renumbering, and amending s. 633.803, F.S., relating to legislative intent to enhance firefighter occupational safety and health in the state; clarifying provisions; conforming cross-references; transferring, renumbering, and amending s. 633.821, F.S., relating to assistance by the division in facilitating firefighter employee workplace safety; revising references to publications; removing obsolete provisions; revising requirements and responsibilities of the division; transferring, renumbering, and amending s. 633.817, F.S., relating to remedies available to the division for noncompliance with part V of ch. 633, F.S.; conforming cross-references; transferring and renumbering s. 633.805, F.S., relating to a required study by the division of firefighter employee occupational diseases; transferring, renumbering, and amending s. 633.806, F.S., relating to certain duties of the division; revising provisions that require the division to make studies, investigations, inspections, and inquiries with respect to compliance with part V of ch. 633, F.S., or rules authorized thereunder, and the causes of firefighter employee injuries, illnesses, safety-based complaints, or line-of-duty deaths in firefighter employee places of employment; authorizing the division to adopt by rule procedures for conducting inspections and inquiries of firefighter employers under part V of ch. 633, F.S.; authorizing the division to enter premises to investigate compliance; providing a criminal penalty; conforming references; transferring, renumbering, and amending s. 633.807, F.S., relating to safety responsibilities of firefighter employers; revising definitions of the terms "safe" and "safety"; transferring, renumbering, and amending s. 633.809, F.S.; relating to firefighter employers with a high frequency of firefighter employee work-related injuries; revising provisions relating to required safety inspections; clarifying that the division may not assess penalties as a result of such inspections; requiring firefighter employers to submit a plan for the correction of noncompliance issues to the division for approval in accordance with division rule; providing procedures if a plan is not submitted, does not provide corrective actions, is incomplete, or is not implemented; providing for workplace safety committees and coordinators, including mandatory negotiations during collective bargaining; requiring the division to adopt rules; providing for compensation of the

workplace safety committee; authorizing cancellation of an insurance plan due to noncompliance; transferring, renumbering, and amending s. 633.811, F.S., relating to firefighter employer penalties; prescribing additional administrative penalties for firefighter employers for violation of, or refusal to comply with, part V of ch. 633, F.S.; providing for location of hearings; transferring, renumbering, and amending s. 633.812, F.S., relating to specified cooperation by the division with the Federal Government; clarifying requirements from which private firefighter employers are exempt; eliminating a prerequisite to exemption for specified firefighter employers; requiring reinspection after specified noncompliance; transferring, renumbering, and amending s. 633.816, F.S., relating to firefighter employee rights and responsibilities; conforming cross-references; transferring, renumbering, and amending s. 633.818, F.S., relating to false statements; conforming a cross-reference; prohibiting a person from committing certain fraudulent acts in any matter within the jurisdiction of the division; providing criminal penalties; providing a statute of limitation; transferring, renumbering, and amending s. 633.814, F.S., relating to disbursement of expenses to administer part V of ch. 633, F.S.; conforming a cross-reference; amending s. 112.011, F.S.; removing provisions that exclude from employment for a specified period an applicant for employment with a fire department who has a prior felony conviction; amending s. 112.191, F.S.; revising provisions relating to adjustments in payments of accidental death benefits for firefighters; amending s. 120.541, F.S.; revising a cross-reference to conform with changes made in the act; amending s. 196.081, F.S.; revising a cross-reference to conform with changes made in the act; repealing s. 633.024, F.S., relating to legislative findings and intent with respect to ensuring effective fire protection of vulnerable nursing home residents, the expedited retrofit of existing nursing homes through a limited state loan guarantee, and funding thereof; repealing s. 633.0245, F.S., relating to the State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program; repealing s. 633.03, F.S., relating to investigations of fire and reports; repealing s. 633.0421, F.S., relating to preemption of the reduced cigarette ignition propensity standard by the state; repealing s. 633.13, F.S., relating to the authority of State Fire Marshal agents; repealing s. 633.167, F.S., relating to the authority of the State Fire Marshal to place certain persons on probation; repealing s. 633.18, F.S., relating to hearings and investigations by the State Fire Marshal; repealing s. 633.30, F.S., relating to definitions with respect to standards for firefighting; repealing s. 633.32, F.S., relating to organization, meetings, quorum, compensation, and seal of the Firefighters Employment, Standards, and Training Council; repealing s. 633.33, F.S., relating to special powers of the Firefighters Employment, Standards, and Training Council in connection with the employment and training of firefighters; repealing s. 633.37, F.S., relating to payment of tuition at approved training programs by the employing agency; repealing s. 633.445, F.S., relating to the State Fire Marshal Scholarship Grant Program; repealing s. 633.514, F.S., relating to Florida Fire Safety Board duties, meetings, officers, quorum, and compensation; repealing s. 633.517, F.S.; relating to the authority of the State Fire Marshal to adopt rules, administer oaths, and take testimony; repealing s. 633.524, F.S., relating to certificate and permit fees assessed under ch. 633, F.S., and the use and deposit thereof; repealing s. 633.804, F.S., relating to the adoption of rules governing firefighter employer and firefighter employee safety inspections and consultations; repealing s. 633.808, F.S., relating to division authority; repealing s. 633.810, F.S., relating to workplace safety committees and safety coordinators; repealing s. 633.813, F.S., relating to cancellation of an insurance policy for failure to implement a safety and health program; repealing s. 633.815, F.S., relating to penalties for refusing entry to a firefighter place of employment for the purposes of investigations or inspections by the division; repealing s. 633.819, F.S., relating to matters within the jurisdiction of the division and fraudulent acts, penalties, and statute of limitations; repealing s. 633.820, F.S., relating to the applicability of specified sections of ch. 633, F.S., to volunteer firefighters and volunteer fire departments; amending ss. 112.1815, 112.191, 112.81, 119.071, 120.80, 121.0515, 125.01, 125.01045, 125.56, 166.0446, 175.032, 175.121, 218.23, 252.515, 255.45, 258.0145, 281.02, 384.287, 395.0163, 400.232, 400.915, 429.41, 429.44, 429.73, 447.203, 468.602, 468.609, 489.103, 489.105, 496.404,

509.032, 513.05, 553.73, 553.77, 553.79, 590.02, 627.4107, 893.13, 934.03, 943.61, 1002.33, 1002.34, 1013.12, and 1013.38, F.S.; conforming cross-references; updating terminology; providing an effective date.

**House Amendment 3 (314259) (with title amendment)**—Between lines 6404 and 6405, insert:

Section 160. Subsection (2) of section 191.009, Florida Statutes, is amended to read:

191.009 Taxes; non-ad valorem assessments; impact fees and user charges.—

(2) NON-AD VALOREM ASSESSMENTS.—

(a) A district may levy non-ad valorem assessments as defined in s. 197.3632 to construct, operate, and maintain *those* district facilities and services *provided pursuant to the general powers listed in s. 191.006, the special powers listed in s. 191.008, any applicable general laws of local application, and a district's enabling legislation.* The rate of such assessments must be fixed by resolution of the board pursuant to the procedures contained in s. 191.011. Non-ad valorem assessment rates set by the board may exceed the maximum rates established by special act, county ordinance, the previous year's resolution, or referendum in an amount not to exceed the average annual growth rate in Florida personal income over the previous 5 years. Non-ad valorem assessment rate increases within the personal income threshold are deemed to be within the maximum rate authorized by law at the time of initial imposition. Proposed non-ad valorem assessment increases *that which* exceed the rate set the previous fiscal year or the rate previously set by special act or county ordinance, whichever is more recent, by more than the average annual growth rate in Florida personal income over the last 5 years, or the first-time levy of non-ad valorem assessments in a district, must be approved by referendum of the electors of the district. The referendum on the first-time levy of an assessment shall include a notice of the future non-ad valorem assessment rate increases permitted by this act without a referendum. Non-ad valorem assessments shall be imposed, collected, and enforced pursuant to s. 191.011.

(b)1. *The non-ad valorem assessments in paragraph (a) may be used to fund emergency medical services and emergency transport services. However, if a district levies a non-ad valorem assessment for emergency medical services or emergency transport services, the district shall cease collecting ad valorem taxes under subsection (1) of this section for that particular service.*

2. *It is recognized that the provision of emergency medical services and emergency transport services constitutes a benefit to real property the same as any other improvement performed by a district, such as fire suppression services, fire protection services, fire prevention services, emergency rescue services, and first response medical aid.*

Section 161. Subsection (1) of section 191.011, Florida Statutes, is amended to read:

191.011 Procedures for the levy and collection of non-ad valorem assessments.—

(1) A district may provide for the levy of non-ad valorem assessments under this act on the lands *within the district for and real estate benefited by* the exercise of the powers authorized by this act, or any part thereof, for all or any part of the cost thereof. ~~Non-ad valorem assessments may be levied only on benefited real property at a rate of assessment based on the special benefit accruing to such property from such services or improvements.~~ The district may use any assessment apportionment methodology that meets fair apportionment standards.

Section 162. Subsection (3) is added to section 191.014, Florida Statutes, to read:

191.014 District creation and expansion.—

(3) *Notwithstanding chapter 171 or any other applicable general law, special act, or ordinance, if a municipality annexes any unincorporated territory situated within the defined boundaries of a district and the district, under an automatic or mutual aid agreement, continues as a provider of fire, rescue, or emergency medical services for the annexed territory after the 4-year period provided in s. 171.093, the district shall be*

*entitled to payment for such services. Any municipality that annexes such territory may levy any applicable taxes, assessments or fees on the annexed territory but must, by May 1 of each subsequent year following such annexation, pay the district for its services in an amount equal to the amount of taxes, fees, or assessments which would have been collected by the district for such service from the annexed territory during that year had the territory not been annexed. Such payments shall continue unless the district is relieved of the fire, rescue, or emergency medical service responsibility in the annexed territory, with the exception of an isolated response to a local or areawide disaster, such as a hazardous material incident, natural disaster, or major fire.*

And the title is amended as follows:

Between lines 603 and 604, insert: amending s. 191.009, F.S.; clarifying provisions that authorize a district to levy non-ad valorem assessments to construct, operate, and maintain specified district facilities and services; providing that if a district levies non-ad valorem assessments for certain services, the district must cease to levy ad valorem assessments for those services; amending s. 191.011, F.S.; revising provisions relating to district authority to provide for the levy of non-ad valorem assessments on lands within the district rather than benefited real property; eliminating provisions relating to rate of assessment for benefited real property; amending s. 191.014, F.S.; providing that an independent special fire control district is entitled to payment for fire, rescue, or emergency medical services that the district, under certain conditions, continues to provide for specified territory within the district that has been annexed by a municipality; authorizing the annexing municipality to levy any applicable taxes, assessments, or fees on the annexed territory; requiring the municipality to pay the district for its services by a specified date; providing for continuation of payments; providing an exception;

Senator Simmons moved the following amendment which was adopted:

**Senate Amendment 1 (506594) (with title amendment) to House Amendment 3 (314259)**—Delete lines 64-86.

And the title is amended as follows:

Delete lines 103-114 and insert: benefited real property;

On motion by Senator Simmons, the Senate concurred in **House Amendment 3 (314259)** as amended and requested the House to concur in **Senate Amendment 1 (506594) to House Amendment 3 (314259)**.

**CS for CS for SB 1410** passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Garcia	Sachs
Bean	Gardiner	Simmons
Benacquisto	Gibson	Simpson
Bradley	Grimsley	Smith
Brandes	Hays	Sobel
Braynon	Joyner	Soto
Bullard	Lee	Stargel
Clemens	Legg	Thompson
Dean	Margolis	Thrasher
Detert	Montford	
Diaz de la Portilla	Negron	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1388, with 1 amendment, and requests the concurrence of the Senate.

Robert L. “Bob” Ward, Clerk

**CS for CS for SB 1388**—A bill to be entitled An act relating to instructional materials for K-12 public education; amending s. 1006.28, F.S.; revising the duties of a district school board with regard to instructional materials; creating s. 1006.283, F.S.; authorizing a district school board or a consortium of school districts to implement an instructional materials program; requiring the district superintendent to certify to the Department of Education that instructional materials for core courses align with applicable state standards; requiring the district school board to adopt rules; authorizing the district school board to assess and collect fees from a publisher that participates in the instructional materials review process; requiring the fee amount to be posted on the school district's website and reported to the department; providing a limit on fees; providing for a stipend, reimbursement for travel expenses, and per diem for reviewers; requiring instructional materials that are approved by the district instructional materials reviewers to be aligned with applicable state standards; requiring each district school superintendent to annually certify that the instructional materials for core courses used by the district align with applicable state standards; providing pricing requirements for instructional materials; amending s. 1006.31, F.S.; revising the procedure for evaluating instructional materials; amending s. 1006.37, F.S.; revising the time period in which the superintendent must requisition instructional materials; providing that a district school board or a consortium of school districts which implements an instructional materials program is not required to requisition instructional materials from the publisher's depository; amending s. 1006.38, F.S.; providing for applicability; revising duties of publishers and manufacturers; amending s. 1006.40, F.S.; revising the allocation for instructional materials; providing for applicability; amending s. 1001.10, F.S.; revising the duties of the Commissioner of Education with regard to instructional materials; amending s. 1011.62, F.S.; conforming provisions to changes made by the act; providing an effective date.

**House Amendment 1 (336735) (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (1) and subsection (2) of section 1006.28, Florida Statutes, are amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(1) DISTRICT SCHOOL BOARD.—The district school board has the duty to provide adequate instructional materials for all students in accordance with the requirements of this part. The term “adequate instructional materials” means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serve as the basis for instruction for each student in the core courses of mathematics, language arts, social studies, science, reading, and literature. The district school board has the following specific duties:

(b) Instructional materials.—Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials and furnish such other instructional materials as may be needed. The district school board shall ensure that instructional materials used in the district are consistent with the district goals and objectives and the course descriptions established in curriculum frameworks adopted by rule of the State Board of Education, as well as with the state and district performance standards provided for in s. 1001.03(1).

(2) DISTRICT SCHOOL SUPERINTENDENT.—

(a) The district school superintendent has the duty to recommend such plans for improving, providing, distributing, accounting for, and caring

for instructional materials and other instructional aids as will result in general improvement of the district school system, as prescribed in this part, in accordance with adopted district school board rules prescribing the duties and responsibilities of the district school superintendent regarding the requisition, purchase, receipt, storage, distribution, use, conservation, records, and reports of, and management practices and property accountability concerning, instructional materials, and providing for an evaluation of any instructional materials to be requisitioned that have not been used previously in the district's schools. The district school superintendent must keep adequate records and accounts for all financial transactions for funds collected pursuant to subsection (3), as a component of the educational service delivery scope in a school district best financial management practices review under s. 1008.35.

(b) *Beginning in the 2013-2014 school year, each district school superintendent shall certify to the department by March 31 of each year that all instructional materials for core courses used by the district are aligned with applicable state standards. A list of the state-approved or district-approved core instructional materials that will be used or purchased for use by the school district shall be included in the certification notify the department by April 1 of each year the state adopted instructional materials that will be requisitioned for use in his or her school district. The notification shall include a district school board plan for instructional materials use to assist in determining if adequate instructional materials have been requisitioned.*

(c) *Each principal shall verify that all instructional materials are fully and properly accounted for as prescribed by adopted rules of the district school board.*

Section 2. *Section 1006.282, Florida Statutes, is repealed.*

Section 3. *Section 1006.283, Florida Statutes, is created to read:*

*1006.283 District school board instructional materials review process.—*

*(1) A school board or consortium of school districts may implement an instructional materials program that includes the review, approval, and purchasing of instructional materials. Beginning in the 2013-2014 school year, the district school superintendent shall certify to the department by March 31 of each year that all instructional materials for core courses used by the district are aligned with applicable state standards. Included in the certification shall be a list of the core instructional materials that will be used or purchased for use by the school district.*

*(2) The school board shall adopt rules implementing the district's instructional materials program which must include, but need not be limited to:*

*(a) Its review and purchase process.*

*(b) Identification of a review cycle for instructional materials.*

*(c) The duties and qualifications of the instructional materials reviewers.*

*(d) The requirements for an affidavit made by a district instructional materials reviewer, which substantially includes the requirements of s. 1006.30.*

*(e) Compliance with s. 1006.32, relating to prohibited acts.*

*(f) A process that certifies the accuracy of instructional materials.*

*(g) The incorporation of applicable requirements of s. 1006.38, relating to the duties, responsibilities, and requirements of publishers of instructional materials.*

*(h) The process by which instructional materials will be purchased, including advertising, bidding, and purchasing requirements.*

*(3)(a) The school board may assess and collect fees from publishers participating in the instructional materials approval process. The amount assessed and collected must be posted on the school district's website and reported to the department. The fees may not exceed the amount established in state board rule under s. 1006.34(2). Any fees collected for this process shall be allocated for the support of the review process and maintained in a separate line item for auditing purposes.*

*Fees may not be collected from publishers to review instructional materials that are approved by the department and placed on the department's website.*

*(b) The fees shall be used to cover the actual cost of substitute teachers for each workday that a member of a school district's instructional staff is absent from his or her assigned duties for the purpose of rendering service as an instructional materials reviewer. In addition, each reviewer may be paid a stipend and is entitled to reimbursement for travel expenses and per diem in accordance with s. 112.061 for actual service in meetings.*

*(4) Instructional materials that have been reviewed by the district instructional materials reviewers and approved must have been determined to align with all applicable state standards pursuant to s. 1003.41 and the requirements in s. 1006.31. The district school superintendent shall annually certify to the department that all instructional materials for core courses used by the district are aligned with all applicable state standards.*

*(5) A publisher that offers instructional materials to a district school board must provide such materials at a price that, including all costs of electronic transmission, does not exceed the lowest price at which the publisher offers such instructional materials for approval or sale to any state or school district in the United States.*

*(6) A publisher shall reduce automatically the price of the instructional materials to the district school board to the extent that reductions are made elsewhere in the United States.*

Section 4. *Section 1006.29, Florida Statutes, is amended to read:*

*1006.29 Department of Education State instructional materials reviewers.—*

*(1) For purposes of this section, the term "instructional materials" means items that have intellectual content and that, by design, serve as a major tool or for assisting in the instruction of a subject or course.*

*(2)(1)(a) The commissioner shall determine annually the areas in which instructional materials shall be submitted for approval adoption, taking into consideration the desires of the district school boards. The commissioner shall also determine the number of titles to be adopted in each area.*

*(b) By April 15 of each school year, The department commissioner shall appoint five reviewers for each submission by a publisher or district school board three state or national experts in the content areas submitted for adoption to review for approval the instructional materials and evaluate the content for alignment with the applicable Next Generation Sunshine state standards. These reviewers shall be designated as state instructional materials reviewers and shall review The materials shall be evaluated for the level of instructional support and the accuracy and appropriateness of progression of introduced content. Instructional materials shall be made electronically available to the reviewers. The state review of the instructional materials shall be made by the five reviewers. Two of the reviewers must be professional content experts, two must be K-12 educators who are actively engaged in teaching or in the supervision of teaching in the public elementary, middle, or high schools and represent the major fields and levels in which instructional materials are used in the public schools, and one must be a lay person who is not professionally connected with education. In the event only four reviewers can be procured, or if one of the five reviewers is unable to fulfill his or her responsibilities, the additional reviewer may be a content expert from the department. As part of the review process, each reviewer shall be provided training on the electronic review system. The reviewers shall independently make recommendations to the commissioner regarding materials that should be placed on the list of approved materials through an electronic feedback review system.*

*(c) The department may assess and collect fees in accordance with s. 1006.34(2). The amount assessed and collected shall be posted on the department's website and must be reported to the State Board of Education. Any fees collected for this process shall be allocated for the support of the review process, maintained in a separate account for auditing purposes, and deposited in the department's Operating Trust Fund.*

*(d) Fees collected under paragraph (c) shall be used to cover the cost of the review process, including the cost of any meetings and applicable*

*travel and per diem, and the amount paid by a school district to substitute teachers who fill in for instructional staff that is absent for the purpose of rendering service as an instructional materials reviewer. In addition, each reviewer may be paid a stipend and is entitled to reimbursement for travel expenses and per diem in accordance with s. 112.061 for actual service in meetings.* ~~The initial review of the materials shall be made by only two of the three reviewers. If the two reviewers reach different results, the third reviewer shall break the tie. The reviewers shall independently make recommendations to the commissioner regarding materials that should be placed on the list of adopted materials through an electronic feedback review system.~~

(e)(e) The commissioner shall request each district school superintendent to nominate one classroom teacher or district-level content supervisor to review two or three of the submissions recommended by the ~~department~~ *state* instructional materials reviewers. School districts shall ensure that these district reviewers are provided with the support and time necessary to accomplish a thorough review of the instructional materials. District reviewers shall independently rate the recommended submissions on the instructional usability of the resources. *District reviewers may be paid a stipend and are entitled to reimbursement for travel expenses and per diem in accordance with s. 112.061 for actual service in meetings, if applicable.*

(3)(2) For purposes of *approving materials* ~~state adoption~~, the term “instructional materials” means items having intellectual content that by design serve as a major tool or for assisting in the instruction of a subject or course. These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software. A publisher or manufacturer providing instructional materials as a single bundle shall also make the instructional materials available as separate and unbundled items, each priced individually. A publisher *shall* ~~may~~ also offer sections of ~~state adopted~~ instructional materials in digital or electronic versions at reduced rates to districts, schools, and teachers.

(4)(3) Beginning in the 2015-2016 academic year, all *approved* ~~adopted~~ instructional materials for students in kindergarten through grade 12 must be provided in an electronic or digital format. For purposes of this section, the term:

(a) “Electronic format” means text-based or image-based content in a form that is produced on, published by, and readable on computers or other digital devices and is an electronic version of a printed book, whether or not any printed equivalent exists.

(b) “Digital format” means text-based or image-based content in a form that provides the student with various interactive functions; that can be searched, tagged, distributed, and used for individualized and group learning; that includes multimedia content such as video clips, animations, and virtual reality; and that has the ability to be accessed at any time and anywhere.

The terms do not include electronic or computer hardware even if such hardware is bundled with software or other electronic media, nor does it include equipment or supplies.

(5)(4) The department shall develop a training program for persons selected to *review submitted as state instructional materials reviewers* ~~reviewers and school district reviewers~~. The program shall be structured to assist reviewers in developing the skills necessary to make valid, culturally sensitive, and objective decisions regarding the content and rigor of instructional materials. All persons *reviewing* ~~serving as~~ instructional materials ~~reviewers~~ must complete the training program prior to beginning the review and selection process.

(6) *By March 1 of each year, the department shall post on its website a list of department-approved instructional materials and instructional materials approved by other states which align with applicable state standards. The list shall be maintained and updated periodically. The list shall be comprehensive and include sufficient instructional materials or major tools to cover all of the core content areas. The posting must include the purchase price of each product once it is purchased anywhere in the United States. In addition to the posting, the department shall send school district administrators periodic updates to the website. District-approved instructional materials shall also be posted on the website.*

Section 5. Section 1006.30, Florida Statutes, is amended to read:

1006.30 Affidavit of *the Department of Education* ~~state~~ instructional materials reviewers.—Before transacting any business, each *department* ~~state~~ instructional materials reviewer shall make an affidavit, to be filed with the department, that:

(1) The reviewer will faithfully discharge the duties imposed upon him or her.

(2) The reviewer has no interest in any publishing or manufacturing organization that produces or sells instructional materials.

(3) The reviewer is in no way connected with the distribution of the instructional materials.

(4) The reviewer does not have any direct or indirect pecuniary interest in the business or profits of any person engaged in manufacturing, publishing, or selling instructional materials designed for use in the public schools.

(5) The reviewer will not accept any emolument or promise of future reward of any kind from any publisher or manufacturer of instructional materials or his or her agent or anyone interested in, or intending to bias his or her judgment in any way in, the selection of any materials to be *approved* ~~adopted~~.

(6) The reviewer understands that it is unlawful to discuss matters relating to instructional materials submitted for *approval* ~~adoption~~ with any agent of a publisher or manufacturer of instructional materials, either directly or indirectly, except during the period when the publisher or manufacturer is providing a presentation for the reviewer during his or her review of the instructional materials submitted for *approval* ~~adoption~~.

Section 6. Section 1006.31, Florida Statutes, is amended to read:

1006.31 Duties of *the Department of Education and school district* ~~each state~~ instructional materials reviewer.—The duties of *the* ~~each state~~ instructional materials reviewer are:

(1) PROCEDURES.—To adhere to procedures prescribed by the department *or the district* for evaluating instructional materials submitted by publishers and manufacturers in each *review for approval* ~~adoption~~.

(2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To evaluate carefully all instructional materials submitted, in order to ascertain which instructional materials, if any, submitted for consideration implement the selection criteria developed by the department *or the district* and those curricular objectives included within applicable performance standards provided for in s. 1001.03(1).

(a) When *evaluating* ~~recommending~~ instructional materials for use in the schools, each reviewer shall include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, and racial diversity of our society, including men and women in professional, career, and executive roles, and the role and contributions of the entrepreneur and labor in the total development of this state and the United States.

(b) When *evaluating* ~~recommending~~ instructional materials for use in the schools, each reviewer shall include only materials that accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances.

(c) When *evaluating* ~~recommending~~ instructional materials for use in the schools, each reviewer shall require such materials as he or she deems necessary and proper to encourage thrift, fire prevention, and humane treatment of people and animals.

(d) When *evaluating* ~~recommending~~ instructional materials for use in the schools, each reviewer shall require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States. A reviewer may not recommend any instructional materials for use in the schools which contain any matter reflecting

unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, or occupation.

(e) When evaluating instructional materials, library media, and other reading material for use in the schools, a reviewer shall use the following standards to determine the propriety of the material:

1. The age of students who normally could be expected to have access to the material.

2. The educational purpose to be served by the material. In considering instructional materials for classroom use, priority shall be given to the selection of materials that encompass the state and district school board performance standards provided for in s. 1001.03(1) and include the instructional objectives contained within the course descriptions established in rule by the State Board of Education.

3. The degree to which the material would be supplemented and explained by mature classroom instruction as part of a normal classroom instructional program.

4. The degree to which the material represents the broad racial, ethnic, socioeconomic, and cultural diversity of students in the state.

Any instructional material containing pornography or otherwise prohibited by s. 847.012 may not be used or made available within any public school.

(f)(e) Any instructional material recommended by a ~~each~~ reviewer for use in the schools shall be, to the satisfaction of the ~~each~~ reviewer, accurate, objective, and current and suited to the needs and comprehension of students at their respective grade levels. Reviewers shall consider for adoption materials developed for academically talented students such as those enrolled in advanced placement courses.

(3) REPORT OF REVIEWERS.—After a thorough study of all data submitted on each instructional material, to submit an electronic report to the department. The report shall be made public and must include responses to each section of the report format prescribed by the department.

Section 7. Section 1006.32, Florida Statutes, is amended to read:

1006.32 Prohibited acts.—

(1) A publisher or manufacturer of instructional material, or any representative thereof, may not offer to give any emolument, money, or other valuable thing, or any inducement, to any district school board official or ~~department or district state~~ instructional materials reviewer to directly or indirectly introduce, recommend, vote for, or otherwise influence the ~~approval adoption~~ or purchase of any instructional materials.

(2) A district school board official or a ~~department or district state~~ instructional materials reviewer may not solicit or accept any emolument, money, or other valuable thing, or any inducement, to directly or indirectly introduce, recommend, vote for, or otherwise influence the ~~approval adoption~~ or purchase of any instructional material.

(3) ~~A district school board or publisher may not participate in a pilot program of materials being considered for adoption during the 18-month period before the official adoption of the materials by the commissioner. Any pilot program during the first 2 years of the adoption period must have the prior approval of the commissioner.~~

(3)(4) A ~~any~~ publisher or manufacturer of instructional materials or representative thereof or a ~~any~~ district school board official or ~~department or district state~~ instructional materials reviewer who violates any provision of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A ~~any~~ representative of a publisher or manufacturer who violates any provision of this section, in addition to any other penalty, shall be banned from practicing business in the state for a period of 1 calendar year.

(4)(5) This section does not prohibit any publisher, manufacturer, or agent from supplying, for purposes of examination, necessary sample copies of instructional materials to any district school board official or ~~department or district state~~ instructional materials reviewer.

(5)(6) This section does not prohibit a district school board official or ~~department or district state~~ instructional materials reviewer from receiving sample copies of instructional materials.

(6)(7) This section does not prohibit or restrict a district school board official from receiving royalties or other compensation, other than compensation paid to him or her as commission for negotiating sales to district school boards, from the publisher or manufacturer of instructional materials written, designed, or prepared by such district school board official, and ~~adopted by the commissioner or~~ purchased by any district school board. A ~~No~~ district school board official may not ~~shall be~~ ~~allowed to~~ receive royalties on any materials not ~~on the state-adopted list~~ purchased for use by his or her district school board.

(7)(8) A district school superintendent, district school board member, teacher, or other person officially connected with the government or direction of public schools may not receive during the months actually engaged in performing duties under his or her contract any private fee, gratuity, donation, or compensation, in any manner whatsoever, for promoting the sale or exchange of any instructional material, map, or chart in any public school, or be an agent for the sale or the publisher of any instructional material or reference work, or have a direct or indirect pecuniary interest in the introduction of any such instructional material, and any such agency or interest shall disqualify any person so acting or interested from holding any district school board employment whatsoever, and the person commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083; however, this subsection does not prevent the ~~approval adoption~~ of any instructional material written in whole or in part by a Florida author.

Section 8. Section 1006.33, Florida Statutes, is repealed.

Section 9. Section 1006.34, Florida Statutes, is amended to read:

1006.34 Powers and duties of the State Board of Education ~~commissioner and the department~~ in evaluating selecting and adopting instructional materials.—

(1) PROCEDURES FOR EVALUATING INSTRUCTIONAL MATERIALS.—The State Board of Education shall adopt rules prescribing the procedures by which the department shall evaluate instructional materials submitted by publishers and manufacturers in each review for ~~approval adoption~~. Included in these procedures shall be provisions affording each publisher or manufacturer or his or her representative an opportunity to provide a *live virtual or in-person* presentation to the ~~department state~~ instructional materials reviewers on the merits of each instructional material submitted in each review for ~~approval adoption~~.

(2) FEES.—The State Board of Education shall adopt by rule a fee schedule specifying the amount of fees that the department may charge publishers who submit instructional materials for review. Fees may not exceed the actual costs for the review, taking into consideration the cost of reviewers, the content area and complexity of the instructional materials to be reviewed, and other relevant factors. The fee schedule must specify the amount that may be collected by the department for each submission.

(2) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.—

(a) The department shall notify all publishers and manufacturers of instructional materials who have submitted bids that within 3 weeks after the deadline for receiving bids, at a designated time and place, it will open the bids submitted and deposited with it. At the time and place designated, the bids shall be opened, read, and tabulated in the presence of the bidders or their representatives. No one may revise his or her bid after the bids have been filed. When all bids have been carefully considered, the commissioner shall, from the list of suitable, usable, and desirable instructional materials reported by the state instructional materials reviewers, select and adopt instructional materials for each grade and subject field in the curriculum of public elementary, middle, and high schools in which adoptions are made and in the subject areas designated in the advertisement. The adoption shall continue for the period specified in the advertisement, beginning on the ensuing April 1. The adoption shall not prevent the extension of a contract as provided in subsection (3). The commissioner shall always reserve the right to reject any and all bids. The commissioner may ask for new sealed bids from publishers or manufacturers whose instructional materials were recommended by the state instructional materials reviewers as suitable,



usable, and desirable; specify the dates for filing such bids and the date on which they shall be opened; and proceed in all matters regarding the opening of bids and the awarding of contracts as required by this part. In all cases, bids shall be accompanied by a cash deposit or certified check of from \$500 to \$2,500, as the department may direct. The department, in adopting instructional materials, shall give due consideration both to the prices bid for furnishing instructional materials and to the report and recommendations of the state instructional materials reviewers. When the commissioner has finished with the report of the state instructional materials reviewers, the report shall be filed and preserved with the department and shall be available at all times for public inspection.

(b) In the selection of instructional materials, library media, and other reading material used in the public school system, the standards used to determine the propriety of the material shall include:

1. The age of the students who normally could be expected to have access to the material.
2. The educational purpose to be served by the material. In considering instructional materials for classroom use, priority shall be given to the selection of materials which encompass the state and district school board performance standards provided for in s. 1001.03(1) and which include the instructional objectives contained within the curriculum frameworks approved by rule of the State Board of Education.
3. The degree to which the material would be supplemented and explained by mature classroom instruction as part of a normal classroom instructional program.
4. The consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this state.

Any instructional material containing pornography or otherwise prohibited by s. 847.012 may not be used or made available within any public school.

~~(3) CONTRACT WITH PUBLISHERS OR MANUFACTURERS; BOND.~~ As soon as practicable after the commissioner has adopted any instructional materials and all bidders that have secured the adoption of any instructional materials have been notified thereof by registered letter, the department shall prepare a contract in proper form with every bidder awarded the adoption of any instructional materials. Each contract shall be executed by the commissioner, one copy to be kept by the contractor and one copy to be filed with the department. After giving due consideration to comments by the district school boards, the commissioner, with the agreement of the publisher, may extend or shorten a contract period for a period not to exceed 2 years; and the terms of any such contract shall remain the same as in the original contract. Any publisher or manufacturer to whom any contract is let under this part must give bond in such amount as the department requires, payable to the state, conditioned for the faithful, honest, and exact performance of the contract. The bond must provide for the payment of reasonable attorney's fees in case of recovery in any suit thereon. The surety on the bond must be a guaranty or surety company lawfully authorized to do business in the state; however, the bond shall not be exhausted by a single recovery but may be sued upon from time to time until the full amount thereof is recovered, and the department may at any time, after giving 20 days' notice, require additional security or additional bond. The form of any bond or bonds or contract or contracts under this part shall be prepared and approved by the department. At the discretion of the department, a publisher or manufacturer to whom any contract is let under this part may be allowed a cash deposit in lieu of a bond, conditioned for the faithful, honest, and exact performance of the contract. The cash deposit, payable to the department, shall be placed in the Textbook Bid Trust Fund. The department may recover damages on the cash deposit given by the contractor for failure to furnish instructional materials, the sum recovered to inure to the General Revenue Fund.

~~(4) REGULATIONS GOVERNING THE CONTRACT.~~ The department may, from time to time, take any necessary actions, consistent with this part, to secure the prompt and faithful performance of all instructional materials contracts; and if any contractor fails or refuses to furnish instructional materials as provided in this part or otherwise breaks his or her contract, the department may sue on the required bond in the name of the state, in the courts of the state having jurisdiction, and recover damages on the bond given by the contractor for failure to fur-

nish instructional materials, the sum recovered to inure to the General Revenue Fund.

#### ~~(5) RETURN OF DEPOSITS.—~~

~~(a) The successful bidder shall be notified by registered mail of the award of contract and shall, within 30 days after receipt of the contract, execute the proper contract and post the required bond. When the bond and contract have been executed, the department shall notify the Chief Financial Officer and request that a warrant be issued against the Textbook Bid Trust Fund payable to the successful bidder in the amount deposited pursuant to this part. The Chief Financial Officer shall issue and forward the warrant to the department for distribution to the bidder.~~

~~(b) At the same time or prior thereto, the department shall inform the Chief Financial Officer of the names of the unsuccessful bidders. Upon receipt of such notice, the Chief Financial Officer shall issue warrants against the Textbook Bid Trust Fund payable to the unsuccessful bidders in the amounts deposited pursuant to this part and shall forward the warrants to the department for distribution to the unsuccessful bidders.~~

~~(c) One copy of each contract and an original of each bid, whether accepted or rejected, shall be preserved with the department for at least 2 years after the termination of the contract.~~

~~(6) DEPOSITS FORFEITED.~~ If any successful bidder fails or refuses to execute contract and bond within 30 days after receipt of the contract, the cash deposit shall be forfeited to the state and placed by the Chief Financial Officer in the General Revenue Fund.

~~(7) FORFEITURE OF CONTRACT AND BOND.~~ If any publisher or manufacturer of instructional materials fails or refuses to furnish instructional materials as provided in the contract, the publisher's or manufacturer's bond is forfeited and the commissioner must make another contract.

Section 10. Section 1006.35, Florida Statutes, is amended to read:

1006.35 Accuracy of instructional materials.—

(1) In addition to relying on statements of publishers or manufacturers of instructional materials, the commissioner may conduct or cause to be conducted an independent investigation to determine the accuracy of ~~approved state-adopted~~ instructional materials.

(2) When errors in ~~approved state-adopted~~ materials are confirmed, the publisher or manufacturer of the materials shall provide to each district school board that has purchased the materials the corrections in a format approved by the department.

(3) The commissioner may remove materials from the list of ~~approved state-adopted~~ materials:

(a) If he or she finds that the content is in error and the publisher or manufacturer refuses to correct the error when notified by the department.

~~(b)(4) The commissioner may remove materials from the list of state-adopted materials~~ At the request of the publisher or manufacturer if, in the commissioner's ~~his or her~~ opinion, there is no material impact on the state's education goals.

(c) If the materials do not align with all applicable state standards.

(4) If the commissioner removes materials from the list of approved materials, the district may not purchase them for use in core content areas.

Section 11. Section 1006.36, Florida Statutes, is amended to read:

1006.36 State review cycle ~~Term of adoption~~ for instructional materials.—

(1) The ~~state review cycle term of adoption~~ of any instructional materials ~~shall~~ must be a 5-year period beginning on April 1 following the adoption, except that the commissioner may approve ~~alternative schedules terms of adoption~~ of less than 5 years for materials in content

areas which require more frequent revision. ~~Any contract for instructional materials may be extended as prescribed in s. 1006.34(2).~~

(2) The department shall publish annually an official schedule of subject areas to be called for ~~review~~ ~~adoption~~ for each of the succeeding 2 years, and a tentative schedule for years 3, 4, and 5. If extenuating circumstances warrant, the commissioner may add one or more subject areas to the official schedule, in which event the commissioner shall develop criteria for such additional subject area or areas and make them available to publishers or manufacturers as soon as practicable before the date on which ~~submission for review is~~ ~~bids are~~ due. The schedule shall be developed so as to promote balance among the subject areas so that the required expenditure for new instructional materials is approximately the same each year in order to maintain curricular consistency.

Section 12. Section 1006.37, Florida Statutes, is amended to read:

1006.37 Requisition of instructional materials from publisher's depository.—

~~(1) The district school superintendent may shall requisition approved adopted instructional materials from the depository of the publisher with whom a contract has been made. However, the superintendent shall requisition current instructional materials to provide each student with a textbook or other materials as a major tool of instruction in core courses of the subject areas specified in s. 1006.40(2). These materials must be requisitioned within the first 2 years of the adoption cycle, except for instructional materials related to growth of student membership or instructional materials maintenance needs. The superintendent may requisition instructional materials in the core subject areas specified in s. 1006.40(2) that are related to growth of student membership or instructional materials maintenance needs during the 3rd, 4th, 5th, and 6th years of the original contract period.~~

~~(2) The district school superintendent shall verify that the requisition is complete and accurate and order the depository to forward to him or her the adopted instructional materials shown by the requisition. The depository shall prepare an invoice of the materials shipped, including shipping charges, and mail it to the superintendent to whom the shipment is being made. The superintendent shall pay the depository within 60 days after receipt of the requisitioned materials from the appropriation for the purchase of adopted instructional materials.~~

Section 13. Section 1006.38, Florida Statutes, is amended to read:

1006.38 Duties, responsibilities, and requirements of instructional materials publishers and manufacturers.—*This section applies to both the state and district approval processes.* Publishers and manufacturers of instructional materials, or their representatives, shall:

(1) Comply with all provisions of this part.

(2) Electronically deliver fully developed sample copies of all instructional materials upon which ~~reviews~~ ~~bids~~ are based to the department pursuant to procedures adopted by the State Board of Education.

(3) ~~Submit, at a time designated in s. 1006.33, the following information:~~

(a) Detailed specifications of the physical characteristics of the instructional materials, including any software or technological tools required for use by the district, school, teachers, or students. The publisher or manufacturer shall comply with these specifications if the instructional materials are ~~approved~~ ~~adopted~~ and purchased in completed form.

(b) Evidence that the publisher or manufacturer has provided materials that address the performance standards provided for in s. 1001.03(1) and that can be accessed through the district's local instructional improvement system and a variety of electronic, digital, and mobile devices.

(c) *Evidence that the instructional materials include specific references to statewide standards in the teacher's manual and incorporate such standards into chapter tests or the assessments. Beginning in the 2013-2014 adoption year, the statewide standards may not be included at the point of student use.*

(4) Make available for purchase by any district school board any diagnostic, criterion-referenced, or other tests that they may develop.

(5) Furnish the instructional materials offered by them at a price in the state which, including all costs of electronic transmission, may not exceed the lowest price at which they offer such instructional materials for ~~approval~~ ~~adoption~~ or sale to any state or school district in the United States.

(6) Reduce automatically the price of the instructional materials to any district school board to the extent that reductions are made elsewhere in the United States.

(7) Provide any instructional materials free of charge in the state to the same extent as they are provided free of charge to any state or school district in the United States.

(8) Guarantee that all copies of any instructional materials sold in this state will be at least equal in quality to the copies of such instructional materials that are sold elsewhere in the United States and will be kept revised, free from all errors, and up-to-date as may be required by the department.

(9) Agree that any supplementary material developed at the district or state level does not violate the author's or publisher's copyright, provided such material is developed in accordance with the doctrine of fair use.

(10) Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in instructional materials, nor enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of instructional materials for use in the state.

(11) *Furnish the instructional materials offered by them at a price in the state which, including all costs of electronic transmission, may not exceed the lowest price at which they offer such instructional materials for approval or sale to any other school district in the state.*

(12) *Provide the department and school districts the cost paid for an instructional materials product by a school or district anywhere in the United States. The cost paid for that product must remain the same for all future sales and must be posted on all marketing materials.*

~~(11) Maintain or contract with a depository in the state.~~

~~(12) For the core subject areas specified in s. 1006.40(2), maintain in the depository for the first 2 years of the contract an inventory of instructional materials sufficient to receive and fill orders.~~

(13) For the core subject areas specified in s. 1006.40(2), ensure the availability of an inventory sufficient to receive and fill orders for instructional materials for growth, including the opening of a new school, and replacement during the 3rd and subsequent years of the original contract period.

(14) Accurately and fully disclose only the names of those persons who actually authored the instructional materials. In addition to the penalties provided in subsection (16), the commissioner may remove from the list of ~~state-approved~~ ~~state-adopted~~ instructional materials those instructional materials whose publisher or manufacturer misleads the purchaser by falsely representing genuine authorship.

(15) Grant, without prior written request, for any copyright held by the publisher or its agencies automatic permission to the department or its agencies for the reproduction of instructional materials and supplementary materials in Braille, large print, or other appropriate format for use by visually impaired students or other students with disabilities that would benefit from use of the materials.

(16) Upon the willful failure of the publisher or manufacturer to comply with the requirements of this section, be liable to the department in the amount of three times the total sum which the publisher or manufacturer was paid in excess of the price required under subsections (5) and (6) and in the amount of three times the total value of the instructional materials and services which the district school board is entitled to receive free of charge under subsection (7).

Section 14. Subsections (2), (3), and (4) of section 1006.40, Florida Statutes, are amended to read:

1006.40 Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—

(2) Each district school board must ~~provide~~ *provide* current instructional materials to ~~provide~~ each student with a major tool or assistance of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature for kindergarten through grade 12. ~~Such purchase must be made within the first 2 years after the effective date of the adoption cycle. For the 2012-2013 mathematics adoption, a district using a comprehensive mathematics instructional materials program adopted in the 2009-2010 adoption shall be deemed in compliance with this subsection if it provides each student with such additional state-adopted materials as may be necessary to align the previously adopted comprehensive program to common core standards and the other criteria of the 2012-2013 mathematics adoption.~~

(3)(a) By the 2015-2016 fiscal year, each district school board shall use at least 50 percent of the annual allocation for the purchase of digital or electronic instructional materials ~~that align with state standards included on the state adopted list, except as otherwise authorized in paragraphs (b) and (c).~~

(b) ~~Up to 50 percent of the annual allocation may be used for the purchase of instructional materials, including library and reference books and nonprint materials, not included on the state adopted list and for the repair and renovation of textbooks and library books.~~

(c) ~~District school boards may use 100 percent of that portion of the annual allocation designated for the purchase of instructional materials for kindergarten, and 75 percent of that portion of the annual allocation designated for the purchase of instructional materials for first grade, to purchase materials not on the state adopted list.~~

(4) ~~Remaining funds may~~ *The funds described in subsection (3) which district school boards may use to purchase materials not on the state adopted list shall* be used for the purchase of instructional materials or other items, ~~including library and reference books and nonprint materials~~, having intellectual content which assist in the instruction of a subject or course. These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, replacements for items which were part of previously purchased instructional materials, consumables, learning laboratories, manipulatives, electronic media, computer courseware or software, and other commonly accepted instructional tools as prescribed by district school board rule.

Section 15. Paragraphs (o), (p), and (q) of subsection (6) of section 1001.10, Florida Statutes, are amended, and paragraph (r) is added to that subsection, to read:

1001.10 Commissioner of Education; general powers and duties.—

(6) Additionally, the commissioner has the following general powers and duties:

(o) To develop criteria for use by ~~department state~~ instructional materials reviewers in evaluating materials submitted for ~~approval adoption consideration~~. The criteria shall, as appropriate, be based on instructional expectations reflected in ~~course descriptions curriculum frameworks~~ and student performance standards. The criteria for each subject or course shall be made available to publishers and ~~manufacturers~~ of instructional materials pursuant to the requirements of chapter 1006.

(p) To prescribe procedures for evaluating instructional materials submitted by publishers and manufacturers in each ~~review for approval adoption~~.

(q) ~~To remove any instructional materials from the list of materials approved by the department or a school district enter into agreement with Space Florida to develop innovative aerospace-related education programs that promote mathematics and science education for grades K-20.~~

(r) *To submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the State Board of Education an annual report regarding district and state instructional materials reviews, the impact on the quality and availability of instructional materials, and the cost-effectiveness of the state and district review processes. The report shall be submitted on January 1 following the first fiscal year of implementation of the program and each year thereafter.*

Section 16. Subsection (5) of section 1003.55, Florida Statutes, is amended to read:

1003.55 Instructional programs for blind or visually impaired students and deaf or hard-of-hearing students.—

(5) Any publisher or manufacturer of instructional materials that have been approved by the department or a school district ~~a textbook adopted pursuant to the state instructional materials adoption process~~ shall furnish the department of Education with a computer file in an electronic format specified by the department ~~at least 2 years in advance~~ that is readily translatable to Braille and can be used for large print or speech access. Any instructional materials ~~textbook~~ reproduced pursuant to the provisions of this subsection shall be purchased at a price equal to the price paid for the instructional materials ~~textbook~~ as ~~approved adopted~~. The department of Education shall not reproduce instructional materials ~~textbooks~~ obtained pursuant to this subsection in any manner that would generate revenues for the department from the use of such computer files or that would preclude the rightful payment of fees to the publisher or manufacturer for use of all or some portion of the instructional materials ~~textbook~~.

Section 17. Paragraph (j) of subsection (2) of section 1003.621, Florida Statutes, is amended to read:

1003.621 Academically high-performing school districts.—It is the intent of the Legislature to recognize and reward school districts that demonstrate the ability to consistently maintain or improve their high-performing status. The purpose of this section is to provide high-performing school districts with flexibility in meeting the specific requirements in statute and rules of the State Board of Education.

(2) COMPLIANCE WITH STATUTES AND RULES.—Each academically high-performing school district shall comply with all of the provisions in chapters 1000-1013, and rules of the State Board of Education which implement these provisions, pertaining to the following:

(j) Those statutes relating to instructional materials, except that s. 1006.40 ~~s. 1006.37, relating to the requisition of state adopted materials from the depository under contract with the publisher, and s. 1006.40(3)(a), relating to the use of 50 percent of the instructional materials allocation, is~~ shall be eligible for exemption.

Section 18. Paragraph (b) of subsection (6) of section 1011.62, Florida Statutes, is amended to read:

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

(6) CATEGORICAL FUNDS.—

(b) If a district school board finds and declares in a resolution ~~approved adopted~~ at a regular meeting of the school board that the funds received for any of the following categorical appropriations are urgently needed to maintain ~~school board specified~~ academic classroom instruction *specified by the school board*, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. Funds for student transportation.

2. Funds for safe schools.

3. Funds for supplemental academic instruction if the required additional hour of instruction beyond the normal school day for each day of

the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (1)(f).

4. Funds for research-based reading instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (9)(a).

5. Funds for instructional materials if all instructional material purchases necessary to provide updated materials *that are aligned with applicable to Next Generation Sunshine state standards and course descriptions benchmarks* and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1. Funds available after March 1 may be used to purchase hardware for student instruction.

Section 19. This act shall take effect July 1, 2013.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to instructional materials for K-12 public education; amending s. 1006.28, F.S.; revising the duties of a district school board and the district superintendent with regard to instructional materials; repealing s. 1006.282, F.S., relating to the pilot program for the transition to electronic and digital instructional materials; creating s. 1006.283, F.S.; authorizing a district school board or a consortium of school districts to implement an instructional materials program; requiring the district superintendent to certify to the Department of Education that instructional materials for core courses align with applicable state standards; requiring the district school board to adopt rules; authorizing the district school board to set and collect fees from a publisher that participates in the instructional materials review process; requiring the fee amount to be posted on the school district's website and reported to the Department of Education; providing a limit on fees; prohibiting fees from being collected from publishers to review certain instructional materials; providing for a stipend, reimbursement for travel expenses, and per diem for reviewers; requiring instructional materials that are approved by the district instructional materials reviewers to be aligned with applicable state standards; requiring each district school superintendent to annually certify that the instructional materials for core courses used by the district align with applicable state standards; providing pricing requirements for instructional materials; amending s. 1006.29, F.S.; providing a definition; requiring the department to appoint state instructional materials reviewers, rather than state or national experts, to review instructional materials; providing requirements, appointments, and terms for state instructional materials reviewers; authorizing the department to assess and collect fees; requiring the fee amount to be posted on the department's website and reported to the State Board of Education; providing a purpose for the use of the fees, such as a stipend for service as a reviewer, payment for per diem, and reimbursement for travel expenses for service as a reviewer; requiring a publisher to offer sections of instructional materials in certain versions at reduced rates; requiring the department to post certain instructional materials on its website; amending s. 1006.30, F.S.; conforming provisions to changes made by the act; amending s. 1006.31, F.S.; conforming provisions to changes made by the act; revising the procedure for evaluating instructional materials; providing standards to determine the propriety of instructional materials; amending s. 1006.32, F.S.; conforming provisions to changes made by the act; repealing s. 1006.33, F.S., relating to bids, proposals, and advertisement regarding instructional materials; amending s. 1006.34, F.S.; revising the powers and duties of the State Board of Education in evaluating instructional materials to include collecting fees and adopting rules; conforming provisions to changes made by the act; amending s. 1006.35, F.S.; authorizing the Commissioner of Education to remove materials from the list of approved materials if the materials do not align with applicable state standards; prohibiting a school district from purchasing removed materials under certain circumstances; amending s. 1006.36, F.S.; providing for the state review cycle for instructional materials; amending s.

1006.37, F.S.; authorizing a district school superintendent to requisition approved instructional materials; conforming provisions to changes made by the act; amending s. 1006.38, F.S.; providing for applicability; revising duties of publishers and manufacturers; amending s. 1006.40, F.S.; revising the allocation for instructional materials; amending s. 1001.10, F.S.; revising the duties of the Commissioner of Education with regard to instructional materials, including submission of a report to the Governor, the Legislature, and the State Board of Education; amending s. 1003.55, F.S.; requiring a publisher or manufacturer of instructional materials that have been approved by the Department of Education or a school district to furnish the department with a computer file in an electronic format specified by the department; amending ss. 1003.621 and 1011.62, F.S.; conforming provisions to changes made by the act; providing an effective date.

Senator Montford moved the following amendment which was adopted:

**Senate Amendment 1 (453304) (with title amendment) to House Amendment 1 (336735)**—Delete lines 5-956 and insert:

Section 1. Paragraph (b) of subsection (1) of section 1006.28, Florida Statutes, is amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(1) **DISTRICT SCHOOL BOARD.**—The district school board has the duty to provide adequate instructional materials for all students in accordance with the requirements of this part. The term “adequate instructional materials” means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serve as the basis for instruction for each student in the core courses of mathematics, language arts, social studies, science, reading, and literature. The district school board has the following specific duties:

(b) *Instructional materials.*—Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials and furnish such other instructional materials as may be needed. The district school board shall ensure that instructional materials used in the district are consistent with the district goals and objectives and the *course descriptions established in curriculum frameworks adopted by* rule of the State Board of Education, as well as with the state and district performance standards provided for in s. 1001.03(1).

Section 2. Section 1006.283, Florida Statutes, is created to read:

1006.283 *District school board instructional materials review process.*—

(1) *A school board or consortium of school districts may implement an instructional materials program that includes the review, approval, adoption, and purchase of instructional materials. Beginning in the 2013-2014 school year, the district school superintendent shall certify to the department by March 31 of each year that all instructional materials for core courses used by the district are aligned with applicable state standards. Included in the certification shall be a list of the core instructional materials that will be used or purchased for use by the school district.*

(2) *The school board shall adopt rules implementing the district's instructional materials program which must include, but need not be limited to:*

(a) *Its review and purchase process.*

(b) *Identification of a review cycle for instructional materials.*

(c) *The duties and qualifications of the instructional materials reviewers.*

(d) *The requirements for an affidavit made by a district instructional materials reviewer which substantially includes the requirements of s. 1006.30.*

(e) *Compliance with s. 1006.32, relating to prohibited acts.*

(f) *A process that certifies the accuracy of instructional materials.*

(g) *The incorporation of applicable requirements of s. 1006.31, which relates to the duties of instructional material reviewers.*

(h) *The incorporation of applicable requirements of s. 1006.38, relating to the duties, responsibilities, and requirements of publishers of instructional materials.*

(i) *The process by which instructional materials will be purchased, including advertising, bidding, and purchasing requirements.*

(3)(a) *The school board may assess and collect fees from publishers participating in the instructional materials approval process. The amount assessed and collected must be posted on the school district's website and reported to the department. The fees may not exceed the actual cost of the review process, and the fees may not exceed \$3,500 per submission by a publisher. Any fees collected for this process shall be allocated for the support of the review process and maintained in a separate line item for auditing purposes.*

(b) *The fees shall be used to cover the actual cost of substitute teachers for each workday that a member of a school district's instructional staff is absent from his or her assigned duties for the purpose of rendering service as an instructional materials reviewer. In addition, each reviewer may be paid a stipend and is entitled to reimbursement for travel expenses and per diem in accordance with s. 112.061 for actual service in meetings.*

(4) *Instructional materials that have been reviewed by the district instructional materials reviewers and approved must have been determined to align with all applicable state standards pursuant to s. 1003.41 and the requirements in s. 1006.31. The district school superintendent shall annually certify to the department that all instructional materials for core courses used by the district are aligned with all applicable state standards.*

(5) *A publisher that offers instructional materials to a district school board must provide such materials at a price that, including all costs of electronic transmission, does not exceed the lowest price at which the publisher offers such instructional materials for approval or sale to any state or school district in the United States.*

(6) *A publisher shall reduce automatically the price of the instructional materials to the district school board to the extent that reductions in price are made elsewhere in the United States.*

Section 3. Section 1006.31, Florida Statutes, is amended to read:

1006.31 *Duties of the Department of Education and school district each state instructional materials reviewer.—The duties of the each state instructional materials reviewer are:*

(1) **PROCEDURES.**—To adhere to procedures prescribed by the department or the district for evaluating instructional materials submitted by publishers and manufacturers in each adoption. *This section applies to both the state and district approval processes.*

(2) **EVALUATION OF INSTRUCTIONAL MATERIALS.**—To evaluate carefully all instructional materials submitted, in order to ascertain which instructional materials, if any, submitted for consideration implement the selection criteria developed by the department and those curricular objectives included within applicable performance standards provided for in s. 1001.03(1).

(a) When recommending instructional materials for use in the schools, each reviewer shall include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, and racial diversity of our society, including men and women in professional, career, and executive roles, and the role and contributions of the entrepreneur and labor in the total development of this state and the United States.

(b) When recommending instructional materials for use in the schools, each reviewer shall include only materials that accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances.

(c) When recommending instructional materials for use in the schools, each reviewer shall require such materials as he or she deems necessary and proper to encourage thrift, fire prevention, and humane treatment of people and animals.

(d) When recommending instructional materials for use in the schools, each reviewer shall require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States. A reviewer may not recommend any instructional materials for use in the schools which contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, or occupation.

(e) Any instructional material recommended by each reviewer for use in the schools shall be, to the satisfaction of each reviewer, accurate, objective, and current and suited to the needs and comprehension of students at their respective grade levels. Reviewers shall consider for adoption materials developed for academically talented students such as those enrolled in advanced placement courses.

(3) **REPORT OF REVIEWERS.**—After a thorough study of all data submitted on each instructional material, to submit an electronic report to the department. The report shall be made public and must include responses to each section of the report format prescribed by the department.

Section 4. Subsection (1) of section 1006.37, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

1006.37 **Requisition of instructional materials from publisher's depository.**—

(1) The district school superintendent shall requisition adopted instructional materials from the depository of the publisher with whom a contract has been made. However, the superintendent shall requisition current instructional materials to provide each student with a textbook or other materials as a major tool of instruction in core courses of the subject areas specified in s. 1006.40(2). These materials must be requisitioned within the first 3 ½ years of the adoption cycle, except for instructional materials related to growth of student membership or instructional materials maintenance needs. The superintendent may requisition instructional materials in the core subject areas specified in s. 1006.40(2) that are related to growth of student membership or instructional materials maintenance needs during the 3rd, 4th, 5th, and 6th years of the original contract period.

(3) *A district school board or a consortium of school districts which implements an instructional materials program pursuant to s. 1006.283 is not required to requisition instructional materials from the publisher's depository.*

Section 5. Section 1006.38, Florida Statutes, is amended to read:

1006.38 **Duties, responsibilities, and requirements of instructional materials publishers and manufacturers.**—*This section applies to both the state and district approval processes.* Publishers and manufacturers of instructional materials, or their representatives, shall:

(1) Comply with all provisions of this part.

(2) Electronically deliver fully developed sample copies of all instructional materials upon which bids are based to the department pursuant to procedures adopted by the State Board of Education.

(3) Submit, at a time designated in s. 1006.33, the following information:

(a) Detailed specifications of the physical characteristics of the instructional materials, including any software or technological tools required for use by the district, school, teachers, or students. The publisher or manufacturer shall comply with these specifications if the instructional materials are adopted and purchased in completed form.

(b) Evidence that the publisher or manufacturer has provided materials that address the performance standards provided for in s. 1001.03(1) and that can be accessed through the district's local instructional improvement system and a variety of electronic, digital, and mobile devices.

(c) *Evidence that the instructional materials include specific references to statewide standards in the teacher's manual and incorporate such standards into chapter tests or the assessments.*

(4) Make available for purchase by any district school board any diagnostic, criterion-referenced, or other tests that they may develop.

(5) Furnish the instructional materials offered by them at a price in the state which, including all costs of electronic transmission, may not exceed the lowest price at which they offer such instructional materials for adoption or sale to any state or school district in the United States.

(6) Reduce automatically the price of the instructional materials to any district school board to the extent that reductions are made elsewhere in the United States.

(7) Provide any instructional materials free of charge in the state to the same extent as they are provided free of charge to any state or school district in the United States.

(8) Guarantee that all copies of any instructional materials sold in this state will be at least equal in quality to the copies of such instructional materials that are sold elsewhere in the United States and will be kept revised, free from all errors, and up-to-date as may be required by the department.

(9) Agree that any supplementary material developed at the district or state level does not violate the author's or publisher's copyright, provided such material is developed in accordance with the doctrine of fair use.

(10) Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in instructional materials, nor enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of instructional materials for use in the state.

(11) Maintain or contract with a depository in the state.

(12) For the core subject areas specified in s. 1006.40(2), maintain in the depository for the first 3 2 years of the contract an inventory of instructional materials sufficient to receive and fill orders.

(13) For the core subject areas specified in s. 1006.40(2), ensure the availability of an inventory sufficient to receive and fill orders for instructional materials for growth, including the opening of a new school, and replacement during the 3rd and subsequent years of the original contract period.

(14) Accurately and fully disclose only the names of those persons who actually authored the instructional materials. In addition to the penalties provided in subsection (16), the commissioner may remove from the list of state-adopted instructional materials those instructional materials whose publisher or manufacturer misleads the purchaser by falsely representing genuine authorship.

(15) Grant, without prior written request, for any copyright held by the publisher or its agencies automatic permission to the department or its agencies for the reproduction of instructional materials and supplementary materials in Braille, large print, or other appropriate format for use by visually impaired students or other students with disabilities that would benefit from use of the materials.

(16) Upon the willful failure of the publisher or manufacturer to comply with the requirements of this section, be liable to the department

in the amount of three times the total sum which the publisher or manufacturer was paid in excess of the price required under subsections (5) and (6) and in the amount of three times the total value of the instructional materials and services which the district school board is entitled to receive free of charge under subsection (7).

Section 6. Subsection (2) and paragraph (a) of subsection (3) of section 1006.40, Florida Statutes, are amended to read:

1006.40 Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—

(2) Each district school board must purchase current instructional materials to provide each student with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature for kindergarten through grade 12. Such purchase must be made within the first 3 2 years after the effective date of the adoption cycle. For the 2012-2013 mathematics adoption, a district using a comprehensive mathematics instructional materials program adopted in the 2009-2010 adoption shall be deemed in compliance with this subsection if it provides each student with such additional state-adopted materials as may be necessary to align the previously adopted comprehensive program to common core standards and the other criteria of the 2012-2013 mathematics adoption.

(3)(a) By the 2015-2016 fiscal year, each district school board shall use at least 50 percent of the annual allocation for the purchase of digital or electronic instructional materials *that align with state standards* included on the state-adopted list, except as otherwise authorized in paragraphs (b) and (c). *This section does not apply to a district school board or a consortium of school districts which implements an instructional materials program pursuant to s. 1006.283, except that by the 2015-2016 fiscal year, each district school board shall use at least 50 percent of the annual allocation for the purchase of digital or electronic instructional materials that align with state standards.*

Section 7. Paragraphs (o) and (p) of subsection (6) of section 1001.10, Florida Statutes, are amended to read:

1001.10 Commissioner of Education; general powers and duties.—

(6) Additionally, the commissioner has the following general powers and duties:

(o) To develop criteria for use by *department* ~~state~~ instructional materials reviewers in evaluating materials submitted for adoption consideration. The criteria shall, as appropriate, be based on instructional expectations reflected in *course descriptions curriculum framework* ~~works~~ and student performance standards. The criteria for each subject or course shall be made available to publishers and manufacturers of instructional materials pursuant to the requirements of chapter 1006.

(p) To prescribe procedures for evaluating instructional materials submitted by publishers and manufacturers in each adoption.

Section 8. Paragraph (b) of subsection (6) of section 1011.62, Florida Statutes, is amended to read:

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

(6) CATEGORICAL FUNDS.—

(b) If a district school board finds and declares in a resolution adopted at a regular meeting of the school board that the funds received for any of the following categorical appropriations are urgently needed to maintain school board specified academic classroom instruction, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. Funds for student transportation.
2. Funds for safe schools.

3. Funds for supplemental academic instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (1)(f).

4. Funds for research-based reading instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (9)(a).

5. Funds for instructional materials if all instructional material purchases necessary to provide updated materials *that are aligned with applicable to Next Generation Sunshine state standards and course descriptions benchmarks* and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1. Funds available after March 1 may be used to purchase hardware for student instruction.

And the title is amended as follows:

Delete lines 964-1049 and insert: public education; amending s. 1006.28, F.S.; revising the duties of a district school board with regard to instructional materials; creating s. 1006.283, F.S.; authorizing a district school board or a consortium of school districts to implement an instructional materials program; requiring the district superintendent to certify to the Department of Education that instructional materials for core courses align with applicable state standards; requiring the district school board to adopt rules; authorizing the district school board to assess and collect fees from a publisher that participates in the instructional materials review process; requiring the fee amount to be posted on the school district's website and reported to the department; providing a limit on fees; providing for a stipend, reimbursement for travel expenses, and per diem for reviewers; requiring instructional materials that are approved by the district instructional materials reviewers to be aligned with applicable state standards; requiring each district school superintendent to annually certify that the instructional materials for core courses used by the district align with applicable state standards; providing pricing requirements for instructional materials; amending s. 1006.31, F.S.; revising the procedure for evaluating instructional materials; amending s. 1006.37, F.S.; revising the time period in which the superintendent must requisition instructional materials; providing that a district school board or a consortium of school districts which implements an instructional materials program is not required to requisition instructional materials from the publisher's depository; amending s. 1006.38, F.S.; providing for applicability; revising duties of publishers and manufacturers; amending s. 1006.40, F.S.; revising the allocation for instructional materials; providing for applicability; amending s. 1001.10, F.S.; revising the duties of the Commissioner of Education with regard to instructional materials; amending s. 1011.62, F.S.; conforming provisions to changes made by the act;

On motion by Senator Montford, the Senate concurred in **House Amendment 1 (336735)** as amended and requested the House to concur in **Senate Amendment 1 (453304) to House Amendment 1 (336735)**.

**CS for CS for SB 1388** passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dean	Hays
Abruzzo	Detert	Hukill
Altman	Diaz de la Portilla	Joyner
Bean	Evers	Latvala
Benacquisto	Flores	Lee
Bradley	Galvano	Legg
Brandes	Garcia	Margolis
Braynon	Gardiner	Montford
Bullard	Gibson	Negron
Clemens	Grimsley	Richter

Ring	Smith	Thompson
Sachs	Sobel	Thrasher
Simmons	Soto	
Simpson	Stargel	

Nays—None

## SPECIAL ORDER CALENDAR

On motion by Senator Hays—

**CS for CS for SB 58**—A bill to be entitled An act relating to application of foreign law in certain cases; creating s. 45.022, F.S.; providing intent; defining the term “foreign law, legal code, or system”; clarifying that the public policies expressed in the act apply to violations of a natural person's fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution in certain proceedings or actions brought after the act becomes a law; providing that the act does not apply to a corporation, partnership, or other form of business association, except when necessary to provide effective relief in actions or proceedings under or relating to chapters 61 and 88, F.S.; specifying the public policy of this state in applying the choice of a foreign law, legal code, or system under certain circumstances in proceedings brought under or relating to chapters 61 and 88, F.S., which relate to dissolution of marriage, support, time-sharing, the Uniform Child Custody Jurisdiction and Enforcement Act, and the Uniform Interstate Family Support Act; declaring that certain decisions rendered under such laws, codes, or systems are void; declaring that certain choice of venue or forum provisions in a contract are void; providing for the construction of a waiver by a natural person of the person's fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution; declaring that claims of forum non conveniens or related claims must be denied under certain circumstances; providing that the act may not be construed to require or authorize any court to adjudicate, or prohibit any religious organization from adjudicating, ecclesiastical matters in violation of specified constitutional provisions or to conflict with any federal treaty or other international agreement to which the United States is a party to a specified extent; providing for severability; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was read the second time by title.

Amendments were considered and failed to conform **CS for CS for SB 58 to CS for HB 351**

Pending further consideration of **CS for CS for SB 58**, on motion by Senator Hays, by two-thirds vote **CS for HB 351** was withdrawn from the Committees on Judiciary; Governmental Oversight and Accountability; Children, Families, and Elder Affairs; and Rules.

On motion by Senator Hays—

**CS for HB 351**—A bill to be entitled An act relating to application of foreign law in certain cases; creating s. 45.022, F.S.; providing intent; defining the term “foreign law, legal code, or system”; clarifying that the public policies expressed in the act apply to violations of a natural person's fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution in certain proceedings or actions brought after the act becomes a law; providing that the act does not apply to a corporation, partnership, or other form of business association, except when necessary to provide effective relief in actions or proceedings under or relating to chapters 61 and 88, F.S.; specifying the public policy of this state in applying the choice of a foreign law, legal code, or system under certain circumstances in proceedings brought under or relating to chapters 61 and 88, F.S., which relate to dissolution of marriage, support, time-sharing, the Uniform Child Custody Jurisdiction and Enforcement Act, and the Uniform Interstate Family Support Act; declaring that certain decisions rendered under such laws, codes, or systems are void; declaring that certain choice of venue or forum provisions in a contract are void; providing for the con-



struction of a waiver by a natural person of the person's fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution; declaring that claims of forum non conveniens or related claims must be denied under certain circumstances; providing that the act may not be construed to require or authorize any court to adjudicate, or prohibit any religious organization from adjudicating, ecclesiastical matters in violation of specified constitutional provisions or to conflict with any federal treaty or other international agreement to which the United States is a party to a specified extent; providing for severability; providing a directive to the Division of Law Revision and Information; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 58**. Senator Hays moved that **CS for HB 351** be read the second time by title. The President announced that the motion failed to receive the required two-thirds vote.

The vote was:

Yeas—25

Mr. President	Flores	Legg
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Stargel
Dean	Hukill	Thrasher
Diaz de la Portilla	Latvala	
Evers	Lee	

Nays—14

Abruzzo	Joyner	Smith
Braynon	Margolis	Sobel
Bullard	Montford	Soto
Clemens	Ring	Thompson
Gibson	Sachs	

At the direction of the President, **CS for HB 351** was placed on the Calendar of Bills on Second reading.

**CS for SB 632**—A bill to be entitled An act relating to specialty license plates; amending s. 320.08056, F.S.; revising the annual use fee for the Florida Wildflower license plate; amending s. 320.08058, F.S.; revising provisions for distribution and use of fees collected from the sale of certain specialty license plates; providing an effective date.

—was read the second time by title.

Pending further consideration of **CS for SB 632**, on motion by Senator Soto, by two-thirds vote **HB 265** was withdrawn from the Committees on Transportation; Rules; and Appropriations Subcommittee on Transportation, Tourism, and Economic Development.

On motion by Senator Soto—

**HB 265**—A bill to be entitled An act relating to the Florida Wildflower license plate; amending s. 320.08056, F.S.; revising the annual use fee for the Florida Wildflower license plate; amending s. 320.08058, F.S.; revising the amount of proceeds from the sale of the plate that may be used to pay certain costs; providing an effective date.

—a companion measure, was substituted for **CS for SB 632** and read the second time by title.

Pursuant to Rule 4.19, **HB 265** was placed on the calendar of Bills on Third Reading.

## REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Don Gaetz  
President, The Florida Senate

May 2, 2013

Dear President Gaetz:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

	<i>For Term</i>	<i>Ending</i>
<i>Office and Appointment</i>		
Florida Building Commission		
Appointee: Dean, Nanette		04/05/2017
Commission on Ethics		
Appointees: Carlucci, Matthew F., Sr.		06/30/2014
Ford, Ivan Martin		06/30/2013
Maurer, Susan Horovitz		06/30/2013
Robison, Linda M.		06/30/2013
Weston, Stanley M.		06/30/2013

Board of Trustees, University of South Florida		
Appointee: Levy, Stanley I.		01/06/2018

Board of Trustees, University of West Florida		
Appointee: Lewis, Suzanne		01/06/2018

The following executive appointments were referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

	<i>For Term</i>	<i>Ending</i>
<i>Office and Appointment</i>		
State Board of Education		
Appointee: Chartrand, Gary		12/31/2014
Board of Governors of the State University System		
Appointee: Carter, Matthew M. II		01/06/2019
Board of Trustees, University of South Florida		
Appointees: Mitchell, Stephen J.		01/06/2016
Ramil, John B.		01/06/2016
Sembler, Debbie Nye		01/06/2016
Board of Trustees, University of West Florida		
Appointees: Cleveland, David E.		01/06/2016
Dana, Pamela J.		01/06/2016
Patel, Jayprakash S.		01/06/2016
Walton, Garrett W.		01/06/2016

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

	<i>For Term</i>	<i>Ending</i>
<i>Office and Appointment</i>		
Fish and Wildlife Conservation Commission		
Appointee: Rivard, Adrien A. III		08/01/2017
Governing Board of the Northwest Florida Water Management District		
Appointees: Alter, John W.		03/01/2015
Andrews, Angus "Gus" G., Jr.		03/01/2015
Costello, Jonathan M.		03/01/2016
Patronis, Nicholas "Nick" J.		03/01/2015
Spring, Samuel R.		03/01/2016

Executive Director of Northwest Florida Water Management District		
Appointee: Steverson, Jonathan Paul		Pleasure of the Board

*Office and Appointment*

*For Term* Nays—None  
*Ending*

Vote after roll call:

Yea—Montford

Governing Board of the St. Johns River Water Management District

Appointees:	Bournique, Douglas C.	03/01/2016
	Daniels, Lowry "Lad" A.	03/01/2015
	Drake, Charles W.	03/01/2015
	Robbins, George W. III	03/01/2016

Executive Director of St. Johns River Water Management District

Appointee:	Tanzler, Hans G. III	Pleasure of the Board
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Governing Board of the South Florida Water Management District

Appointees:	Batchelor-Robjohns, Anne "Sandy"	03/01/2016
	Moran, James J.	03/01/2015
	O'Keefe, Daniel T.	03/01/2016
	Portuondo, Juan M.	03/01/2015
	Sargent, Timothy W., Jr.	03/01/2014
	Waldman, Glenn J.	03/01/2014

Executive Director of South Florida Water Management District

Appointee:	Meeker, Melissa L.	Pleasure of the Board
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As required by Rule 12.7, the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:

(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointments be taken prior to the adjournment of the 2013 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,  
*Jack Latvala*, Chairman

On motion by Senator Latvala, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee:

The vote was:

Yeas—38

Mr. President	Evers	Margolis
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gardiner	Simmons
Bradley	Gibson	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Sobel
Bullard	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Lee	Thrasher
Diaz de la Portilla	Legg	

## MOTIONS

On motion by Senator Thrasher, by two-thirds vote, all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Friday, May 3.

On motion by Senator Thrasher, the rules were waived and a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Friday, May 3.

## REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader, and Minority Leader submit the following bills to be placed on the Special Order Calendar for Thursday, May 2, 2013: CS for SB 1682, CS for CS for SB 1666, SB 1322, CS for SB 1216, CS for SB 814, CS for SB 696, CS for SB 632, CS for CS for SB 58, CS for CS for SB 1684, CS for CS for SB 1482, CS for CS for CS for SB 84, CS for SB 550.

Respectfully submitted,  
*John Thrasher*, Rules Chair  
*Lizbeth Benacquisto*, Majority Leader  
*Christopher L. Smith*, Minority Leader

## MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State **CS for SB 2** which he approved on May 1, 2013.

### VETO OF CS FOR CS FOR SB 718

The Honorable Don Gaetz  
President of the Florida Senate

May 1, 2013

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby veto and transmit my objections to Committee Substitute for Committee Substitute for Senate Bill 718, enacted during the 115th Session of the Legislature of Florida during the Regular Session of 2013 and entitled:

An act relating to family law . . .

Senator Stargel and Representative Workman are to be commended for their efforts in proposing changes to Florida alimony law. I appreciate Representative Workman reaching out to me to express his support of CS for CS for SB 718 and how he believes it will benefit Florida families. CS for CS for SB 718 seeks to modernize Florida's alimony system by leveling the playing field in divorce proceedings, and there are several forward looking elements of this bill. Alimony has long been a key component of our domestic relations law. It represents an important remedy for our judiciary to use in providing support to families as they adjust to changes in life circumstances.

Because the subject matter of this bill involves family relationships, numerous Floridians have forcefully expressed their views on the topic. Many Florida families have been impacted by the difficulties of marital issues, both concerning children and starting over. As a husband, father and grandfather, I understand the vital importance of family. In weighing the issues associated with this bill, however, I have concluded that I cannot support this legislation because it applies retroactively and thus tampers with the settled economic expectations of many Floridians who have experienced divorce.

The retroactive adjustment of alimony could result in unfair, unanticipated results. Current Florida law already provides for the adjustment of alimony under the proper circumstances. The law also ensures that spouses who have sacrificed their careers to raise a family do not suffer financial catastrophe upon divorce, and that the lower earning spouse and stay-at-home parent will not be financially punished. Flor-

idians have relied on this system post-divorce and planned their lives accordingly.

For the reasons stated above, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 718, and do hereby veto same.

Sincerely,  
Rick Scott, Governor

#### EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Acupuncture	
Appointee: Teisinger, Mary Katherine, Lake Alfred	10/31/2016
Florida Commission on Community Service	
Appointee: Barber, Chucha S., Tallahassee	09/14/2015
Board of Trustees of Miami-Dade College	
Appointee: Leon, Benjamin III, Coral Gables	05/31/2014
Education Practices Commission	
Appointee: Williamson, Troy, Confidential pursuant to s. 119.071(4), F.S.	08/18/2016
Florida Inland Navigation District	
Appointees: Blow, John Carl, St. Augustine	01/09/2017
McCabe, Susanne D., Port Orange	01/09/2017
Williams, Lynn, Fernandina Beach	01/09/2017
Board of Occupational Therapy Practice	
Appointees: McKenzie, Tammy R., Crawfordville	10/31/2016
Roeck-Simmons, Heidi, Tallahassee	10/31/2015
Watson, Carol Marie, Bunnell	10/31/2015
Tampa Bay Regional Planning Council, Region 8	
Appointee: Kinsler, Angeleah C., Lutz	10/01/2015
Governing Board of the Northwest Florida Water Management District	
Appointee: Clark, Gary F., Chipley	03/01/2017
Governing Board of the Suwannee River Water Management District	
Appointee: Sanchez, Virginia Marsh, Old Town	03/01/2017

**Referred to the Committee on Ethics and Elections.**

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has receded from House Amendment 1 and passed CS for SB 354.

Robert L. "Bob" Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1, 2, 3, 4, and 5 and passed CS for CS for HB 7009 as amended; concurred in Senate Amendment 1 and passed CS for HB 77 as amended; concurred in Senate Amendment 1 and passed CS for CS for HB 247 as amended; concurred in Senate Amendment 1 and passed CS for CS for HB 269 as amended; concurred in Senate Amendment 1 and passed CS for CS for HB 537 as amended; concurred in Senate Amendment 1 and passed CS for CS for HB 579 as amended; concurred in Senate Amendment 1 and passed CS for CS for HB 691 as amended; concurred in Senate Amendment 1 and passed CS for HB 969 as amended; concurred in Senate Amendment 1 and passed CS for CS for HB 7007 as amended; and concurred in Senate Amendment 1 and passed HB 7035 as amended.

Robert L. "Bob" Ward, Clerk

### CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 1 was corrected and approved.

### CO-INTRODUCERS

Senators Bean—CS for SB 1630; Clemens—CS for SB 964; Ring—SM 912

### ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 4:40 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Friday, May 3 or upon call of the President.



# Journal of the Senate

Number 23—Regular Session

Friday, May 3, 2013

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## CALL TO ORDER

The Senate was called to order by President Gaetz at 10:00 a.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

## PRAYER

The following prayer was offered by Pastor Greg Johnson, Generations Christian Church, Trinity:

Heavenly Father, before this Senate session begins, it is fitting to pause for a moment and recognize your divine presence and power and our need for your guidance for our great State of Florida. You are the Holy One, the Beginning, and the End, and we praise and thank you for our nation, for our state, and for the freedom to pursue life, liberty, and happiness.

I want to thank you for each of our Senators. They spend much of their time away from home, away from family, in sessions, and on the road, and I am thankful for them, for their service to our country and to our state. I also pray for your protection and your blessing on their families. Now as this session draws to a close today, they have worked hard and accomplished much, so Lord, bless and refresh the Senators and their staff during this well deserved break.

God, we understand that power is temporary and leadership is sacred. Temporary, because each person serving in this Senate has a season of life, a period of time to lead. Sacred, because the decisions made in this room affect over 19 million people here in the State of Florida. Father,

may this distinguished body of leaders look to you for wisdom and insight so that all that is good, all that is just, all that is honorable, all that is merciful, and all that is righteous be reflected in the decisions made in this room.

The world we live in is complex, interdependent, and at times, even dangerous. As a company stands or falls based on leadership, so too, a nation stands or falls based on leadership; and so, O God, by your spirit of counsel, by your power of protection, lead our Senate, our House of Representatives, and our Governor, for their work is important and leading our state into the future is not an easy task.

Lord, I offer you this prayer in the only way I know how to pray, in Jesus name. Amen.

## PLEDGE

Senate Pages Adrian Hill of Tallahassee and Mandi Blankenship of New Port Richey; also, Tuskegee Airman Cornelius Davis, of Blountstown, an American hero and a great Floridian, led the Senate in the pledge of allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. Neal P. Dunn of Panama City, sponsored by President Gaetz, as doctor of the day. Dr. Dunn specializes in Urology.

## ADOPTION OF RESOLUTIONS

On motion by Senator Montford—

By Senators Montford, Gaetz, Abruzzo, Altman, Bean, Benacquisto, Bradley, Brandes, Braynon, Bullard, Clemens, Dean, Detert, Diaz de la Portilla, Evers, Flores, Galvano, Garcia, Gardiner, Gibson, Grimsley, Hays, Hukill, Joyner, Latvala, Lee, Legg, Margolis, Negron, Richter, Ring, Sachs, Simmons, Simpson, Smith, Sobel, Soto, Stargel, Thompson, and Thrasher—

**SR 1926**—A resolution recognizing Tuskegee Airman Cornelius Davis, an American hero and a great Floridian.

WHEREAS, Cornelius Davis, the youngest child of James and Annie Davis, was born March 12, 1921, in Blountstown, and

WHEREAS, Cornelius attended grade school and middle school in Blountstown and graduated from Booker T. Washington High School in Pensacola, and

WHEREAS, in 1941, Cornelius moved to Detroit, Michigan, and shortly thereafter began working for Ford Motor Company, joining United Auto Workers Local 600, and

WHEREAS, Cornelius received military leave from Ford Motor Company to join the Army Air Corps and, in October 1942, began basic training, first in Fort Custer, Michigan and, then, in Tuskegee, Alabama, followed by training as an airman at Buckley Field, Colorado, and

WHEREAS, Cornelius earned his place as a proud member of the Tuskegee Airmen, the first African-American military aviators in the United States Armed Forces, and

WHEREAS, before the Tuskegee Airmen, no African American had become a United States military pilot, and

WHEREAS, the Tuskegee Airmen were subject to racial discrimination, both within and outside the army, and

WHEREAS, despite the discrimination and adversity they experienced, the Tuskegee Airmen trained and flew with great distinction on behalf of the United States, flying more than 15,000 combat sorties, destroying 261 enemy aircraft, and receiving more than 900 medals, and

WHEREAS, Cornelius was stationed with the 301st Fighter squadron in the 332nd Expedition Operations group in Michigan, the 553rd fighter squadron in South Carolina, and the 99th Flying Training squadron in the 477th Fighter group, and

WHEREAS, while on his way to participate in the invasion of Japan, Cornelius learned that World War II was finally over, and

WHEREAS, Cornelius left the service from Madison Field, Ohio, and went on to live a full and honorable life, and

WHEREAS, Cornelius Davis has earned his place as a part of Florida's and America's history, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we recognize one of Florida's great treasures, Cornelius Davis, and honor him for his service to our nation.

—was introduced out of order and read by title. On motion by Senator Montford, **SR 1926** was read the second time in full and adopted.

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At the request of Senator Simmons—

By Senator Simmons—

**SR 1920**—A resolution supporting the efforts of the Irish people to arrive at a peaceful solution on the question of reunification.

WHEREAS, Ireland and its people are an ancient and distinct nation, and

WHEREAS, Ireland is an island nation that is composed of 32 counties that in the 1920s was artificially divided into a 26-county region, the Irish Republic, and a 6-county unit, Northern Ireland, and

WHEREAS, this division of the Irish nation was designed to be transitory, and

WHEREAS, history has demonstrated that the Irish people have the right and responsibility to govern themselves, and

WHEREAS, human and civic rights derive their just powers from the consent of the governed and are best guaranteed by a freely instituted, duly elected, and independent government, and

WHEREAS, the Irish Republic is a member of the European Economic Union, and a unified, independent Irish economy is the most effective way for that economy to grow and the most fair and impartial path to extend the benefits of such growth to all Ireland, and

WHEREAS, a unified independent Irish society is most likely to provide for the social and practical needs of its people, and

WHEREAS, the historic Good Friday Agreement, negotiated with American support and ratified by the British and Irish governments, as well as by vote of the electorate of the entire island of Ireland, includes provisions for achieving a united Ireland through purely democratic and peaceful means, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we support the efforts of the Irish people to arrive at a peaceful solution to the question of reunification.

—**SR 1920** was introduced, read and adopted by publication.

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At the request of Senator Clemens—

By Senator Clemens—

**SR 1922**—A resolution recognizing May 3, 2013, as “Lake Worth Centennial Day” in Florida.

WHEREAS, the City of Lake Worth saw its first settlers, Samuel and Fannie James, a couple and former , arrive on the shores of the in 1883, and the couple made a claim for their land under the in 1883 and received a receipt for their claim on February 1, 1887, and

WHEREAS, the municipality that took its name from the Lake Worth Lagoon was incorporated as the “Town of Lake Worth” in June 1913, and

WHEREAS, the first wooden automobile traffic bridge over Lake Worth was completed in 1919, and the first casino and municipal beach complex was completed shortly thereafter, and

WHEREAS, the 1920s also saw the completion of the , now on the ; the Oakley Theatre, which opened on the site of the current Lake Worth Playhouse; the Lake Worth Casino; a saltwater swimming pool; and the Lake Worth Golf Course, and

WHEREAS, in the 1930s, President 's built a striking, Moorish-style city gymnasium on the corner of Lake Avenue and Dixie Highway, which today serves as , and

WHEREAS, in 1954 the Lake Worth Pier, one of the longest municipal piers on Florida's Atlantic coast, was opened to the public, while the Tom G. Smith Municipal Power Plant began operations in 1961, and

WHEREAS, the City of Lake Worth is today one of the most culturally diverse municipalities in this state, boasting residents from every walk of life and more than 50 different nationalities, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we recognize May 3, 2013, as “Lake Worth Centennial Day” in Florida.

—**SR 1922** was introduced, read and adopted by publication.

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At the request of Senator Bradley—

By Senator Bradley—

**SR 1924**—A resolution commending the University of Florida women's gymnastics team for winning its first National Collegiate Athletic Association women's gymnastics title, as well as the Southeastern Conference and NCAA Regional championships for 2013.

WHEREAS, the University of Florida (UF) has a long and storied tradition of athletic excellence, and

WHEREAS, on April 20, 2013, in Los Angeles, UF's women's gymnastics team won the university's 30th national title, and

WHEREAS, the gymnastics team swept the team titles in each of the three championship meets it competed in during the 2013 season: the Southeastern Conference, the NCAA Regional, and the NCAA Championships, and

WHEREAS, UF is the fifth team to claim the NCAA Women's Gymnastics Championship, joining Alabama, UCLA, Georgia, and Utah, since the NCAA began fielding women's championships in the 1981-1982 season, and

WHEREAS, the Gators entered the NCAA Championships as the top-seeded, top-ranked team in seven of the final nine national rankings of the 2013 season, and

WHEREAS, the Gators rallied from counting a fall in their opening rotation—the balance beam—and on the team's next event, floor exercise, the Gators turned in an NCAA Championship record event total of 49.725 points, and

WHEREAS, on the final day of the NCAA Championships, two Gators picked up event titles, and

WHEREAS, six Gators picked up 16 All-America honors, equaling the school record set in 2012, and

WHEREAS, UF has appeared in 31 of the possible 32 NCAA Gymnastics Championships, and

WHEREAS, of the nation's top eight team totals of 2013, five were turned in by the Gators in their last nine meets, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we commend the University of Florida women's gymnastics team for winning its first National Collegiate Athletic Association women's gymnastics title as well as the Southeastern Conference and NCAA Regional championships for 2013.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to UF President Dr. J. Bernard Machen as a tangible token of the sentiments expressed in this resolution.

—SR 1924 was introduced, read and adopted by publication.

### SPECIAL GUESTS

Senator Braynon introduced his wife, Melissa Braynon, who was present in the gallery.

### BILLS ON THIRD READING

Consideration of **CS for CS for HB 617, CS for SB 1350, CS for SB 808, CS for CS for HB 7127, CS for HB 1067, and CS for HB 7165** was deferred.

**CS for CS for HB 87**—A bill to be entitled An act relating to mortgage foreclosures; amending s. 95.11, F.S.; revising the limitations period for commencing an action to enforce a claim of a deficiency judgment after a foreclosure action; providing for applicability to actions commenced on or after a specified date; providing a time limitation for commencing certain actions; creating s. 702.015, F.S.; providing legislative intent; specifying required contents of a complaint seeking to foreclose on certain types of residential properties with respect to the authority of the plaintiff to foreclose on the note and the location of the note; authorizing sanctions against plaintiffs who fail to comply with complaint requirements; providing for nonapplicability to proceedings involving timeshare interests; creating s. 702.036, F.S.; requiring a court to treat a collateral attack on a final judgment of foreclosure on a mortgage as a claim for monetary damages under certain circumstances; prohibiting such court from granting certain relief affecting title to the foreclosed property; providing for construction relating to the rights of certain persons to seek specified types of relief or pursue claims against the foreclosed property under certain circumstances; amending s. 702.06, F.S.; limiting the amount of a deficiency judgment; amending s. 702.10, F.S.; revising the class of persons authorized to move for expedited foreclosure to include lienholders; defining the term "lienholder"; providing requirements and procedures with respect to an order directed to defendants to show cause why a final judgment of foreclosure should not be entered; providing that certain failures by a defendant to make certain filings or to make certain appearances may have specified legal consequences; requiring the court to enter a final judgment of foreclosure and order a foreclosure sale under certain circumstances; revising a restriction on a mortgagee to request a court to order a mortgagor defendant to make payments or to vacate the premises during an action to foreclose on residential real estate to provide that the restriction applies to all but owner-occupied residential property; providing a presumption regarding owner-occupied residential property; creating s. 702.11, F.S.; providing requirements for reasonable means of providing adequate protection under s. 673.3091, F.S., in mortgage foreclosures of certain residential properties; providing for liability of persons who wrongly claim to be holders of or entitled to enforce a lost, stolen, or destroyed note and cause the mortgage secured thereby to be foreclosed in certain circumstances; providing legislative findings; providing for applicability; requesting the Florida Supreme Court to adopt rules and forms to expedite foreclosure proceedings; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, **CS for CS for HB 87** was passed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Galvano	Legg
Altman	Garcia	Margolis
Benacquisto	Gardiner	Negron
Bradley	Gibson	Richter
Dean	Grimsley	Simmons
Detert	Hays	Simpson
Diaz de la Portilla	Hukill	Stargel
Evers	Latvala	Thrasher
Flores	Lee	

Nays—13

Abruzzo	Clemens	Sobel
Bean	Joyner	Soto
Brandes	Ring	Thompson
Braynon	Sachs	
Bullard	Smith	

Vote after roll call:

Nay—Montford

### INTRODUCTION OF FORMER SENATORS

The President recognized former Senator Carey Baker who was present in the chamber.

Consideration of **CS for CS for HB 411** was deferred.

**CS for HB 783**—A bill to be entitled An act relating to branch offices conducting securities transactions; amending s. 517.12, F.S.; providing for a branch office notice filing with the Office of Financial Regulation in lieu of registration; creating s. 517.1202, F.S.; prohibiting a securities dealer or investment advisor from conducting business from a branch office unless a specified notice has been filed with the office; providing requirements and procedures with respect to notice filing for branch offices; authorizing the Financial Services Commission to adopt rules relating to such notice filings; providing a fee for a branch office notice filing; providing for expiration, renewal, suspension, revocation, and termination of branch office notice filings under specified circumstances; providing applicability and construction with respect to fees collected for branch office notice filings; amending ss. 517.1205, 517.121, 517.161, 517.1611, and 517.211, F.S.; conforming provisions to changes made by the act with respect to requiring branch office notice filings with the Office of Financial Regulation in lieu of registration; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for HB 783** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Montford

**CS for HB 7025**—A bill to be entitled An act relating to timeshares; amending s. 718.112, F.S.; specifying that certain provisions relating to condominium board elections do not apply to timeshare condominiums; amending s. 721.05, F.S.; revising and providing definitions related to the Florida Vacation Plan and Timesharing Act; amending s. 721.07, F.S.; revising formula requirements for calculating reserves for accommodations and facilities of real property timeshare plans; amending s. 721.15, F.S.; requiring the successor in interest to be listed as the owner of the timeshare interest under certain conditions; requiring an estoppel letter in certain timeshare resale transfer transactions; amending s. 721.17, F.S.; prohibiting certain activities related to offering timeshare interest transfer services; requiring resale transfer agreements to contain specified information; requiring the establishment of an escrow account for certain purposes; providing requirements and duties of the escrow agent; providing penalties; providing for applicability; amending s. 721.82, F.S.; revising definitions applicable to the Timeshare Lien Foreclosure Act; amending s. 721.84, F.S.; making an editorial change; amending s. 721.855, F.S.; revising procedure for the trustee foreclosure of assessment liens; revising conditions under which a trustee may sell a foreclosed encumbered timeshare interest; revising and providing notice requirements; providing for perfection of notice; providing requirements for a notice of lis pendens; providing sale requirements; providing exceptions for actions for failure to follow the trustee foreclosure procedure; amending s. 721.856, F.S.; revising procedure for the trustee foreclosure of mortgage liens; revising conditions under which a trustee may sell a foreclosed encumbered timeshare interest; revising and providing notice requirements; providing for perfection of notice; providing requirements for a notice of lis pendens; providing sale requirements; providing exceptions for actions for failure to follow the trustee foreclosure procedure; providing an effective date.

—was read the third time by title.

On motion by Senator Stargel, **CS for HB 7025** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Evers	Negron
Abruzzo	Flores	Richter
Altman	Galvano	Ring
Bean	Garcia	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Legg	Thompson
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	

Nays—1

Lee

**HB 265**—A bill to be entitled An act relating to the Florida Wildflower license plate; amending s. 320.08056, F.S.; revising the annual use fee for the Florida Wildflower license plate; amending s. 320.08058, F.S.; revising the amount of proceeds from the sale of the plate that may be used to pay certain costs; providing an effective date.

—was read the third time by title.

On motion by Senator Soto, **HB 265** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Abruzzo	Altman
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Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	
Galvano	Negron	

Nays—None

Consideration of **CS for CS for CS for HB 999** was deferred.

**CS for CS for HB 1159**—A bill to be entitled An act relating to health care facilities; amending s. 395.003, F.S.; authorizing certain specialty-licensed children's hospitals to provide obstetrical services under certain circumstances; amending s. 408.036, F.S.; providing for expedited review of certificate-of-need for licensed skilled nursing facilities in qualifying retirement communities; providing criteria for expedited review for licensed skilled nursing homes in qualifying retirement communities; limiting the number of beds per retirement community that can be added through expedited review; providing for severability; providing an effective date.

—as amended May 2 was read the third time by title.

On motion by Senator Hays, **CS for CS for HB 1159** as amended was passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Flores	Montford
Altman	Galvano	Negron
Bean	Gibson	Ring
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thrasher
Evers	Margolis	

Nays—6

Abruzzo	Clemens	Sachs
Bullard	Garcia	Thompson

Vote after roll call:

Yea—Richter

Yea to Nay—Joyner

**CS for CS for HB 85**—A bill to be entitled An act relating to public-private partnerships; amending s. 255.60, F.S.; authorizing certain public entities to contract for public service works with not-for-profit organizations; revising eligibility and contract requirements for not-for-profit organizations contracting with certain public entities; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or improvement by private entities of facilities used predominantly for a public purpose; creating a task force to establish specified guidelines; providing procurement procedures; providing requirements for project approval; providing project qualifications and process; providing for notice to affected local jurisdictions; providing for interim and comprehensive agreements between a public and a private entity; providing for use fees; providing for financing



sources for certain projects by a private entity; providing powers and duties of private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; creating s. 336.71, F.S.; authorizing counties to enter into public-private partnership agreements to construct, extend, or improve county roads; providing requirements and limitations for such agreements; providing procurement procedures; requiring a fee for certain proposals; amending s. 348.754, F.S.; revising the limit on terms for leases that the Orlando-Orange County Expressway Authority may enter; amending s. 1010.62, F.S.; adding public-private partnership agreements to the definition of the term university "debt"; revising sources that may be used to secure or pay revenue bonds; authorizing revenues from royalties and licensing and auxiliary enterprise revenues to be used to secure debt for academic, educational, and research facilities that are part of a multipurpose project; authorizing academic and educational activities to be bonded without legislative approval of the specific project; providing an effective date.

—as amended May 2 was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for CS for HB 85** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Evers	Richter
Abruzzo	Flores	Ring
Altman	Galvano	Sachs
Bean	Gardiner	Simmons
Benacquisto	Gibson	Simpson
Bradley	Grimsley	Smith
Brandes	Hays	Sobel
Braynon	Hukill	Soto
Bullard	Lee	Stargel
Clemens	Legg	Thompson
Dean	Margolis	Thrasher
Detert	Montford	
Diaz de la Portilla	Negron	

Nays—None

Vote after roll call:

Yea—Garcia

**CS for CS for HB 457**—A bill to be entitled An act relating to the collection of worthless payment instruments; amending s. 68.065, F.S.; defining the term "payment instrument"; applying certain provisions relating to civil actions brought to collect dishonored checks, drafts, and orders of payment to specified types of payment instruments to permit the award of triple damages, court costs, and reasonable attorney fees, the imposition of service charges, and requirements for written demands for payment that must be delivered before commencement of collection actions; authorizing the payee of a dishonored payment instrument to recover bank fees and a service charge without filing a civil action; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **CS for CS for HB 457** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Garcia
Abruzzo	Clemens	Gardiner
Altman	Dean	Gibson
Bean	Detert	Grimsley
Benacquisto	Diaz de la Portilla	Hays
Bradley	Evers	Hukill
Brandes	Flores	Joyner
Braynon	Galvano	Latvala

Lee	Ring	Soto
Legg	Sachs	Stargel
Margolis	Simmons	Thompson
Montford	Simpson	Thrasher
Negron	Smith	
Richter	Sobel	

Nays—None

By direction of the President the following Conference Committee Report was read:

#### CONFERENCE COMMITTEE REPORT ON CS for CS for SB 1660

The Honorable Don Gaetz  
President of the Senate

May 1, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for CS for SB 1660, same being:

An act relating to Quality Cancer Care and Research.

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

1. That the House of Representatives recede from its Amendment 1 (677843).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

<i>s/ Joe Negron,</i>	<i>s/ Lizbeth Benacquisto,</i>
<i>Chair</i>	<i>Vice Chair</i>
<i>s/ Joseph Abruzzo</i>	<i>s/ Thad Altman</i>
<i>s/ Aaron Bean</i>	<i>s/ Rob Bradley</i>
<i>s/ Jeff Brandes</i>	<i>s/ Oscar Braynon II</i>
<i>s/ Dwight Bullard</i>	<i>s/ Jeff Clemens</i>
<i>s/ Charles S. "Charlie" Dean, Sr.</i>	<i>s/ Nancy C. Detert</i>
<i>s/ Miguel Diaz de la Portilla</i>	<i>s/ Greg Evers</i>
<i>s/ Anitere Flores</i>	<i>s/ Bill Galvano</i>
<i>s/ Rene Garcia</i>	<i>s/ Andy Gardiner</i>
<i>s/ Audrey Gibson</i>	<i>s/ Denise Grimsley</i>
<i>s/ Alan Hays</i>	<i>s/ Dorothy L. Hukill</i>
<i>s/ Arthenia L. Joyner</i>	<i>s/ Jack Latvala</i>
<i>s/ Tom Lee</i>	<i>s/ John Legg</i>
<i>s/ Gwen Margolis</i>	<i>s/ Bill Montford</i>
<i>s/ Garrett Richter, At Large</i>	<i>s/ Jeremy Ring</i>
<i>s/ Maria Lorts Sachs</i>	<i>s/ David Simmons</i>
<i>s/ Wilton Simpson</i>	<i>s/ Christopher L. Smith, At Large</i>
<i>s/ Eleanor Sobel</i>	<i>s/ Darren Soto</i>
<i>s/ Kelli Stargel</i>	<i>s/ Geraldine F. "Geri" Thompson</i>
<i>s/ John Thrasher, At Large</i>	

Managers on the part of the Senate

<i>s/ Seth McKeel,</i>	<i>s/ Steve Crisafulli,</i>
<i>Committee Chair</i>	<i>Committee Vice Chair</i>
<i>s/ Matt Hudson,</i>	<i>s/ Jason T. Brodeur</i>
<i>Chair</i>	<i>s/ Marti Coley, At Large</i>
<i>Janet Cruz</i>	<i>s/ Travis Cummings</i>
<i>s/ Jose Felix Diaz</i>	<i>Joseph A. "Joe" Gibbons, At Large</i>
<i>s/ Eddy Gonzalez, At Large</i>	<i>s/ Doug Holder, At Large</i>
<i>Mia L. Jones, At Large</i>	<i>s/ Jose R. Oliva</i>
<i>s/ H. Marlene O'Toole, At Large</i>	<i>s/ Jimmy Patronis</i>
<i>s/ Stephen L. Precourt, At Large</i>	<i>David Richardson</i>
<i>s/ Darryl Ervin Rouson, At Large</i>	<i>s/ Robert C. "Rob" Schenck,</i>
<i>Perry E. Thurston, Jr.,</i>	<i>At Large</i>
<i>At Large</i>	<i>James W. "Jim" Waldman,</i>
<i>s/ John Wood</i>	<i>At Large</i>
<i>s/ Ritch Workman, At Large</i>	<i>s/ Dana D. Young, At Large</i>

Managers on the part of the House

The Conference Committee Amendment for CS for CS for SB 1660, relating to quality cancer care and research, provides for the following:

- Creates the Cancer Center of Excellence Award to recognize hospitals, treatment centers, and other providers in Florida that demonstrate excellence in patient-centered coordinated care for persons undergoing cancer treatment and therapy.
- Requires the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to form a joint committee that will develop rigorous performance measures, a rating system, and a rating standard that must be achieved to document and distinguish a cancer center that excels in providing quality, comprehensive, and patient-centered coordinated care.
- Requires the Dept. of Health to annually conduct two application cycles for the award. Requires the State Surgeon General to appoint a team of independent evaluators to assess applicants to determine eligibility for the award.
- Requires the State Surgeon General to notify the Governor regarding the providers that are eligible to receive the Cancer Center of Excellence Award. The award shall be recognized for a period of three years after the date of the award.
- Requires an entity that performs or is associated with cancer research or care that receives a specific appropriation must submit an annual fiscal-year progress report to the President of the Senate and the Speaker of the House of Representatives by December 15.
- Requires the Dept. of Health – in order to attract and retain experienced research talent and national grant-producing researchers to integrated cancer research and care institutions in Florida – to award endowments to integrated cancer research and care institutions for establishing a funded research chair, pursuant to the GAA specifying an appropriation for this purpose.
- The purpose of the endowment is to provide secure funding for at least seven years to attract an experienced and promising researcher who specializes in cancer-related research and whose continued employment for this period is not contingent upon grant awards associated with time-limited research projects.

**Conference Committee Amendment (443278)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 381.925, Florida Statutes, is created to read:

**381.925 Cancer Center of Excellence Award.**—

(1) *The Legislature intends to recognize hospitals, treatment centers, and other providers in this state which demonstrate excellence in patient-centered coordinated care for persons undergoing cancer treatment and therapy in this state. The goal of this program is to encourage excellence in cancer care in this state, attract and retain the best cancer care providers to the state, and help Florida providers be recognized nationally as a preferred destination for quality cancer care. The Cancer Center of Excellence Award will recognize providers that exceed service standards and excel in providing quality, comprehensive, and patient-centered coordinated care.*

(2) *The Florida Cancer Control and Research Advisory Council, established in s. 1004.435, and the Biomedical Research Advisory Council, established in s. 215.5602, shall select seven members and six members, respectively, to form a joint committee.*

(a) *The joint committee, consisting of 13 members, shall:*

1. *By January 1, 2014, develop rigorous performance measures, a rating system, and a rating standard that must be achieved to document and distinguish a cancer center that excels in providing quality, comprehensive, and patient-centered coordinated care.*
2. *Review at least every 3 years and revise, if applicable, the performance measures, rating system, and rating standard to ensure providers are continually enhancing their programs to reflect best practices and advances in cancer treatment and care from the perspective of quality, comprehensive, and patient-centered coordinated care.*

3. *Submit its proposed performance measures, rating system, and rating standard to the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to be approved by both councils prior to the evaluation of any provider under such criteria.*

(b) *The criteria established by the joint committee must require, at a minimum, that each hospital, treatment center, or other provider:*

1. *Maintain a license in good standing in this state which authorizes health care services to be provided.*
2. *Be accredited by the Commission on Cancer of the American College of Surgeons.*
3. *Actively participate in at least one regional cancer control collaborative that is operating pursuant to the Florida Comprehensive Cancer Control Program's cooperative agreement with the Centers for Disease Control and Prevention's National Comprehensive Cancer Control Program.*
4. *Demonstrate excellence in and dissemination of scientifically rigorous cancer research.*
5. *Integrate training and education of biomedical researchers and health care professionals.*
6. *Meet enhanced cancer care coordination standards which, at a minimum, focus on:*
  - a. *Coordination of care by cancer specialists and nursing and allied health professionals.*
  - b. *Psychosocial assessment and services.*
  - c. *Suitable and timely referrals and followup.*
  - d. *Providing accurate and complete information on treatment options, including clinical trials, which consider each person's needs, preferences, and resources, whether provided by that center or available through other health care providers.*
  - e. *Participation in a comprehensive network of cancer specialists of multiple disciplines, which enables the patient to consult with a variety of experts to examine treatment alternatives.*

f. *Family services and support.*

g. *Aftercare and survivor services.*

h. *Patient and family satisfaction survey results.*

(c) *The members of the joint committee shall serve without compensation but may receive reimbursement as provided in s. 112.061 for travel and other necessary expenses incurred in the performance of their official duties.*

(d) *The Department of Health shall provide such staff, information, and other assistance as is reasonably necessary to assist the joint committee in carrying out its responsibilities.*

(3)(a) *A provider may apply to the Department of Health for a Cancer Center of Excellence Award. The joint committee must develop an application form to be used by the Department of Health that requires, among other things, submission of documentation by the provider which demonstrates that the criteria in subsection (2) have been met.*

(b) *After January 1, 2014, the Department of Health shall annually conduct two application cycles. The applications are not applications for licensure; the grant of the award by the State Surgeon General is not final agency action; and the Cancer Center of Excellence Award program is not subject to the provisions of chapter 120.*

(4)(a) *The State Surgeon General shall appoint a team of independent evaluators to assess applicants to determine eligibility for the award. An application is to be evaluated independently of any other application. The team shall consist of five evaluators to be selected, in any combination, from the following:*

1. No more than five health care practitioners or health care facilities not licensed in this state which provide health care services involving cancer diagnoses or treatment;

2. No more than three members from the Florida Cancer Control and Research Advisory Council;

3. No more than two members from the Biomedical Research and Advisory Council; and

4. No more than one layperson who has experience as a cancer patient or as a family member of a cancer patient if that person or his or her family member did not receive care from the applicant or providers being evaluated.

(b) Each evaluator must be independent and free of any conflict of interest with respect to a health care provider or facility licensed in this state. Each person selected to participate on the evaluation team must sign a conflict of interest attestation before being appointed to the evaluation team.

(5)(a) Two evaluation team members may, as necessary, conduct an onsite evaluation to verify submitted application documentation.

(b) Each member on the evaluation team shall report to the State Surgeon General those applicants that achieved or exceeded the required score based on the rating system developed in subsection (2) which demonstrates the cancer center excels in providing quality, comprehensive, and patient-centered coordinated care.

(6) The State Surgeon General shall notify the Governor regarding the providers that are eligible to receive the Cancer Center of Excellence Award.

(7) The award shall be recognized for a period of 3 years after the date of the award. A provider may reapply for subsequent awards.

(8) A provider that receives a Cancer Center of Excellence Award may use the designation in its advertising and marketing for up to 3 years after the date of the award. In addition, a provider that receives a Cancer Center of Excellence Award may be granted, for 3 years after the date of the award, a preference in competitive solicitations related to cancer care or research undertaken by a state agency or state university.

(9) The State Surgeon General shall report to the President of the Senate and the Speaker of the House of Representatives by January 31, 2014, the status of implementing the Cancer Center of Excellence Award program, and by December 15 annually thereafter, the number of applications received, the number of award recipients by application cycle, a list of award recipients, and recommendations to strengthen the program.

(10) The Department of Health shall adopt necessary rules related to the application cycles and submission of the application form.

Section 2. Paragraph (j) is added to subsection (4) of section 215.5602, Florida Statutes, and subsection (12) of that section is amended, to read:

215.5602 James and Esther King Biomedical Research Program.—

(4) The council shall advise the State Surgeon General as to the direction and scope of the biomedical research program. The responsibilities of the council may include, but are not limited to:

(j) The council shall select, by majority vote, six members of the council who must combine with seven members of the Florida Cancer Control and Research Advisory Council to form a joint committee to develop performance measures, a rating system, a rating standard, and an application form for the Cancer Center of Excellence Award created in s. 381.925.

(12)(a) Beginning in the 2011-2012 fiscal year and thereafter, \$25 million from the revenue deposited into the Health Care Trust Fund pursuant to ss. 210.011(9) and 210.276(7) shall be reserved for research of tobacco-related or cancer-related illnesses. Of the revenue deposited in the Health Care Trust Fund pursuant to this section, \$25 million shall be transferred to the Biomedical Research Trust Fund within the Department of Health. Subject to annual appropriations in the General Appropriations Act, \$5 million shall be appropriated to the James and

Esther King Biomedical Research Program, \$5 million shall be appropriated to the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program created under s. 381.922, \$5 million shall be appropriated to the H. Lee Moffitt Cancer Center and Research Institute established under s. 1004.43, \$5 million shall be appropriated to the Sylvester Comprehensive Cancer Center of the University of Miami, and \$5 million shall be appropriated to the Shands Cancer Hospital.

(b) Beginning July 1, 2014, an entity which performs or is associated with cancer research or care that receives a specific appropriation for biomedical research, research-related functions, operations or other supportive functions, or expansion of operations in the General Appropriations Act without statutory reporting requirements for the receipt of those funds, must submit an annual fiscal-year progress report to the President of the Senate and the Speaker of the House of Representatives by December 15. The report must:

1. Describe the general use of the funds.

2. Specify the research, if any, funded by the appropriation.

3. Describe any fixed capital outlay project funded by the appropriation, the need for the project, how the project will be utilized, and the timeline for and status of the project, if applicable.

4. Identify any federal or private grants or donations generated as a result of the appropriation or activities funded by the appropriation, if applicable and traceable.

Section 3. Present subsection (4) of section 381.922, Florida Statutes, is renumbered as subsection (5), and a new subsection (4) is added to that section, to read:

381.922 William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program.—

(4) In order to attract and retain experienced research talent and attendant national grant-producing researchers to integrated cancer research and care institutions in this state, the Department of Health shall award endowments to integrated cancer research and care institutions for establishing a funded research chair, pursuant to the General Appropriations Act, specifying an appropriation for this purpose. Funding for the endowed chairs must be independent of funds appropriated pursuant to s. 215.5602(12). The purpose of the endowment is to provide secure funding for at least 7 years to attract an experienced and promising researcher whose continued employment for this period is not contingent upon grant awards associated with time-limited research projects. In addition, the Legislature intends for a research chair to specialize in a cancer-related research field that will facilitate coordination among research institutions within the state and attract other promising researchers and funding to the state.

(a) Upon selection of an endowed research chair, the institution shall notify the chairs of the appropriations committees of the Senate and the House of Representatives. An institution funded pursuant to this subsection shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives an annual progress report by December 15 that must, at a minimum, provide the research chair's name; the amount of the endowment fund used for the chair's salary; research responsibilities; the percentage of time devoted to research if the chair also serves as a member of the faculty; research progress; progress toward achieving the goals of this program; endowment expenditures; balance, interest rate, and interest earned on the endowment; and the amount of federal or private grants or donations generated, if any, as a result of the research chair's efforts.

(b) If an institution must replace an endowed research chair, the endowment must cease funding expenses associated with the endowed research chair, other than reasonable costs for recruitment, until a replacement chair has been retained. While the endowed research chair is vacant, the endowment must continue to earn interest and all earnings must be added to the balance of the endowment. A vacancy tolls the 7-year timeframe for the endowed research chair.

Section 4. Present paragraph (r) of subsection (4) of section 1004.435, Florida Statutes, is redesignated as paragraph (s), and a new paragraph (r) is added to that subsection, to read:

1004.435 Cancer control and research.—

## (4) FLORIDA CANCER CONTROL AND RESEARCH ADVISORY COUNCIL; CREATION; COMPOSITION.—

(r) *The council shall select, by majority vote, seven members of the council who must combine with six members of the Biomedical Research Advisory Council to form a joint committee to develop performance measures, a rating system, a rating standard, and an application form for the Cancer Center of Excellence Award created in s. 381.925.*

Section 5. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to quality cancer care and research; creating s. 381.925, F.S.; providing legislative intent and goals; establishing a Cancer Center of Excellence Award for providers that excel in providing cancer care and treatment in this state; requiring the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to each select a certain number of members to form a joint committee to develop and periodically update performance measures, a rating system, and a rating standard in accordance with specified criteria for applicants to qualify for the award; requiring approval by both councils of the performance measures, rating system, and rating standard developed by the joint committee; providing minimum standards; prohibiting members of the joint committee from being compensated, but authorizing reimbursement for travel and other necessary expenses; authorizing a provider to apply to the Department of Health for the award; requiring the joint committee to develop an application form; requiring the department to conduct two application cycles each year; specifying that ch. 120, F.S., does not apply to the applications for or the award of the grant by the State Surgeon General; requiring the State Surgeon General to assemble an evaluation team to assess applications; requiring each application to be evaluated independently of any other application; providing membership of and requirements for the evaluation team; providing duties of the members of the evaluation team; requiring the award to be presented to eligible institutions by the Governor and the State Surgeon General; limiting the duration of the award; authorizing an award-winning cancer provider to use the designation in its advertising and marketing; providing that an award-winning cancer provider is granted preference in competitive solicitations related to cancer care or research for a specified period of time; requiring the State Surgeon General to report certain information to the Legislature by a specified date and annually thereafter; requiring the Department of Health to adopt rules related to the application cycles and submission of the application forms; amending s. 215.5602, F.S.; revising the responsibilities of the Biomedical Research Advisory Council with regard to the Cancer Center of Excellence Award program; requiring entities receiving an appropriation in the General Appropriations Act to submit an annual fiscal-year progress report to the Legislature by a specified date; amending s. 381.922, F.S.; authorizing endowments, subject to an appropriation, under the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program for establishing funded research chairs at integrated research and care institutions; providing procedures if the endowed research chair becomes vacant; requiring that research institutions report certain information regarding the selected endowed research chair and other information about the endowment; providing for qualifications of the endowed research chair; specifying the use of the funds in the endowment; amending s. 1004.435, F.S.; revising the responsibilities of the Florida Cancer Control and Research Advisory Council with regard to the Cancer Center of Excellence Award program; providing an effective date.

On motion by Senator Flores, the Conference Committee Report on **CS for CS for SB 1660** was adopted. **CS for CS for SB 1660** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—36

Mr. President	Braynon	Evers
Abruzzo	Bullard	Flores
Altman	Clemens	Galvano
Bean	Dean	Garcia
Benacquisto	Detert	Gardiner
Brandes	Diaz de la Portilla	Gibson

Grimsley	Legg	Simmons
Hays	Margolis	Simpson
Hukill	Montford	Sobel
Joyner	Negron	Stargel
Latvala	Richter	Thompson
Lee	Ring	Thrasher

Nays—None

Vote after roll call:

Yea—Bradley, Sachs

## DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **CS for CS for SB 1660** which comes before the Senate floor for a vote on May 3, 2013.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

*Senator Don Gaetz, 1st District*

By direction of the President the following Conference Committee Report was read:

### CONFERENCE COMMITTEE REPORT ON **CS for SB 406**

The Honorable Don Gaetz  
President of the Senate

May 1, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on **CS for SB 406**, same being:

An act relating to Economic Development.

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

1. That the House of Representatives recede from its Amendment 1 (128631).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

<i>s/ Joe Negron,</i>	<i>s/ Lizbeth Benacquisto,</i>
<i>Chair</i>	<i>Vice Chair</i>
<i>s/ Joseph Abruzzo</i>	<i>s/ Thad Altman</i>
<i>s/ Aaron Bean</i>	<i>s/ Rob Bradley</i>
<i>s/ Jeff Brandes</i>	<i>s/ Oscar Braynon II</i>
<i>s/ Dwight Bullard</i>	<i>s/ Jeff Clemens</i>
<i>s/ Charles S. “Charlie” Dean, Sr.</i>	<i>s/ Nancy C. Detert</i>
<i>s/ Miguel Diaz de la Portilla</i>	<i>s/ Greg Evers</i>
<i>s/ Anitere Flores</i>	<i>s/ Bill Galvano</i>
<i>s/ Rene Garcia</i>	<i>s/ Andy Gardiner</i>
<i>s/ Audrey Gibson</i>	<i>s/ Denise Grimsley</i>
<i>s/ Alan Hays</i>	<i>s/ Dorothy L. Hukill</i>
<i>s/ Arthenia L. Joyner</i>	<i>s/ Jack Latvala</i>
<i>s/ Tom Lee</i>	<i>s/ John Legg</i>
<i>s/ Gwen Margolis</i>	<i>s/ Bill Montford</i>
<i>s/ Garrett Richter, At Large</i>	<i>s/ Jeremy Ring</i>
<i>s/ Maria Lorts Sachs</i>	<i>s/ David Simmons</i>
<i>s/ Wilton Simpson</i>	<i>s/ Christopher L. Smith, At Large</i>
<i>s/ Eleanor Sobel</i>	<i>s/ Darren Soto</i>
<i>s/ Kelli Stargel</i>	<i>s/ Geraldine F. “Geri” Thompson</i>

*s/ John Thrasher*

Managers on the part of the Senate

*s/ Seth McKeel,*  
Committee Chair  
*s/ Ritch Workman,*  
Chair  
Joseph A. “Joe” Gibbons, At Large  
*s/ Bill Hager*  
Mia L. Jones, At Large  
*s/ Stephen L. Precourt,* At Large  
Jose Javier Rodriguez  
*s/ David Santiago*  
Richard “Rick” Stark  
Perry E. Thurston, Jr.,  
At Large  
*s/ Dana D. Young,* At Large

*s/ Steve Crisafulli,*  
Committee Vice Chair  
*s/ Matthew H. “Matt” Caldwell*  
*s/ Marti Coley,* At Large  
*s/ Eddy Gonzalez,* At Large  
*s/ Doug Holder,* At Large  
*s/ H. Marlene O’Toole,* At Large  
*s/ Dan Raulerson*  
*s/ Darryl Ervin Rouson,* At Large  
*s/ Robert C. “Rob” Schenck,*  
At Large  
Victor M. Torres, Jr.  
James W. “Jim” Waldman,  
At Large

Managers on the part of the House

The Conference Committee Amendment for CS for SB 406, relating to economic development, provides for the following:

#### **Oversight of Economic Development Incentives**

The bill creates a rotating, 3-year review schedule for state incentives and economic development programs to be evaluated by the Office of Economic and Demographic Research (EDR) and the Office of Program Policy Analysis and Government Accountability (OPPAGA). The bill directs that all applicants for an incentive be evaluated for “economic benefits” in the same manner, and streamlines the reports and reporting dates that must be submitted by agencies administering economic development programs. The Department of Economic Opportunity is directed to publish on its website project-specific information about economic development incentives provided to businesses.

#### **Brownfields**

The bill limits where a project can be located in order to receive a sales tax refund for building materials and the brownfield redevelopment bonus refunds for jobs created. The project must be located on a site that has entered into a site rehabilitation agreement with DEP (or a local government delegated by DEP) or on a parcel of property that abuts the site.

#### **Cigarette Tax Distribution**

The bill delays the sunset date of the 1 percent cigarette tax distribution to the Sanford-Burnham Medical Research Institute from June 30, 2021, to June 30, 2033.

#### **Exemption for Natural Gas Used in Fuel Cells**

Natural gas used to generate electricity in a non-combustion fuel cell is exempt from sales tax.

#### **Rotary Wing Aircraft Sales Tax Exemption**

The bill reduces the maximum takeoff weight threshold for rotary wing aircraft to qualify for an exemption from sales and use tax on the parts and labor used in repair and maintenance.

#### **Spring Training Franchise Retention**

The bill creates a sales tax distribution to local governments for the purpose of constructing or renovating Major League Baseball spring training facilities.

#### **Qualified Target Industry and Qualified Defense and Space Contractor Tax Refunds**

The bill removes the individual company lifetime limit for both the Qualified Target Industry and Qualified Defense and Space Contractor tax refund programs.

#### **Enterprise Zone Tax Credit**

The bill provides that the cap on the enterprise zone tax credit for property taxes paid is applied at each eligible location rather than at the business entity level.

#### **Sales Tax Holiday**

The bill creates a three-day sales tax holiday beginning August 2, exempting certain clothing and shoes valued at \$75 or less, school supplies valued at \$15 or less, and personal computers for non-commercial use valued at \$750 or less.

#### **New Markets Development Program**

The bill increases the amount of tax credits that can be awarded by \$15 million.

**Conference Committee Amendment (127736)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. *Economic Development Programs Evaluation.*—*The Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability (OPPAGA) shall develop and present to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees the Economic Development Programs Evaluation.*

(1) *The Office of Economic and Demographic Research and OPPAGA shall coordinate the development of a work plan for completing the Economic Development Programs Evaluation and shall submit the work plan to the President of the Senate and the Speaker of the House of Representatives by July 1, 2013.*

(2) *The Office of Economic and Demographic Research and OPPAGA shall provide a detailed analysis of economic development programs as provided in the following schedule:*

(a) *By January 1, 2014, and every 3 years thereafter, an analysis of the following:*

1. *The capital investment tax credit established under s. 220.191, Florida Statutes.*

2. *The qualified target industry tax refund established under s. 288.106, Florida Statutes.*

3. *The brownfield redevelopment bonus refund established under s. 288.107, Florida Statutes.*

4. *High-impact business performance grants established under s. 288.108, Florida Statutes.*

5. *The Quick Action Closing Fund established under s. 288.1088, Florida Statutes.*

6. *The Innovation Incentive Program established under s. 288.1089, Florida Statutes.*

7. *Enterprise Zone Program incentives established under ss. 212.08(5), 212.08(15), 212.096, 220.181, and 220.182, Florida Statutes.*

(b) *By January 1, 2015, and every 3 years thereafter, an analysis of the following:*

1. *The entertainment industry financial incentive program established under s. 288.1254, Florida Statutes.*

2. *The entertainment industry sales tax exemption program established under s. 288.1258, Florida Statutes.*

3. *VISIT Florida and its programs established or funded under ss. 288.122, 288.1226, 288.12265, and 288.124, Florida Statutes.*

4. *The Florida Sports Foundation and related programs established under ss. 288.1162, 288.11621, 288.1166, 288.1167, 288.1168, 288.1169, and 288.1171, Florida Statutes.*

(c) *By January 1, 2016, and every 3 years thereafter, an analysis of the following:*

1. *The qualified defense contractor and space flight business tax refund program established under s. 288.1045, Florida Statutes.*

2. *The tax exemption for semiconductor, defense, or space technology sales established under s. 212.08(5)(j), Florida Statutes.*

3. *The Military Base Protection Program established under s. 288.980, Florida Statutes.*

4. *The Manufacturing and Spaceport Investment Incentive Program established under s. 288.1083, Florida Statutes.*

5. *The Quick Response Training Program established under s. 288.047, Florida Statutes.*

6. *The Incumbent Worker Training Program established under s. 445.003, Florida Statutes.*

7. *International trade and business development programs established or funded under s. 288.826, Florida Statutes.*

(3) Pursuant to the schedule established in subsection (2), the Office of Economic and Demographic Research shall evaluate and determine the economic benefits, as defined in s. 288.005, Florida Statutes, of each program over the previous 3 years. The analysis must also evaluate the number of jobs created, the increase or decrease in personal income, and the impact on state gross domestic product from the direct, indirect, and induced effects of the state's investment in each program over the previous 3 years.

(a) For the purpose of evaluating tax credits, tax refunds, sales tax exemptions, cash grants, and similar programs, the Office of Economic and Demographic Research shall evaluate data only from those projects in which businesses received state funds during the evaluation period. Such projects may be fully completed, partially completed with future fund disbursement possible pending performance measures, or partially completed with no future fund disbursement possible as a result of a business's inability to meet performance measures.

(b) The analysis must use the model developed by the Office of Economic and Demographic Research, as required in s. 216.138, Florida Statutes, to evaluate each program. The office shall provide a written explanation of the key assumptions of the model and how it is used. If the office finds that another evaluation model is more appropriate to evaluate a program, it may use another model, but it must provide an explanation as to why the selected model was more appropriate.

(4) Pursuant to the schedule established in subsection (2), OPPAGA shall evaluate each program over the previous 3 years for its effectiveness and value to the taxpayers of this state and include recommendations on each program for consideration by the Legislature. The analysis may include relevant economic development reports or analyses prepared by the Department of Economic Opportunity, Enterprise Florida, Inc., or local or regional economic development organizations; interviews with the parties involved; or any other relevant data.

(5) The Office of Economic and Demographic Research and OPPAGA must be given access to all data necessary to complete the Economic Development Programs Evaluation, including any confidential data. The offices may collaborate on data collection and analysis.

Section 2. Subsection (10) of section 20.60, Florida Statutes, is amended to read:

20.60 Department of Economic Opportunity; creation; powers and duties.—

(10) The department, with assistance from Enterprise Florida, Inc., shall, by November 1 ~~January 1~~ of each year, submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the condition of the business climate and economic development in the state.

(a) The report ~~must~~ *shall* include the identification of problems and a prioritized list of recommendations.

(b) The report must incorporate annual reports of other programs, including:

1. *The displaced homemaker program established under s. 446.50.*

2. *Information provided by the Department of Revenue under s. 290.014.*

3. *Information provided by enterprise zone development agencies under s. 290.0056 and an analysis of the activities and accomplishments of each enterprise zone.*

4. *The Economic Gardening Business Loan Pilot Program established under s. 288.1081 and the Economic Gardening Technical Assistance Pilot Program established under s. 288.1082.*

5. *A detailed report of the performance of the Black Business Loan Program and a cumulative summary of quarterly report data required under s. 288.714.*

6. *The Rural Economic Development Initiative established under s. 288.0656.*

Section 3. Effective July 1, 2013, paragraph (c) of subsection (2) of section 210.20, Florida Statutes, is amended to read:

210.20 Employees and assistants; distribution of funds.—

(2) As collections are received by the division from such cigarette taxes, it shall pay the same into a trust fund in the State Treasury designated "Cigarette Tax Collection Trust Fund" which shall be paid and distributed as follows:

(c) Beginning July 1, 2013, and continuing through June 30, 2033 ~~2021~~, the division shall from month to month certify to the Chief Financial Officer the amount derived from the cigarette tax imposed by s. 210.02, less the service charges provided for in s. 215.20 and less 0.9 percent of the amount derived from the cigarette tax imposed by s. 210.02, which shall be deposited into the Alcoholic Beverage and Tobacco Trust Fund, specifying an amount equal to 1 percent of the net collections, and that amount shall be deposited into the Biomedical Research Trust Fund in the Department of Health. These funds are appropriated annually in an amount not to exceed \$3 million from the Biomedical Research Trust Fund for the Department of Health and the Sanford-Burnham Medical Research Institute to work in conjunction for the purpose of establishing activities and grant opportunities in relation to biomedical research.

Section 4. Paragraph (a) of subsection (4), paragraph (o) of subsection (5), and paragraphs (ee) and (rr) of subsection (7) of section 212.08, Florida Statutes, are amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(4) EXEMPTIONS; ITEMS BEARING OTHER EXCISE TAXES, ETC.—

(a) Also exempt are:

1. Water delivered to the purchaser through pipes or conduits or delivered for irrigation purposes. The sale of drinking water in bottles, cans, or other containers, including water that contains minerals or carbonation in its natural state or water to which minerals have been added at a water treatment facility regulated by the Department of Environmental Protection or the Department of Health, is exempt. This exemption does not apply to the sale of drinking water in bottles, cans, or other containers if carbonation or flavorings, except those added at a water treatment facility, have been added. Water that has been enhanced by the addition of minerals and that does not contain any added carbonation or flavorings is also exempt.

2. All fuels used by a public or private utility, including any municipal corporation or rural electric cooperative association, in the generation of electric power or energy for sale. Fuel other than motor fuel and diesel fuel is taxable as provided in this chapter with the exception of fuel expressly exempt herein. *Effective July 1, 2013, natural gas used to generate electricity in a non-combustion fuel cell used in stationary equipment is exempt from the tax imposed by this chapter.* Motor fuels

and diesel fuels are taxable as provided in chapter 206, with the exception of those motor fuels and diesel fuels used by railroad locomotives or vessels to transport persons or property in interstate or foreign commerce, which are taxable under this chapter only to the extent provided herein. The basis of the tax shall be the ratio of intrastate mileage to interstate or foreign mileage traveled by the carrier's railroad locomotives or vessels that were used in interstate or foreign commerce and that had at least some Florida mileage during the previous fiscal year of the carrier, such ratio to be determined at the close of the fiscal year of the carrier. However, during the fiscal year in which the carrier begins its initial operations in this state, the carrier's mileage apportionment factor may be determined on the basis of an estimated ratio of anticipated miles in this state to anticipated total miles for that year, and subsequently, additional tax shall be paid on the motor fuel and diesel fuels, or a refund may be applied for, on the basis of the actual ratio of the carrier's railroad locomotives' or vessels' miles in this state to its total miles for that year. This ratio shall be applied each month to the total Florida purchases made in this state of motor and diesel fuels to establish that portion of the total used and consumed in intrastate movement and subject to tax under this chapter. The basis for imposition of any discretionary surtax shall be set forth in s. 212.054. Fuels used exclusively in intrastate commerce do not qualify for the proration of tax.

### 3. The transmission or wheeling of electricity.

#### (5) EXEMPTIONS; ACCOUNT OF USE.—

##### (o) Building materials in redevelopment projects.—

##### 1. As used in this paragraph, the term:

a. "Building materials" means tangible personal property that becomes a component part of a housing project or a mixed-use project.

b. "Housing project" means the conversion of an existing manufacturing or industrial building to a housing unit which is ~~units~~ in an urban high-crime area, an enterprise zone, an empowerment zone, a Front Porch Community, a designated brownfield site for which a rehabilitation agreement with the Department of Environmental Protection or a local government delegated by the Department of Environmental Protection has been executed under s. 376.80 and any abutting real property parcel within a brownfield area, or an urban infill area; and in which the developer agrees to set aside at least 20 percent of the housing units in the project for low-income and moderate-income persons or the construction in a designated brownfield area of affordable housing for persons described in s. 420.0004(9), (11), (12), or (17) or in s. 159.603(7).

c. "Mixed-use project" means the conversion of an existing manufacturing or industrial building to mixed-use units that include artists' studios, art and entertainment services, or other compatible uses. A mixed-use project must be located in an urban high-crime area, an enterprise zone, an empowerment zone, a Front Porch Community, a designated brownfield site for which a rehabilitation agreement with the Department of Environmental Protection or a local government delegated by the Department of Environmental Protection has been executed under s. 376.80 and any abutting real property parcel within a brownfield area, or an urban infill area; and the developer must agree to set aside at least 20 percent of the square footage of the project for low-income and moderate-income housing.

d. "Substantially completed" has the same meaning as provided in s. 192.042(1).

2. Building materials used in the construction of a housing project or mixed-use project are exempt from the tax imposed by this chapter upon an affirmative showing to the satisfaction of the department that the requirements of this paragraph have been met. This exemption inures to the owner through a refund of previously paid taxes. To receive this refund, the owner must file an application under oath with the department which includes:

a. The name and address of the owner.

b. The address and assessment roll parcel number of the project for which a refund is sought.

c. A copy of the building permit issued for the project.

d. A certification by the local building code inspector that the project is substantially completed.

e. A sworn statement, under penalty of perjury, from the general contractor licensed in this state with whom the owner contracted to construct the project, which statement lists the building materials used in the construction of the project and the actual cost thereof, and the amount of sales tax paid on these materials. If a general contractor was not used, the owner shall provide this information in a sworn statement, under penalty of perjury. Copies of invoices evidencing payment of sales tax must be attached to the sworn statement.

3. An application for a refund under this paragraph must be submitted to the department within 6 months after the date the project is deemed to be substantially completed by the local building code inspector. Within 30 working days after receipt of the application, the department shall determine if it meets the requirements of this paragraph. A refund approved pursuant to this paragraph shall be made within 30 days after formal approval of the application by the department.

4. The department shall establish by rule an application form and criteria for establishing eligibility for exemption under this paragraph.

5. The exemption shall apply to purchases of materials on or after July 1, 2000.

(7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any entity by this chapter do not inure to any transaction that is otherwise taxable under this chapter when payment is made by a representative or employee of the entity by any means, including, but not limited to, cash, check, or credit card, even when that representative or employee is subsequently reimbursed by the entity. In addition, exemptions provided to any entity by this subsection do not inure to any transaction that is otherwise taxable under this chapter unless the entity has obtained a sales tax exemption certificate from the department or the entity obtains or provides other documentation as required by the department. Eligible purchases or leases made with such a certificate must be in strict compliance with this subsection and departmental rules, and any person who makes an exempt purchase with a certificate that is not in strict compliance with this subsection and the rules is liable for and shall pay the tax. The department may adopt rules to administer this subsection.

(ee) Aircraft repair and maintenance labor charges.—~~There shall be exempt from the tax imposed by this chapter~~ All labor charges for the repair and maintenance of qualified aircraft ~~and; aircraft of more than 2,000 pounds maximum certified takeoff weight, including and rotary wing aircraft, are exempt from the tax imposed under this chapter of more than 10,000 pounds maximum certified takeoff weight.~~ Except as otherwise provided in this chapter, charges for parts and equipment furnished in connection with such labor charges are taxable.

(rr) Equipment used in aircraft repair and maintenance.—~~There shall be exempt from the tax imposed by this chapter~~ Replacement engines, parts, and equipment used in the repair or maintenance of qualified aircraft ~~and; aircraft of more than 2,000 pounds maximum certified takeoff weight, including and rotary wing aircraft, are exempt from the tax imposed under this chapter if of more than 10,300 pounds maximum certified takeoff weight, when~~ such parts or equipment are installed on such aircraft that is being repaired or maintained in this state.

Section 5. *The amendments to section 212.08, Florida Statutes, made by this act do not apply to any housing project or mixed-use project where site development or construction work was initiated prior to the effective date of this act.*

Section 6. Effective July 1, 2013, paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and s. 202.18(1)(b) and (2)(b) shall be as follows:



(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be distributed as follows:

1. In any fiscal year, the greater of \$500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5.2 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in monthly installments into the General Revenue Fund.

2. After the distribution under subparagraph 1., 8.814 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 shall be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred shall be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less \$5,000 each month, which shall be added to the amount calculated in subparagraph 3. and distributed accordingly.

3. After the distribution under subparagraphs 1. and 2., 0.095 percent shall be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

4. After the distributions under subparagraphs 1., 2., and 3., 2.0440 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

5. After the distributions under subparagraphs 1., 2., and 3., 1.3409 percent of the available proceeds shall be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this subparagraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, no municipality shall receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

6. Of the remaining proceeds:

a. In each fiscal year, the sum of \$29,915,500 shall be divided into as many equal parts as there are counties in the state, and one part shall be distributed to each county. The distribution among the several counties must begin each fiscal year on or before January 5th and continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000 under the then-existing provisions of s. 550.135 be paid directly to the district school board, special district, or a municipal government, such payment must continue until the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards before July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 before July 1, 2000.

b. The department shall distribute \$166,667 monthly pursuant to s. 288.1162 to each applicant certified as a facility for a new or retained professional sports franchise pursuant to s. 288.1162. Up to \$41,667 shall be distributed monthly by the department to each certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. However, not more than \$416,670 may be distributed monthly in the aggregate to all certified applicants for facilities for spring training franchises. Distributions begin 60 days after such certification and continue for not more than 30 years, except as otherwise provided in s. 288.11621. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided for in s. 288.1162(5) or s. 288.11621(3).

c. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been certified as the professional golf hall of fame pursuant to s. 288.1168 and is open to the public, \$166,667 shall be distributed monthly, for up to 300 months, to the applicant.

d. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that the applicant has been certified as the International Game Fish Association World Center facility pursuant to s. 288.1169, and the facility is open to the public, \$83,333 shall be distributed monthly, for up to 168 months, to the applicant. This distribution is subject to reduction pursuant to s. 288.1169. A lump sum payment of \$999,996 shall be made, after certification and before July 1, 2000.

e. *The department shall distribute up to \$55,555 monthly to each certified applicant as defined in s. 288.11631 for a facility used by a single spring training franchise, or up to \$111,110 monthly to each certified applicant as defined in s. 288.11631 for a facility used by more than one spring training franchise. Monthly distributions begin 60 days after such certification or July 1, 2016, whichever is later, and continue for not more than 30 years, except as otherwise provided in s. 288.11631. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided in s. 288.11631(3).*

7. All other proceeds must remain in the General Revenue Fund.

Section 7. Paragraph (bb) is added to subsection (8) of section 213.053, Florida Statutes, to read:

213.053 Confidentiality and information sharing.—

(8) Notwithstanding any other provision of this section, the department may provide:

*(bb) Information to the director of the Office of Program Policy Analysis and Government Accountability or his or her authorized agent, and to the coordinator of the Office of Economic and Demographic Research or his or her authorized agent, for purposes of completing the Economic Development Programs Evaluation. Information obtained from the department pursuant to this paragraph may be shared by the director and the coordinator, or the director's or coordinator's authorized agent, for purposes of completing the Economic Development Programs Evaluation.*

Disclosure of information under this subsection shall be pursuant to a written agreement between the executive director and the agency. Such agencies, governmental or nongovernmental, shall be bound by the same requirements of confidentiality as the Department of Revenue. Breach of confidentiality is a misdemeanor of the first degree, punishable as provided by s. 775.082 or s. 775.083.

Section 8. Paragraph (b) of subsection (1) and subsection (2) of section 220.182, Florida Statutes, is amended to read:

220.182 Enterprise zone property tax credit.—

(1)

(b) If the credit granted pursuant to this section is not fully used in any one year, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by this chapter for such year exceeds the credit for such year under this section after applying the other credits and unused credit carryovers in the order provided in s. 220.02(8). The amount of credit taken under this section in any one year, however, shall not exceed \$25,000 for each eligible location, or, if no less than 20 percent of the employees of the business at that location are residents of an enterprise zone, excluding temporary employees, the amount shall not exceed \$50,000 for each eligible location.

(2) To be eligible to receive an expanded enterprise zone property tax credit of up to \$50,000 for each eligible location, the business must provide a statement, under oath, on the form prescribed by the department for claiming the credit authorized by this section, that no less than 20 percent of its employees at that location, excluding temporary and part-time employees, are residents of an enterprise zone. It shall be a condition precedent to the granting of each annual tax credit that such employment requirements be fulfilled throughout each year during the

5-year period of the credit. The statement shall set forth the name and place of residence of each permanent employee on the last day of business of the tax year for which the credit is claimed or, if the employee is no longer employed or eligible for the credit on that date, the last calendar day of the last full calendar month the employee was employed or eligible for the credit at the relevant site.

Section 9. Subsection (9) of section 220.194, Florida Statutes, is amended to read:

220.194 Corporate income tax credits for spaceflight projects.—

(9) ANNUAL REPORT.—Beginning in 2014, the Department of Economic Opportunity, in cooperation with Space Florida and the department, shall include in the ~~submit an~~ annual incentives report required under s. 288.907 a summary of ~~summarizing~~ activities relating to the Florida Space Business Incentives Act established under this section ~~to the Governor, the President of the Senate, and the Speaker of the House of Representatives by each November 30.~~

Section 10. Subsection (4) is added to section 288.005, Florida Statutes, to read:

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

(4) “Jobs” means full-time equivalent positions, including, but not limited to, positions obtained from a temporary employment agency or employee leasing company or through a union agreement or coemployment under a professional employer organization agreement, which result directly from a project in this state. This number does not include temporary construction jobs involved with the construction of facilities for the project.

Section 11. Subsection (3) of section 288.012, Florida Statutes, is amended to read:

288.012 State of Florida international offices; state protocol officer; protocol manual.—The Legislature finds that the expansion of international trade and tourism is vital to the overall health and growth of the economy of this state. This expansion is hampered by the lack of technical and business assistance, financial assistance, and information services for businesses in this state. The Legislature finds that these businesses could be assisted by providing these services at State of Florida international offices. The Legislature further finds that the accessibility and provision of services at these offices can be enhanced through cooperative agreements or strategic alliances between private businesses and state, local, and international governmental entities.

(3) ~~By October 1 of each year,~~ Each international office shall ~~annually~~ submit to ~~Enterprise Florida, Inc., the department~~ a complete and detailed report on its activities and accomplishments during the ~~previous~~ preceding fiscal year for inclusion in the annual report required under s. 288.906. In the ~~a~~ format and by the annual date prescribed ~~provided~~ by Enterprise Florida, Inc., the report must set forth information on:

- (a) The number of Florida companies assisted.
- (b) The number of inquiries received about investment opportunities in this state.
- (c) The number of trade leads generated.
- (d) The number of investment projects announced.
- (e) The estimated U.S. dollar value of sales confirmations.
- (f) The number of representation agreements.
- (g) The number of company consultations.
- (h) Barriers or other issues affecting the effective operation of the office.
- (i) Changes in office operations which are planned for the current fiscal year.
- (j) Marketing activities conducted.

(k) Strategic alliances formed with organizations in the country in which the office is located.

(l) Activities conducted with Florida’s other international offices.

(m) Any other information that the office believes would contribute to an understanding of its activities.

Section 12. Present subsections (2) and (3) of section 288.061, Florida Statutes, are renumbered as subsections (3) and (4), respectively, and a new subsection (2) and subsection (5) are added to that section, to read:

288.061 Economic development incentive application process.—

(2) *Beginning July 1, 2013, the department shall review and evaluate each economic development incentive application for the economic benefits of the proposed award of state incentives proposed for the project. The term “economic benefits” has the same meaning as in s. 288.005. The Office of Economic and Demographic Research shall establish the methodology and model used to calculate the economic benefits. For purposes of this requirement, an amended definition of economic benefits may be developed by the Office of Economic and Demographic Research.*

(5)(a) *The executive director may not approve an economic development incentive application unless the application includes a signed written declaration by the applicant which states that the applicant has read the information in the application and that the information is true, correct, and complete to the best of the applicant’s knowledge and belief.*

(b) *After an economic development incentive application is approved, the awardee shall provide, in each year that the department is required to validate contractor performance, a signed written declaration. The written declaration must state that the awardee has reviewed the information and that the information is true, correct, and complete to the best of the awardee’s knowledge and belief.*

Section 13. Subsection (8) of section 288.0656, Florida Statutes, is amended to read:

288.0656 Rural Economic Development Initiative.—

(8) REDI shall submit a report to the ~~department Governor, the President of the Senate, and the Speaker of the House of Representatives each year on or before September 1~~ on all REDI activities for the ~~previous prior~~ fiscal year as a supplement to the department’s annual report required under s. 20.60. This supplementary report must ~~shall~~ include:

(a) A status report on all projects currently being coordinated through REDI, the number of preferential awards and allowances made pursuant to this section, the dollar amount of such awards, and the names of the recipients.

(b) ~~The report shall also include~~ A description of all waivers of program requirements granted.

(c) ~~The report shall also include~~ Information as to the economic impact of the projects coordinated by REDI, ~~and~~

(d) Recommendations based on the review and evaluation of statutes and rules having an adverse impact on rural communities; and proposals to mitigate such adverse impacts.

Section 14. Effective October 1, 2013, section 288.076, Florida Statutes, is created to read:

288.076 Return on investment reporting for economic development programs.—

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

(a) “Jobs” has the same meaning as provided in s. 288.106(2)(i).

(b) “Participant business” means an employing unit, as defined in s. 443.036, that has entered into an agreement with the department to receive a state investment.

(c) “Project” has the same meaning as provided in s. 288.106(2)(m).

(d) “Project award date” means the date a participant business enters into an agreement with the department to receive a state investment.

(e) “State investment” means any state grants, tax exemptions, tax refunds, tax credits, or other state incentives provided to a business under a program administered by the department, including the capital investment tax credit under s. 220.191.

(2) The department shall maintain a website for the purpose of publishing the information described in this section. The information required to be published under this section must be provided in a format accessible to the public which enables users to search for and sort specific data and to easily view and retrieve all data at once.

(3) Within 48 hours after expiration of the period of confidentiality for project information deemed confidential and exempt pursuant to s. 288.075, the department shall publish the following information pertaining to each project:

(a) Projected economic benefits.—The projected economic benefits at the time of the initial project award date.

(b) Project information.—

1. The program or programs through which state investment is being made.
2. The maximum potential cumulative state investment in the project.
3. The target industry or industries, and any high impact sectors implicated by the project.
4. The county or counties that will be impacted by the project.
5. For a project that requires local commitment, the total cumulative local financial commitment and in-kind support for the project.

(c) Participant business information.—

1. The location of the headquarters of the participant business or, if a subsidiary, the headquarters of the parent company.
2. The firm size class of the participant business, or where owned by a parent company the firm size class of the participant business’s parent company, using the firm size classes established by the United States Department of Labor Bureau of Labor Statistics, and whether the participant business qualifies as a small business as defined in s. 288.703.
3. The date of the project award.
4. The expected duration of the contract.
5. The anticipated dates when the participant business will claim the last state investment.

(d) Project evaluation criteria.—Economic benefits generated by the project.

(e) Project performance goals.—

1. The incremental direct jobs attributable to the project, identifying the number of jobs generated and the number of jobs retained.
2. The number of jobs generated and the number of jobs retained by the project, and for projects commencing after October 1, 2013, the average annual wage of persons holding such jobs.
3. The incremental direct capital investment in the state generated by the project.

(f) Total state investment to date.—The total amount of state investment disbursed to the participant business to date under the terms of the contract, itemized by incentive program.

(4) The department shall calculate and publish on its website the economic benefits of each project within 48 hours after the conclusion of the agreement between each participant business and the department. The department shall work with the Office of Economic and Demographic Research to provide a description of the methodology used to calculate the

economic benefits of a project, and the department must publish the information on its website.

(5) At least annually, from the project award date, the department shall:

(a) Publish verified results to update the information described in paragraphs (3)(b)-(f) to accurately reflect any changes in the published information since the project award date.

(b) Publish on its website the date on which the information collected and published for each project was last updated.

(6) Annually, the department shall publish information relating to the progress of Quick Action Closing Fund projects, including the average number of days between the date the department receives a completed application and the date on which the application is approved.

(7)(a) Within 48 hours after expiration of the period of confidentiality provided under s. 288.075, the department shall publish the contract or agreement described in s. 288.061, redacted to protect the participant business from disclosure of information that remains confidential or exempt by law.

(b) Within 48 hours after submitting any report of findings and recommendations made pursuant to s. 288.106(7)(d) concerning a business’s failure to complete a tax refund agreement pursuant to the tax refund program for qualified target industry businesses, the department shall publish such report.

(8) For projects completed before October 1, 2013, the department shall compile and, by October 1, 2014, shall publish the information described in subsections (3), (4), and (5), to the extent such information is available and applicable.

(9) The provisions of this section that restrict the department’s publication of information are intended only to limit the information that the department may publish on its website and shall not be construed to create an exemption from public records requirements under s. 119.07(1) or s. 24(a), Art. I of the State Constitution.

(10) The department may adopt rules to administer this section.

Section 15. Paragraph (c) of subsection (3) of section 288.095, Florida Statutes, is repealed.

Section 16. Effective July 1, 2013, present paragraphs (d) through (h) of subsection (2) of section 288.1045, Florida Statutes, are redesignated as paragraphs (c) through (g), respectively, and present paragraph (c) of that subsection is amended to read:

288.1045 Qualified defense contractor and space flight business tax refund program.—

(2) GRANTING OF A TAX REFUND; ELIGIBLE AMOUNTS.—

~~(c) A qualified applicant may not receive more than \$7 million in tax refunds pursuant to this section in all fiscal years.~~

Section 17. Effective July 1, 2013, paragraph (c) of subsection (3), paragraph (c) of subsection (4), and paragraph (d) of subsection (7) of section 288.106, Florida Statutes, are amended to read:

288.106 Tax refund program for qualified target industry businesses.—

(3) TAX REFUND; ELIGIBLE AMOUNTS.—

(c) A qualified target industry business may not receive refund payments of more than 25 percent of the total tax refunds specified in the tax refund agreement under subparagraph (5)(a)1. in any fiscal year. Further, a qualified target industry business may not receive more than \$1.5 million in refunds under this section in any single fiscal year, or more than \$2.5 million in any single fiscal year if the project is located in an enterprise zone. ~~A qualified target industry business may not receive more than \$7 million in refund payments under this section in all fiscal years, or more than \$7.5 million if the project is located in an enterprise zone.~~

## (4) APPLICATION AND APPROVAL PROCESS.—

(c) Each application meeting the requirements of paragraph (b) must be submitted to the department for determination of eligibility. The department shall review and evaluate each application based on, but not limited to, the following criteria:

1. Expected contributions to the state's economy, consistent with the state strategic economic development plan prepared by the department.

2. The economic benefits of the proposed award of tax refunds under this section ~~and the economic benefits of state incentives proposed for the project. The term "economic benefits" has the same meaning as in s. 288.005. The Office of Economic and Demographic Research shall review and evaluate the methodology and model used to calculate the economic benefits and shall report its findings by September 1 of every 3rd year, to the President of the Senate and the Speaker of the House of Representatives.~~

3. The amount of capital investment to be made by the applicant in this state.

4. The local financial commitment and support for the project.

5. The *expected* effect of the project on the *unemployed and underemployed* ~~unemployment rate~~ in the county where the project will be located.

6. The *expected* effect of the award on the viability of the project and the probability that the project would be undertaken in this state if such tax refunds are granted to the applicant.

7. ~~The expected long term commitment of the applicant to economic growth and employment in this state resulting from the project.~~

7.8. A review of the business's past activities in this state or other states, including whether *the* ~~such~~ business has been subjected to criminal or civil fines and penalties. This subparagraph does not require the disclosure of confidential information.

## (7) ADMINISTRATION.—

(d) Beginning with tax refund agreements signed after July 1, 2010, the department shall attempt to ascertain the causes for any business's failure to complete its agreement and ~~shall report its findings and recommendations must be included in the annual incentives report under s. 288.907 to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report shall be submitted by December 1 of each year beginning in 2011.~~

Section 18. Paragraphs (c) and (d) of subsection (1), subsections (2) and (3), and paragraphs (a), (b), and (f) of subsection (4) of section 288.107, Florida Statutes, are amended to read:

## 288.107 Brownfield redevelopment bonus refunds.—

## (1) DEFINITIONS.—As used in this section:

(c) "Brownfield area *eligible for bonus refunds*" means a *brownfield site for which a rehabilitation agreement with the Department of Environmental Protection or a local government delegated by the Department of Environmental Protection has been executed under s. 376.80 and any abutting real property parcel within a brownfield contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution under s. 376.80. Such areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas, and Environmental Protection Agency-designated brownfield pilot projects.*

## (d) "Eligible business" means:

1. A qualified target industry business as defined in s. 288.106(2); or

2. A business that can demonstrate a fixed capital investment of at least \$2 million in mixed-use business activities, including multiunit housing, commercial, retail, and industrial in brownfield areas *eligible for bonus refunds, or at least \$500,000 in brownfield areas that do not require site cleanup*, and that provides benefits to its employees.

(2) BROWNFIELD REDEVELOPMENT BONUS REFUND.— Bonus refunds shall be approved by the department as specified in the final order and allowed from the account as follows:

(a) A bonus refund of \$2,500 shall be allowed to any qualified target industry business as defined in s. 288.106 for each new Florida job created in a brownfield area *eligible for bonus refunds which that* is claimed on the qualified target industry business's annual refund claim authorized in s. 288.106(6).

(b) A bonus refund of up to \$2,500 shall be allowed to any other eligible business as defined in subparagraph (1)(d)2. for each new Florida job created in a brownfield area *eligible for bonus refunds which that* is claimed under an annual claim procedure similar to the annual refund claim authorized in s. 288.106(6). The amount of the refund shall be equal to 20 percent of the average annual wage for the jobs created.

(3) CRITERIA.—The minimum criteria for participation in the brownfield redevelopment bonus refund are:

(a) The creation of at least 10 new full-time permanent jobs. Such jobs shall not include construction or site rehabilitation jobs associated with the implementation of a brownfield site agreement as described in s. 376.80(5).

(b) The completion of a fixed capital investment of at least \$2 million in mixed-use business activities, including multiunit housing, commercial, retail, and industrial in brownfield areas *eligible for bonus refunds, or at least \$500,000 in brownfield areas that do not require site cleanup*, by an eligible business applying for a refund under paragraph (2)(b) which provides benefits to its employees.

(c) ~~That the designation as a brownfield will diversify and strengthen the economy of the area surrounding the site.~~

(d) ~~That the designation as a brownfield will promote capital investment in the area beyond that contemplated for the rehabilitation of the site.~~

(e) ~~A resolution adopted by the governing board of the county or municipality in which the project will be located that recommends that certain types of businesses be approved.~~

## (4) PAYMENT OF BROWNFIELD REDEVELOPMENT BONUS REFUNDS.—

(a) To be eligible to receive a bonus refund for new Florida jobs created in a brownfield area *eligible for bonus refunds*, a business must have been certified as a qualified target industry business under s. 288.106 or eligible business as defined in paragraph (1)(d) and must have indicated on the qualified target industry business tax refund application form submitted in accordance with s. 288.106(4) or other similar agreement for other eligible business as defined in paragraph (1)(d) that the project for which the application is submitted is or will be located in a brownfield area *eligible for bonus refunds* and that the business is applying for certification as a qualified brownfield business under this section, and must have signed a qualified target industry business tax refund agreement with the department that indicates that the business has been certified as a qualified target industry business located in a brownfield area *eligible for bonus refunds* and specifies the schedule of brownfield redevelopment bonus refunds that the business may be eligible to receive in each fiscal year.

(b) To be considered to receive an eligible brownfield redevelopment bonus refund payment, the business meeting the requirements of paragraph (a) must submit a claim once each fiscal year on a claim form approved by the department which indicates the location of the brownfield site for which a rehabilitation agreement with the Department of Environmental Protection or a local government delegated by the Department of Environmental Protection has been executed under s. 376.80, the address of the business facility's brownfield location, the name of the brownfield in which it is located, the number of jobs created, and the average wage of the jobs created by the business within the brownfield as defined in s. 288.106 or other eligible business as defined in paragraph (1)(d) and the administrative rules and policies for that section.

(f) Applications shall be reviewed and certified pursuant to s. 288.061. The department shall review all applications submitted under s. 288.106 or other similar application forms for other eligible businesses

as defined in paragraph (1)(d) which indicate that the proposed project will be located in a brownfield area eligible for bonus refunds and determine, with the assistance of the Department of Environmental Protection, that the project location is within a brownfield area eligible for bonus refunds as provided in this act.

Section 19. *The amendments to section 288.107, Florida Statutes, made by this act do not apply to any party seeking a brownfield redevelopment bonus refund where, before the effective date of this act:*

(1) *A resolution endorsing the refund was approved by the local government;*

(2) *Any such party seeking the refund filed a notice of intent to seek a refund or filed an application for the refund with the Department of Economic Opportunity or Enterprise Florida, Inc.; or*

(3) *Any such party seeking the refund executed an actual tax refund agreement with the Department of Economic Opportunity.*

Section 20. Subsection (8) of section 288.1081, Florida Statutes, is amended to read:

288.1081 Economic Gardening Business Loan Pilot Program.—

(8) *The annual report required under s. 20.60 must describe* ~~On June 30 and December 31 of each year, the department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which describes~~ in detail the use of the loan funds. The report must include, at a minimum, the number of businesses receiving loans, the number of full-time equivalent jobs created as a result of the loans, the amount of wages paid to employees in the newly created jobs, the locations and types of economic activity undertaken by the borrowers, the amounts of loan repayments made to date, and the default rate of borrowers.

Section 21. Subsection (8) of section 288.1082, Florida Statutes, is amended to read:

288.1082 Economic Gardening Technical Assistance Pilot Program.—

(8) *The annual report required under s. 20.60 must describe* ~~On December 31 of each year, the department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which describes~~ in detail the progress of the pilot program. The report must include, at a minimum, the number of businesses receiving assistance, the number of full-time equivalent jobs created as a result of the assistance, if any, the amount of wages paid to employees in the newly created jobs, and the locations and types of economic activity undertaken by the businesses.

Section 22. Paragraph (e) of subsection (3) of section 288.1088, Florida Statutes, is amended to read:

288.1088 Quick Action Closing Fund.—

(3)

(e) *The department Enterprise Florida, Inc., shall validate contractor performance and report; such validation shall be reported in the annual incentives report required under s. 288.907 within 6 months after completion of the contract to the Governor, President of the Senate, and the Speaker of the House of Representatives.*

Section 23. Paragraphs (b) and (d) of subsection (4), and subsections (9) and (11) of section 288.1089, Florida Statutes, are amended to read:

288.1089 Innovation Incentive Program.—

(4) To qualify for review by the department, the applicant must, at a minimum, establish the following to the satisfaction of the department:

(b) A research and development project must:

1. Serve as a catalyst for an emerging or evolving technology cluster.
2. Demonstrate a plan for significant higher education collaboration.

3. Provide the state, at a minimum, a *cumulative* break-even economic benefit ~~return on investment~~ within a 20-year period.

4. Be provided with a one-to-one match from the local community. The match requirement may be reduced or waived in rural areas of critical economic concern or reduced in rural areas, brownfield areas, and enterprise zones.

(d) For an alternative and renewable energy project in this state, the project must:

1. Demonstrate a plan for significant collaboration with an institution of higher education;

2. Provide the state, at a minimum, a *cumulative* break-even economic benefit ~~return on investment~~ within a 20-year period;

3. Include matching funds provided by the applicant or other available sources. The match requirement may be reduced or waived in rural areas of critical economic concern or reduced in rural areas, brownfield areas, and enterprise zones;

4. Be located in this state; and

5. Provide at least 35 direct, new jobs that pay an estimated annual average wage that equals at least 130 percent of the average private sector wage.

(9) The department shall validate the performance of an innovation business, a research and development facility, or an alternative and renewable energy business that has received an award. At the conclusion of the innovation incentive award agreement, or its earlier termination, the department shall *include in the annual incentives report required under s. 288.907 a detailed description of,* ~~within 90 days, submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives detailing~~ whether the recipient of the innovation incentive grant achieved its specified outcomes.

(11)(a) ~~The department shall include in submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives, as part of the annual incentives report required under s. 288.907; a report summarizing the activities and accomplishments of the recipients of grants from the Innovation Incentive Program during the previous 12 months and an evaluation of whether the recipients are catalysts for additional direct and indirect economic development in Florida.~~

(b) ~~Beginning March 1, 2010, and every third year thereafter, the Office of Program Policy Analysis and Government Accountability, in consultation with the Auditor General's Office, shall release a report evaluating the Innovation Incentive Program's progress toward creating clusters of high wage, high skilled, complementary industries that serve as catalysts for economic growth specifically in the regions in which they are located, and generally for the state as a whole. Such report should include critical analyses of quarterly and annual reports, annual audits, and other documents prepared by the Innovation Incentive Program awardees; relevant economic development reports prepared by the department, Enterprise Florida, Inc., and local or regional economic development organizations; interviews with the parties involved; and any other relevant data. Such report should also include legislative recommendations, if necessary, on how to improve the Innovation Incentive Program so that the program reaches its anticipated potential as a catalyst for direct and indirect economic development in this state.~~

Section 24. Effective July 1, 2013, section 288.11631, Florida Statutes, is created to read:

288.11631 Retention of Major League Baseball spring training baseball franchises.—

(1) *DEFINITIONS.—As used in this section, the term:*

(a) *“Agreement” means a certified, signed lease between an applicant that applies for certification on or after July 1, 2013, and a spring training franchise for the use of a facility.*

(b) *“Applicant” means a unit of local government as defined in s. 218.369, including a local government located in the same county, which has partnered with a certified applicant before the effective date of this*

section or with an applicant for a new certification, for purposes of sharing in the responsibilities of a facility.

(c) "Certified applicant" means a facility for a spring training franchise or a unit of local government that is certified under this section.

(d) "Facility" means a spring training stadium, playing fields, and appurtenances intended to support spring training activities.

(e) "Local funds" and "local matching funds" mean funds provided by a county, municipality, or other local government.

## (2) CERTIFICATION PROCESS.—

(a) Before certifying an applicant to receive state funding for a facility for a spring training franchise, the department must verify that:

1. The applicant is responsible for the construction or renovation of the facility for a spring training franchise or holds title to the property on which the facility for a spring training franchise is located.

2. The applicant has a certified copy of a signed agreement with a spring training franchise. The signed agreement with a spring training franchise for the use of a facility must, at a minimum, be equal to the length of the term of the bonds issued for the public purpose of constructing or renovating a facility for a spring training franchise. If no such bonds are issued for the public purpose of constructing or renovating a facility for a spring training franchise, the signed agreement with a spring training franchise for the use of a facility must be for at least 20 years. Any such agreement with a spring training franchise for the use of a facility cannot be signed more than 4 years before the expiration of any existing agreement with a spring training franchise for the use of a facility. The agreement must also require the franchise to reimburse the state for state funds expended by an applicant under this section if the franchise relocates before the agreement expires. The agreement may be contingent on an award of funds under this section and other conditions precedent.

3. The applicant has made a financial commitment to provide 50 percent or more of the funds required by an agreement for the construction or renovation of the facility for a spring training franchise. The commitment may be contingent upon an award of funds under this section and other conditions precedent.

4. The applicant demonstrates that the facility for a spring training franchise will attract a paid attendance of at least 50,000 persons annually to the spring training games.

5. The facility for a spring training franchise is located in a county that levies a tourist development tax under s. 125.0104.

(b) The department shall evaluate applications for state funding of the construction or renovation of the facility for a spring training franchise. The evaluation criteria must include the following items:

1. The anticipated effect on the economy of the local community where the facility is to be constructed or renovated, including projections on paid attendance, local and state tax collections generated by spring training games, and direct and indirect job creation resulting from the spring training activities.

2. The amount of the local matching funds committed to a facility relative to the amount of state funding sought.

3. The potential for the facility to be used as a multiple purpose, year-round facility.

4. The intended use of the funds by the applicant.

5. The length of time that a spring training franchise has been under an agreement to conduct spring training activities within an applicant's geographic location or jurisdiction.

6. The length of time that an applicant's facility has been used by one or more spring training franchises, including continuous use as facilities for spring training.

7. The term remaining on a lease between an applicant and a spring training franchise for a facility.

8. The length of time that a spring training franchise agrees to use an applicant's facility if an application is granted under this section.

9. The location of the facility in a brownfield, an enterprise zone, a community redevelopment area, or other area of targeted development or revitalization included in an urban infill redevelopment plan.

(c) Each applicant certified on or after July 1, 2013, shall enter into an agreement with the department which:

1. Specifies the amount of the state incentive funding to be distributed. The amount of state incentive funding per certified applicant may not exceed \$20 million. However, if a certified applicant's facility is used by more than one spring training franchise, the maximum amount may not exceed \$50 million, and the Department of Revenue shall make distributions to the applicant pursuant to s. 212.20(6)(d)6.e. for not more than 37 years and 6 months.

2. States the criteria that the certified applicant must meet in order to remain certified. These criteria must include a provision stating that the spring training franchise must reimburse the state for any funds received if the franchise does not comply with the terms of the contract.

3. States that the certified applicant is subject to decertification if the certified applicant fails to comply with this section or the agreement.

4. States that the department may recover state incentive funds if the certified applicant is decertified.

5. Specifies the information that the certified applicant must report to the department.

6. Includes any provision deemed prudent by the department.

## (3) USE OF FUNDS.—

(a) A certified applicant may use funds provided under s. 212.20(6)(d)6.e. only to:

1. Serve the public purpose of constructing or renovating a facility for a spring training franchise.

2. Pay or pledge for the payment of debt service on, or to fund debt service reserve funds, arbitrage rebate obligations, or other amounts payable with respect thereto, bonds issued for the construction or renovation of such facility, or for the reimbursement of such costs or the refinancing of bonds issued for such purposes.

(b) State funds awarded to a certified applicant for a facility for a spring training franchise may not be used to subsidize facilities that are privately owned by, maintained by, and used exclusively by a spring training franchise.

(c) The Department of Revenue may not distribute funds under s. 212.20(6)(d)6.e. until July 1, 2016. Further, the Department of Revenue may not distribute funds to an applicant certified on or after July 1, 2013, until it receives notice from the department that:

1. The certified applicant has encumbered funds under either subparagraph (a)1. or 2.; and

2. If applicable, any existing agreement with a spring training franchise for the use of a facility has expired.

(d)1. All certified applicants shall place unexpended state funds received pursuant to s. 212.20(6)(d)6.e. in a trust fund or separate account for use only as authorized in this section.

2. A certified applicant may request that the department notify the Department of Revenue to suspend further distributions of state funds made available under s. 212.20(6)(d)6.e. for 12 months after expiration of an existing agreement with a spring training franchise to provide the certified applicant with an opportunity to enter into a new agreement with a spring training franchise, at which time the distributions shall resume.

3. The expenditure of state funds distributed to an applicant certified after July 1, 2013, must begin within 48 months after the initial receipt of the state funds. In addition, the construction or renovation of a spring

training facility must be completed within 24 months after the project's commencement.

(4) ANNUAL REPORTS.—

(a) On or before September 1 of each year, a certified applicant shall submit to the department a report that includes, but is not limited to:

1. A detailed accounting of all local and state funds expended to date on the project financed under this section.
2. A copy of the contract between the certified local governmental entity and the spring training franchise.
3. A cost-benefit analysis of the team's impact on the community.
4. Evidence that the certified applicant continues to meet the criteria in effect when the applicant was certified.

(b) The department shall compile the information received from each certified applicant and publish the information annually by November 1.

(5) DECERTIFICATION.—

(a) The department shall decertify a certified applicant upon the request of the certified applicant.

(b) The department shall decertify a certified applicant if the certified applicant does not:

1. Have a valid agreement with a spring training franchise; or
2. Satisfy its commitment to provide local matching funds to the facility.

However, decertification proceedings against a local government certified after July 1, 2013, shall be delayed until 12 months after the expiration of the local government's existing agreement with a spring training franchise, and without a new agreement being signed, if the certified local government can demonstrate to the department that it is in active negotiations with a major league spring training franchise, other than the franchise that was the basis for the original certification.

(c) A certified applicant has 60 days after it receives a notice of intent to decertify from the department to petition for review of the decertification. Within 45 days after receipt of the request for review, the department must notify a certified applicant of the outcome of the review.

(d) The department shall notify the Department of Revenue that a certified applicant has been decertified within 10 days after the order of decertification becomes final. The Department of Revenue shall immediately stop the payment of any funds under this section which were not encumbered by the certified applicant under subparagraph (3)(a)2.

(e) The department shall order a decertified applicant to repay all of the unencumbered state funds that the applicant received under this section and any interest that accrued on those funds. The repayment must be made within 60 days after the decertification order becomes final. These funds shall be deposited into the General Revenue Fund.

(f) A local government as defined in s. 218.369 may not be decertified by the department if it has paid or pledged for the payment of debt service on, or to fund debt service reserve funds, arbitrage rebate obligations, or other amounts payable with respect thereto, bonds issued for the construction or renovation of the facility for which the local government was certified, or for the reimbursement of such costs or the refinancing of bonds issued for the construction or renovation of the facility for which the local government was certified, or for the reimbursement of such costs or the refinancing of bonds issued for such purpose. This subsection does not preclude or restrict the ability of a certified local government to refinance, refund, or defease such bonds.

(6) RULEMAKING.—The department shall adopt rules to implement the certification, decertification, and decertification review processes required by this section.

(7) AUDITS.—The Auditor General may conduct audits as provided in s. 11.45 to verify that the distributions under this section are expended as required in this section. If the Auditor General determines that the

distributions under this section are not expended as required by this section, the Auditor General shall notify the Department of Revenue, which may pursue recovery of the funds under the laws and rules governing the assessment of taxes.

Section 25. Subsection (3) of section 288.1253, Florida Statutes, is amended to read:

288.1253 Travel and entertainment expenses.—

(3) The Office of Film and Entertainment ~~department~~ shall include in the annual report for the entertainment industry financial incentive program required under s. 288.1254(10) a ~~prepare an annual~~ report of the office's expenditures ~~of the Office of Film and Entertainment and provide such report to the Legislature no later than December 30 of each year for the expenditures of the previous fiscal year.~~ The report must ~~shall~~ consist of a summary of all travel, entertainment, and incidental expenses incurred within the United States and all travel, entertainment, and incidental expenses incurred outside the United States, as well as a summary of all successful projects that developed from such travel.

Section 26. Subsection (10) of section 288.1254, Florida Statutes, is amended to read:

288.1254 Entertainment industry financial incentive program.—

(10) ANNUAL REPORT.—Each ~~November 1~~ ~~October 1~~, the Office of Film and Entertainment shall ~~submit~~ ~~provide~~ an annual report for the previous fiscal year to the Governor, the President of the Senate, and the Speaker of the House of Representatives which outlines the incentive program's return on investment and economic benefits to the state. The report ~~must~~ ~~shall~~ also include an estimate of the full-time equivalent positions created by each production that received tax credits under this section and information relating to the distribution of productions receiving credits by geographic region and type of production. ~~The report must also include the expenditures report required under s. 288.1253(3) and the information describing the relationship between tax exemptions and incentives to industry growth required under s. 288.1258(5).~~

Section 27. Subsection (5) of section 288.1258, Florida Statutes, is amended to read:

288.1258 Entertainment industry qualified production companies; application procedure; categories; duties of the Department of Revenue; records and reports.—

(5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO INDUSTRY GROWTH; REPORT TO THE LEGISLATURE.—The Office of Film and Entertainment shall keep annual records from the information provided on taxpayer applications for tax exemption certificates beginning January 1, 2001. These records also ~~must~~ ~~shall~~ reflect a ratio of the annual amount of sales and use tax exemptions under this section, plus the incentives awarded pursuant to s. 288.1254 to the estimated amount of funds expended by certified productions. In addition, the office shall maintain data showing annual growth in Florida-based entertainment industry companies and entertainment industry employment and wages. The employment information ~~must~~ ~~shall~~ include an estimate of the full-time equivalent positions created by each production that received tax credits pursuant to s. 288.1254. The Office of Film and Entertainment shall ~~include~~ ~~report~~ this information in the annual report for the entertainment industry financial incentive program required under s. 288.1254(10) ~~to the Legislature no later than December 1 of each year.~~

Section 28. Subsection (3) of section 288.714, Florida Statutes, is amended to read:

288.714 Quarterly and annual reports.—

(3) ~~By August 31 of each year,~~ The department shall include in its annual report required under s. 20.60 ~~provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives~~ a detailed report of the performance of the Black Business Loan Program. The report must include a cumulative summary of the quarterly report data compiled pursuant to ~~required by~~ subsection (2) ~~(4).~~

Section 29. Section 288.7771, Florida Statutes, is amended to read:



288.7771 Annual report of Florida Export Finance Corporation.—The corporation shall annually prepare and submit to *Enterprise Florida, Inc.*, the department for inclusion in its annual report required under ~~by~~ s. 288.906, ~~s. 288.005~~ a complete and detailed report setting forth:

- (1) The report required in s. 288.776(3).
- (2) Its assets and liabilities at the end of its most recent fiscal year.

Section 30. Section 288.903, Florida Statutes, is amended to read:

288.903 Duties of Enterprise Florida, Inc.—Enterprise Florida, Inc., shall have the following duties:

- (1) Responsibly and prudently manage all public and private funds received, and ensure that the use of such funds is in accordance with all applicable laws, bylaws, or contractual requirements.
- (2) Administer the entities or programs created pursuant to part IX of this chapter; ss. 288.9622-288.9624; ss. 288.95155 and 288.9519; and chapter 95-429, Laws of Florida, line 1680Y.
- (3) Prepare an annual report pursuant to s. 288.906.
- (4) *Prepare, in conjunction with the department, and* an annual incentives report pursuant to s. 288.907.
- (5)(4) Assist the department with the development of an annual and a long-range strategic business blueprint for economic development required in s. 20.60.

(6)(5) In coordination with Workforce Florida, Inc., identify education and training programs that will ensure Florida businesses have access to a skilled and competent workforce necessary to compete successfully in the domestic and global marketplace.

Section 31. Subsection (6) of section 288.904, Florida Statutes, is repealed.

Section 32. Subsection (3) is added to section 288.906, Florida Statutes, to read:

288.906 Annual report of Enterprise Florida, Inc., and its divisions; audits.—

(3) *The following reports must be included as supplements to the detailed report required by this section:*

- (a) *The annual report of the Florida Export Finance Corporation required under s. 288.7771.*
- (b) *The report on international offices required under s. 288.012.*

Section 33. Section 288.907, Florida Statutes, is amended to read:

288.907 Annual incentives report.—

~~(1) By December 30 of each year, in addition to the annual report required under s. 288.906, Enterprise Florida, Inc., in conjunction with the department, by December 30 of each year, shall provide the Governor, the President of the Senate, and the Speaker of the House of Representatives a detailed incentives report quantifying the economic benefits for all of the economic development incentive programs marketed by Enterprise Florida, Inc.~~

~~(a)~~ The annual incentives report must include:

(1) For each incentive program:

~~(a)1-~~ A brief description of the incentive program.

~~(b)2-~~ The amount of awards granted, by year, since inception and the annual amount actually transferred from the state treasury to businesses or for the benefit of businesses for each of the previous 3 years.

~~3-~~ The economic benefits, as defined in s. 288.005, based on the actual amount of private capital invested, actual number of jobs created, and actual wages paid for incentive agreements completed during the previous 3 years.

~~(c)4-~~ ~~The report shall also include~~ The actual amount of private capital invested, actual number of jobs created, and actual wages paid for incentive agreements completed during the previous 3 years for each target industry sector.

~~(2)(b)~~ For projects completed during the previous state fiscal year, ~~the report must include:~~

~~(a)1-~~ The number of economic development incentive applications received.

~~(b)2-~~ The number of recommendations made to the department by Enterprise Florida, Inc., including the number recommended for approval and the number recommended for denial.

~~(c)3-~~ The number of final decisions issued by the department for approval and for denial.

~~(d)4-~~ The projects for which a tax refund, tax credit, or cash grant agreement was executed, identifying for each project:

~~1.a-~~ The number of jobs committed to be created.

~~2.b-~~ The amount of capital investments committed to be made.

~~3.c-~~ The annual average wage committed to be paid.

~~4.d-~~ The amount of state economic development incentives committed to the project from each incentive program under the project's terms of agreement with the Department of Economic Opportunity.

~~5.e-~~ The amount and type of local matching funds committed to the project.

~~(e)~~ Tax refunds paid or other payments made funded out of the Economic Development Incentives Account for each project.

~~(f)~~ The types of projects supported.

~~(3)(e)~~ For economic development projects that received tax refunds, tax credits, or cash grants under the terms of an agreement for incentives, ~~the report must identify:~~

~~(a)1-~~ The number of jobs actually created.

~~(b)2-~~ The amount of capital investments actually made.

~~(c)3-~~ The annual average wage paid.

~~(4)(d)~~ For a project receiving economic development incentives approved by the department and receiving federal or local incentives, ~~the report must include~~ a description of the federal or local incentives, if available.

~~(5)(e)~~ ~~The report must state the~~ number of withdrawn or terminated projects that did not fulfill the terms of their agreements with the department and, consequently, are not receiving incentives.

~~(6)~~ For any agreements signed after July 1, 2010, findings and recommendations on the efforts of the department to ascertain the causes of any business's inability to complete its agreement made under s. 288.106.

~~(7)(f)~~ ~~The amount report must include an analysis of the economic benefits, as defined in s. 288.005, of tax refunds, tax credits, or other payments made to projects locating or expanding in state enterprise zones, rural communities, brownfield areas, or distressed urban communities. The report must include a separate analysis of the impact of such tax refunds on state enterprise zones designated under s. 290.0065, rural communities, brownfield areas, and distressed urban communities.~~

~~(8)~~ The name of and tax refund amount for each business that has received a tax refund under s. 288.1045 or s. 288.106 during the preceding fiscal year.

~~(9)(g)~~ An identification of ~~The report must identify~~ the target industry businesses and high-impact businesses.

~~(10)(h)~~ A description of ~~The report must describe~~ the trends relating to business interest in, and usage of, the various incentives, and the

number of minority-owned or woman-owned businesses receiving incentives.

~~(1)(4) An identification of The report must identify incentive programs not used and recommendations for program changes or program elimination utilized.~~

(12) Information related to the validation of contractor performance required under s. 288.061.

(13) Beginning in 2014, a summation of the activities related to the Florida Space Business Incentives Act.

~~(2) The Division of Strategic Business Development within the department shall assist Enterprise Florida, Inc., in the preparation of the annual incentives report.~~

Section 34. Subsection (3) of section 288.92, Florida Statutes, is amended to read:

288.92 Divisions of Enterprise Florida, Inc.—

(3) ~~By October 15 each year,~~ Each division shall draft and submit an annual report ~~for inclusion in the report required under s. 288.906~~ which details the division's activities during the ~~previous prior~~ fiscal year and includes ~~any~~ recommendations for improving current statutes related to the division's ~~related~~ area of responsibility.

Section 35. Subsection (5) of section 288.95155, Florida Statutes, is amended to read:

288.95155 Florida Small Business Technology Growth Program.—

(5) Enterprise Florida, Inc., shall prepare for inclusion in the annual report ~~of the department~~ required under s. 288.907 ~~by s. 288.095~~ a report on the financial status of the program. The report must specify the assets and liabilities of the program within the current fiscal year and must include a portfolio update that lists all of the businesses assisted, the private dollars leveraged by each business assisted, and the growth in sales and in employment of each business assisted.

Section 36. Effective July 1, 2013, paragraph (c) of subsection (3) of section 288.9914, Florida Statutes, is amended to read:

288.9914 Certification of qualified investments; investment issuance reporting.—

(3) REVIEW.—

(c) The department may not approve a cumulative amount of qualified investments that may result in the claim of more than \$178.8 ~~\$163.8~~ million in tax credits during the existence of the program or more than \$36.6 ~~\$33.6~~ million in tax credits in a single state fiscal year. However, the potential for a taxpayer to carry forward an unused tax credit may not be considered in calculating the annual limit.

Section 37. Subsection (11) of section 290.0056, Florida Statutes, is amended to read:

290.0056 Enterprise zone development agency.—

(11) Before ~~October 1 December 1~~ of each year, the agency shall submit to the department ~~for inclusion in the annual report required under s. 20.60~~ a complete and detailed written report setting forth:

(a) Its operations and accomplishments during the fiscal year.

(b) The accomplishments and progress concerning the implementation of the strategic plan or measurable goals, and any updates to the strategic plan or measurable goals.

(c) The number and type of businesses assisted by the agency during the fiscal year.

(d) The number of jobs created within the enterprise zone during the fiscal year.

(e) The usage and revenue impact of state and local incentives granted during the calendar year.

(f) Any other information required by the department.

Section 38. Section 290.014, Florida Statutes, is amended to read:

290.014 Annual reports on enterprise zones.—

(1) By ~~October 1 February 1~~ of each year, the Department of Revenue shall submit an annual report to the department detailing the usage and revenue impact by county of the state incentives listed in s. 290.007.

(2) ~~By March 1 of each year, the department shall submit an annual report to the Governor, the Speaker of the House of Representatives, and the President of the Senate.~~ The annual report required under s. 20.60 shall include the information provided by the Department of Revenue pursuant to subsection (1) and the information provided by enterprise zone development agencies pursuant to s. 290.0056. In addition, the report shall include an analysis of the activities and accomplishments of each enterprise zone.

Section 39. Subsection (11) of section 331.3051, Florida Statutes, is amended to read:

331.3051 Duties of Space Florida.—Space Florida shall:

(11) Annually report on its performance with respect to its business plan, to include finance, spaceport operations, research and development, workforce development, and education. ~~Space Florida shall submit the report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 30 no later than September 1 for the previous prior~~ fiscal year. ~~The annual report must include operations information as required under s. 331.310(2)(e).~~

Section 40. Paragraph (e) of subsection (2) of section 331.310, Florida Statutes, is amended to read:

331.310 Powers and duties of the board of directors.—

(2) The board of directors shall:

(e) Prepare an annual report of operations ~~as a supplement to the annual report required under s. 331.3051(11).~~ The report ~~must shall~~ include, but not be limited to, a balance sheet, an income statement, a statement of changes in financial position, a reconciliation of changes in equity accounts, a summary of significant accounting principles, the auditor's report, a summary of the status of existing and proposed bonding projects, comments from management about the year's business, and prospects for the next year, ~~which shall be submitted each year by November 30 to the Governor, the President of the Senate, the Speaker of the House of Representatives, the minority leader of the Senate, and the minority leader of the House of Representatives.~~

Section 41. Subsection (4) of section 446.50, Florida Statutes, is amended to read:

446.50 Displaced homemakers; multiservice programs; report to the Legislature; Displaced Homemaker Trust Fund created.—

(4) **DISPLACED HOME MAKER PROGRAM STATE PLAN.**—

~~(a)~~ The Department of Economic Opportunity shall ~~include in its annual report required under s. 20.60 a develop a 3-year state plan~~ for the displaced homemaker program ~~which shall be updated annually.~~ The plan must address, at a minimum, the need for programs specifically designed to serve displaced homemakers, any necessary service components for such programs in addition to those ~~described enumerated~~ in this section, goals of the displaced homemaker program with an analysis of the extent to which those goals are being met, and recommendations for ways to address any unmet program goals. Any request for funds for program expansion must be based on the ~~state~~ plan.

~~(b)~~ The displaced homemaker program ~~Each annual update must address any changes in the components of the 3-year state plan and a report that~~ must include, but need not be limited to, the following:

~~(a)1-~~ The scope of the incidence of displaced homemakers;

(b)2- A compilation and report, by program, of data submitted to the department pursuant to subparagraph (3)(b)3. ~~subparagraph 2~~, by funded displaced homemaker service programs;

(c)2- An identification and description of the programs in the state which receive funding from the department, including funding information; and

(d)4- An assessment of the effectiveness of each displaced homemaker service program based on outcome criteria established by rule of the department.

~~(e) The 3-year state plan must be submitted to the President of the Senate, the Speaker of the House of Representatives, and the Governor on or before January 1, 2001, and annual updates of the plan must be submitted by January 1 of each subsequent year.~~

Section 42. (1) *The tax levied under chapter 212, Florida Statutes, may not be collected during the period from 12:01 a.m. on August 2, 2013, through 11:59 p.m. on August 4, 2013, on the sale of:*

(a) *Clothing, wallets, or bags, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, having a sales price of \$75 or less per item. As used in this paragraph, the term "clothing" means:*

1. *Any article of wearing apparel intended to be worn on or about the human body, excluding watches, watchbands, jewelry, umbrellas, and handkerchiefs; and*

2. *All footwear, excluding skis, swim fins, roller blades, and skates.*

(b) *School supplies having a sales price of \$15 or less per item. As used in this paragraph, the term "school supplies" means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue or paste, rulers, computer disks, protractors, compasses, and calculators.*

(c) *Personal computers and related accessories having a sales price of \$750 or less, purchased for noncommercial home or personal use. The term "personal computer" means an electronic device that accepts information in digital or similar form and manipulates such information for a result based on a sequence of instructions. The term includes any electronic book reader, laptop, desktop, handheld, tablet, or tower computer but does not include cellular telephones, video game consoles, digital media receivers, or devices that are not primarily designed to process data. The term "related accessories" includes keyboards, mice, personal digital assistants, monitors, other peripheral devices, modems, routers, and nonrecreational software, regardless of whether the accessories are used in association with a personal computer base unit; however, the term does not include furniture or systems, devices, software, or peripherals that are designed or intended primarily for recreational use. The term "monitor" does not include a device that includes a television tuner.*

(2) *The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.*

(3) *The Department of Revenue may, and all conditions are deemed met to, adopt emergency rules pursuant to ss. 120.536(1) and 120.54, Florida Statutes, to administer this section.*

(4) *For the 2012-2013 fiscal year, the sum of \$235,695 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of administering this section. Funds remaining unexpended or unencumbered from this appropriation as of June 30, 2013, shall revert and be reappropriated for the same purpose in the 2013-2014 fiscal year.*

Section 43. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to economic development; establishing the

Economic Development Programs Evaluation; requiring the Office of Economic and Demographic Research and the Office of Program Policy Analysis and Government Accountability to present the evaluation; requiring the offices to develop and submit a work plan for completing the evaluation by a certain date; requiring the offices to provide an analysis of certain economic development programs and specifying a schedule; requiring the Office of Economic and Demographic Research to make certain evaluations in its analysis; limiting the office's evaluation for the purposes of tax credits, tax refunds, sales tax exemptions, cash grants, and similar programs; requiring the office to use a certain model to evaluate each program; requiring the Office of Program Policy Analysis and Government Accountability to make certain evaluations in its analysis; providing the offices access to all data necessary to complete the evaluation; amending s. 20.60, F.S.; revising the date on which the Department of Economic Opportunity and Enterprise Florida, Inc., are required to report on the business climate and economic development in the state; specifying reports and information that must be included; amending s. 210.20, F.S.; requiring the Division of Alcoholic Beverages and Tobacco to certify the amount derived from the cigarette tax until a specified time; amending s. 212.08, F.S.; providing a tax exemption for a specific use of natural gas; revising the definitions of a "housing project" and "mixed-use project"; expanding the exemption for repairs to rotary wing aircraft; clarifying the application of certain amendments; amending s. 212.20, F.S.; requiring the Department of Revenue to distribute moneys to certified applicants for a facility used by a spring training franchise; amending s. 213.053, F.S.; authorizing the Department of Revenue to make certain information available to the director of the Office of Program Policy Analysis and Government Accountability and the coordinator of the Office of Economic and Demographic Research; authorizing the offices to share certain information; amending s. 220.182, F.S.; providing enterprise zone credits for each eligible location; amending s. 220.194, F.S.; requiring the annual report for the Florida Space Business Incentives Act to be included in the annual incentives report; deleting certain reporting requirements; amending s. 288.005, F.S.; providing a definition; amending s. 288.012, F.S.; requiring each State of Florida international office to submit a report to Enterprise Florida, Inc., for inclusion in its annual report; deleting a reporting date; amending s. 288.061, F.S.; requiring the Department of Economic Opportunity to analyze each economic development incentive application; prohibiting the executive director from approving an economic development incentive application unless a specified written declaration is received; amending s. 288.0656, F.S.; requiring the Rural Economic Development Initiative to submit a report to supplement the Department of Economic Opportunity's annual report; deleting certain reporting requirements; creating s. 288.076, F.S.; providing definitions; requiring the department to publish on a website specified information concerning state investment in economic development programs; requiring the department to work with the Office of Economic and Demographic Research to provide a description of specified methodology and requiring the department to publish this description on its website; providing procedures and requirements for reviewing, updating, and supplementing specified published information; requiring the department to annually publish information relating to the progress of Quick Action Closing Fund projects; requiring the department to publish certain confidential information pertaining to participant businesses upon expiration of a specified confidentiality period; requiring the department to publish certain reports concerning businesses that fail to complete tax refund agreements under the tax refund program for qualified target industry businesses; providing for construction and legislative intent; authorizing the department to adopt rules; repealing s. 288.095(3)(c), F.S., relating to the annual report by Enterprise Florida, Inc., of programs funded by the Economic Development Incentives Account; amending s. 288.1045, F.S.; deleting a provision that prohibits a qualified applicant from receiving more than a specified amount of money in tax refunds; amending s. 288.106, F.S.; deleting a provision that prohibits a qualified target industry business from receiving more than a specified amount of money in tax refunds for certain projects; deleting and adding provisions relating to the application and approval process of the tax refund program for qualified target industry businesses; requiring the Department of Economic Opportunity to include information on qualified target industry businesses in the annual incentives report; deleting certain reporting requirements; amending s. 288.107, F.S.; revising definitions; revising provisions to conform to changes made by the act; revising the minimum criteria for participation in the brownfield redevelopment bonus refund; clarifying the application of certain amendments; amending s. 288.1081, F.S.; requiring the use of loan funds from the Economic Gardening Business Loan Pilot Program to be in-

cluded in the department's annual report; deleting certain reporting requirements; amending s. 288.1082, F.S.; requiring the progress of the Economic Gardening Technical Assistance Pilot Program to be included in the department's annual report; deleting certain reporting requirements; amending s. 288.1088, F.S.; requiring the department to validate contractor performance for the Quick Action Closing Fund and include the performance validation in the annual incentives report; deleting certain reporting requirements; amending s. 288.1089, F.S.; requiring that certain projects in the Innovation Incentive Program provide a cumulative break-even economic benefit; requiring the department to report information relating to the Innovation Incentive Program in the annual incentives report; deleting certain reporting requirements; deleting provisions that require the Office of Program Policy Analysis and Government Accountability and the Auditor General's Office to report on the Innovation Incentive Program; creating s. 288.11631, F.S.; providing definitions; providing a certification process for an applicant to receive state funding for a facility for a spring training franchise; providing for the use of funds; requiring a certified applicant to submit an annual report and requiring the department to publish such information; providing for decertification of a certified applicant; requiring the department to adopt rules; authorizing the Auditor General to conduct certain audits; amending s. 288.1253, F.S.; revising a reporting date; requiring expenditures of the Office of Film and Entertainment to be included in the annual entertainment industry financial incentive program report; amending s. 288.1254, F.S.; revising a reporting date; requiring the annual entertainment industry financial incentive program report to include certain information; amending s. 288.1258, F.S.; revising a reporting date; requiring the report detailing the relationship between tax exemptions and incentives to industry growth to be included in the annual entertainment industry financial incentive program report; amending s. 288.714, F.S.; requiring the Department of Economic Opportunity's annual report to include a report on the Black Business Loan Program; deleting certain reporting requirements; amending s. 288.7771, F.S.; requiring the Florida Export Finance Corporation to submit a report to Enterprise Florida, Inc.; amending s. 288.903, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare an annual incentives report; repealing s. 288.904(6), F.S., relating to Enterprise Florida, Inc., which requires the department to report the return on the public's investment; amending s. 288.906, F.S.; requiring certain reports to be included in the Enterprise Florida, Inc., annual report; amending s. 288.907, F.S.; requiring Enterprise Florida, Inc., with the Department of Economic Opportunity, to prepare the annual incentives report; requiring the annual incentives report to include certain information; deleting a provision requiring the Division of Strategic Business Development to assist Enterprise Florida, Inc., with the report; amending s. 288.92, F.S.; requiring each division of Enterprise Florida, Inc., to submit a report; amending s. 288.95155, F.S.; requiring the financial status of the Florida Small Business Technology Growth Program to be included in the annual incentives report; amending s. 288.9914, F.S.; prohibiting the department from approving certain qualified investments; amending s. 290.0056, F.S.; revising a reporting date; requiring the enterprise zone development agency to submit certain information for the Department of Economic Opportunity's annual report; amending s. 290.014, F.S.; revising a reporting date; requiring certain reports on enterprise zones to be included in the Department of Economic Opportunity's annual report; amending s. 331.3051, F.S.; revising a reporting date; requiring Space Florida's annual report to include certain information; amending s. 331.310, F.S.; requiring the Board of Directors of Space Florida to supplement Space Florida's annual report with operations information; deleting certain reporting requirements; amending s. 446.50, F.S.; requiring the Department of Economic Opportunity's annual report to include a plan for the displaced homemaker program; deleting certain reporting requirements; prohibiting tax levied under ch. 212, F.S., from being collected during a certain time period for the sale of specified items; providing an appropriation from the General Revenue Fund to the Department of Revenue; providing an effective date.

On motion by Senator Hukill, the Conference Committee Report on **CS for SB 406** was adopted. **CS for SB 406** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—38

Mr. President  
Abruzzo

Altman  
Bean

Bradley  
Brandes

Braynon  
Bullard  
Clemens  
Dean  
Detert  
Diaz de la Portilla  
Evers  
Flores  
Galvano  
Garcia  
Gardiner

Gibson  
Grimsley  
Hays  
Hukill  
Joyner  
Latvala  
Lee  
Legg  
Margolis  
Montford  
Negron

Richter  
Ring  
Simmons  
Simpson  
Smith  
Sobel  
Soto  
Stargel  
Thompson  
Thrasher

Nays—None

Vote after roll call:

Yea—Benacquisto, Sachs

By direction of the President the following Conference Committee Report was read:

#### CONFERENCE COMMITTEE REPORT ON SB 1522

The Honorable Don Gaetz  
President of the Senate

April 30, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1522, same being:

An act relating to the Department of Highway Safety and Motor Vehicles.

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

1. That the House of Representatives recede from its Amendment 1 (647783).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ Joe Negron,  
Chair  
s/ Joseph Abruzzo  
s/ Aaron Bean  
s/ Jeff Brandes  
s/ Dwight Bullard  
s/ Charles S. "Charlie" Dean, Sr.  
s/ Miguel Diaz de la Portilla  
s/ Anitere Flores  
s/ Rene Garcia  
s/ Audrey Gibson  
s/ Alan Hays  
s/ Arthenia L. Joyner  
s/ Tom Lee  
s/ Gwen Margolis  
s/ Garrett Richter, At Large  
s/ Maria Lorts Sachs  
s/ Wilton Simpson  
s/ Eleanor Sobel  
s/ Kelli Stargel  
s/ John Thrasher

s/ Lizbeth Benacquisto,  
Vice Chair  
s/ Thad Altman  
s/ Rob Bradley  
s/ Oscar Braynon II  
s/ Jeff Clemens  
s/ Nancy C. Detert  
s/ Greg Evers  
s/ Bill Galvano  
s/ Andy Gardiner  
s/ Denise Grimsley  
s/ Dorothy L. Hukill  
s/ Jack Latvala  
s/ John Legg  
s/ Bill Montford  
s/ Jeremy Ring  
s/ David Simmons  
s/ Christopher L. Smith, At Large  
s/ Darren Soto  
s/ Geraldine F. "Geri" Thompson

Managers on the part of the Senate

s/ Seth McKeel,  
Committee Chair  
s/ Ed Hooper,  
Chair  
s/ Daniel Davis  
s/ Eddy Gonzalez, At Large

s/ Steve Crisafulli,  
Committee Vice Chair  
s/ Frank Artiles  
s/ Marti Coley, At Large  
Joseph A. "Joe" Gibbons  
At Large

s/ Tom Goodson  
Mia L. Jones, At Large  
s/ H. Marlene O'Toole, At Large  
s/ Bobby Powell  
s/ Lake Ray  
s/ Darryl Ervin Rouson, At Large  
Perry E. Thurston, Jr.,  
At Large  
s/ Ritch Workman, At Large  
s/ Dana D. Young, At Large

s/ Doug Holder, At Large  
Kionne L. McGhee  
s/ Elizabeth W. Porter  
s/ Stephen L. Precourt, At Large  
Hazelle P. "Hazel" Rogers  
s/ Robert C. "Rob" Schenck,  
At Large  
James W. "Jim" Waldman,  
At Large

Joyner  
Latvala  
Lee  
Legg  
Margolis  
Montford

Negron  
Richter  
Ring  
Sachs  
Simmons  
Simpson

Smith  
Sobel  
Soto  
Stargel  
Thompson  
Thrasher

Nays—None

Vote after roll call:

Yea—Benacquisto

Managers on the part of the House

The Conference Committee Amendment for SB 1522, relating to the Department of Highway Safety and Motor Vehicles, provides for the following:

- A recurring revenue source to support the Florida Highway Patrol – Office of Motor Carrier Compliance at the Department of Highway Safety and Motor Vehicles, *in lieu of* the annual transfer of funds from the Department of Transportation State Transportation Trust Fund; and
- Redirects \$1.00 of an existing \$2.00 fee charged on annual vehicle registrations, *from* the State Transportation Trust Fund in the Department of Transportation *to* the Highway Safety Operating Trust Fund in the Department of Highway Safety and Motor Vehicles.

The recurring annual revenue impact to the State Transportation Trust Fund is estimated to be negative \$18.4 million with a corresponding positive revenue impact of the same amount to the Highway Safety Operating Trust Fund.

In Fiscal Year 2013-14, the General Revenue Fund impact is estimated to be \$1.4 million, resulting from the Highway Safety Operating Trust Fund maintaining a general revenue service charge whereas the State Transportation Trust Fund is excluded.

**Conference Committee Amendment (352708)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Section 320.0804, Florida Statutes, is amended to read:

320.0804 Surcharge on license tax; ~~transportation trust funds fund~~—There is hereby levied and imposed on each license tax imposed under s. 320.08, except those set forth in s. 320.08(11), a surcharge in the amount of \$4, which shall be collected in the same manner as the license tax. Of this amount, \$1 ~~\$2~~ shall be deposited into the State Transportation Trust Fund, \$1 *shall be deposited into the Highway Safety Operating Trust Fund*, and \$2 shall be deposited into the General Revenue Fund.

Section 2. This act shall take effect October 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 320.0804, F.S.; revising and directing the distribution of the vehicle license tax surcharge into the State Transportation Trust Fund and the Highway Safety Operating Trust Fund; providing an effective date.

On motion by Senator Gardiner, the Conference Committee Report on **SB 1522** was adopted. **SB 1522** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Bullard	Galvano
Abruzzo	Clemens	Garcia
Altman	Dean	Gardiner
Bean	Detert	Gibson
Bradley	Diaz de la Portilla	Grimsley
Brandes	Evers	Hays
Braynon	Flores	Hukill

By direction of the President the following Conference Committee Report was read:

#### CONFERENCE COMMITTEE REPORT ON SB 1520

The Honorable Don Gaetz  
President of the Senate

May 1, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1520, same being:

An act relating to Medicaid.

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

1. That the House of Representatives recede from its Amendment 1 (874591).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ Joe Negron,  
Chair  
s/ Joseph Abruzzo  
s/ Aaron Bean  
s/ Jeff Brandes  
s/ Dwight Bullard  
s/ Charles S. "Charlie" Dean, Sr.  
s/ Miguel Diaz de la Portilla  
s/ Anitere Flores  
s/ Rene Garcia  
s/ Audrey Gibson  
s/ Alan Hays  
s/ Arthenia L. Joyner  
s/ Tom Lee  
s/ Gwen Margolis  
s/ Garrett Richter, At Large  
s/ Maria Lorts Sachs  
s/ Wilton Simpson  
s/ Eleanor Sobel  
s/ Kelli Stargel  
s/ John Thrasher, At Large

s/ Lizbeth Benacquisto,  
Vice Chair  
s/ Thad Altman  
s/ Rob Bradley  
s/ Oscar Braynon II  
s/ Jeff Clemens  
s/ Nancy C. Detert  
s/ Greg Evers  
s/ Bill Galvano  
s/ Andy Gardiner  
s/ Denise Grimsley  
s/ Dorothy L. Hukill  
s/ Jack Latvala  
s/ John Legg  
s/ Bill Montford  
s/ Jeremy Ring  
s/ David Simmons  
s/ Christopher L. Smith, At Large  
s/ Darren Soto  
s/ Geraldine F. "Geri" Thompson

Managers on the part of the Senate

s/ Seth McKeel,  
Committee Chair  
s/ Matt Hudson,  
Chair  
Janet Cruz  
s/ Jose Felix Diaz  
s/ Eddy Gonzalez, At Large  
s/ Doug Holder, At Large  
s/ Jose R. Oliva  
s/ Jimmy Patronis  
David Richardson  
s/ Robert C. "Rob" Schenck,  
At Large

s/ Steve Crisafulli,  
Committee Vice Chair  
s/ Jason T. Brodeur  
s/ Marti Coley, At Large  
s/ Travis Cummings  
Joseph A. "Joe" Gibbons,  
At Large  
Mia L. Jones, At Large  
s/ H. Marlene O'Toole, At Large  
s/ Stephen L. Precourt, At Large  
s/ Darryl Ervin Rouson, At Large  
Perry E. Thurston, Jr.,  
At Large

James W. “Jim” Waldman, *s/ John Wood*  
 At Large *s/ Ritch Workman, At Large*  
*s/ Dana D. Young, At Large*

Managers on the part of the House

The Conference Committee Amendment for SB 1520, relating to Medicaid, provides for the following:

- Amends definition of “rural hospital” to provide that hospitals licensed as rural hospitals in the 2010-2011 or 2011-2012 fiscal years are deemed to continue to be rural hospitals from the date of designation through June 30, 2015, if they continue to have 100 or fewer beds and an emergency room.
- Deletes current law that directs the Agency for Health Care Administration (AHCA) to set inpatient hospital rates based on allowable costs. Requires the use of diagnosis-related groups (DRGs) for inpatient hospital reimbursement. Allows DRG reimbursement to be modified if authorized under the GAA. Maintains cost-based rates for hospital outpatient reimbursement.
- Creates the Statewide Medicaid Residency Program in the AHCA. For this program, graduate medical education (GME) dollars related to Medicaid are removed from regular hospital reimbursement payments and will instead be subject to a formula-based distribution. Each hospital participating in the program will receive an annual allocation determined by a calculation of the hospital’s percentage of total residents statewide and the hospital’s percentage of total Medicaid inpatient reimbursement among participating hospitals. Removes the obsolete Community Hospital Education Act from statute.
- Conforms Medicaid third-party liability statutes to a recent U.S. Supreme Court ruling.
- Updates the years of audited data that the AHCA uses to determine each hospital’s Medicaid days and charity care for the disproportionate share hospital (DSH) programs. Amends the DSH program for specialty hospitals to account for DSH dollars that previously went to A.G. Holley by redirecting those dollars to hospitals under contract with the Department of Health to provide those services.
- Removes the sunset from a provision in the Medicaid managed care selection and assignment statutes so that Medicaid recipients with HIV/AIDS who fail to choose a managed care plan on their own will continue to be assigned to an HIV/AIDS specialty plan.
- Replaces the current Medicaid county billing methodology with a new cost-sharing system.
- Repeals and replaces a paragraph of proviso in the General Appropriations Act to correct a scrivener’s error.

**Conference Committee Amendment (214070)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. *Section 381.0403, Florida Statutes, is repealed.*

Section 2. Paragraph (e) of subsection (2) of section 395.602, Florida Statutes, is amended to read:

395.602 Rural hospitals.—

(2) DEFINITIONS.—As used in this part:

(e) “Rural hospital” means an acute care hospital licensed under this chapter, having 100 or fewer licensed beds and an emergency room, which is:

1. The sole provider within a county with a population density of no greater than 100 persons per square mile;
2. An acute care hospital, in a county with a population density of no greater than 100 persons per square mile, which is at least 30 minutes of travel time, on normally traveled roads under normal traffic conditions, from any other acute care hospital within the same county;

3. A hospital supported by a tax district or subdistrict whose boundaries encompass a population of 100 persons or fewer per square mile;

4. A hospital in a constitutional charter county with a population of over 1 million persons that has imposed a local option health service tax pursuant to law and in an area that was directly impacted by a catastrophic event on August 24, 1992, for which the Governor of Florida declared a state of emergency pursuant to chapter 125, and has 120 beds or less that serves an agricultural community with an emergency room utilization of no less than 20,000 visits and a Medicaid inpatient utilization rate greater than 15 percent;

5. A hospital with a service area that has a population of 100 persons or fewer per square mile. As used in this subparagraph, the term “service area” means the fewest number of zip codes that account for 75 percent of the hospital’s discharges for the most recent 5-year period, based on information available from the hospital inpatient discharge database in the Florida Center for Health Information and Policy Analysis at the agency for Health Care Administration; or

6. A hospital designated as a critical access hospital, as defined in s. 408.07(15).

Population densities used in this paragraph must be based upon the most recently completed United States census. A hospital that received funds under s. 409.9116 for a quarter beginning no later than July 1, 2002, is deemed to have been and shall continue to be a rural hospital from that date through June 30, 2015, if the hospital continues to have 100 or fewer licensed beds and an emergency room, or meets the criteria of subparagraph 4. An acute care hospital that has not previously been designated as a rural hospital and that meets the criteria of this paragraph shall be granted such designation upon application, including supporting documentation, to the agency for Health Care Administration. *A hospital that was licensed as a rural hospital during the 2010-2011 or 2011-2012 fiscal year shall continue to be a rural hospital from the date of designation through June 30, 2015, if the hospital continues to have 100 or fewer licensed beds and an emergency room.*

Section 3. Paragraphs (c), (d), and (f) of subsection (5) and subsection (6) of section 409.905, Florida Statutes, are amended to read:

409.905 Mandatory Medicaid services.—The agency may make payments for the following services, which are required of the state by Title XIX of the Social Security Act, furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any service under this section shall be provided only when medically necessary and in accordance with state and federal law. Mandatory services rendered by providers in mobile units to Medicaid recipients may be restricted by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, number of services, or any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216.

(5) HOSPITAL INPATIENT SERVICES.—The agency shall pay for all covered services provided for the medical care and treatment of a recipient who is admitted as an inpatient by a licensed physician or dentist to a hospital licensed under part I of chapter 395. However, the agency shall limit the payment for inpatient hospital services for a Medicaid recipient 21 years of age or older to 45 days or the number of days necessary to comply with the General Appropriations Act. Effective August 1, 2012, the agency shall limit payment for hospital emergency department visits for a nonpregnant Medicaid recipient 21 years of age or older to six visits per fiscal year.

(c) The agency shall implement a *prospective payment methodology* for establishing base reimbursement rates for inpatient hospital services ~~each hospital based on allowable costs, as defined by the agency. Rates shall be calculated annually and take effect July 1 of each year based on the most recent complete and accurate cost report submitted by each hospital. The methodology shall categorize each inpatient admission into a diagnosis-related group and assign a relative payment weight to the base rate according to the average relative amount of hospital resources used to treat a patient in a specific diagnosis-related group category. The agency may adopt the most recent relative weights calculated and made available by the Nationwide Inpatient Sample maintained by the Agency~~

for Healthcare Research and Quality or may adopt alternative weights if the agency finds that Florida-specific weights deviate with statistical significance from national weights for high-volume diagnosis-related groups. The agency shall establish a single, uniform base rate for all hospitals unless specifically exempt pursuant to s. 409.908(1).

1. Adjustments may not be made to the rates after October 31 of the state fiscal year in which the rates take effect, except for cases of insufficient collections of intergovernmental transfers authorized under s. 409.908(1) or the General Appropriations Act. In such cases, the agency shall submit a budget amendment or amendments under chapter 216 requesting approval of rate reductions by amounts necessary for the aggregate reduction to equal the dollar amount of intergovernmental transfers not collected and the corresponding federal match. Notwithstanding the \$1 million limitation on increases to an approved operating budget contained in ss. 216.181(11) and 216.292(3), a budget amendment exceeding that dollar amount is subject to notice and objection procedures set forth in s. 216.177.

2. Errors in source data or calculations ~~cost reporting or calculation of rates~~ discovered after October 31 must be reconciled in a subsequent rate period. However, the agency may not make any adjustment to a hospital's reimbursement rate more than 5 years after a hospital is notified of an audited rate established by the agency. The *prohibition against adjustments* ~~requirement that the agency may not make any adjustment to a hospital's reimbursement rate more than 5 years after notification a hospital is notified of an audited rate established by the agency~~ is remedial and applies to actions by providers involving Medicaid claims for hospital services. Hospital reimbursement is ~~rates are~~ subject to such limits or ceilings as may be established in law or described in the agency's hospital reimbursement plan. Specific exemptions to the limits or ceilings may be provided in the General Appropriations Act.

(d) The agency shall implement a comprehensive utilization management program for hospital neonatal intensive care stays in certain high-volume participating hospitals, select counties, or statewide, and replace existing hospital inpatient utilization management programs for neonatal intensive care admissions. The program shall be designed to manage *appropriate admissions and discharges* ~~the lengths of stay~~ for children being treated in neonatal intensive care units and must seek ~~the earliest~~ medically appropriate discharge to the child's home or other less costly treatment setting. The agency may competitively bid a contract for the selection of a qualified organization to provide neonatal intensive care utilization management services. The agency may seek federal waivers to implement this initiative.

~~(f) The agency shall develop a plan to convert Medicaid inpatient hospital rates to a prospective payment system that categorizes each case into diagnosis related groups (DRG) and assigns a payment weight based on the average resources used to treat Medicaid patients in that DRG. To the extent possible, the agency shall propose an adaptation of an existing prospective payment system, such as the one used by Medicare, and shall propose such adjustments as are necessary for the Medicaid population and to maintain budget neutrality for inpatient hospital expenditures.~~

1. The plan must:

a. Define and describe DRGs for inpatient hospital care specific to Medicaid in this state;

b. Determine the use of resources needed for each DRG;

c. ~~Apply current statewide levels of funding to DRGs based on the associated resource value of DRGs. Current statewide funding levels shall be calculated both with and without the use of intergovernmental transfers;~~

d. ~~Calculate the current number of services provided in the Medicaid program based on DRGs defined under this subparagraph;~~

e. ~~Estimate the number of cases in each DRG for future years based on agency data and the official workload estimates of the Social Services Estimating Conference;~~

~~f. Calculate the expected total Medicaid payments in the current year for each hospital with a Medicaid provider agreement, based on the DRGs and estimated workload;~~

~~g. Propose supplemental DRG payments to augment hospital reimbursements based on patient acuity and individual hospital characteristics, including classification as a children's hospital, rural hospital, trauma center, burn unit, and other characteristics that could warrant higher reimbursements, while maintaining budget neutrality; and~~

~~h. Estimate potential funding for each hospital with a Medicaid provider agreement for DRGs defined pursuant to this subparagraph and supplemental DRG payments using current funding levels, calculated both with and without the use of intergovernmental transfers.~~

2. The agency shall engage a consultant with expertise and experience in the implementation of DRG systems for hospital reimbursement to develop the DRG plan under subparagraph 1.

3. The agency shall submit the DRG plan, identifying all steps necessary for the transition and any costs associated with plan implementation, to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 1, 2013. The plan shall include a timeline necessary to complete full implementation by July 1, 2013. If, during implementation of this paragraph, the agency determines that these timeframes might not be achievable, the agency shall report to the Legislative Budget Commission the status of its implementation efforts, the reasons the timeframes might not be achievable, and proposals for new timeframes.

#### (6) HOSPITAL OUTPATIENT SERVICES.—

(a) The agency shall pay for preventive, diagnostic, therapeutic, or palliative care and other services provided to a recipient in the outpatient portion of a hospital licensed under part I of chapter 395, and provided under the direction of a licensed physician or licensed dentist, except that payment for such care and services is limited to \$1,500 per state fiscal year per recipient, unless an exception has been made by the agency, and with the exception of a Medicaid recipient under age 21, in which case the only limitation is medical necessity.

(b) The agency shall implement a methodology for establishing base reimbursement rates for outpatient services for each hospital based on allowable costs, as defined by the agency. Rates shall be calculated annually and take effect July 1 of each year based on the most recent complete and accurate cost report submitted by each hospital.

1. Adjustments may not be made to the rates after October 31 of the state fiscal year in which the rates take effect, except for cases of insufficient collections of intergovernmental transfers authorized under s. 409.908(1) or the General Appropriations Act. In such cases, the agency shall submit a budget amendment or amendments under chapter 216 requesting approval of rate reductions by amounts necessary for the aggregate reduction to equal the dollar amount of intergovernmental transfers not collected and the corresponding federal match. Notwithstanding the \$1 million limitation on increases to an approved operating budget under ss. 216.181(11) and 216.292(3), a budget amendment exceeding that dollar amount is subject to notice and objection procedures set forth in s. 216.177.

2. Errors in source data or calculations discovered after October 31 must be reconciled in a subsequent rate period. However, the agency may not make any adjustment to a hospital's reimbursement more than 5 years after a hospital is notified of an audited rate established by the agency. The prohibition against adjustments more than 5 years after notification is remedial and applies to actions by providers involving Medicaid claims for hospital services. Hospital reimbursement is subject to such limits or ceilings as may be established in law or described in the agency's hospital reimbursement plan. Specific exemptions to the limits or ceilings may be provided in the General Appropriations Act.

Section 4. Paragraph (a) of subsection (1) and subsection (23) of section 409.908, Florida Statutes, are amended to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth



in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(1) Reimbursement to hospitals licensed under part I of chapter 395 must be made prospectively or on the basis of negotiation.

(a) Reimbursement for inpatient care is limited as provided for in s. 409.905(5), except as otherwise provided in this subsection. ~~for:~~

1. *If authorized by the General Appropriations Act, the agency may modify reimbursement for specific types of services or diagnoses, recipient ages, and hospital provider types. The raising of rate reimbursement caps, excluding rural hospitals.*

2. *The agency may establish an alternative methodology to the DRG-based prospective payment system to set reimbursement rates for:*

- a. *State-owned psychiatric hospitals.*
- b. *Newborn hearing screening services.*
- c. *Transplant services for which the agency has established a global fee.*
- d. *Recipients who have tuberculosis that is resistant to therapy who are in need of long-term, hospital-based treatment pursuant to s. 392.62 Recognition of the costs of graduate medical education.*

3. *The agency shall modify reimbursement according to other methodologies recognized in the General Appropriations Act.*

~~During the years funds are transferred from the Department of Health, any reimbursement supported by such funds shall be subject to certification by the Department of Health that the hospital has complied with s. 381.0493. The agency may be authorized to receive funds from state entities, including, but not limited to, the Department of Health, local governments, and other local political subdivisions, for the purpose of making special exception payments, including federal matching funds, through the Medicaid inpatient reimbursement methodologies. Funds received from state entities or local governments for this purpose shall be separately accounted for and may shall not be commingled with other state or local funds in any manner. The agency may certify all local governmental funds used as state match under Title XIX of the Social Security Act, to the extent and in the manner authorized under that the identified local health care provider that is otherwise entitled to and is contracted to receive such local funds is the benefactor under the state's Medicaid program as determined under the General Appropriations Act and pursuant to an agreement between the agency for Health Care Administration and the local governmental entity. In order for the agency to certify such local governmental funds, a local governmental entity must submit a final, executed letter of agreement to the agency, which must be received by October 1 of each fiscal year and provide the total amount of local governmental funds authorized by the entity for that fiscal year under this paragraph, paragraph (b), or the General Appropriations Act. The local governmental entity shall use a certification form prescribed by the agency. At a minimum, the certification form must shall identify the amount being certified and describe the relationship between the certifying local governmental entity and the local health care provider. The agency shall prepare an annual statement of~~

impact which documents the specific activities undertaken during the previous fiscal year pursuant to this paragraph, to be submitted to the Legislature ~~annually by no later than~~ January 1, ~~annually~~.

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

(b) *Base rate reimbursement under a diagnosis-related group payment methodology shall be provided in the General Appropriations Act.*

(c)(b) This subsection applies to the following provider types:

1. Inpatient hospitals.
2. Outpatient hospitals.
3. Nursing homes.
4. County health departments.
5. Community intermediate care facilities for the developmentally disabled.
6. Prepaid health plans.

(d)(e) The agency shall apply the effect of this subsection to the reimbursement rates for nursing home diversion programs.

Section 5. Section 409.909, Florida Statutes, is created to read:

409.909 *Statewide Medicaid Residency Program.—*

(1) *The Statewide Medicaid Residency Program is established to improve the quality of care and access to care for Medicaid recipients, expand graduate medical education on an equitable basis, and increase the supply of highly trained physicians statewide. The agency shall make payments to hospitals licensed under part I of chapter 395 for graduate medical education associated with the Medicaid program. This system of payments is designed to generate federal matching funds under Medicaid and distribute the resulting funds to participating hospitals on a quarterly basis in each fiscal year for which an appropriation is made.*

(2) *On or before September 15 of each year, the agency shall calculate an allocation fraction to be used for distributing funds to participating hospitals. On or before the final business day of each quarter of a state fiscal year, the agency shall distribute to each participating hospital one-fourth of that hospital's annual allocation calculated under subsection (4). The allocation fraction for each participating hospital is based on the hospital's number of full-time equivalent residents and the amount of its Medicaid payments. As used in this section, the term:*

(a) *"Full-time equivalent," or "FTE," means a resident who is in his or her initial residency period, which is defined as the minimum number of years of training required before the resident may become eligible for board certification by the American Osteopathic Association Bureau of Osteopathic Specialists or the American Board of Medical Specialties in the specialty in which he or she first began training, not to exceed 5 years. A resident training beyond the initial residency period is counted as 0.5 FTE, unless his or her chosen specialty is in general surgery or primary care, in which case the resident is counted as 1.0 FTE. For the purposes of this section, primary care specialties include:*

1. *Family medicine;*
2. *General internal medicine;*
3. *General pediatrics;*
4. *Preventive medicine;*
5. *Geriatric medicine;*
6. *Osteopathic general practice;*
7. *Obstetrics and gynecology; and*
8. *Emergency medicine.*

(b) "Medicaid payments" means the estimated total payments for reimbursing a hospital for direct inpatient services for the fiscal year in which the allocation fraction is calculated based on the hospital inpatient appropriation and the parameters for the inpatient diagnosis-related group base rate, including applicable intergovernmental transfers, specified in the General Appropriations Act, as determined by the agency.

(c) "Resident" means a medical intern, fellow, or resident enrolled in a program accredited by the Accreditation Council for Graduate Medical Education, the American Association of Colleges of Osteopathic Medicine, or the American Osteopathic Association at the beginning of the state fiscal year during which the allocation fraction is calculated, as reported by the hospital to the agency.

(3) The agency shall use the following formula to calculate a participating hospital's allocation fraction:

$$HAF=[0.9 \times (HFTE/TFTE)] + [0.1 \times (HMP/TMP)]$$

Where:

HAF=A hospital's allocation fraction.

HFTE=A hospital's total number of FTE residents.

TFTE=The total FTE residents for all participating hospitals.

HMP=A hospital's Medicaid payments.

TMP=The total Medicaid payments for all participating hospitals.

(4) A hospital's annual allocation shall be calculated by multiplying the funds appropriated for the Statewide Medicaid Residency Program in the General Appropriations Act by that hospital's allocation fraction. If the calculation results in an annual allocation that exceeds \$50,000 per FTE resident, the hospital's annual allocation shall be reduced to a sum equaling no more than \$50,000 per FTE resident. The funds calculated for that hospital in excess of \$50,000 per FTE resident shall be redistributed to participating hospitals whose annual allocation does not exceed \$50,000 per FTE resident, using the same methodology and payment schedule specified in this section.

(5) The agency may adopt rules to administer this section.

Section 6. Subsection (17) of section 409.910, Florida Statutes, is amended to read:

409.910 Responsibility for payments on behalf of Medicaid-eligible persons when other parties are liable.—

(17) A recipient or his or her legal representative or any person representing, or acting as agent for, a recipient or the recipient's legal representative, who has notice, excluding notice charged solely by reason of the recording of the lien pursuant to paragraph (6)(c), or who has actual knowledge of the agency's rights to third-party benefits under this section, who receives any third-party benefit or proceeds therefrom for a covered illness or injury, ~~must~~ ~~is required either to pay the agency,~~ within 60 days after receipt of settlement proceeds, ~~pay the agency~~ the full amount of the third-party benefits, but not more than ~~in excess of~~ the full amount of the third-party benefits in an interest-bearing trust account for the benefit of the agency pending an ~~judicial or~~ administrative determination of the agency's right to the benefits ~~thereof~~. Proof that any such person had notice or knowledge that the recipient had received medical assistance from Medicaid, and that third-party benefits or proceeds therefrom were in any way related to a covered illness or injury for which Medicaid had provided medical assistance, and that any such person knowingly obtained possession or control of, or used, third-party benefits or proceeds and failed either to pay the agency the full amount required by this section or to hold the full amount of third-party benefits or proceeds in an interest-bearing trust account pending an ~~judicial or~~ administrative determination, unless adequately explained, gives rise to an inference that such person knowingly failed to credit the state or its agent for payments received from social security, insurance, or other sources, pursuant to s. 414.39(4)(b), and acted with the intent set forth in s. 812.014(1).

(a) A recipient may contest the amount designated as recovered medical expense damages payable to the agency pursuant to the formula

specified in paragraph (11)(f) by filing a petition under chapter 120 within 21 days after the date of payment of funds to the agency or after the date of placing the full amount of the third-party benefits in the trust account for the benefit of the agency. The petition shall be filed with the Division of Administrative Hearings. For purposes of chapter 120, the payment of funds to the agency or the placement of the full amount of the third-party benefits in the trust account for the benefit of the agency constitutes final agency action and notice thereof. Final order authority for the proceedings specified in this subsection rests with the Division of Administrative Hearings. This procedure is the exclusive method for challenging the amount of third-party benefits payable to the agency.

1. In order to successfully challenge the amount payable to the agency, the recipient must prove, by clear and convincing evidence, that a lesser portion of the total recovery should be allocated as reimbursement for past and future medical expenses than the amount calculated by the agency pursuant to the formula set forth in paragraph (11)(f) or that Medicaid provided a lesser amount of medical assistance than that asserted by the agency.

2. The agency's provider processing system reports are admissible as prima facie evidence in substantiating the agency's claim.

3. Venue for all administrative proceedings pursuant to this subsection lies in Leon County, at the discretion of the agency. Venue for all appellate proceedings arising from the administrative proceeding outlined in this subsection lie at the First District Court of Appeal in Leon County, at the discretion of the agency.

4. Each party shall bear its own attorney fees and costs for any administrative proceeding conducted pursuant to this paragraph.

(b)(a) In cases of suspected criminal violations or fraudulent activity, the agency may take any civil action permitted at law or equity to recover the greatest possible amount, including, without limitation, treble damages under ss. 772.11 and 812.035(7).

1.(b) The agency may ~~is authorized to~~ investigate and to request appropriate officers or agencies of the state to investigate suspected criminal violations or fraudulent activity related to third-party benefits, including, without limitation, ss. 414.39 and 812.014. Such requests may be directed, without limitation, to the Medicaid Fraud Control Unit of the Office of the Attorney General, or to any state attorney. Pursuant to s. 409.913, the Attorney General has primary responsibility to investigate and control Medicaid fraud.

2.(e) In carrying out duties and responsibilities related to Medicaid fraud control, the agency may subpoena witnesses or materials within or outside the state and, through any duly designated employee, administer oaths and affirmations and collect evidence for possible use in either civil or criminal judicial proceedings.

3.(d) All information obtained and documents prepared pursuant to an investigation of a Medicaid recipient, the recipient's legal representative, or any other person relating to an allegation of recipient fraud or theft is confidential and exempt from s. 119.07(1):

- a.1- Until such time as the agency takes final agency action;
- b.2- Until such time as the Department of Legal Affairs refers the case for criminal prosecution;
- c.3- Until such time as an indictment or criminal information is filed by a state attorney in a criminal case; or
- d.4- At all times if otherwise protected by law.

Section 7. Paragraph (a) of subsection (2) and paragraph (d) of subsection (4) of section 409.911, Florida Statutes, are amended to read:

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

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

(a) The average of the ~~2004~~, 2005, ~~and 2006, and 2007~~ audited disproportionate share data to determine each hospital's Medicaid days and charity care for the ~~2013-2014 2012-2013~~ state fiscal year.

(4) The following formulas shall be used to pay disproportionate share dollars to public hospitals:

(d) Any nonstate government owned or operated hospital eligible for payments under this section on July 1, 2011, remains eligible for payments during the ~~2013-2014 2012-2013~~ state fiscal year.

Section 8. Subsection (2) of section 409.9118, Florida Statutes, is amended to read:

409.9118 Disproportionate share program for specialty hospitals.—The Agency for Health Care Administration shall design and implement a system of making disproportionate share payments to those hospitals licensed in accordance with part I of chapter 395 as a specialty hospital which meet all requirements listed in subsection (2). Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for patients.

(2) In order to receive payments under this section, a hospital must be licensed in accordance with part I of chapter 395, to participate in the Florida Title XIX program, and meet the following requirements:

(a) Be certified or certifiable to be a provider of Title XVIII services.

(b) Receive ~~all of its~~ inpatient clients through referrals or admissions from county public health departments, as defined in chapter 154.

(c) Require a diagnosis for the control of active tuberculosis or a history of noncompliance with prescribed drug regimens for the treatment of tuberculosis ~~a communicable disease~~ for all admissions for inpatient treatment.

(d) Retain a contract with the Department of Health to accept clients for admission and inpatient treatment pursuant to s. 392.62.

Section 9. Paragraphs (b), (l), and (m) of subsection (2) of section 409.9122, Florida Statutes, are amended, subsections (3) through (21) of that section are renumbered as subsections (4) through (22), respectively, and a new subsection (3) is added to that section, to read:

409.9122 Mandatory Medicaid managed care enrollment; programs and procedures.—

(2)

(b) A Medicaid recipient ~~may shall~~ not be enrolled in or assigned to a managed care plan or MediPass unless the managed care plan or MediPass has complied with the quality-of-care standards specified in paragraphs (4)(a) ~~(3)(a)~~ and (b), respectively.

~~(4) If the Medicaid recipient is diagnosed with HIV/AIDS, the agency shall assign the Medicaid recipient to a managed care plan that is a health maintenance organization authorized under chapter 641, is under contract with the agency on July 1, 2011, and which offers a delivery system through a university-based teaching and research-oriented organization that specializes in providing health care services and treatment for individuals diagnosed with HIV/AIDS.~~

~~(l)(m)~~ Notwithstanding the provisions of chapter 287, the agency may, ~~at its discretion~~, renew cost-effective contracts for choice counseling services once or more for such periods as the agency may decide. However, all such renewals may not combine to exceed a total period longer than the term of the original contract.

This subsection expires October 1, 2014.

(3) Notwithstanding s. 409.961, if a Medicaid recipient is diagnosed with HIV/AIDS, the agency shall assign the recipient to a managed care plan that is a health maintenance organization authorized under chapter 641, that is under contract with the agency as an HIV/AIDS specialty plan as of January 1, 2013, and that offers a delivery system through a

university-based teaching and research-oriented organization that specializes in providing health care services and treatment for individuals diagnosed with HIV/AIDS. This subsection applies to recipients who are subject to mandatory managed care enrollment and have failed to choose a managed care option.

Section 10. Section 409.915, Florida Statutes, is amended to read:

409.915 County contributions to Medicaid.—Although the state is responsible for the full portion of the state share of the matching funds required for the Medicaid program, ~~in order to acquire a certain portion of these funds~~, the state shall charge the counties ~~an annual contribution in order to acquire a certain portion of these funds for certain items of care and service as provided in this section.~~

(1) As used in this section, the term “state Medicaid expenditures” means those expenditures used as matching funds for the federal Medicaid program.

(2)(a) For the 2013-2014 state fiscal year, the total amount of the counties’ annual contribution is \$269.6 million.

(b) For the 2014-2015 state fiscal year, the total amount of the counties’ annual contribution is \$277 million.

(c) By March 15, 2015, and each year thereafter, the Social Services Estimating Conference shall determine the percentage change in state Medicaid expenditures by comparing expenditures for the 2 most recent completed state fiscal years.

(d) For the 2015-2016 state fiscal year through the 2019-2020 state fiscal year, the total amount of the counties’ annual contribution shall be the total contribution for the prior fiscal year adjusted by 50 percent of the percentage change in the state Medicaid expenditures as determined by the Social Services Estimating Conference.

(e) For each fiscal year after the 2019-2020 state fiscal year, the total amount of the counties’ annual contribution shall be the total contribution for the prior fiscal year adjusted by the percentage change in the state Medicaid expenditures as determined by the Social Services Estimating Conference.

(3)(a)1. The amount of each county’s annual contribution is equal to the product of the amount determined under subsection (2) multiplied by the sum of the percentages calculated in sub-subparagraphs a. and b.:

a. The enrollment weight provided in subparagraph 2. is multiplied by a fraction, the numerator of which is the number of the county’s Medicaid enrollees as of March 1 of each year, and the denominator of which is the number of all counties’ Medicaid enrollees as of March 1 of each year. The agency shall calculate this amount for each county and provide the information to the Department of Revenue by May 15 of each year.

b. The payment weight provided in subparagraph 2. is multiplied by the percentage share of payments provided in subparagraph 3. for each county.

2. The weights for each fiscal year are equal to:

#### WEIGHTS

FISCAL YEAR	ENROLLMENT	PAYMENT
2013-14	0%	100%
2014-15	0%	100%
2015-16	20%	80%
2016-17	40%	60%
2017-18	60%	40%
2018-19	80%	20%
2019-20+	100%	0%

3. The percentage share of payments for each county is:

COUNTY	SHARE OF PAYMENTS
Alachua	1.278%
Baker	0.116%
Bay	0.607%
Bradford	0.179%
Brevard	2.471%

COUNTY	SHARE OF PAYMENTS
Broward	9.228%
Calhoun	0.084%
Charlotte	0.578%
Citrus	0.663%
Clay	0.635%
Collier	1.161%
Columbia	0.557%
Dade (Miami-Dade)	18.853%
Desoto	0.167%
Dixie	0.098%
Duval	5.337%
Escambia	1.615%
Flagler	0.397%
Franklin	0.091%
Gadsden	0.239%
Gilchrist	0.078%
Glades	0.055%
Gulf	0.076%
Hamilton	0.075%
Hardee	0.110%
Hendry	0.163%
Hernando	0.862%
Highlands	0.468%
Hillsborough	6.953%
Holmes	0.101%
Indian River	0.397%
Jackson	0.219%
Jefferson	0.083%
Lafayette	0.014%
Lake	1.525%
Lee	2.512%
Leon	0.929%
Levy	0.256%
Liberty	0.050%
Madison	0.086%
Manatee	1.623%
Marion	1.630%
Martin	0.353%
Monroe	0.262%
Nassau	0.240%
Okaloosa	0.567%
Okeechobee	0.235%
Orange	6.682%
Osceola	1.613%
Palm Beach	5.899%
Pasco	2.392%
Pinellas	6.645%
Polk	3.643%
Putnam	0.417%
Saint Johns	0.459%
Saint Lucie	1.155%
Santa Rosa	0.462%
Sarasota	1.230%
Seminole	1.740%
Sumter	0.218%
Suwannee	0.252%
Taylor	0.103%
Union	0.075%
Volusia	2.298%
Wakulla	0.103%
Walton	0.229%
Washington	0.114%

(b)1. The Legislature intends to replace the county percentage share provided in subparagraph (a)3. with percentage shares based upon each county's proportion of the total statewide amount of county billings made under this section from April 1, 2012, through March 31, 2013, for which the state ultimately receives payment.

2. By February 1 of each year and continuing until a certification is made under sub-subparagraph b., the agency shall report to the President of the Senate and the Speaker of the House of Representatives the status of the county billings made under this section from April 1, 2012, through March 31, 2013, by county, including:

a. The amounts billed to each county which remain unpaid, if any; and

b. A certification from the agency of a final accounting of the amount of funds received by the state from such billings, by county, upon the expiration of all appeal rights that counties may have to contest such billings.

3. By March 15 of the state fiscal year in which the state receives the certification provided for in sub-subparagraph (b)2.b., the Social Services Estimating Conference shall calculate each county's percentage share of the total statewide amount of county billings made under this section from April 1, 2012, through March 31, 2013, for which the state ultimately receives payment.

4. Beginning in the state fiscal year following the receipt by the state of the certification provided in sub-subparagraph (b)2.b., each county's percentage share under subparagraph (a)3. shall be replaced by the percentage calculated under subparagraph (b)3.

5. If the court invalidates the replacement of each county's share as provided in this paragraph, the county share set forth in subparagraph (a)3. shall continue to apply.

(4) By June 1 of each year, the Department of Revenue shall notify each county of its required annual contribution. Each county shall pay its contribution, by check or electronic transfer, in equal monthly installments to the department by the 5th day of each month. If a county fails to remit the payment by the 5th day of the month, the department shall reduce the monthly distribution of that county pursuant to s. 218.61 and, if necessary, by the amount of the monthly installment pursuant to s. 218.26. The payments and the amounts by which the distributions are reduced shall be transferred to the General Revenue Fund.

(1) Each county shall participate in the following items of care and service:

(a) For both health maintenance members and fee for service beneficiaries, payments for inpatient hospitalization in excess of 10 days, but not in excess of 45 days, with the exception of pregnant women and children whose income is in excess of the federal poverty level and who do not participate in the Medicaid medically needy program, and for adult lung transplant services.

(b) For both health maintenance members and fee for service beneficiaries, payments for nursing home or intermediate facilities care in excess of \$170 per month, with the exception of skilled nursing care for children under age 21.

(2) A county's participation must be 35 percent of the total cost, or the applicable discounted cost paid by the state for Medicaid recipients enrolled in health maintenance organizations or prepaid health plans, of providing the items listed in subsection (1), except that the payments for items listed in paragraph (1)(b) may not exceed \$55 per month per person.

(3) Each county shall set aside sufficient funds to pay for items of care and service provided to the county's eligible recipients for which county contributions are required, regardless of where in the state the care or service is rendered.

(4) Each county shall contribute its pro rata share of the total county participation based upon statements rendered by the agency. The agency shall render such statements monthly based on each county's eligible recipients. For purposes of this section, each county's eligible recipients shall be determined by the recipient's address information contained in the federally approved Medicaid eligibility system within the Department of Children and Family Services. A county may use the process developed under subsection (10) to request a refund if it determines that the statement rendered by the agency contains errors.

(5) In any county in which a special taxing district or authority is located which benefits will benefit from the Medicaid program medical assistance programs covered by this section, the board of county commissioners may divide the county's financial responsibility for this purpose proportionately, and each such district or authority must furnish its share to the board of county commissioners in time for the board to comply with subsection (4) (3). Any appeal of the proration made by the board of county commissioners must be made to the Department of Fi-

financial Services, which shall then set the proportionate share for of each party.

~~(6) Counties are exempt from contributing toward the cost of new exemptions on inpatient ceilings for statutory teaching hospitals, specialty hospitals, and community hospital education program hospitals that came into effect July 1, 2000, and for special Medicaid payments that came into effect on or after July 1, 2000.~~

(6)(a) By August 1, 2012, the agency shall certify to each county the amount of such county's billings from November 1, 2001, through April 30, 2012, which remain unpaid. A county may contest the amount certified by filing a petition under the applicable provisions of chapter 120 on or before September 1, 2012. This procedure is the exclusive method to challenge the amount certified. In order to successfully challenge the amount certified, a county must show, by a preponderance of the evidence, that a recipient was not an eligible recipient of that county or that the amount certified was otherwise in error.

(b) By September 15, 2012, the agency shall certify to the Department of Revenue:

1. For each county that files a petition on or before September 1, 2012, the amount certified under paragraph (a); and

2. For each county that does not file a petition on or before September 1, 2012, an amount equal to 85 percent of the amount certified under paragraph (a).

(c) The filing of a petition under paragraph (a) ~~does shall~~ not stay or stop the Department of Revenue from reducing distributions in accordance with paragraph (b) and subsection (7) (8). If a county that files a petition under paragraph (a) is able to demonstrate that the amount certified should be reduced, the agency shall notify the Department of Revenue of the amount of the reduction. The Department of Revenue shall adjust all future monthly distribution reductions under subsection (7) (8) in a manner that results in the remaining total distribution reduction being applied in equal monthly amounts.

(7)(8)(a) Beginning with the October 2012 distribution, the Department of Revenue shall reduce each county's distributions pursuant to s. 218.26 by one thirty-sixth of the amount certified by the agency under subsection (6) (7) for that county, minus any amount required under paragraph (b). Beginning with the October 2013 distribution, the Department of Revenue shall reduce each county's distributions pursuant to s. 218.26 by one forty-eighth of two-thirds of the amount certified by the agency under subsection (6) (7) for that county, minus any amount required under paragraph (b). However, the amount of the reduction may not exceed 50 percent of each county's distribution. If, after 60 months, the reductions for any county do not equal the total amount initially certified by the agency, the Department of Revenue shall continue to reduce such county's distribution by up to 50 percent until the total amount certified is reached. The amounts by which the distributions are reduced shall be transferred to the General Revenue Fund.

(b) As an assurance to holders of bonds issued before the effective date of this act to which distributions made pursuant to s. 218.26 are pledged, or bonds issued to refund such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an affected county, that any reduction in amounts distributed pursuant to paragraph (a) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this paragraph, the Department of Revenue must notify the agency of the amount of the decrease and the agency must send a bill for payment of such amount to the affected county.

~~(9)(a) Beginning May 1, 2012, and each month thereafter, the agency shall certify to the Department of Revenue by the 7th day of each month the amount of the monthly statement rendered to each county pursuant to subsection (4). Beginning with the May 2012 distribution, the De-~~

~~partment of Revenue shall reduce each county's monthly distribution pursuant to s. 218.61 by the amount certified by the agency minus any amount required under paragraph (b). The amounts by which the distributions are reduced shall be transferred to the General Revenue Fund.~~

(b) As an assurance to holders of bonds issued before the effective date of this act to which distributions made pursuant to s. 218.61 are pledged, or bonds issued to refund such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an affected county, that any reduction in amounts distributed pursuant to paragraph (a) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this paragraph, the Department of Revenue must notify the agency of the amount of the decrease and the agency must send a bill for payment of such amount to the affected county.

~~(10) The agency, in consultation with the Department of Revenue and the Florida Association of Counties, shall develop a process for refund requests which:~~

~~(a) Allows counties to submit to the agency written requests for refunds of any amounts by which the distributions were reduced as provided in subsection (9) and which set forth the reasons for the refund requests.~~

~~(b) Requires the agency to make a determination as to whether a refund request is appropriate and should be approved, in which case the agency shall certify the amount of the refund to the department.~~

~~(c) Requires the department to issue the refund for the certified amount to the county from the General Revenue Fund. The Department of Revenue may issue the refund in the form of a credit against reductions to be applied to subsequent monthly distributions.~~

(8)(11) Beginning in the 2013-2014 fiscal year and each year thereafter through the 2020-2021 fiscal year, the Chief Financial Officer shall transfer from the General Revenue Fund to the Lawton Chiles Endowment Fund an amount equal to the amounts transferred to the General Revenue Fund in the previous fiscal year pursuant to ~~subsections (4) and (7) subsections (8) and (9), reduced by the amount of refunds paid pursuant to subsection (10),~~ which are in excess of the official estimate for medical hospital fees for such previous fiscal year adopted by the Revenue Estimating Conference on January 12, 2012, as reflected in the conference's workpapers. By July 20 of each year, the Office of Economic and Demographic Research shall certify the amount to be transferred to the Chief Financial Officer. Such transfers must be made before July 31 of each year until the total transfers for all years equal \$350 million. ~~If in the event that~~ such transfers do not total \$350 million by July 1, 2021, the Legislature shall provide for the transfer of amounts necessary to total \$350 million. The Office of Economic and Demographic Research shall publish the official estimates reflected in the conference's workpapers on its website.

(9)(12) The agency may adopt rules to administer this section.

Section 11. *Notwithstanding s. 409.915(3) and (4), Florida Statutes, as amended by this act, the amount of each county's contribution during the 2013-2014 state fiscal year shall be determined and provided to the Department of Revenue by the Agency for Health Care Administration by June 15, 2013. The Department of Revenue shall notify each county of its annual contribution by June 20, 2013.*

Section 12. *The Agency for Health Care Administration shall submit a data report by March 1 of each year to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Florida Association of Counties which includes such information as may be necessary for comprehensively evaluating the cost and utilization of health services by Medicaid enrollees by service type in each county. This section is repealed December 31, 2015.*

Section 13. *The paragraph following Specific Appropriation 195 contained in SB 1500, if adopted during the 2013 Regular Session of the Florida Legislature, is repealed and replaced with the following upon SB 1500 becoming a law:*

*From the funds in Specific Appropriations 195, 197, 198, 201, 203, 215, 219, 222, and 223, \$677,722,971 from the Medical Care Trust Fund is provided for increased reimbursement rates for primary care services provided to eligible Medicaid recipients.*

Section 14. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to Medicaid; repealing s. 381.0403, F.S., relating to the Community Hospital Education Act; amending s. 395.602, F.S.; providing that certain rural hospitals remain rural hospitals under specified circumstances; amending s. 409.905, F.S.; requiring the Agency for Health Care Administration to implement a prospective payment system for inpatient hospital services using diagnosis-related groups (DRGs); deleting provisions directing the agency to develop a plan to convert hospital reimbursement for inpatient services to a prospective payment system; requiring hospital reimbursement for outpatient services to be based on allowable costs; providing that adjustments may not be made after a certain date; providing for the reconciliation of errors in source data or calculations; amending s. 409.908, F.S.; revising exceptions to limitations on hospital reimbursement for inpatient services; providing parameters for submission of letters of agreement by local governmental entities to the agency relating to funds for special payments; providing that base rate reimbursement under a diagnosis-related group methodology shall be established in the General Appropriations Act; creating s. 409.909, F.S.; establishing the Statewide Medicaid Residency Program; providing the purposes of the program; providing definitions; providing a formula and limitations for allocating funds to participating hospitals; authorizing the agency to adopt rules; amending s. 409.910, F.S.; revising provisions relating to responsibility for Medicaid payments in settlement proceedings; providing procedures for a recipient to contest the amount payable to the agency; amending s. 409.911, F.S.; updating references to data used for calculations in the disproportionate share program; amending s. 409.9118, F.S.; amending parameters for the disproportionate share program for specialty hospitals; limiting reimbursement to tuberculosis services provided under contract with the Department of Health; amending s. 409.9122, F.S.; providing that certain mandatory managed care provisions that apply to a Medicaid recipient diagnosed with HIV/AIDS apply only to a recipient who failed to choose a managed care option; amending s. 409.915, F.S.; specifying the total contribution for certain years and specifying the method for determining the amount in the following years; revising the method for calculating each county's contribution; providing tables for calculating county contributions; requiring the Agency for Health Care Administration to annually report the status of county billings to the Legislature; authorizing the Department of Revenue to withhold county distributions for failure to remit Medicaid contributions; deleting provisions specifying the care and services that counties must participate in, obsolete bond provisions, and a process for refund requests; specifying the method for calculating each county's contribution for the 2013-2014 fiscal year; requiring the agency to submit an annual report to the Governor, the Legislature, and the Florida Association of Counties which includes information necessary to comprehensively evaluate the cost and utilization of health services by Medicaid enrollees; providing for the repeal and replacement of specified proviso in the 2013-2014 General Appropriations Act; providing an effective date.

On motion by Senator Grimsley, the Conference Committee Report on **SB 1520** was adopted. **SB 1520** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—33

Mr. President	Brandes	Galvano
Abruzzo	Clemens	Gibson
Altman	Dean	Grimsley
Bean	Detert	Hays
Benacquisto	Evers	Hukill
Bradley	Flores	Latvala

Lee	Ring	Sobel
Legg	Sachs	Soto
Montford	Simmons	Stargel
Negron	Simpson	Thompson
Richter	Smith	Thrasher

Nays—6

Braynon	Diaz de la Portilla	Joyner
Bullard	Garcia	Margolis

## DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 1520** which comes before the Senate floor for a vote on May 3, 2013.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

*Senator Don Gaetz, 1st District*

## INTRODUCTION OF FORMER SENATORS

The President recognized former Senate President and current Chief Financial Officer, Jeff Atwater, who was present in the chamber.

By direction of the President the following Conference Committee Report was read:

## CONFERENCE COMMITTEE REPORT ON SB 1514

The Honorable Don Gaetz  
President of the Senate

May 1, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1514, same being:

An act relating to Education Funding.

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

1. That the House of Representatives recede from its Amendment 1 (319973).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

*s/ Joe Negron,*  
Chair  
*s/ Joseph Abruzzo*  
*s/ Aaron Bean*  
*s/ Jeff Brandes*  
*s/ Dwight Bullard*  
*s/ Charles S. "Charlie" Dean, Sr.*  
*s/ Miguel Diaz de la Portilla*  
*s/ Anitere Flores*  
*s/ Rene Garcia*  
*s/ Audrey Gibson*  
*s/ Alan Hays*  
*s/ Arthenia L. Joyner*  
*s/ Tom Lee*  
*s/ Gwen Margolis*  
*s/ Garrett Richter, At Large*

*s/ Lizbeth Benacquisto,*  
Vice Chair  
*s/ Thad Altman*  
*s/ Rob Bradley*  
*s/ Oscar Braynon II*  
*s/ Jeff Clemens*  
*s/ Nancy C. Detert*  
*s/ Greg Evers*  
*s/ Bill Galvano*  
*s/ Andy Gardiner*  
*s/ Denise Grimsley*  
*s/ Dorothy L. Hukill*  
*s/ Jack Latvala*  
*s/ John Legg*  
*s/ Bill Montford*  
*s/ Jeremy Ring*

*s/ Maria Lorts Sachs*  
*s/ Wilton Simpson*  
*s/ Eleanor Sobel*  
*s/ Kelli Stargel*  
*s/ John Thrasher, At Large*

Managers on the part of the Senate

*s/ Seth McKeel,*  
 Committee Chair  
*s/ Eric Fresen*  
 Chair  
*s/ Michael Bileca*  
*s/ Marti Coley, At Large*  
 Joseph A. "Joe" Gibbons, At Large  
*s/ Doug Holder, At Large*  
 Shevrin D. Jones  
*s/ H. Marlene O'Toole, At Large*  
*s/ Cary Pigman*  
 Betty Reed  
*s/ Robert C. "Rob" Schenck,*  
 At Large  
 James W. "Jim" Waldman,  
 At Large  
*s/ Dana D. Young, At Large*

Managers on the part of the House

The Conference Committee Amendment for SB 1514, relating to education funding, provides for the following:

- Authorizes school districts and virtual charter schools to provide virtual courses for a student in the summer for course completion when the student does not complete the virtual course by the end of the regular school year.
- Authorizes school districts and virtual charter schools to provide virtual courses for a student in the summer for credit recovery when a student has unsuccessfully completed a traditional or virtual education course during the regular school year and must re-take the course in order to be eligible to graduate with the student's class.
- Limits credits earned through the Florida Virtual School (FLVS) to 1.0 full-time equivalent (FTE).
- Requires FLVS trustees to provide information for activities within the state, outside the state, and for Florida Virtual School Global.
- Allows full-time and part-time school district virtual instruction programs.
- Removes limitations to students taking virtual courses in another school district.
- Limits school districts from requiring a student to take a course outside the school day that is in addition to the student's courses for a given term or on school grounds.
- Requires the maximum value for funding a student shall be as calculated by the Department of Education (DOE).
- Requires that if the sum of courses taken by a student is greater than 1.0, the membership value shall be equally distributed to all entities providing instruction so that the student's total FTE is equal to 1.0.
- Requires school districts and the FLVS to use a common student identifier to ensure that funding and FTE can be accurately distributed to all providers of student instruction and authorizes the State Board of Education to adopt rules for this provision.
- Provides that courses delivered by the Florida Virtual School on a public school campus shall be reported only by the school district in which the student is enrolled.
- Clarifies the role and responsibility of the Florida Virtual Campus to provide online academic support services, resources, and

*s/ David Simmons*  
*s/ Christopher L. Smith, At Large*  
*s/ Darren Soto*  
*s/ Geraldine F. "Geri" Thompson*

*s/ Steve Crisafulli,*  
 Committee Vice Chair  
*s/ Janet H. Adkins*  
*s/ Larry Ahern*  
 Karen Castor Dentel  
*s/ Heather Fitzenhagen*  
*s/ Eddy Gonzalez, At Large*  
 Mia L. Jones, At Large  
*s/ Jeanette M. Nunez*  
*s/ Keith Perry*  
*s/ Stephen L. Precourt, At Large*  
*s/ Darryl Ervin Rouson, At Large*  
 Dwayne L. Taylor  
*s/ Perry E. Thurston, Jr.,*  
 At Large  
*s/ Ritch Workman, At Large*

access to distance learning courses offered by the state's public postsecondary education institutions.

- Clarifies student eligibility and funding from non-education sources for the College Preparatory Boarding Academy Pilot Program authorized in s. 1002.3305, F.S.
- Makes a technical adjustment to the reporting sequence of FTE for students enrolled in career education in grades 9-12 for accuracy and funding.
- From the funds for Supplemental Academic Instruction (SAI) and Reading allocations, extends the requirement of providing an additional hour of intensive reading instruction daily for students enrolled in the 100 lowest performing elementary schools for a third year, 2014-2015.
- Approves the 2012-2013 Class Size alternate calculation required by s. 1003.03(4), F.S., in lieu of approval by the Legislative Budget Commission.
- Require public schools to pay tuition costs from district Florida Education Finance Program (FEFP) appropriations to compensate colleges and universities for dually enrolled FTE.
- Repeals the state satellite network and transfers duties and responsibilities of the satellite transponder from the DOE to WFSU.
- Requires the department to publish by October 1, 2013 minimum and recommended technology requirements necessary for students to access electronic and digital instructional materials.
- Terminates the Sophomore Level Test Trust Fund relating to the College-Level Academic Skills Test.
- Renames Knott Data Center Working Capital Trust Fund to Education Working Capital Trust Fund and restates/revises the purpose.
- Continues the \$200,000 cap on state funds that may be expended for the remuneration of college and university presidents and administrative employees.
- Revises the name of Brevard Community College to Eastern Florida State College.
- Authorizes universities to enter into local development agreements with affected local governments for the purpose of negotiating mitigation of the impact of a university construction project on the local government.
- Authorizes a university board of trustees to expend reserve funds or carry forward balances from previous years' operational and programmatic appropriations for deferred maintenance needs at the Donald L. Tucker Civic Center for 2013-2014 and 2014-2015.
- Notwithstanding the school district allocations for Technology Transformation Grants for Rural School Districts provided in Specific Appropriation 102A in Senate Bill 1500, the allocations shall be recalculated by the Commissioner of Education based on each eligible entity's proportionate share of unweighted FTE by July 15, 2013.
- Notwithstanding the proviso following Specific Appropriation 87 in Senate Bill 1500 concerning the teacher salary increase to provide flexibility for the distribution date.
- Changes the date for the Tuition Differential Report required in s. 1009.24(16)(e), F.S., from January 1 to February 1.

**Conference Committee Amendment (573500)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraph (e) of subsection (4) of section 288.8175, Florida Statutes, is amended to read:

288.8175 Linkage institutes between postsecondary institutions in this state and foreign countries.—



(4) The institutes are:

(e) Florida-China Institute (University of West Florida, University of South Florida, and *Eastern Florida State Brevard Community College*).

Section 2. Paragraph (a) of subsection (3) of section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

(3) “Florida College System institution” except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida College System and any branch campuses, centers, or other affiliates of the institution:

(a) *Eastern Florida State Brevard Community College*, which serves Brevard County.

Section 3. *Section 1001.27, Florida Statutes, is repealed.*

Section 4. Subsections (8) and (9) of section 1001.28, Florida Statutes, are amended to read:

1001.28 Distance learning duties.—The duties of the Department of Education concerning distance learning include, but are not limited to, the duty to:

~~(8) Manage the state’s satellite transponder resources and enter into lease agreements to maximize the use of available transponder time. All net revenue realized through the leasing of available transponder time, after deducting the costs of performing the management function, shall be recycled to support the public education distance learning in this state based upon an allocation formula of one third to the Department of Education, one third to Florida College System institutions, and one third to state universities.~~

~~(8)(9)~~ Hire appropriate staff which may include a position that shall be exempt from part II of chapter 110 and is included in the Senior Management Service in accordance with s. 110.205.

Nothing in this section shall be construed to abrogate, supersede, alter, or amend the powers and duties of any state agency, district school board, Florida College System institution board of trustees, university board of trustees, the Board of Governors, or the State Board of Education.

Section 5. Subsection (2) of section 1001.281, Florida Statutes, is amended to read:

1001.281 Operating Trust Fund.—

(2) The fund is established for use as a depository for funds to be used for program operations funded by program revenues. Moneys to be credited to the trust fund include, but are not limited to, revenues received from the *payment of fees associated with high school equivalency examinations* ~~leasing of available transponder time for the state’s satellite transponder resources.~~

Section 6. Subsection (23) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(23) ~~FLORIDA VIRTUAL INSTRUCTION SCHOOL~~.—Provide students with access to courses available through a *virtual instruction program option, including the Florida Virtual School and other approved providers*, and award credit for successful completion of such courses. ~~Access shall be available to students during and after the normal school day and through summer school enrollment.~~

Section 7. Paragraph (b) of subsection (2) and subsections (7) and (10) of section 1002.3305, Florida Statutes, are amended to read:

1002.3305 College-Preparatory Boarding Academy Pilot Program for at-risk students.—

(2) DEFINITIONS.—As used in this section, the term:

(b) “Eligible student” means a student who is a resident of the state and entitled to attend school in a participating school district, is at risk of academic failure, is currently enrolled in grade 5 or 6, is from a family whose gross income is *at or below* 200 percent of the federal poverty guidelines, *is eligible for benefits or services funded by Temporary Assistance for Needy Families (TANF) or Title IV-E of the Social Security Act*, and ~~who~~ meets at least one of the following additional risk factors:

1. The child is in foster care or has been declared an adjudicated dependent by a court.

2. The student’s head of household is not the student’s custodial parent.

3. The student resides in a household that receives a housing voucher or has been determined eligible for public housing assistance.

4. A member of the student’s immediate family has been incarcerated.

5. *The child is covered under the terms of the state’s Child Welfare Waiver Demonstration project with the United States Department of Health and Human Services.*

(7) FUNDING.—The college-preparatory boarding academy must be a public school and part of the state’s program of education. ~~If~~ The program ~~may receive~~ *receives* state and federal funding from noneducation sources, *and such funds may be transferred between state agencies to provide for the operations of the program.* The State Board of Education shall coordinate, streamline, and simplify any requirements to eliminate duplicate, redundant, or conflicting requirements and oversight by various governmental programs or agencies. Funding for the operation of the boarding academy is contingent on the development of a plan by the Department of Education, the Department of Juvenile Justice, and the Department of Children and Family Services which details how educational and noneducational funds that would otherwise be committed to the students in the school and their families can be repurposed to provide for the operation of the school and related services. Such plans must be based on federal and state funding streams for children and families meeting the eligibility criteria for eligible students as specified in paragraph (2)(b) and include recommendations for modifications to the criteria for eligible students which further the program’s goals or improve the feasibility of using existing funding sources. The plan shall be submitted, together with relevant budget requests, through the legislative budget request process under s. 216.023 or through requests for budget amendments to the Legislative Budget Commission in accordance with s. 216.181.

(10) ADMISSION.—An eligible student may apply for admission to the program. If more eligible students apply for admission than the number of students permitted by the capacity established by the board of trustees, admission shall be determined by lottery. *The college preparatory boarding academy may enter into an agreement with the Department of Children and Families to admit a designated number of students who are covered under the state’s Child Welfare Waiver Demonstration project and develop an alternative admissions process for these eligible students.*

Section 8. Paragraphs (a) and (d) of subsection (3), subsection (6), and paragraph (b) of subsection (8) of section 1002.37, Florida Statutes, are amended to read:

1002.37 The Florida Virtual School.—

(3) Funding for the Florida Virtual School shall be provided as follows:

(a)1. For a student in grades 9 through 12, a “full-time equivalent student” is one student who has successfully completed six full-credit courses that count toward the minimum number of credits required for high school graduation. A student who completes fewer than six full-credit courses is a fraction of a full-time equivalent student. Half-credit course completions shall be included in determining a full-time equivalent student. ~~Credit completed by a student in excess of the minimum required for that student for high school graduation is not eligible for funding.~~

2. For a student in kindergarten through grade 8, a “full-time equivalent student” is one student who has successfully completed six courses or the prescribed level of content that counts toward promotion to the next grade. A student who completes fewer than six courses or the prescribed level of content shall be a fraction of a full-time equivalent student.

3. *For a student in a home education program, funding shall be provided in accordance with this subsection upon course completion if the parent verifies, upon enrollment for each course, that the student is registered with the school district as a home education student pursuant to s. 1002.41(1)(a). Beginning in the 2016-2017 2014-2015 fiscal year, when s. 1008.22(3)(g) is implemented, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if after the student does not pass completes the end-of-course assessment. However, no adjustment shall be made for home education program students who choose not to take an end-of-course assessment or for a student who enrolls in a segmented remedial course delivered online.*

For purposes of this paragraph, the calculation of “full-time equivalent student” shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject to the requirements in s. 1011.61(4).

(d) Full-time equivalent student credit completion for courses offered through the Florida Virtual School shall be reported only by the Florida Virtual School. School districts shall report full-time equivalent student membership only for courses for which the district provides the instruction. *Courses delivered by the Florida Virtual School on a public school campus shall be reported only by the school district in which the student is enrolled.*

(6) The board of trustees shall annually submit to the Governor, the Legislature, the Commissioner of Education, and the State Board of Education a complete and detailed report setting forth:

(a) The operations and accomplishments of the Florida Virtual School within the state and those occurring outside the state as Florida Virtual School Global.

(b) The marketing and operational plan for the Florida Virtual School and Florida Virtual School Global, including recommendations regarding methods for improving the delivery of education through the Internet and other distance learning technology.

(c) The assets and liabilities of the Florida Virtual School and Florida Virtual School Global at the end of the fiscal year.

(d) A copy of an annual financial audit of the accounts and records of the Florida Virtual School and Florida Virtual School Global, conducted by an independent certified public accountant and performed in accordance with rules adopted by the Auditor General.

(e) Recommendations regarding the unit cost of providing services to students through the Florida Virtual School and Florida Virtual School Global. In order to most effectively develop public policy regarding any future funding of the Florida Virtual School, it is imperative that the cost of the program is accurately identified. The identified cost of the program must be based on reliable data.

(f) Recommendations regarding an accountability mechanism to assess the effectiveness of the services provided by the Florida Virtual School and Florida Virtual School Global.

(8)

(b) For students receiving part-time instruction in kindergarten through grade 5 and students receiving full-time instruction in kindergarten through grade 12 from the Florida Virtual School, the full-time equivalent student enrollment calculated under this subsection is subject to the requirements in s. 1011.61(4) combined total of all FTE reported by both the school district and the Florida Virtual School may not exceed 1.0 FTE.

Section 9. Paragraphs (b), (c), and (d) of subsection (1), paragraph (a) of subsection (2), and subsection (7) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

(1) PROGRAM.—

(b) Each school district that is eligible for the sparsity supplement pursuant to s. 1011.62(7)(a) and (b) shall provide all enrolled public school students within its boundaries the option of participating in part-time and full-time virtual instruction programs. Each school district that is not eligible for the sparsity supplement pursuant to s. 1011.62(7)(a) and (b) shall provide at least three options for part-time and full-time virtual instruction. All school districts must provide parents with timely written notification of at least one open enrollment period for full-time students of 90 days or more which ends 30 days before the first day of the school year. The purpose of the program is to make quality virtual instruction available to students using online and distance learning technology in the nontraditional classroom. A school district virtual instruction program shall consist of the following:

1. Full-time and part-time virtual instruction for students enrolled in kindergarten through grade 12.

~~2. Part-time virtual instruction for students enrolled in kindergarten through grade 12 courses that are measured pursuant to subparagraph (8)(a)2.~~

~~2.3.~~ Full-time or part-time virtual instruction for students enrolled in dropout prevention and academic intervention programs under s. 1003.53, Department of Juvenile Justice education programs under s. 1003.52, core-curricula courses to meet class size requirements under s. 1003.03, or Florida College System institutions under this section.

(c) To provide students with the option of participating in virtual instruction programs as required by paragraph (b), a school district may:

1. Contract with the Florida Virtual School or establish a franchise of the Florida Virtual School for the provision of a program under paragraph (b). Using this option is subject to the requirements of this section and s. 1011.61(1)(c)1.b.(III) and (IV) and (4). *A district may report full-time equivalent student membership for credit earned by a student who is enrolled in a virtual education course provided by the district which was completed after the end of the regular school year if the FTE is reported no later than the deadline for amending the final student membership report for that year 1011.61(1)(c)1.b.(III) and (IV).*

2. Contract with an approved provider under subsection (2) for the provision of a full-time or part-time program under paragraph (b) ~~subparagraph (b)1. or subparagraph (b)3. or a part-time program under subparagraph (b)2. or subparagraph (b)3.~~

3. Enter into an agreement with other school districts to allow the participation of its students in an approved virtual instruction program provided by the other school district. The agreement must indicate a process for the transfer of funds required by paragraph (7)(f).

4. Establish school district operated part-time or full-time kindergarten through grade 12 virtual instruction programs under paragraph (b) for students enrolled in the school district. A full-time program shall operate under its own Master School Identification Number.

5. Enter into an agreement with a virtual charter school authorized by the school district under s. 1002.33.

Contracts under subparagraph 1. or subparagraph 2. may include multidistrict contractual arrangements that may be executed by a regional consortium for its member districts. A multidistrict contractual arrangement or an agreement under subparagraph 3. is not subject to s. 1001.42(4)(d) and does not require the participating school districts to be contiguous. These arrangements may be used to fulfill the requirements of paragraph (b).

(d) A virtual charter school may provide full-time virtual instruction for students in kindergarten through grade 12 if the virtual charter school has a charter approved pursuant to s. 1002.33 authorizing full-time virtual instruction. A virtual charter school may:

1. Contract with the Florida Virtual School.

2. Contract with an approved provider under subsection (2).

3. Enter into an agreement with a school district to allow the participation of the virtual charter school's students in the school district's virtual instruction program. The agreement must indicate a process for reporting of student enrollment and the transfer of funds required by paragraph (7)(f).

(2) PROVIDER QUALIFICATIONS.—

(a) The department shall annually publish online a list of providers approved to offer virtual instruction programs. To be approved by the department, a provider must document that it:

1. Is nonsectarian in its programs, admission policies, employment practices, and operations;

2. Complies with the antidiscrimination provisions of s. 1000.05;

3. Locates an administrative office or offices in this state, requires its administrative staff to be state residents, requires all instructional staff to be Florida-certified teachers under chapter 1012, and conducts background screenings for all employees or contracted personnel, as required by s. 1012.32, using state and national criminal history records;

4. *Provides to parents and students specific information posted and accessible online that includes, but is not limited to, the following teacher-parent and teacher-student contact information for each course:*

a. *How to contact the instructor via phone, e-mail, or online messaging tools.*

b. *How to contact technical support via phone, e-mail, or online messaging tools.*

c. *How to contact the administration office via phone, e-mail, or online messaging tools.*

d. *Any requirement for regular contact with the instructor for the course and clear expectations for meeting the requirement.*

e. *The requirement that the instructor in each course must, at a minimum, conduct one contact via phone with the parent and the student each month.*

5.4. Possesses prior, successful experience offering online courses to elementary, middle, or high school students as demonstrated by quantified student learning gains in each subject area and grade level provided for consideration as an instructional program option. *However, for a provider without sufficient prior, successful experience offering online courses, the department may conditionally approve the provider to offer courses measured pursuant to subparagraph (8)(a)2. Conditional approval shall be valid for 1 school year only and, based on the provider's experience in offering the courses, the department shall determine whether to grant approval to offer a virtual instruction program;*

6.5. Is accredited by a regional accrediting association as defined by State Board of Education rule;

7.6. Ensures instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level it intends to provide through contract with the school district, including:

a. Courses and programs that meet the standards of the International Association for K-12 Online Learning and the Southern Regional Education Board.

b. Instructional content and services that align with, and measure student attainment of, student proficiency in the Next Generation Sunshine State Standards.

c. Mechanisms that determine and ensure that a student has satisfied requirements for grade level promotion and high school graduation with a standard diploma, as appropriate;

8.7. Publishes for the general public, in accordance with disclosure requirements adopted in rule by the State Board of Education, as part of its application as a provider and in all contracts negotiated pursuant to this section:

a. Information and data about the curriculum of each full-time and part-time program.

b. School policies and procedures.

c. Certification status and physical location of all administrative and instructional personnel.

d. Hours and times of availability of instructional personnel.

e. Student-teacher ratios.

f. Student completion and promotion rates.

g. Student, educator, and school performance accountability outcomes;

9.8. If the provider is a Florida College System institution, employs instructors who meet the certification requirements for instructional staff under chapter 1012; and

10.9. Performs an annual financial audit of its accounts and records conducted by an independent certified public accountant which is in accordance with rules adopted by the Auditor General, is conducted in compliance with generally accepted auditing standards, and includes a report on financial statements presented in accordance with generally accepted accounting principles.

(7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL FUNDING.—

(a) Students enrolled in a virtual instruction program or a virtual charter school shall be funded through the Florida Education Finance Program as provided in the General Appropriations Act. However, such funds may not be provided for the purpose of fulfilling the class size requirements in ss. 1003.03 and 1011.685.

(b) For purposes of a virtual instruction program or a virtual charter school, "full-time equivalent student" has the same meaning as provided in s. 1011.61(1)(c)1.b.(III) or (IV).

(c) For a student enrolled in a kindergarten through grade 12 virtual instruction program, a "full-time equivalent student" has the same meaning as provided in s. 1011.61(1)(c)1.b.(III) and (IV).

(d) *The full-time equivalent student membership calculated under this subsection is subject to the requirements in s. 1011.61(4). A student may not be reported as more than 1.0 full-time equivalent student in any given school year.*

(e) Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment *under s. 1003.4282 to earn a standard high school diploma shall be adjusted if after the student does not pass completes the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.*

(f) The school district providing virtual instruction shall report full-time equivalent students for a virtual instruction program or a virtual charter school to the department in a manner prescribed by the department, and funding shall be provided through the Florida Education Finance Program.

(g) A Florida College System institution provider may not report students who are served in a virtual instruction program for funding under the Florida College System Program Fund.

Section 10. Section 1003.498, Florida Statutes, is amended to read:

1003.498 School district virtual course offerings.—

(1) School districts may deliver courses in the traditional school setting by personnel certified pursuant to s. 1012.55 who provide direct instruction through virtual instruction or through blended learning courses consisting of both traditional classroom and online instructional techniques. Students in a blended learning course must be full-time students of the school and receive the online instruction in a classroom

setting at the school. The funding, performance, and accountability requirements for blended learning courses are the same as those for traditional courses. *To facilitate the delivery and coding of blended learning courses, the department shall provide identifiers for existing courses to designate that they are being used for blended learning courses for the purpose of ensuring the efficient reporting of such courses. A district may report full-time equivalent student membership for credit earned by a student who is enrolled in a virtual education course provided by the district which is completed after the end of the regular school year if the FTE is reported no later than the deadline for amending the final student membership report for that year.*

(2) School districts may offer virtual courses for students enrolled in the school district. These courses must be identified in the course code directory. Students who meet the eligibility requirements of s. 1002.455 may participate in these virtual course offerings.

(a) Any eligible student who is enrolled in a school district may register and enroll in an online course offered by his or her school district.

(b)1. Any eligible student who is enrolled in a school district may register and enroll in an online course offered by any other school district in the state, ~~except as limited by the following:~~

~~1. A student may not enroll in a course offered through a virtual instruction program provided pursuant to s. 1002.45.~~

~~2. A student may not enroll in a virtual course offered by another school district if:~~

~~a. The course is offered online by the school district in which the student resides; or~~

~~b. The course is offered in the school in which the student is enrolled. However, a student may enroll in an online course offered by another school district if the school in which the student is enrolled offers the course but the student is unable to schedule the course in his or her school.~~

~~3. The school district in which the student completes the course shall report the student's completion of that course for funding pursuant to s. 1011.61(1)(c)1.b.(VI), and the home school district shall not report the student for funding for that course.~~

2. *The full-time equivalent student membership calculated under this subsection is subject to the requirements in s. 1011.61(4). For purposes of this paragraph, the combined total of all school district reported FTE may not be reported as more than 1.0 full-time equivalent student in any given school year. The Department of Education shall establish procedures to enable interdistrict coordination for the delivery and funding of this online option.*

(3) *A school district may not require a public school student to take a course outside the school day that is in addition to the student's courses for a given term or on school grounds.*

Section 11. Present subsection (4) of section 1006.29, Florida Statutes, is renumbered as subsection (5), and a new subsection (4) is added to that section, to read:

1006.29 State instructional materials reviewers.—

(4) *By October 1, 2013, the department shall publish minimum and recommended technology requirements that include specifications for hardware, software, networking, security, and guidelines on the number of students per device necessary to ensure that students can access all electronic and digital instructional materials.*

Section 12. Paragraphs (b), (c), and (d) of subsection (1), subsection (2), paragraphs (b) and (c) of subsection (5), and subsection (6) of section 1006.73, Florida Statutes, are amended, and paragraph (i) is added to subsection (5) of that section, to read:

1006.73 Florida Virtual Campus.—

(1) The Florida Virtual Campus is established to provide access to online student and library support services and to serve as a statewide resource and clearinghouse for public postsecondary education distance

learning courses and degree programs. The primary purposes of the Florida Virtual Campus are to:

~~(b) Provide information and enhance and expand educational access to distance learning courses and degree programs offered by the state's and increase public postsecondary education institutions degree attainment across the state.~~

~~(c) Coordinate with the Florida College System and the State University System to identify and provide online academic support services and resources when the multi-institutional provision of such services and resources is more cost or operationally effective. Address the educational needs of traditional students, place-bound students, time-bound students, and adult learners.~~

~~(d) Increase workforce skills and expand professional development opportunities.~~

(2) The chancellors of the Florida College System and the State University System shall exercise joint oversight of the Florida Virtual Campus and shall establish its governance and reporting structure, administrative and operational guidelines and processes, staffing requirements, and operational budget. *Effective January 31, 2014, all data center services needed by the Florida Virtual Campus shall be provided by the Northwest Regional Data Center a primary data center established pursuant to s. ss. 282.201 and 1004.649. The chancellors may delegate the authority and responsibility granted in this subsection.*

(a) In carrying out the purposes of this section:

1. The campus is not an "agency" as defined in s. 20.03(11) and is not subject to chapter 287.

2. The campus shall be deemed to be acting as an instrumentality of the state for purposes of sovereign immunity pursuant to s. 768.28(2).

3. All records of the campus are public records unless made confidential or exempt from law.

(b) The campus shall maintain an unencumbered balance of not less than 5 percent of its approved operating budget.

(c) The campus may secure comprehensive general liability coverage, professional liability coverage, property and casualty coverage, and any other insurance coverage deemed appropriate by the chancellors.

(d) The campus may contract for administrative services with a public postsecondary education institution. The administrative overhead costs charged by the institution may not exceed the actual cost of providing the services and shall require a specific appropriation in the General Appropriations Act.

(5) The Florida Virtual Campus shall:

(b) Develop and manage a statewide Internet-based catalog of distance learning courses, degree programs, and resources offered by public postsecondary education institutions which is intended to assist in the coordination and collaboration of articulation and access pursuant to parts II and III of chapter 1007. The campus shall establish operational guidelines and procedures for the catalog which must:

1. Require participating institutions to provide information concerning the distance learning course or degree program to include course number and classification of instructional programs number and information on the availability of the course or degree program; the type of required technology; any prerequisite course or technology competency or skill; the availability of academic support services and financial aid resources; and course costs, fees, and payment policies.

2. Require that distance learning courses and degree programs meet applicable accreditation standards and criteria.

3. Require that, at a minimum, the catalog is reviewed at the start of each academic semester to ensure that distance learning courses and degree programs comply with all operational guidelines and procedures.

4. *Define and describe the catalog's search and retrieval options that, at a minimum, will allow users to search by academic term or course start date; institution, multiple institutions, or all institutions; and course or*

*program delivery method, course type, course availability, subject or discipline, and course number or classification of instructional programs number.*

5.4. Use an Internet-based analytic tool that allows for the collection and analysis of data, including, but not limited to:

a. The number and type of students who use the catalog to search for distance learning courses and degree programs.

b. The number and type of requests for information on distance learning courses and degree programs that are not listed in the catalog.

c. A summary of specific requests by course type or course number, delivery method, offering institution, and semester.

6.5. Periodically obtain and analyze data from the Florida College System and the State University System concerning:

a. Costs of distance learning courses and degree programs.

b. *Completion*, graduation, and retention rates of students enrolled in distance learning *course and degree* programs.

c. Distance learning course completion.

(c) Implement a streamlined, automated, online admissions application process for undergraduate transient students who are currently enrolled and pursuing a degree at a public postsecondary education institution and who enroll in a course offered by a public postsecondary education institution that is not the student's degree-granting institution. The Florida Virtual Campus shall work with the Florida College System and the State University System to implement this process which requires all Florida College System institutions and state universities to:

1. Use the transient student admissions application available through the statewide computer-assisted student advising system established pursuant to paragraph (d). This admissions application is the only application required for the enrollment of a transient student as described in this paragraph.

2. Implement the financial aid procedures required by the transient student admissions application process.

3. Transfer credit awarded by the institutions offering the course to the transient student's degree-granting institution.

4. ~~By December 1, 2012,~~ Provide for an interface between the institutional advising system and the statewide computer-assisted student advising system established pursuant to paragraph (d) in order to electronically send, receive, and process the transient student admissions application.

(i) *In consultation with the public postsecondary education institutions, develop and implement a plan that describes the services and resources available at the Florida Virtual Campus to encourage current and prospective students' use of such services and resources.*

(6) Beginning September 30, 2013, and annually thereafter, the chancellors of the Florida College System and the State University System shall jointly publish a report regarding the activities of the Florida Virtual Campus in the prior fiscal year. The report shall include, but not be limited to, information related to the provision of library services and electronic resources, to include those resources licensed pursuant to s. 1006.72; distance learning resources; the computer-assisted student advising system; *the transient student online admissions process*; and other provided programs, activities, and services.

Section 13. Subsections (2) and (4) and paragraph (n) of subsection (21) of section 1007.271, Florida Statutes, are amended to read:

1007.271 Dual enrollment programs.—

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in a Florida public secondary school or in a Florida private secondary school which is in compliance with s. 1002.42(2) and provides a secondary curriculum pursuant to s. 1003.428, s. 1003.429, or s. 1003.43. Students who are eligible for dual enrollment

pursuant to this section may enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term. However, if the student is projected to graduate from high school before the scheduled completion date of a postsecondary course, the student may not register for that course through dual enrollment. The student may apply to the postsecondary institution and pay the required registration, tuition, and fees if the student meets the postsecondary institution's admissions requirements under s. 1007.263. Instructional time for dual enrollment may vary from 900 hours; however, the *full-time equivalent student membership value shall be subject to the provisions in school district may only report the student for a maximum of 1.0 FTE, as provided in s. 1011.61(4).* Any student enrolled as a dual enrollment student is exempt from the payment of registration, tuition, and laboratory fees. Vocational-preparatory instruction, college-preparatory instruction, and other forms of precollegiate instruction, as well as physical education courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, are ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program.

(4) District school boards may not refuse to enter into a dual enrollment articulation agreement with a local Florida College System institution if that Florida College System institution has the capacity to offer dual enrollment courses. ~~A Florida College System institution may limit dual enrollment participation based upon capacity. Such limitation must be clearly specified in the dual enrollment articulation agreement.~~

(21) Each district school superintendent and Florida College System institution president shall develop a comprehensive dual enrollment articulation agreement for the respective school district and Florida College System institution. The superintendent and president shall establish an articulation committee for the purpose of developing the agreement. Each state university president may designate a university representative to participate in the development of a dual enrollment articulation agreement. A dual enrollment articulation agreement shall be completed and submitted annually by the Florida College System institution to the Department of Education on or before August 1. The agreement must include, but is not limited to:

(n) A funding provision that delineates costs incurred by each entity. *School districts shall pay the standard tuition rate per credit hour from funds provided in the Florida Education Finance Program to the institution providing instruction when such instruction takes place on the postsecondary campus should share funding* to cover instructional and support costs incurred by the postsecondary institution. *When dual enrollment is provided on the high school site by postsecondary institution faculty, the school district shall reimburse the costs associated with the proportion of salary and benefits and other actual costs of the postsecondary institution to provide the instruction. When dual enrollment is provided on the high school site by school district faculty, the school district shall be responsible only for the postsecondary institution's actual costs associated with offering the program. A postsecondary institution may enter into an agreement with the school district to authorize teachers who teach dual enrollment courses at the high school site or the postsecondary institution. A school district may not deny a student access to dual enrollment unless the student is ineligible to participate in the program subject to provisions specifically outlined in this section.*

Section 14. Paragraph (e) of subsection (16) of section 1009.24, Florida Statutes, is amended to read:

1009.24 State university student fees.—

(16) Each university board of trustees may establish a tuition differential for undergraduate courses upon receipt of approval from the Board of Governors. The tuition differential shall promote improvements in the quality of undergraduate education and shall provide financial aid to undergraduate students who exhibit financial need.

(e) The Board of Governors shall submit a report to the President of the Senate, the Speaker of the House of Representatives, and the Governor describing the implementation of the provisions of this subsection no later than ~~February 1 of January 1, 2010, and no later than January 1~~ each year thereafter. The report shall summarize proposals received by the board during the preceding fiscal year and actions taken by the board in response to such proposals. In addition, the report shall provide the

following information for each university that has been approved by the board to assess a tuition differential:

1. The course or courses for which the tuition differential was assessed and the amount assessed.
2. The total revenues generated by the tuition differential.
3. With respect to waivers authorized under subparagraph (b)8., the number of students eligible for a waiver, the number of students receiving a waiver, and the value of waivers provided.
4. Detailed expenditures of the revenues generated by the tuition differential.
5. Changes in retention rates, graduation rates, the percentage of students graduating with more than 110 percent of the hours required for graduation, pass rates on licensure examinations, the number of undergraduate course offerings, the percentage of undergraduate students who are taught by faculty, student-faculty ratios, and the average salaries of faculty who teach undergraduate courses.

Section 15. *Section 1010.79, Florida Statutes, is repealed.*

Section 16. (1) *The Sophomore Level Test Trust Fund, FLAIR number 48-2-646, within the Department of Education is terminated.*

(2) *All current balances remaining in, and all revenues of, the trust fund shall be transferred to the General Revenue Fund.*

(3) *The Department of Education shall pay any outstanding debts or obligations of the terminated trust fund as soon as practicable, and the Chief Financial Officer shall close out and remove the terminated trust fund from the various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.*

Section 17. Section 1010.81, Florida Statutes, is amended to read:

1010.81 ~~Education Knott Data Center Working Capital Trust Fund.—Chapter 99-29, Laws of Florida, re-created The Education Knott Data Center Working Capital Trust Fund shall be administered by the Department of Education as a depository for funds received to record the revenue from fees paid for services provided by the department's technology office, interest earnings, and cash advances from customer entities. Moneys deposited in the trust fund shall be used to fund the services provided by the department's technology office Department of Education's data center and disbursements to pay the costs of operating the data center as authorized in s. 216.272.~~

Section 18. Paragraph (c) of subsection (1) and subsection (4) of section 1011.61, Florida Statutes, are amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A “full-time equivalent student” in each program of the district is defined in terms of full-time students and part-time students as follows:

(c)1. A “full-time equivalent student” is:

- a. A full-time student in any one of the programs listed in s. 1011.62(1)(c); or
- b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the equivalent of one full-time student based on the following calculations:

(I) A full-time student in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. or subparagraph (a)2. *The difference between that fraction or sum of fractions and the maximum value as set forth in subsection (4) for each full-time student is presumed to be the balance of the student's time not spent in a special program and shall be recorded as time in the appropriate basic program. The sum of the*

~~fractions for each program may not exceed the maximum value set forth in subsection (4).~~

(II) A prekindergarten student with a disability shall meet the requirements specified for kindergarten students.

(III) A full-time equivalent student for students in kindergarten through grade 12 in a full-time virtual instruction program under s. 1002.45 or a virtual charter school under s. 1002.33 shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in programs listed in s. 1011.62(1)(c). Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment ~~under s. 1003.4282 to earn a standard high school diploma shall be adjusted if after the student does not pass completes the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(IV) A full-time equivalent student for students in kindergarten through grade 12 in a part-time virtual instruction program under s. 1002.45 shall consist of six full-credit completions in programs listed in s. 1011.62(1)(c)1. and 3. Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment ~~under s. 1003.4282 to earn a standard high school diploma shall be adjusted if after the student does not pass completes the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(V) A Florida Virtual School full-time equivalent student shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in the programs listed in s. 1011.62(1)(c)1. and 3. for students participating in kindergarten through grade 12 part-time virtual instruction and the programs listed in s. 1011.62(1)(c) for students participating in kindergarten through grade 12 full-time virtual instruction. Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment ~~under s. 1003.4282 to earn a standard high school diploma shall be adjusted if after the student does not pass completes the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(VI) Each successfully completed full-credit course earned through an online course delivered by a district other than the one in which the student resides shall be calculated as  $\frac{1}{6}$  FTE.

~~(VII) Each successfully completed credit earned under the alternative high school course credit requirements authorized in s. 1002.375, which is not reported as a portion of the 900 net hours of instruction pursuant to subparagraph (1)(a)1., shall be calculated as  $\frac{1}{6}$  FTE.~~

~~(VII)(VIII)(A)~~ A full-time equivalent student for courses requiring passage of a statewide, standardized end-of-course assessment ~~under s. 1003.4282 to earn a standard high school diploma pursuant to s. 1008.22(3)(e)2.a.~~ shall be defined and reported based on the number of instructional hours as provided in this subsection ~~until the 2016-2017 fiscal year for the first 3 years of administering the end-of-course assessment.~~ Beginning in the 2016-2017 ~~fourth year of administering the end-of-course assessment,~~ the FTE for the course shall be ~~assessment-based credit-based and each course shall be equal to  $\frac{1}{6}$  FTE. The reported FTE shall be adjusted if after the student does not pass successfully completes the end-of-course assessment pursuant to s. 1008.22(3)(e)2.a. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

~~(VIII)(B)~~ For students enrolled in a school district as a full-time student, the district may report  $\frac{1}{6}$  FTE for each student who passes a statewide, standardized end-of-course assessment without being enrolled in the corresponding course.

~~(C) The FTE earned under this sub-sub-subparagraph and any FTE for courses or programs listed in s. 1011.62(1)(c) that do not require passing a statewide, standardized end of course assessment are subject to the requirements in subsection (4).~~

2. A student in membership in a program scheduled for more or less than 180 school days or the equivalent on an hourly basis as specified by rules of the State Board of Education is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in:

- a. Juvenile justice education programs.
- b. ~~and~~ The Florida Virtual School.
- c. *Virtual instruction programs and virtual charter schools for the purpose of course completion and credit recovery pursuant to ss. 1002.45 and 1003.498. Course completion applies only to a student who is reported during the second or third membership surveys and who does not complete a virtual education course by the end of the regular school year. The course must be completed no later than the deadline for amending the final student enrollment survey for that year. Credit recovery applies only to a student who has unsuccessfully completed a traditional or virtual education course during the regular school year and must re-take the course in order to be eligible to graduate with the student's class.*

3. The department shall determine and implement an equitable method of equivalent funding for experimental schools and for schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum school day.

*The full-time equivalent student enrollment calculated under this subsection is subject to the requirements in subsection (4).*

(4) The maximum value for funding a student in kindergarten through grade 12 or in a prekindergarten program for exceptional children as provided in s. 1003.21(1)(e) *shall be the sum of the calculations in paragraphs (a), (b), and (c) as calculated by the department* ~~is one full-time equivalent student membership for a school year or equivalent.~~

(a) *The sum of the student's full-time equivalent student membership value for the school year or the equivalent derived from paragraphs (1)(a) and (b), subparagraph (1)(c)1., sub-subparagraphs (1)(c)2.b. and c., subparagraph (1)(c)3., and subsection (2). If the sum is greater than 1.0, the full-time equivalent student membership value for each program or course shall be reduced by an equal proportion so that the student's total full-time equivalent student membership value is equal to 1.0.*

(b) *If the result in paragraph (a) is less than 1.0 full-time equivalent student and the student has full-time equivalent student enrollment pursuant to sub-sub-subparagraph (1)(c)1.b.(VIII), calculate an amount that is the lesser of the value in sub-sub-subparagraph (1)(c)1.b.(VIII) or the value of 1.0 less the value in paragraph (a).*

(c) *The full-time equivalent student enrollment value in sub-sub-paragraph (1)(c)2.a.*

Section 19. Paragraphs (f) and (i) of subsection (1) and paragraph (a) of subsection (9) of section 1011.62, Florida Statutes, are amended to read:

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

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(f) Supplemental academic instruction; categorical fund.—

1. There is created a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This

paragraph may be cited as the “Supplemental Academic Instruction Categorical Fund.”

2. Categorical funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental academic instruction to students enrolled in the K-12 program. For the 2012-2013, ~~and~~ 2013-2014, *and 2014-2015* fiscal years, each school district that has one or more of the 100 lowest-performing elementary schools based on the state reading assessment shall use these funds, together with the funds provided in the district's research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided only by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers shall not be included in the 100 schools. After this requirement has been met, supplemental instruction strategies may include, but are not limited to: modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, class size reduction, extended school year, intensive skills development in summer school, and other methods for improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. Effective with the 1999-2000 fiscal year, funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

4. The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

5. Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d)3.

(i) Calculation of full-time equivalent membership with respect to dual enrollment instruction.—Students enrolled in dual enrollment instruction pursuant to s. 1007.271 may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. Instructional time for dual enrollment may vary from 900 hours; however, *the full-time equivalent student membership value shall be subject to the provisions in school district may only report the student for a maximum of 1.0 full-time equivalent student membership, as provided in s. 1011.61(4).* Dual enrollment full-time equivalent student membership shall be calculated in an amount equal to the hours of instruction that would be necessary to earn the full-time equivalent student membership for an equivalent course if it were taught in the school district. Students in dual enrollment courses may also be calculated as the proportional shares of full-time equivalent enrollments they generate for a Florida College System institution or university conducting the dual enrollment instruction. Early admission students shall be considered dual enrollments for funding purposes. Students may be enrolled in dual enrollment instruction provided by an eligible independent college or university and may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. However, those provisions of law which exempt dual enrolled and early admission students from payment of instructional materials and tuition and fees, including laboratory fees, shall not apply to students



who select the option of enrolling in an eligible independent institution. An independent college or university which is located and chartered in Florida, is not for profit, is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools, and confers degrees as defined in s. 1005.02 shall be eligible for inclusion in the dual enrollment or early admission program. Students enrolled in dual enrollment instruction shall be exempt from the payment of tuition and fees, including laboratory fees. No student enrolled in college credit mathematics or English dual enrollment instruction shall be funded as a dual enrollment unless the student has successfully completed the relevant section of the entry-level examination required pursuant to s. 1008.30.

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. For the 2012-2013, ~~and 2013-2014, and 2014-2015~~ fiscal years, in each school district that has one or more of the 100 lowest-performing elementary schools based on the state reading assessment, priority shall be given to providing an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in each school. Students enrolled in these schools who have level 5 assessment scores may participate in the additional hour of instruction on an optional basis. Exceptional student education centers shall not be included in the 100 schools. The intensive reading instruction delivered in this additional hour and for other students shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on student assessment data to meet students' specific reading needs; explicit and systematic reading development in phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading. For the 2012-2013 and 2013-2014 fiscal years, a school district may not hire more reading coaches than were hired during the 2011-2012 fiscal year unless all students in kindergarten through grade 5 who demonstrate a reading deficiency, as determined by district and state assessments, including students scoring Level 1 or Level 2 on FCAT Reading, are provided an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year.

Section 20. Section 1011.622, Florida Statutes, is created to read:

*1011.622 Adjustments for students without a common student identifier.—The Florida Education Finance Program funding calculations, including the calculations authorized in ss. 1011.62, 1011.67, 1011.68, and 1011.685, shall include funding for a student only when all of the student's records are reported to the Department of Education under a common student identifier. The State Board of Education may adopt rules pursuant to ss. 120.536(1) and 120.54, to implement this section.*

Section 21. Subsection (4) of section 1012.885, Florida Statutes, is amended to read:

1012.885 Remuneration of Florida College System institution presidents; limitations.—

(4) LIMITATION ON REMUNERATION.—Notwithstanding the provisions of this section, ~~for the 2012-2013 fiscal year,~~ a Florida College System institution president may not receive more than \$200,000 in remuneration from appropriated state funds. Only compensation, as defined in s. 121.021(22), provided to a Florida College System institution president may be used in calculating benefits under chapter 121.

Section 22. Effective upon this act becoming a law, subsection (4) of section 1012.886, Florida Statutes, is amended to read:

1012.886 Remuneration of Florida College System institution administrative employees; limitations.—

~~(4) EXPIRATION.—This section expires June 30, 2013.~~

Section 23. Subsection (4) of section 1012.975, Florida Statutes, is amended to read:

1012.975 Remuneration of state university presidents; limitations.—

(4) LIMITATION ON REMUNERATION.—Notwithstanding the provisions of this section, ~~for the 2012-2013 fiscal year,~~ a state university president may not receive more than \$200,000 in remuneration from public funds. Only compensation, as defined in s. 121.021(22), provided to a state university president may be used in calculating benefits under chapter 121.

Section 24. Effective upon this act becoming a law, subsection (4) of section 1012.976, Florida Statutes, is amended to read:

1012.976 Remuneration of state university administrative employees; limitations.—

~~(4) EXPIRATION.—This section expires June 30, 2013.~~

Section 25. *Notwithstanding the required review by the Legislative Budget Commission pursuant to s. 1003.03(4)(c), Florida Statutes, for the 2012-2013 fiscal year, the alternate compliance calculation amounts to the class size operating categorical fund authorized by s. 1003.03(4)(c), Florida Statutes, shall be the reduction calculation required by s. 1003.03(4), Florida Statutes. The Commissioner of Education shall modify payments to districts as required by s. 1003.03(4), Florida Statutes, for the 2012-2013 fiscal year. This section shall take effect upon this act becoming a law.*

Section 26. *Notwithstanding the distribution provisions in the salary increase portion of the proviso following Specific Appropriation 87 contained in Senate Bill 1500, enacted during the 2013 Regular Session of the Florida Legislature, a district school board or charter school board may distribute salary increases at any time before June 2014, in conformance with requirements of the proviso or board-approved evaluation plan, and as negotiated with collective bargaining units and educators, as appropriate.*

Section 27. *Notwithstanding subsections (10), (11), (12) and (13) of s. 1013.30, Florida Statutes, and subsection (4) of s. 1013.51, Florida Statutes, for the 2013-2014 fiscal year, a state university may enter into a local development agreement with an affected host local government, to identify specific projects in the university's campus master plan to be constructed by the university, for purposes of negotiating mitigation of the impact of such projects on the host local government.*

Section 28. *In order to implement Specific Appropriation 142 of the 2013-2014 General Appropriations Act and notwithstanding any other law, for the 2013-2014 and 2014-2015 fiscal years only, a university board of trustees may expend reserve or carryforward balances from previous years' operational and programmatic appropriations for deferred maintenance needs at the Donald L. Tucker Civic Center.*

Section 29. *Notwithstanding the school district allocations for Technology Transformation Grants for Rural School Districts provided in Specific Appropriation 102A contained in Senate Bill 1500 enacted during the 2013 Regular Session of the Florida Legislature, allocations for this purpose shall be recalculated by the Commissioner of Education and replicated by the principals of the Florida Education Finance Program Appropriation Allocation Conference no later than July 15, 2013. The revised allocations shall be based on each entity's proportionate share of unweighted FTE and shall be calculated for all districts and lab schools receiving funds in Specific Appropriation 102A plus any other member school district of a regional consortium service organization as of April 30, 2013.*

Section 30. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education; amending ss. 288.8175 and 1000.21, F.S.; renaming Brevard Community College as "Eastern Florida State College"; repealing s. 1001.27, F.S., relating to a state satellite network; amending s. 1001.28, F.S.; deleting a duty of the Department of Education to manage the state's satellite transponder resources; amending s. 1001.281, F.S.; revising funds deposited in the Operating Trust Fund; amending s. 1001.42, F.S.; revising district school board duties relating to virtual instruction; amending s. 1002.3305, F.S.; re-

vising a definition; authorizing the state's program of education to receive state and federal funding that may be transferred between state agencies to provide for operations of the college-preparatory boarding academy; authorizing the college-preparatory boarding academy to enter into an agreement with the Department of Children and Families to admit certain students and to develop an alternative admissions process; amending s. 1002.37, F.S.; revising and clarifying requirements for reporting and funding a full-time equivalent student in the Florida Virtual School; providing requirements for funding a home education student enrolled in the Florida Virtual School; requiring the school district in which a student is enrolled to report the courses delivered by the Florida Virtual School on a public school campus; providing reporting requirements relating to Florida Virtual School Global; amending s. 1002.45, F.S.; authorizing a school district to provide part-time virtual instruction for K-12 students in all courses; revising requirements for the use of virtual instruction in core-curricula courses for the purpose of meeting class size requirements; authorizing a district to report full-time equivalent membership for credit earned by a student who is enrolled in a virtual education course under certain circumstances; revising requirements for approval as a provider of virtual instruction programs; providing requirements for conditional approval; revising and clarifying the requirements for reporting and funding a full-time equivalent student enrolled in a virtual instruction program; amending s. 1003.498, F.S.; requiring the Department of Education to provide identifiers for courses to designate their use for blended learning courses; authorizing a district to report full-time equivalent membership for credit earned by a student who is enrolled in a virtual education course under certain circumstances; removing restrictions on students taking online courses across district lines; clarifying the requirements for reporting a full-time equivalent student; prohibiting a school district from requiring a public school student to take an online course at certain times or places; amending s. 1006.29, F.S.; requiring the department to publish technology requirements related to instructional materials; amending s. 1006.73, F.S.; revising purposes, duties, and responsibilities of the Florida Virtual Campus; amending s. 1007.271, F.S.; revising provisions relating to the full-time equivalent student membership value for dual enrolled students; revising dual enrollment articulation agreement requirements; revising funding provisions delineating costs incurred by the institution providing instruction; amending s. 1009.24, F.S.; revising the date in which the Board of Governors is required to submit a report regarding tuition differential; repealing s. 1010.79, F.S., relating to the Sophomore Level Test Trust Fund; terminating the Sophomore Level Test Trust Fund and providing for the transfer of funds and payment of outstanding obligations; amending s. 1010.81, F.S.; renaming the Knott Data Center Working Capital Trust Fund and revising the deposit and use of funds; amending s. 1011.61, F.S.; revising and clarifying the definition of a full-time equivalent student; revising provisions relating to funding based on student completion of end-of-course examinations; revising provisions relating to the maximum value for funding a student; amending s. 1011.62, F.S.; revising the fiscal years in which certain school districts may use funds for supplemental academic instruction and research-based reading instruction to provide additional intensive reading instruction; revising provisions relating to the full-time equivalent student membership value for dual enrolled students; creating s. 1011.622, F.S.; providing for funding adjustments for students without a common student identifier; amending ss. 1012.885, 1012.886, 1012.975, and 1012.976, F.S.; extending indefinitely provisions relating to remuneration of Florida College System institution presidents, Florida College System institution administrative employees, state university presidents, and state university administrative employees; specifying the formula to be used for the 2012-2013 fiscal year in calculating the alternate compliance calculation amounts to the class size operating categorical fund, notwithstanding certain other provisions of law; requiring that the Commissioner of Education modify payments to school districts; authorizing a school board or charter school board to distribute salary increases at any time before a specified month; authorizing a state university to enter into a local development agreement with an affected host local government for specified purposes; authorizing a university board of trustees to expend reserve or carry-forward balances from previous years' appropriations for deferred maintenance needs at a specified civic center; requiring the Commissioner of Education to recalculate, and the principals of the Florida Education Finance Program Appropriation Allocation Conference to replicate, certain school district allocations by a specified date; providing a basis for the revised allocations; requiring the revised allocations to be calculated for certain districts and lab schools; providing effective dates.

On motion by Senator Galvano, the Conference Committee Report on **SB 1514** was adopted. **SB 1514** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Dean

By direction of the President the following Conference Committee Report was read:

#### CONFERENCE COMMITTEE REPORT ON CS for CS for SB 1720

The Honorable Don Gaetz  
President of the Senate

May 1, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for CS for SB 1720, same being:

An act relating to Education.

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

1. That the House of Representatives recede from its Amendment 1 (348569).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ Joe Negron,  
Chair  
s/ Joseph Abruzzo  
s/ Aaron Bean  
s/ Jeff Brandes  
s/ Dwight Bullard  
s/ Charles S. "Charlie" Dean, Sr.  
s/ Miguel Diaz de la Portilla  
s/ Anitere Flores  
s/ Rene Garcia  
s/ Audrey Gibson  
s/ Alan Hays  
s/ Arthenia L. Joyner  
s/ Tom Lee  
s/ Gwen Margolis  
s/ Garrett Richter, At Large  
s/ Maria Lorts Sachs  
s/ Wilton Simpson  
s/ Eleanor Sobel  
s/ Kelli Stargel  
s/ John Thrasher

s/ Lizbeth Benacquisto,  
Vice Chair  
s/ Thad Altman  
s/ Rob Bradley  
s/ Oscar Braynon II  
s/ Jeff Clemens  
s/ Nancy C. Detert  
s/ Greg Evers  
s/ Anitere Flores  
s/ Andy Gardiner  
s/ Denise Grimsley  
s/ Dorothy L. Hukill  
s/ Jack Latvala  
s/ John Legg  
s/ Bill Montford  
s/ Jeremy Ring  
s/ David Simmons  
s/ Christopher L. Smith, At Large  
s/ Darren Soto  
s/ Geraldine F. "Geri" Thompson

## Managers on the part of the Senate

s/ Seth McKeel,  
Committee Chair  
s/ Eric Fresen,  
Chair  
s/ Michael Bileca  
Marti Coley, At Large  
Joseph A. "Joe" Gibbons, At Large  
s/ Doug Holder, At Large  
Shevrin D. Jones  
s/ H. Marlene O'Toole, At Large  
s/ Cary Pigman  
Betty Reed  
s/ Robert C. "Rob" Schenck,  
At Large  
James W. "Jim" Waldman,  
At Large  
s/ Dana D. Young, At Large

s/ Steve Crisafulli,  
Committee Vice Chair  
s/ Janet H. Adkins  
s/ Larry Ahern  
Karen Castor Dentel  
s/ Heather Fitzhagen  
s/ Eddy Gonzalez, At Large  
Mia L. Jones, At Large  
s/ Jeanette M. Nunez  
s/ Keith Perry  
s/ Stephen L. Precourt, At Large  
s/ Darryl Ervin Rouson, At Large  
Dwayne L. Taylor  
s/ Perry E. Thurston, Jr.,  
At Large  
Ritch Workman, At Large

## Managers on the part of the House

The Conference Committee Amendment for CS for CS for SB 1720, relating to education, provides for the following:

- Requires a Florida College System institution to implement a developmental education plan no later than Fall 2014 and to make annual accountability reports on developmental education beginning in 2015; specifies which students are not required to be tested or to enroll in developmental education and requires colleges to provide students with developmental education options including in-course tutoring. Allows students to elect to take developmental education testing and instruction.
- Reinstates the general education credit hour requirement to 36 semester hours from the proposed 30 hours and extends implementation of the revised core course requirements for one year, from 2014-15 to 2015-16.
- Creates a new Office of K-20 Articulation in the Department of Education to support the work of the Higher Education Coordinating Council and revises membership and duties of the council.
- Transfers oversight of the Moffitt Cancer Center and Research Institute's lease from the Board of Governors to the University of South Florida.
- Gives the Board of Governors stronger oversight authority over state universities in regard to laws, rules, and regulations.
- Specifies minimum sample size and minimum percentage of students tested in order for schools to receive a school grade or school improvement rating, and defines "collocated schools" for purposes of school accountability.
- Requires specified content to be included on student report cards that are distributed to parents of students enrolled in alternative schools.
- Directs the Department of Education to develop criteria for issuing and revoking master school identification (MSID) numbers.
- Repeals the FAFSA requirement for Bright Futures Scholarships and for FRAG and ABLE tuition assistance grants.
- For education accountability purposes, establishes dates by which licensed private postsecondary institutions must report data to the Commission for Independent Education and nonprofit independent colleges and universities must report data to the Department of Education.
- Provides rule making authority regarding penalties for not reporting child abuse at postsecondary institutions.
- Increases the cap on the number of fee exemptions a Florida College System institution may grant.
- Authorizes a Florida College System institution to establish a differential out-of-state fee for non-resident distance learners.

- Revises actions to be taken by the Legislative Auditing Committee relating to audits of state universities and FCS institutions.
- Requires educational entities within the state to coordinate with the State Board of Education on data reporting.

**Conference Committee Amendment (135872)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraph (j) of subsection (7) of section 11.45, Florida Statutes, is amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

## (7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

(j) The Auditor General shall notify the Legislative Auditing Committee of any financial or operational audit report prepared pursuant to this section which indicates that a state university or Florida College System institution has failed to take full corrective action in response to a recommendation that was included in the two preceding financial or operational audit reports.

1. The committee may direct the governing body of the state university or Florida College System institution to provide a written statement to the committee explaining why full corrective action has not been taken or, if the governing body intends to take full corrective action, describing the corrective action to be taken and when it will occur.

2. If the committee determines that the written statement is not sufficient, the committee may require the chair of the governing body of the state university or Florida College System institution, or the chair's designee, to appear before the committee.

3. If the committee determines that the state university or Florida College System institution has failed to take full corrective action for which there is no justifiable reason or has failed to comply with committee requests made pursuant to this section, the committee *shall refer the matter to the State Board of Education or the Board of Governors, as appropriate, to proceed in accordance with s. 1008.32 or s. 1008.322, respectively* ~~may proceed in accordance with s. 11.40(2).~~

Section 2. Paragraph (h) of subsection (3) of section 20.15, Florida Statutes, is redesignated as paragraph (i), and a new paragraph (h) is added to that subsection, to read:

20.15 Department of Education.—There is created a Department of Education.

(3) DIVISIONS.—The following divisions of the Department of Education are established:

(h) *Office of K-20 Articulation.*

Section 3. Subsection (10) is added to section 39.205, Florida Statutes, to read:

39.205 Penalties relating to reporting of child abuse, abandonment, or neglect.—

(10) *The State Board of Education shall adopt rules to implement this section as it relates to Florida College System institutions; the Commission for Independent Education shall adopt rules to implement this section as it relates to nonpublic colleges, universities, and schools; and the Board of Governors shall adopt regulations to implement this section as it relates to state universities.*

Section 4. Paragraph (b) of subsection (7) of section 250.10, Florida Statutes, is amended to read:

250.10 Appointment and duties of the Adjutant General.—

(7) The Adjutant General shall develop an education assistance program for members in good standing of the Florida National Guard who enroll in an authorized course of study at a public or nonpublic institution of higher learning in the state which has been accredited by an accrediting body recognized by the United States Department of Education or licensed by the Commission for Independent Education.

This program shall be known as the Educational Dollars for Duty program (EDD).

(b) The program shall define those members of the Florida National Guard who are ineligible to participate in the program and those courses of study which are not authorized for the program.

1. Ineligible members include, but are not limited to, any member, commissioned officer, warrant officer, or enlisted person who has obtained a master's degree using the program.

2. Courses not authorized include noncredit courses, courses that do not meet degree requirements, courses that do not meet requirements for completion of career training, or other courses as determined by program definitions.

3. *Developmental education* ~~College preparatory~~ courses are authorized for the program.

Section 5. Paragraphs (g) and (h) of subsection (4), subsection (5), and paragraph (d) of subsection (6) of section 1001.02, Florida Statutes, are amended to read:

1001.02 General powers of State Board of Education.—

(4) The State Board of Education shall:

~~(g) Specify, by rule, the college credit courses that may be taken by Florida College System institution students concurrently enrolled in college preparatory instruction.~~

~~(g)(h)~~ Adopt and submit to the Legislature a 3-year list of priorities for fixed-capital-outlay projects. The State Board of Education may not amend the 3-year list of priorities of the Board of Governors.

(5) The State Board of Education is responsible for reviewing and administering the state program of support for the Florida College System institutions and, subject to existing law, shall establish the tuition and out-of-state fees for *developmental education* ~~college preparatory instruction~~ and for credit instruction that may be counted toward an associate in arts degree, an associate in applied science degree, or an associate in science degree.

(6) The State Board of Education shall prescribe minimum standards, definitions, and guidelines for Florida College System institutions that will ensure the quality of education, coordination among the Florida College System institutions and state universities, and efficient progress toward accomplishing the Florida College System institution mission. At a minimum, these rules must address:

(d) Provisions for curriculum development, graduation requirements, college calendars, and program service areas. These provisions must include rules that:

1. Provide for the award of an associate in arts degree to a student who successfully completes 60 semester credit hours at the Florida College System institution.

2. Require all of the credits accepted for the associate in arts degree to be in the statewide course numbering system as credits toward a baccalaureate degree offered by a state university or a Florida College System institution.

3. ~~Beginning with students initially entering a Florida College System institution in 2014-2015 and thereafter,~~ Require no more than 36 30 semester credit hours in general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences.

The rules should encourage Florida College System institutions to enter into agreements with state universities that allow Florida College System institution students to complete upper-division-level courses at a Florida College System institution. An agreement may provide for concurrent enrollment at the Florida College System institution and the state university and may authorize the Florida College System institution to offer an upper-division-level course or distance learning.

Section 6. Subsection (9) of section 1001.64, Florida Statutes, is amended to read:

1001.64 Florida College System institution boards of trustees; powers and duties.—

(9) A board of trustees may contract with the board of trustees of a state university for the Florida College System institution to provide *developmental education* ~~college preparatory instruction~~ on the state university campus.

Section 7. Subsection (2) of section 1003.433, Florida Statutes, is amended to read:

1003.433 Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements.—

(2) Students who *earn the required 24 credits* ~~have met all requirements~~ for the standard high school diploma except for passage of *any must-pass assessment under s. 1003.4282 or s. 1008.22* ~~the grade 10 FCAT~~ or an alternate assessment by the end of grade 12 must be provided the following learning opportunities:

(a) Participation in an accelerated high school equivalency diploma preparation program during the summer.

(b) Upon receipt of a certificate of completion, be allowed to take the College Placement Test and be admitted to *developmental education* ~~remedial~~ or credit courses at a Florida College System institution, as appropriate.

(c) Participation in an adult general education program as provided in s. 1004.93 for such time as the student requires to master English, reading, mathematics, or any other subject required for high school graduation. Students attending adult basic, adult secondary, or vocational-preparatory instruction are exempt from any requirement for the payment of tuition and fees, including lab fees, pursuant to s. 1009.25. A student attending an adult general education program shall have the opportunity to take the grade 10 FCAT an unlimited number of times in order to receive a standard high school diploma.

Section 8. Section 1004.015, Florida Statutes, is amended to read:

1004.015 Higher Education Coordinating Council.—

(1) The Higher Education Coordinating Council is created for the purposes of identifying unmet needs; ~~and~~ facilitating solutions to disputes regarding the creation of new degree programs and the establishment of new institutes, campuses, or centers; ~~and facilitating solutions to data issues identified by the Articulation Coordinating Committee pursuant to s. 1007.01 to improve the K-20 education performance accountability system.~~

(2) Members of the council shall include:

(a) *One member of the Board of Governors, appointed by the chair of the Board of Governors* ~~The Commissioner of Education.~~

(b) The Chancellor of the State University System.

(c) The Chancellor of the Florida College System.

~~(d) One member of the State Board of Education, appointed by the chair of the State Board of Education.~~

~~(e)(d)~~ The Executive Director of the *Florida Association of Post-secondary Schools and Colleges* ~~Commission for Independent Education.~~

~~(f)(e)~~ The president of the Independent Colleges and Universities of Florida.

~~(g) The president of Workforce Florida, Inc., or his or her designee.~~

~~(h) The president of Enterprise Florida, Inc., or a designated member of the Stakeholders Council appointed by the president.~~

~~(i)(f)~~ *Three* ~~Two~~ representatives of the business community, one appointed by the President of the Senate, ~~and~~ one appointed by the Speaker of the House of Representatives, ~~and one appointed by the Governor, who are committed to developing and enhancing world class~~

workforce infrastructure necessary for Florida's citizens to compete and prosper in the ever-changing economy of the 21st century.

(3) *Appointed members shall serve 2-year terms, and a single chair shall be elected annually by a majority of the members.*

(4)(3) The council shall serve as an advisory board to the Legislature, the State Board of Education, and the Board of Governors. Recommendations of the council shall be consistent with the following guiding principles:

(a) To achieve within existing resources a seamless academic educational system that fosters an integrated continuum of kindergarten through graduate school education for Florida's students.

(b) To promote consistent education policy across all educational delivery systems, focusing on students.

(c) To promote substantially improved articulation across all educational delivery systems.

(d) To promote a system that maximizes educational access and allows the opportunity for a high-quality education for all Floridians.

(e) To promote a system of coordinated and consistent transfer of credit and data collection for improved accountability purposes between the educational delivery systems.

(5)(4) The council shall annually by December 31 submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Board of Governors, and the State Board of Education a report outlining its recommendations relating to:

(a) The primary core mission of public and nonpublic postsecondary education institutions in the context of state access demands and economic development goals.

(b) Performance outputs and outcomes designed to meet annual and long-term state goals, including, but not limited to, increased student access, preparedness, retention, transfer, and completion. Performance measures must be consistent across sectors and allow for a comparison of the state's performance to that of other states.

(c) The state's articulation policies and practices to ensure that cost benefits to the state are maximized without jeopardizing quality. The recommendations shall consider return on investment for both the state and students and propose systems to facilitate and ensure institutional compliance with state articulation policies.

(d) Workforce development education, specifically recommending improvements to the consistency of workforce education data collected and reported by Florida College System institutions and school districts, including the establishment of common elements and definitions for any data that is used for state and federal funding and program accountability.

(6)(5) The Office of K-20 Articulation, in collaboration with the Board of Governors and the Division of Florida Colleges, Department of Education shall provide administrative support for the council.

Section 9. Subsection (11) of section 1004.02, Florida Statutes, is amended to read:

1004.02 Definitions.—As used in this chapter:

(11) "Developmental education ~~College preparatory instruction~~" means instruction courses through which a high school graduate who applies for any college credit program may attain the communication and computation skills necessary to successfully complete enroll in college credit instruction.

Section 10. Subsections (1), (2), (4), and (6) and paragraph (f) of subsection (5) of section 1004.43, Florida Statutes, are amended to read:

1004.43 H. Lee Moffitt Cancer Center and Research Institute.—There is established the H. Lee Moffitt Cancer Center and Research Institute, a statewide resource for basic and clinical research and multidisciplinary approaches to patient care.

(1) The Board of Trustees of the University of South Florida ~~Governors~~ shall enter into a lease ~~an~~ agreement for the utilization of the lands and facilities on the campus of the University of South Florida to be known as the H. Lee Moffitt Cancer Center and Research Institute, including all furnishings, equipment, and other chattels used in the operation of such facilities, with a Florida not-for-profit corporation organized solely for the purpose of governing and operating the H. Lee Moffitt Cancer Center and Research Institute. *The lease agreement with the not-for-profit corporation shall be rent free as long as the not-for-profit corporation and its subsidiaries utilize the lands and facilities primarily for research, education, treatment, prevention, and early detection of cancer or for teaching and research programs conducted by state universities or other accredited medical schools or research institutes. The lease agreement shall provide for review of construction plans and specifications by the University of South Florida for consistency with the university's campus master plan, impact on the university's utilities infrastructure, compliance with applicable building codes and general design characteristics, and compatibility with university architecture, as appropriate.* The not-for-profit corporation may, with the prior approval of the Board of Governors, create either for-profit or not-for-profit corporate subsidiaries, or both, to fulfill its mission. The not-for-profit corporation and any approved not-for-profit subsidiary shall be conclusively deemed corporations primarily acting as instrumentalities of the state, pursuant to s. 768.28(2), for purposes of sovereign immunity. For-profit subsidiaries of the not-for-profit corporation may not compete with for-profit health care providers in the delivery of radiation therapy services to patients. The not-for-profit corporation and its subsidiaries are authorized to receive, hold, invest, and administer property and any moneys received from private, local, state, and federal sources, as well as technical and professional income generated or derived from practice activities of the institute, for the benefit of the institute and the fulfillment of its mission. The affairs of the corporation shall be managed by a board of directors who shall serve without compensation. The President of the University of South Florida and the chair of the Board of Governors, or his or her designee, shall be directors of the not-for-profit corporation, ~~together with 5 representatives of the state universities and no more than 14 nor fewer than 10 directors who are not medical doctors or state employees.~~ Each director shall have only one vote, shall serve a term of 3 years, and may be reelected to the board. Other than the President of the University of South Florida and the chair of the Board of Governors, directors shall be elected by a majority vote of the board. The chair of the board of directors shall be selected by majority vote of the directors.

(2) ~~The Board of Governors shall provide in the agreement with the not-for-profit corporation for the following:~~

(a) ~~Approval of the articles of incorporation of the not-for-profit corporation by the Board of Governors.~~

(b) ~~Approval of the articles of incorporation of any not-for-profit corporate subsidiary created by the not-for-profit corporation.~~

(c) ~~Utilization of lands, facilities, and personnel by the not-for-profit corporation and its subsidiaries for research, education, treatment, prevention, and the early detection of cancer and for mutually approved teaching and research programs conducted by the state universities or other accredited medical schools or research institutes.~~

(2)(4) ~~The not-for-profit corporation shall cause to be prepared Pre~~paration of an annual financial audits ~~audit~~ of the not-for-profit corporation's accounts and records and the accounts and records of any subsidiaries to be conducted by an independent certified public accountant. The annual audit report shall include a management letter, as defined in s. 11.45, and shall be submitted to the Auditor General and the Board of Governors. The Board of Governors, the Auditor General, and the Office of Program Policy Analysis and Government Accountability shall have the authority to require and receive from the not-for-profit corporation and any subsidiaries or from their independent auditor any detail or supplemental data relative to the operation of the not-for-profit corporation or subsidiary.

(c) ~~Provision by~~ The not-for-profit corporation and its subsidiaries shall provide of equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin.

(4) In the event that the agreement between the not-for-profit corporation and the Board of Trustees of the University of South Florida

~~Governors~~ is terminated for any reason, the Board of Governors shall resume governance and operation of such facilities.

(5) The institute shall be administered by a chief executive officer who shall serve at the pleasure of the board of directors of the not-for-profit corporation and who shall have the following powers and duties subject to the approval of the board of directors:

(f) The chief executive officer shall ~~report annually have a reporting relationship~~ to the Board of Governors or its designee ~~on the educational activities of the not-for-profit corporation.~~

(6) The board of directors of the not-for-profit corporation shall create an external advisory board ~~a council~~ of scientific advisers to the chief executive officer comprised of leading researchers, physicians, and scientists. This ~~board council~~ shall review programs and recommend research priorities and initiatives so as to maximize the state's investment in the institute. The ~~board council~~ shall be appointed by the board of directors of the not-for-profit corporation. Each member of the ~~board council~~ shall be appointed to serve a 2-year term and may be reappointed to the ~~board council~~.

Section 11. *Section 1004.58, Florida Statutes, is repealed.*

Section 12. Paragraphs (c) and (d) of subsection (4) of section 1004.93, Florida Statutes, are amended to read:

1004.93 Adult general education.—

(4)

(c) The State Board of Education shall define, by rule, the levels and courses of instruction to be funded through the *developmental education college preparatory* program. The state board shall coordinate the establishment of costs for *developmental education college preparatory* courses, the establishment of statewide standards that define required levels of competence, acceptable rates of student progress, and the maximum amount of time to be allowed for completion of *developmental education college preparatory instruction*. *Developmental education College preparatory instruction* is part of an associate in arts degree program and may not be funded as an adult career education program.

(d) Expenditures for *developmental education college preparatory* and lifelong learning students shall be reported separately. Allocations for *developmental education college preparatory* courses shall be based on proportional full-time equivalent enrollment. Program review results shall be included in the determination of subsequent allocations. A student shall be funded to enroll in the same *developmental education college preparatory* class within a skill area only twice, after which time the student shall pay 100 percent of the full cost of instruction to support the continuous enrollment of that student in the same class; however, students who withdraw or fail a class due to extenuating circumstances may be granted an exception only once for each class, provided approval is granted according to policy established by the board of trustees. Each Florida College System institution shall have the authority to review and reduce payment for increased fees due to continued enrollment in a *developmental education college preparatory* class on an individual basis contingent upon the student's financial hardship, pursuant to definitions and fee levels established by the State Board of Education. *Developmental education College preparatory* and lifelong learning courses do not generate credit toward an associate or baccalaureate degree.

Section 13. Paragraph (i) of subsection (1) of section 1005.22, Florida Statutes, is amended to read:

1005.22 Powers and duties of commission.—

(1) The commission shall:

(i) Serve as a central agency for collecting and distributing current information regarding institutions licensed by the commission. The commission shall *annually* collect, and all institutions licensed by the commission shall *annually* report, student-level data *from the prior year* for each student who receives state funds, *in a format prescribed by the Department of Education*. At a minimum, data *from the prior year must* ~~shall be reported annually and~~ include retention rates, transfer rates, completion rates, graduation rates, employment and placement rates, and earnings of graduates. *By December 31, 2013, the commission shall report the data for the 2012-2013 academic year to the Department of*

*Education. By October 1 of each year thereafter, the commission shall report the data to the department.*

Section 14. Subsection (3) of section 1007.01, Florida Statutes, is amended to read:

1007.01 Articulation; legislative intent; purpose; role of the State Board of Education and the Board of Governors; Articulation Coordinating Committee.—

(3) The Commissioner of Education, in consultation with the Chancellor of the State University System, shall establish the Articulation Coordinating Committee, which shall make recommendations related to statewide articulation policies and issues regarding access, quality, and reporting of data maintained by the K-20 data warehouse, established pursuant to ss. 1001.10 and 1008.31, to the Higher Education Coordination Council, the State Board of Education, and the Board of Governors. The committee shall consist of two members each representing the State University System, the Florida College System, public career and technical education, ~~public~~ K-12 education, and nonpublic *postsecondary* education and one member representing students. The chair shall be elected from the membership. *The Office of K-20 Articulation shall provide administrative support for the committee.* The committee shall:

(a) Monitor the alignment between the exit requirements of one education system and the admissions requirements of another education system into which students typically transfer and make recommendations for improvement.

(b) Propose guidelines for interinstitutional agreements between and among public schools, career and technical education centers, Florida College System institutions, state universities, and nonpublic postsecondary institutions.

(c) Annually recommend dual enrollment course and high school subject area equivalencies for approval by the State Board of Education and the Board of Governors.

(d) Annually review the statewide articulation agreement pursuant to s. 1007.23 and make recommendations for revisions.

(e) Annually review the statewide course numbering system, the levels of courses, and the application of transfer credit requirements among public and nonpublic institutions participating in the statewide course numbering system and identify instances of student transfer and admissions difficulties.

(f) Annually publish a list of courses that meet common general education and common degree program prerequisite requirements at public postsecondary institutions identified pursuant to s. 1007.25.

(g) *Foster timely collection and reporting of statewide education data* ~~Examine statewide data regarding articulation to identify issues and make recommendations~~ to improve articulation throughout the K-20 education performance accountability system pursuant to ss. 1001.10 and 1008.31, including, but not limited to, data quality, accessibility, and protection of student records.

(h) Recommend roles and responsibilities of public education entities in interfacing with the single, statewide computer-assisted student advising system established pursuant to s. 1006.73.

Section 15. Subsections (3), (6), (7), (8), and (10) of section 1007.25, Florida Statutes, are amended to read:

1007.25 General education courses; common prerequisites; other degree requirements.—

(3) The chair of the State Board of Education and the chair of the Board of Governors, or their designees, shall jointly appoint faculty committees to identify statewide general education core course options. General education core course options shall consist of a maximum of five courses within each of the subject areas of communication, mathematics, social sciences, humanities, and natural sciences. *The core courses may be revised, or the five-course maximum within each subject area may be exceeded, if approved by the State Board of Education and the Board of Governors, as recommended by the subject area faculty committee and approved by the Articulation Coordinating Committee as necessary for a*

subject area. Each general education core course option must contain high-level academic and critical thinking skills and common competencies that students must demonstrate to successfully complete the course. Beginning with students initially entering a Florida College System institution or state university in 2015-2016 ~~2014-2015~~ and thereafter, each student must complete at least one identified core course in each subject area as part of the general education course requirements. All public postsecondary educational institutions shall ~~offer and~~ accept these courses as meeting general education core course requirements. The remaining general education course requirements shall be identified by each institution and reported to the department by their statewide course number. The general education core course options shall be adopted in rule by the State Board of Education and in regulation by the Board of Governors.

(6) The universities and Florida College System institutions shall work with their school districts to ensure that high school curricula coordinate with the general education curricula and to prepare students for college-level work. General education curricula for associate in arts programs shall be identified by each institution and, ~~beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter, shall include 36 30 semester hours~~ in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences.

(7) An associate in arts degree shall require no more than 60 semester hours of college credit and, ~~beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter, include 36 30 semester hours of general education coursework. Beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter, shall include and demonstration of competency in a foreign language pursuant to s. 1007.262. Except for developmental education college preparatory coursework required pursuant to s. 1008.30, all required coursework shall count toward the associate in arts degree or the baccalaureate degree.~~

(8) A baccalaureate degree program shall require no more than 120 semester hours of college credit and, ~~beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter, include 36 30 semester hours of general education coursework, unless prior approval has been granted by the Board of Governors for baccalaureate degree programs offered by state universities and by the State Board of Education for baccalaureate degree programs offered by Florida College System institutions.~~

(10) Students at state universities may request associate in arts certificates if they have successfully completed the minimum requirements for the degree of associate in arts (A.A.). The university must grant the student an associate in arts degree if the student has successfully completed minimum requirements for college-level communication and computation skills adopted by the State Board of Education and 60 academic semester hours or the equivalent within a degree program area, ~~including 36 and, beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter, include 30 semester hours in general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences, consistent with the general education requirements specified in the articulation agreement pursuant to s. 1007.23.~~

Section 16. Section 1007.263, Florida Statutes, is amended to read:

1007.263 Florida College System institutions; admissions of students.—Each Florida College System institution board of trustees is authorized to adopt rules governing admissions of students subject to this section and rules of the State Board of Education. These rules shall include the following:

(1) Admissions counseling shall be provided to all students entering college or career credit programs. ~~For students who are not otherwise exempt from testing under s. 1008.30, counseling must use Counseling shall utilize~~ tests to measure achievement of college-level communication and computation competencies by ~~all~~ students entering college credit programs or tests to measure achievement of basic skills for career education programs as prescribed in s. 1004.91. *Counseling includes providing developmental education options for students whose assessment results, determined under s. 1008.30, indicate that they need to*

*improve communication or computation skills that are essential to perform college-level work.*

(2) Admission to associate degree programs is subject to minimum standards adopted by the State Board of Education and shall require:

(a) A standard high school diploma, a high school equivalency diploma as prescribed in s. 1003.435, previously demonstrated competency in college credit postsecondary coursework, or, in the case of a student who is home educated, a signed affidavit submitted by the student's parent or legal guardian attesting that the student has completed a home education program pursuant to the requirements of s. 1002.41. Students who are enrolled in a dual enrollment or early admission program pursuant to s. 1007.271 are exempt from this requirement.

(b) A demonstrated level of achievement of college-level communication and computation skills.

(c) Any other requirements established by the board of trustees.

(3) Admission to other programs within the Florida College System institution shall include education requirements as established by the board of trustees.

(4) A student who has been awarded a special diploma as defined in s. 1003.438 or a certificate of completion as defined in s. 1003.43(10) is eligible to enroll in certificate career education programs.

(5) A student with a documented disability may be eligible for reasonable substitutions, as prescribed in ss. 1007.264 and 1007.265.

Each board of trustees shall establish policies that notify students about *developmental education options for improving their communication or computation skills that are essential to performing college-level work, including tutoring, extended time in gateway courses, free online courses and place students into, adult basic education, adult secondary education, or other instructional programs that provide students with alternatives to traditional college preparatory instruction, including private provider instruction. A student is prohibited from enrolling in additional college level courses until the student scores above the cut score on all sections of the common placement test.*

Section 17. Subsections (2) and (14) of section 1007.271, Florida Statutes, are amended to read:

1007.271 Dual enrollment programs.—

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in a Florida public secondary school or in a Florida private secondary school which is in compliance with s. 1002.42(2) and provides a secondary curriculum pursuant to s. 1003.428, s. 1003.429, or s. 1003.43. Students who are eligible for dual enrollment pursuant to this section may enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term. However, if the student is projected to graduate from high school before the scheduled completion date of a postsecondary course, the student may not register for that course through dual enrollment. The student may apply to the postsecondary institution and pay the required registration, tuition, and fees if the student meets the postsecondary institution's admissions requirements under s. 1007.263. Instructional time for dual enrollment may vary from 900 hours; however, the school district may only report the student for a maximum of 1.0 FTE, as provided in s. 1011.61(4). Any student enrolled as a dual enrollment student is exempt from the payment of registration, tuition, and laboratory fees. Vocational-preparatory instruction, ~~developmental education college preparatory instruction~~, and other forms of precollegiate instruction, as well as physical education courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, are ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program.

(14) The Department of Education shall approve any course for inclusion in the dual enrollment program that is contained within the statewide course numbering system. However, ~~developmental education college preparatory and other forms of precollegiate instruction~~, and physical education and other courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, may



not be so approved but must be evaluated individually for potential inclusion in the dual enrollment program. This subsection may not be construed to mean that an independent postsecondary institution eligible for inclusion in a dual enrollment or early admission program pursuant to s. 1011.62 must participate in the statewide course numbering system developed pursuant to s. 1007.24 to participate in a dual enrollment program.

Section 18. Section 1008.02, Florida Statutes, is created to read:

*1008.02 Definitions.—As used in this chapter, the term:*

(1) “Developmental education” means instruction through which a high school graduate who applies for any college credit program may attain the communication and computation skills necessary to successfully complete college credit instruction. Developmental education may be delivered through a variety of accelerated and corequisite strategies and includes any of the following:

(a) Modularized instruction that is customized and targeted to address specific skills gaps.

(b) Compressed course structures that accelerate student progression from developmental instruction to college-level coursework.

(c) Contextualized developmental instruction that is related to meta-majors.

(d) Corequisite developmental instruction or tutoring that supplements credit instruction while a student is concurrently enrolled in a credit-bearing course.

(2) “Gateway course” means the first course that provides transferable, college-level credit allowing a student to progress in his or her program of study.

(3) “Meta-major” means a collection of programs of study or academic discipline groupings that share common foundational skills.

Section 19. Section 1008.30, Florida Statutes, is amended to read:

*1008.30 Common placement testing for public postsecondary education.—*

(1) The State Board of Education, in conjunction with the Board of Governors, shall develop and implement a common placement test for the purpose of assessing the basic computation and communication skills of students who intend to enter a degree program at any public postsecondary educational institution. *Alternative assessments that may be accepted in lieu of the common placement test shall also be identified in rule.* Public postsecondary educational institutions shall provide appropriate modifications of the test instruments or test procedures for students with disabilities.

(2) The common placement testing program shall include ~~at a minimum the following:~~ the capacity to diagnose basic competencies in the areas of English, reading, and mathematics which are essential for success in meta-majors and to provide ~~to perform college-level work; prerequisite skills that relate to progressively advanced instruction in mathematics, such as algebra and geometry; prerequisite skills that relate to progressively advanced instruction in language arts, such as English composition and literature; and provision of test information to students on the specific skills the student needs to attain deficiencies.~~

(3) The State Board of Education shall adopt rules that require high schools to evaluate before the beginning of grade 12 the college readiness of each student who scores at Level 2 or Level 3 on the ~~reading portion of the grade 10 FCAT Reading or Level 2, Level 3, or Level 4 on the Algebra I mathematics assessments under s. 1008.22 s. 1008.22(3)(c).~~ High schools shall perform this evaluation using results from the corresponding component of the common placement test prescribed in this section, or an *alternative equivalent* test identified by the State Board of Education. ~~The State Board of Education shall identify in rule the assessments necessary to perform the evaluations required by this subsection and shall work with the school districts to administer the assessments. The State Board of Education shall establish by rule the minimum test scores a student must achieve to demonstrate readiness. Students who demonstrate readiness by achieving the minimum test scores established by the state board and enroll in a Florida College~~

~~System institution within 2 years of achieving such scores shall not be required to retest or enroll in remediation when admitted to any Florida College System institution.~~ The high school shall use the results of the test to advise the students of any identified deficiencies and to provide 12th grade students, and require them to complete, appropriate postsecondary preparatory instruction prior to high school graduation. The curriculum provided under this subsection shall be identified in rule by the State Board of Education and encompass Florida’s Postsecondary Readiness Competencies. Other elective courses may not be substituted for the selected postsecondary reading, mathematics, or writing preparatory course unless the elective course covers the same competencies included in the postsecondary reading, mathematics, ~~or~~ writing, or English language arts preparatory course.

(4) By October 31, 2013, the State Board of Education shall establish by rule the test scores a student must achieve to demonstrate readiness to perform college-level work, and the rules must specify the following:

(a) A student who entered 9th grade in a Florida public school in the 2003-2004 school year, or any year thereafter, and earned a Florida standard high school diploma or a student who is serving as an active duty member of any branch of the United States Armed Services shall not be required to take the common placement test and shall not be required to enroll in developmental education instruction in a Florida College System institution. However, a student who is not required to take the common placement test and is not required to enroll in developmental education under this paragraph may opt to be assessed and to enroll in developmental education instruction, and the college shall provide such assessment and instruction upon the student’s request.

(b) A student who takes the common placement test and whose score on the test indicates a need for developmental education must be advised of all the developmental education options offered at the institution and, after advisement, shall be allowed to enroll in the developmental education option of his or her choice.

(c) A student who demonstrates readiness by achieving or exceeding the test scores established by the state board and enrolls in a Florida College System institution within 2 years after achieving such scores shall not be required to retest or complete developmental education when admitted to any Florida College System institution. ~~Students who have been identified as requiring additional preparation pursuant to subsection (1) shall enroll in college preparatory or other adult education pursuant to s. 1004.93 in Florida College System institutions to develop needed college entry skills. The State Board of Education shall specify by rule provisions for alternative remediation opportunities and retesting policies. These students shall be permitted to take courses within their degree program concurrently in other curriculum areas for which they are qualified while enrolled in college preparatory instruction courses. A student enrolled in a college preparatory course may concurrently enroll only in college credit courses that do not require the skills addressed in the college preparatory course. A degree-seeking student who is required to complete a college preparatory course must successfully complete the required college preparatory studies by the time the student has accumulated 12 hours of lower division college credit degree coursework; however, a student may continue enrollment in degree earning coursework provided the student maintains enrollment in college preparatory coursework for each subsequent semester until college preparatory coursework requirements are completed, and provided the student demonstrates satisfactory performance in degree earning coursework. A student who has accumulated 12 college credit hours and has not yet demonstrated proficiency in the basic competency areas of reading, writing, and mathematics must be advised in writing of the requirements for associate degree completion and state university admission, including information about future financial aid eligibility and the potential costs of accumulating excessive college credit as described in s. 1009.286. Before a student is considered to have met basic computation and communication skills requirements, the student must demonstrate successful mastery of the required developmental education competencies as defined in State Board of Education rule. Credit awarded for college preparatory instruction may not be counted toward fulfilling the number of credits required for a degree.~~

(5) By December 31, 2013, the State Board of Education, in consultation with the Board of Governors, shall approve a series of meta-majors and the academic pathways that identify the gateway courses associated with each meta-major. Florida College System institutions shall use placement test results to determine the extent to which each

student demonstrates sufficient communication and computation skills to indicate readiness for his or her chosen meta-major. Florida College System institutions shall counsel students into college credit courses as quickly as possible, with developmental education limited to that content needed for success in the meta-major.

(6)(a) Each Florida College System institution board of trustees shall develop a plan to implement the developmental education strategies defined in s. 1008.02 and rules established by the State Board of Education. The plan must be submitted to the Chancellor of the Florida College System for approval no later than March 1, 2014, for implementation no later than the fall semester 2014. Each plan must include, at a minimum, local policies that outline:

1. Documented student achievements such as grade point averages, work history, military experience, participation in juried competitions, career interests, degree major declaration, or any combination of such achievements that the institution may consider, in addition to common placement test scores, for advising students regarding enrollment options.
2. Developmental education strategies available to students.
3. A description of student costs and financial aid opportunities associated with each option.
4. Provisions for the collection of student success data.
5. A comprehensive plan for advising students into appropriate developmental education strategies based on student success data.

(b) Beginning October 31, 2015, each Florida College System institution shall annually prepare an accountability report that includes student success data relating to each developmental education strategy implemented by the institution. The report shall be submitted to the Division of Florida Colleges by October 31 in a format determined by the Chancellor of the Florida College System. By December 31, the chancellor shall compile and submit the institutional reports to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the State Board of Education.

(c)(4) A university board of trustees may contract with a Florida College System institution board of trustees for the Florida College System institution to provide developmental education such instruction on the state university campus. Any state university in which the percentage of incoming students requiring developmental education college preparatory instruction equals or exceeds the average percentage of such students for the Florida College System may offer developmental education college preparatory instruction without contracting with a Florida College System institution; however, any state university offering college-preparatory instruction as of January 1, 1996, may continue to provide such services.

(7)(5) A student may not be enrolled in a college credit mathematics or English course on a dual enrollment basis unless the student has demonstrated adequate precollegiate preparation on the section of the basic computation and communication skills assessment required pursuant to subsection (1) that is appropriate for successful student participation in the course.

Section 20. Subsection (3) of section 1008.31, Florida Statutes, is amended to read:

1008.31 Florida's K-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements.—

(3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide data required to implement education performance accountability measures in state and federal law, the Commissioner of Education shall initiate and maintain strategies to improve data quality and timeliness. The Board of Governors shall make available to the department all data within the State University Database System to collected from state universities shall, as determined by the commissioner, be integrated into the K-20 data warehouse. The commissioner shall have unlimited access to such data solely for the purposes of conducting studies, reporting annual and longitudinal student outcomes, and improving college readiness and articulation. All public educational institutions shall annually provide data from the prior year to the K-20 data ware-

house in a format based on data elements identified specified by the commissioner.

(a) School districts and public postsecondary educational institutions shall maintain information systems that will provide the State Board of Education, the Board of Governors of the State University System, and the Legislature with information and reports necessary to address the specifications of the accountability system. The level of comprehensiveness and quality must shall be no less than that which was available as of June 30, 2001.

(b) Colleges and universities eligible to participate in the William L. Boyd IV, Florida Resident Access Grant Program shall annually report student-level data from the prior year for each student who receives state funds in a format prescribed by the Department of Education. At a minimum, data from the prior year must shall be reported annually to the department and include retention rates, transfer rates, completion rates, graduation rates, employment and placement rates, and earnings of graduates. By December 31, 2013, the colleges and universities described in this paragraph shall report the data for the 2012-2013 academic year to the department. By October 1 of each year thereafter, the colleges and universities described in this paragraph shall report the data to the department.

(c) The Commissioner of Education shall determine the standards for the required data, monitor data quality, and measure improvements. The commissioner shall report annually to the State Board of Education, the Board of Governors of the State University System, the President of the Senate, and the Speaker of the House of Representatives data quality indicators and ratings for all school districts and public postsecondary educational institutions.

(d) The commissioner shall continuously monitor and review the collection of paperwork, data, and reports by school districts and complete an annual review of such collection by no later than June 1 of each year. The annual review must include recommendations for consolidating paperwork, data, and reports, wherever feasible, in order to reduce the burdens on school districts.

(e) By July 1 of each year, the commissioner shall prepare a report assisting the school districts in eliminating or consolidating paperwork, data, and reports by providing suggestions, technical assistance, and guidance.

(f) Before establishing any new reporting or data collection requirements, the commissioner of Education shall use utilize existing data being collected to reduce duplication and minimize paperwork.

Section 21. Subsection (4) of section 1008.32, Florida Statutes, is amended to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of district school boards and Florida College System institution boards of trustees in enforcement of all laws and rules. District school boards and Florida College System institution boards of trustees shall be primarily responsible for compliance with law and state board rule.

(4) If the State Board of Education determines that a district school board or Florida College System institution board of trustees is unwilling or unable to comply with law or state board rule within the specified time, the state board shall have the authority to initiate any of the following actions:

(a) Report to the Legislature that the school district or Florida College System institution is has been unwilling or unable to comply with law or state board rule and recommend action to be taken by the Legislature.

(b) Reduce the discretionary lottery appropriation until the school district or Florida College System institution complies with the law or state board rule.

(b)(c) Withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds specified as eligible for this purpose by the Legislature until the school district or Florida College System institution complies with the law or state board rule.

(c)(d) Declare the school district or Florida College System institution ineligible for competitive grants.

(d)(e) Require monthly or periodic reporting on the situation related to noncompliance until it is remedied.

Section 22. Section 1008.322, Florida Statutes, is created to read:

1008.322 *Board of Governors oversight enforcement authority.*—

(1) *The Board of Governors of the State University System shall oversee the performance of state university boards of trustees in the enforcement of laws, rules, and regulations. State university boards of trustees shall be primarily responsible for compliance with laws and Board of Governors' rules and regulations.*

(2) *The Board of Governors' constitutional authority to operate, regulate, control, and be fully responsible for the management of the entire State University System mandates that the state universities comply with all requests by the Board of Governors for information, data, and reports. The state university presidents are responsible for the accuracy of the information and data reported to the Board of Governors.*

(3) *The Chancellor of the State University System may investigate allegations of noncompliance with any law or Board of Governors' rule or regulation and determine probable cause. The chancellor shall report determinations of probable cause to the Board of Governors, which may require the university board of trustees to document compliance with the law or Board of Governors' rule or regulation.*

(4) *If the university board of trustees cannot satisfactorily document compliance, the Board of Governors may order compliance within a specified timeframe.*

(5) *If the Board of Governors determines that a state university board of trustees is unwilling or unable to comply with any law or Board of Governors' rule or regulation or audit recommendation within the specified time, the Board of Governors, in addition to actions constitutionally authorized, may initiate any of the following actions:*

(a) *Withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds appropriated to the Board of Governors by the Legislature for disbursement to the state university until the university complies with the law or Board of Governors' rule or regulation.*

(b) *Declare the state university ineligible for competitive grants disbursed by the Board of Governors.*

(c) *Require monthly or periodic reporting on the situation related to noncompliance until it is remedied.*

(d) *Report to the Legislature that the state university is unwilling or unable to comply with the law or Board of Governors' rule or regulation and recommend action to be taken by the Legislature.*

(6) *Nothing in this section may be construed to create a private cause of action or create any rights for individuals or entities in addition to those provided elsewhere in law, rule, or regulation.*

Section 23. Subsection (1) and paragraph (a) of subsection (3) of section 1008.34, Florida Statutes, are amended to read:

1008.34 School grading system; school report cards; district grade.—

(1) ANNUAL REPORTS.—The Commissioner of Education shall prepare annual reports of the results of the statewide assessment program which describe student achievement in the state, each district, and each school. The commissioner shall prescribe the design and content of these reports, which must include descriptions of the performance of all schools participating in the assessment program and all of their major student populations as determined by the commissioner. The report must also include the percent of students performing at or above grade level and making a year's learning gains growth in a year's time in reading and mathematics. The provisions of s. 1002.22 pertaining to student records apply to this section.

(3) DESIGNATION OF SCHOOL GRADES.—

(a) *Beginning with the 2013-2014 school year, each school that has students who are tested and included in the school grading system shall receive a school grade if the number of its students tested on statewide assessments pursuant to s. 1008.22 meets or exceeds the minimum sample size of 10, except as follows:*

~~1. A school shall not receive a school grade if the number of its students tested and included in the school grading system is less than the minimum sample size necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.~~

~~1.2.~~ An alternative school may choose to receive a school grade under this section or a school improvement rating under s. 1008.341. For charter schools that meet the definition of an alternative school pursuant to State Board of Education rule, the decision to receive a school grade is the decision of the charter school governing board.

~~2.3.~~ A school that serves any combination of students in kindergarten through grade 3 which does not receive a school grade because its students are not tested and included in the school grading system shall receive the school grade designation of a K-3 feeder pattern school identified by the Department of Education and verified by the school district. A school feeder pattern exists if at least 60 percent of the students in the school serving a combination of students in kindergarten through grade 3 are scheduled to be assigned to the graded school.

3. *If a collocated school does not earn a school grade or school improvement rating for the performance of its students, the student performance data of all schools operating at the same facility must be aggregated to develop a school grade that will be assigned to all schools at that location. A collocated school is a school that has its own unique master school identification number, provides for the education of each of its enrolled students, and operates at the same facility as another school that has its own unique master school identification number and provides for the education of each of its enrolled students.*

The State Board of Education shall adopt appropriate criteria for each school grade. The criteria must also give added weight to student achievement in reading. Schools earning a grade of "C," making satisfactory progress, shall be required to demonstrate that adequate progress has been made by students in the school who are in the lowest 25th percentile in reading and mathematics on the FCAT and end-of-course assessments as described in s. 1008.22(3)(c)2.a., unless these students are exhibiting satisfactory performance. For schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria for school grades must also give added weight to the graduation rate of all eligible at-risk students. In order for a high school to earn a grade of "A," the school must demonstrate that its at-risk students, as defined in this paragraph, are making adequate progress.

Section 24. Subsections (2), (3), and (5) of section 1008.341, Florida Statutes, are amended to read:

1008.341 School improvement rating for alternative schools.—

(2) SCHOOL IMPROVEMENT RATING.—An alternative school is a school that provides dropout prevention and academic intervention services pursuant to s. 1003.53. An alternative school shall receive a school improvement rating pursuant to this section *unless the school earns a school grade pursuant to s. 1008.34. Beginning with the 2013-2014 school year, each* However, an alternative school that chooses to receive a school improvement rating shall ~~not~~ receive a school improvement rating if the number of its students for whom student performance data on statewide, standardized assessments pursuant to s. 1008.22 ~~is less than the minimum sample size of 10. An alternative school that tests at least 80 percent of its students may receive a school improvement rating. If an alternative school tests less than 90 percent of its students, the school may not earn a rating higher than "maintaining."~~ necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g. The school improvement rating shall identify an alternative school as having one of the following ratings defined according to rules of the State Board of Education:

(a) “Improving” means the students attending the school are making more academic progress than when the students were served in their home schools.

(b) “Maintaining” means the students attending the school are making progress equivalent to the progress made when the students were served in their home schools.

(c) “Declining” means the students attending the school are making less academic progress than when the students were served in their home schools.

The school improvement rating shall be based on a comparison of student performance data for the current year and previous year. Schools that improve at least one level or maintain an “improving” rating pursuant to this section are eligible for school recognition awards pursuant to s. 1008.36.

(3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data used in determining an alternative school’s school improvement rating shall include:

(a) *Student performance results based on statewide, standardized assessments, including retakes, administered under s. 1008.22 for all eligible students who were assigned to and enrolled in the school during the October or February FTE count and who have assessment scores FCAT or comparable scores for the preceding school year.*

(b) *Student performance results based on statewide, standardized assessments, including retakes, administered under s. 1008.22 for all eligible students who were assigned to and enrolled in the school during the October or February FTE count and who have scored in the lowest 25th percentile of students in the state on FCAT Reading.*

*Student performance results of students who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice may not be included in an alternative school’s school improvement rating.*

(5) SCHOOL AND STUDENT REPORT CARDS CARD.—The Department of Education shall annually develop, in collaboration with the school districts, a school report card for alternative schools to be delivered to parents throughout each school district. The report card shall include the school improvement rating, identification of student learning gains, student attendance data, information regarding school improvement, ~~an explanation of school performance as evaluated by the federal No Child Left Behind Act of 2001,~~ and indicators of return on investment. *An alternative school that serves at least 10 students who are tested on the statewide, standardized assessments pursuant to s. 1008.22 in the current year and previous year shall distribute an individual student report card to parents which includes the student’s learning gains and progress toward meeting high school graduation requirements. The report card must also include the school’s industry certification rate, college readiness rate, dropout rate, and graduation rate. This subsection does not abrogate the provisions of s. 1002.22 relating to student records or the requirements of 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act.*

Section 25. Subsection (2) of section 1008.37, Florida Statutes, is amended to read:

1008.37 Postsecondary feedback of information to high schools.—

(2) The Commissioner of Education shall report, by high school, to the State Board of Education, the Board of Governors, and the Legislature, no later than November 30 of each year, on the number of prior year Florida high school graduates who enrolled for the first time in public postsecondary education in this state during the previous summer, fall, or spring term, indicating the number of students whose scores on the common placement test indicated the need for *developmental education under s. 1008.30 or for applied academics for adult education under remediation through college preparatory or vocational preparatory instruction pursuant to s. 1004.91 or s. 1008.30.*

Section 26. Paragraph (a) of subsection (2) of section 1008.385, Florida Statutes, is amended to read:

1008.385 Educational planning and information systems.—

(2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.—The Commissioner of Education shall develop and implement an integrated information system for educational management. The system must be designed to collect, via electronic transfer, all student and school performance data required to ascertain the degree to which schools and school districts are meeting state performance standards, and must be capable of producing data for a comprehensive annual report on school and district performance. In addition, the system shall support, as feasible, the management decisions to be made in each division of the department and at the individual school and district levels. Similar data elements among divisions and levels shall be compatible. The system shall be based on an overall conceptual design; the information needed for such decisions, including fiscal, student, program, personnel, facility, community, evaluation, and other relevant data; and the relationship between cost and effectiveness. The system shall be managed and administered by the commissioner and shall include a district subsystem component to be administered at the district level, with input from the reports-and-forms control management committees. Each district school system with a unique management information system shall assure that compatibility exists between its unique system and the district component of the state system so that all data required as input to the state system is made available via electronic transfer and in the appropriate input format.

(a) The specific responsibilities of the commissioner shall include:

1. Consulting with school district representatives in the development of the system design model and implementation plans for the management information system for public school education management;

2. Providing operational definitions for the proposed system, *including criteria for issuing and revoking master school identification numbers to support the maintenance of education records, to enforce and support education accountability, to support the distribution of funds to school districts, to support the preparation and analysis of school district financial reports, and to assist the commissioner in carrying out the duties specified in ss. 1001.10 and 1001.11;*

3. Determining the information and specific data elements required for the management decisions made at each educational level, recognizing that the primary unit for information input is the individual school and recognizing that time and effort of instructional personnel expended in collection and compilation of data should be minimized;

4. Developing standardized terminology and procedures to be followed at all levels of the system;

5. Developing a standard transmittal format to be used for collection of data from the various levels of the system;

6. Developing appropriate computer programs to assure integration of the various information components dealing with students, personnel, facilities, fiscal, program, community, and evaluation data;

7. Developing the necessary programs to provide statistical analysis of the integrated data provided in subparagraph 6. in such a way that required reports may be disseminated, comparisons may be made, and relationships may be determined in order to provide the necessary information for making management decisions at all levels;

8. Developing output report formats which will provide district school systems with information for making management decisions at the various educational levels;

9. Developing a phased plan for distributing computer services equitably among all public schools and school districts in the state as rapidly as possible. The plan shall describe alternatives available to the state in providing such computing services and shall contain estimates of the cost of each alternative, together with a recommendation for action. In developing the plan, the feasibility of shared use of computing hardware and software by school districts, Florida College System institutions, and universities shall be examined. Laws or administrative rules regulating procurement of data processing equipment, communication services, or data processing services by state agencies shall not be con-

strued to apply to local agencies which share computing facilities with state agencies;

10. Assisting the district school systems in establishing their sub-system components and assuring compatibility with current district systems;

11. Establishing procedures for continuous evaluation of system efficiency and effectiveness;

12. Initiating a reports-management and forms-management system to ascertain that duplication in collection of data does not exist and that forms and reports for reporting under state and federal requirements and other forms and reports are prepared in a logical and uncomplicated format, resulting in a reduction in the number and complexity of required reports, particularly at the school level; and

13. Initiating such other actions as are necessary to carry out the intent of the Legislature that a management information system for public school management needs be implemented. Such other actions shall be based on criteria including, but not limited to:

- a. The purpose of the reporting requirement;
- b. The origination of the reporting requirement;
- c. The date of origin of the reporting requirement; and
- d. The date of repeal of the reporting requirement.

Section 27. Paragraph (a) of subsection (3) of section 1009.22, Florida Statutes, is amended to read:

1009.22 Workforce education postsecondary student fees.—

(3)(a) Except as otherwise provided by law, fees for students who are nonresidents for tuition purposes must offset the full cost of instruction. Residency of students shall be determined as required in s. 1009.21. Fee-nonexempt students enrolled in vocational-preparatory instruction shall be charged fees equal to the fees charged for adult general education programs. Each Florida College System institution that conducts *developmental education college-preparatory* and vocational-preparatory instruction in the same class section may charge a single fee for both types of instruction.

Section 28. Subsection (1), paragraph (b) of subsection (2), paragraphs (a) and (b) of subsection (3), and subsections (6) and (10) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Florida College System institution student fees.—

(1) Unless otherwise provided, this section applies only to fees charged for college credit instruction leading to an associate in arts degree, an associate in applied science degree, an associate in science degree, or a baccalaureate degree authorized pursuant to s. 1007.33, for noncollege credit *developmental education college-preparatory* courses defined in s. 1004.02, and for educator preparation institute programs defined in s. 1004.85.

(2)

(b) Tuition and out-of-state fees for upper-division courses must reflect the fact that the Florida College System institution has a less expensive cost structure than that of a state university. Therefore, the board of trustees shall establish tuition and out-of-state fees for upper-division courses in baccalaureate degree programs approved pursuant to s. 1007.33 consistent with law and proviso language in the General Appropriations Act. However, the board of trustees may ~~not~~ vary tuition and out-of-state fees *only* as provided in subsection (6) and s. 1009.26(11) (4).

(3)(a) Effective July 1, 2011, for advanced and professional, post-secondary vocational, *developmental education college-preparatory*, and educator preparation institute programs, the standard tuition shall be \$68.56 per credit hour for residents and nonresidents, and the out-of-state fee shall be \$205.82 per credit hour.

(b) Effective July 1, 2011, for baccalaureate degree programs, the following tuition and fee rates shall apply:

1. The tuition shall be \$87.42 per credit hour for students who are residents for tuition purposes.

2. The sum of the tuition and the out-of-state fee per credit hour for students who are nonresidents for tuition purposes shall be no more than 85 percent of the sum of the tuition and the out-of-state fee at the state university nearest the Florida College System institution.

(6)(a) A Florida College System institution board of trustees that has a service area that borders another state may implement a plan for a differential out-of-state fee.

(b) A Florida College System institution board of trustees may establish a differential out-of-state fee for a student who has been determined to be a nonresident for tuition purposes pursuant to s. 1009.21 and is enrolled in a distance learning course offered by the institution. A differential out-of-state fee established pursuant to this paragraph shall be applicable only to distance learning courses and must be established such that the sum of tuition and the differential out-of-state fee is sufficient to defray the full cost of instruction.

(10) Each Florida College System institution board of trustees is authorized to establish a separate fee for technology, which may not exceed 5 percent of tuition per credit hour or credit-hour equivalent for resident students and may not exceed 5 percent of tuition and the out-of-state fee per credit hour or credit-hour equivalent for nonresident students. Revenues generated from the technology fee shall be used to enhance instructional technology resources for students and faculty. The technology fee may apply to both college credit and *developmental education college-preparatory instruction* and shall not be included in any award under the Florida Bright Futures Scholarship Program. Fifty percent of technology fee revenues may be pledged by a Florida College System institution board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the asset being financed. Revenues generated from the technology fee may not be bonded.

Section 29. Subsection (2) of section 1009.25, Florida Statutes, is amended to read:

1009.25 Fee exemptions.—

(2) Each Florida College System institution is authorized to grant student fee exemptions from all fees adopted by the State Board of Education and the Florida College System institution board of trustees for up to ~~54~~ *40* full-time equivalent students or *1 percent of the institution's total full-time equivalent enrollment, whichever is greater*, at each institution.

Section 30. Section 1009.28, Florida Statutes, is amended to read:

1009.28 Fees for repeated enrollment in *developmental education college-preparatory* classes.—A student enrolled in the same *developmental education college-preparatory* class more than twice shall pay 100 percent of the full cost of instruction to support continuous enrollment of that student in the same class, and the student shall not be included in calculations of full-time equivalent enrollments for state funding purposes; however, students who withdraw or fail a class due to extenuating circumstances may be granted an exception only once for each class, provided approval is granted according to policy established by the board of trustees. Each Florida College System institution may review and reduce fees paid by students due to continued enrollment in a *developmental education college-preparatory* class on an individual basis contingent upon the student's financial hardship, pursuant to definitions and fee levels established by the State Board of Education.

Section 31. Subsection (3) of section 1009.40, Florida Statutes, is amended to read:

1009.40 General requirements for student eligibility for state financial aid awards and tuition assistance grants.—

(3) Undergraduate students are eligible to receive financial aid for a maximum of 8 semesters or 12 quarters. However, undergraduate students participating in *developmental education and college-preparatory instruction*, students requiring additional time to complete the college-level communication and computation skills testing programs, or students enrolled in a 5-year undergraduate degree program are eligible to receive financial aid for a maximum of 10 semesters or 15 quarters.

Section 32. Subsection (10) of section 1009.53, Florida Statutes, is amended to read:

1009.53 Florida Bright Futures Scholarship Program.—

(10) Funds from any scholarship within the Florida Bright Futures Scholarship Program may not be used to pay for remedial coursework or developmental education college preparatory coursework.

Section 33. Subsection (7) of section 1009.531, Florida Statutes, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

~~(7) To be eligible for an initial award and each renewal award under the Florida Bright Futures Scholarship Program, a student must submit a Free Application for Federal Student Aid which is complete and error free prior to disbursement.~~

Section 34. Subsection (6) of section 1009.73, Florida Statutes, is amended to read:

1009.73 Mary McLeod Bethune Scholarship Program.—

(6) The amount of the scholarship to be granted to each recipient is \$3,000 annually. Priority in the awarding of scholarships shall be given to students having financial need as determined by the institution. If funds are insufficient to provide the full amount of the scholarship authorized in this section to each eligible applicant, the institution may prorate available funds and make a partial award to each eligible applicant. A student may not receive an award for more than the equivalent of 8 semesters or 12 quarters over a period of 6 consecutive years, except that a student who is participating in developmental education college preparatory instruction or who requires additional time to complete the college-level communication and computation skills testing program may continue to receive a scholarship while enrolled for the purpose of receiving developmental education college preparatory instruction or while completing the testing program.

Section 35. Subsection (4) of section 1009.89, Florida Statutes, is amended to read:

1009.89 The William L. Boyd IV, Florida resident access grants.—

(4) A person is eligible to receive such William L. Boyd IV, Florida resident access grant if:

(a) He or she meets the general requirements, including residency, for student eligibility as provided in s. 1009.40, except as otherwise provided in this section; and

(b)1. He or she is enrolled as a full-time undergraduate student at an eligible college or university;

2. He or she is not enrolled in a program of study leading to a degree in theology or divinity; and

3. He or she is making satisfactory academic progress as defined by the college or university in which he or she is enrolled; and

~~(c) He or she submits a Free Application for Federal Student Aid which is complete and error free prior to disbursement.~~

Section 36. Subsection (4) of section 1009.891, Florida Statutes, is amended to read:

1009.891 The Access to Better Learning and Education Grant Program.—

(4) A person is eligible to receive an access grant if:

(a) He or she meets the general requirements, including residency, for student eligibility as provided in s. 1009.40, except as otherwise provided in this section; and

(b)1. He or she is enrolled as a full-time undergraduate student at an eligible college or university in a program of study leading to a baccalaureate degree;

2. He or she is not enrolled in a program of study leading to a degree in theology or divinity; and

3. He or she is making satisfactory academic progress as defined by the college or university in which he or she is enrolled; and

~~(c) He or she submits a Free Application for Federal Student Aid which is complete and error free prior to disbursement.~~

Section 37. Paragraph (b) of subsection (1) and subsection (5) of section 1011.84, Florida Statutes, are amended to read:

1011.84 Procedure for determining state financial support and annual apportionment of state funds to each Florida College System institution district.—The procedure for determining state financial support and the annual apportionment to each Florida College System institution district authorized to operate a Florida College System institution under the provisions of s. 1001.61 shall be as follows:

(1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING PROGRAM.—

(b) The allocation of funds for Florida College System institutions shall be based on advanced and professional disciplines, developmental education college preparatory programs, and other programs for adults funded pursuant to s. 1011.80.

(5) REPORT OF DEVELOPMENTAL REMEDIAL EDUCATION.—Each Florida College System institution board of trustees shall report, as a separate item in its annual cost accounting system, the volume and cost of developmental education options provided to help students attain the communication and computation skills that are essential for college-level work pursuant to s. 1008.30 remedial education activities as a separate item in its annual cost accounting system.

Section 38. *The Division of Law Revision and Information is directed to prepare a reviser's bill for the 2014 Regular Session of the Legislature to change the terms "General Educational Development test" or "GED test" to "high school equivalency examination" and the terms "general education diploma," "graduate equivalency diploma," or "GED" to "high school equivalency diploma" wherever those terms appear in the Florida Statutes.*

Section 39. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education; amending s. 11.45, F.S.; revising actions to be taken by the Legislative Auditing Committee relating to audits of state universities and Florida College System institutions; amending s. 20.15, F.S.; establishing the Office of K-20 Articulation in the Department of Education; amending s. 39.205, F.S.; requiring the adoption of rules and regulations to implement provisions relating to reporting of child abuse, abandonment, or neglect; amending s. 250.10, F.S.; conforming provisions; amending s. 1001.02, F.S.; conforming provisions; revising requirements for general education courses in Florida College System institutions; amending ss. 1001.64 and 1003.433, F.S.; conforming provisions; amending s. 1004.015, F.S.; revising purpose, membership, and guiding principles of the Higher Education Coordinating Council; amending s. 1004.02, F.S.; conforming provisions; amending s. 1004.43, F.S., relating to the H. Lee Moffitt Cancer Center and Research Institute; requiring the Board of Trustees of the University of South Florida to enter into a lease agreement with the not-for-profit corporation operating the institute for the utilization of lands and facilities; revising membership of the corporation's board of directors; deleting certain duties of the Board of Governors; providing for an external advisory board of scientific advisers to the institute's chief executive officer; repealing s. 1004.58, F.S., relating to the Leadership Board for Applied Research and Public Service; amending s. 1004.93, F.S.; conforming provisions; amending s. 1005.22, F.S.; revising the duties of the Commission for Independent Education with regard to collecting and distributing current data regarding institutions licensed by the commission; providing reporting requirements; requiring the commission to annually report the data to the department by a specified date; amending s. 1007.01, F.S.; revising duties of the Articulation Coordinating Committee relating to collecting and reporting statewide

education data; amending s. 1007.25, F.S.; authorizing revision of post-secondary general education core course options under certain circumstances; increasing the required number of semester hours of general education coursework; amending s. 1007.263, F.S.; requiring each Florida College System institution board of trustees to establish policies to notify students about developmental education options; amending s. 1007.271, F.S.; conforming provisions; creating s. 1008.02, F.S.; providing definitions relating to assessment and accountability for the K-20 education system; amending s. 1008.30, F.S.; revising requirements for the common placement test to assess basic computation and communication skills of students who intend to enter a public postsecondary education degree program; providing that certain students shall not be required to take the test; requiring the State Board of Education to establish test scores to demonstrate college readiness; requiring the approval of meta-majors and academic pathways for student progression; requiring Florida College System institutions to deliver developmental education strategies, develop a plan to implement developmental education, and report student success; amending s. 1008.31, F.S.; requiring the Board of Governors to make data available to the Department of Education to be integrated into the K-20 data warehouse; requiring the Commissioner of Education to have access to certain data; requiring certain educational institutions to annually provide data from the prior year to the K-20 data warehouse or to the department; amending s. 1008.32, F.S.; revising provisions relating to State Board of Education oversight enforcement authority; creating s. 1008.322, F.S.; providing that the Board of Governors shall oversee the performance of state university boards of trustees in the enforcement of laws, rules, and regulations; providing responsibilities for compliance by state universities; authorizing specified actions by the Board of Governors for noncompliance; amending s. 1008.34, F.S.; revising provisions relating to schools that are assigned school grades, including collocated schools; amending s. 1008.341, F.S.; revising provisions relating to alternative schools that are assigned a school improvement rating; revising the student data used in determining an alternative school's school improvement rating; providing requirements for the content and distribution of student report cards for alternative schools; amending s. 1008.37, F.S.; conforming provisions; amending s. 1008.385, F.S.; requiring the commissioner to provide information relating to master school identification numbers for purposes of the comprehensive management information system; amending ss. 1009.22 and 1009.23, F.S.; conforming provisions; amending s. 1009.25, F.S.; revising provisions relating to fee exemptions; amending ss. 1009.28, 1009.40, and 1009.53, F.S.; conforming provisions; amending s. 1009.531, F.S.; deleting an eligibility requirement for a Florida Bright Futures Scholarship Program award; amending s. 1009.73, F.S.; conforming provisions; amending s. 1009.89, F.S.; deleting an eligibility requirement for a William L. Boyd, IV, Florida resident access grant; amending s. 1009.891, F.S.; deleting an eligibility requirement for an Access to Better Learning and Education grant; amending s. 1011.84, F.S.; conforming provisions; providing a directive to the Division of Law Revision and Information; providing an effective date.

On motion by Senator Galvano, the Conference Committee Report on **CS for CS for SB 1720** was adopted. **CS for CS for SB 1720** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—36

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Clemens	Latvala	Sobel
Dean	Lee	Soto
Diaz de la Portilla	Legg	Stargel
Evers	Margolis	Thrasher

Nays—3

Bullard Joyner Thompson

By direction of the President the following Conference Committee Report was read:

#### CONFERENCE COMMITTEE REPORT ON SB 1504

The Honorable Don Gaetz  
President of the Senate

May 1, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1504, same being:

An act relating to State Employees.

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

1. That the House of Representatives recede from its Amendment 1 (414313).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ Joe Negron,  
Chair  
s/ Joseph Abruzzo  
s/ Aaron Bean  
s/ Jeff Brandes  
s/ Dwight Bullard  
s/ Charles S. "Charlie" Dean, Sr.  
s/ Miguel Diaz de la Portilla  
s/ Anitere Flores  
s/ Bill Galvano  
s/ Andy Gardiner  
s/ Denise Grimsley  
s/ Dorothy L. Hukill  
s/ Jack Latvala  
s/ John Legg  
s/ Bill Montford  
s/ Jeremy Ring  
s/ David Simmons  
s/ Christopher L. Smith, At Large  
s/ Darren Soto  
s/ Geraldine F. "Geri" Thompson

s/ Lizbeth Benacquisto,  
Vice Chair  
s/ Thad Altman  
s/ Rob Bradley  
s/ Oscar Braynon II  
s/ Jeff Clemens  
s/ Nancy C. Detert  
s/ Greg Evers  
s/ Don Gaetz  
s/ Rene Garcia  
s/ Audrey Gibson  
s/ Alan Hays  
s/ Arthenia L. Joyner  
s/ Tom Lee  
s/ Gwen Margolis  
s/ Garrett Richter, At Large  
s/ Maria Lorts Sachs  
s/ Wilton Simpson  
s/ Eleanor Sobel  
s/ Kelli Stargel  
s/ John Thrasher, At Large

Managers on the part of the Senate

s/ Seth McKeel,  
Chair  
s/ Marti Coley, At Large  
s/ Eddy Gonzalez, At Large  
Mia L. Jones, At Large  
s/ Stephen L. Precourt, At Large  
s/ Robert C. "Rob" Schenck,  
At Large  
James W. "Jim" Waldman,  
At Large

s/ Steve Crisafulli,  
Committee Vice Chair  
Joseph A. "Joe" Gibbons, At Large  
s/ Doug Holder, At Large  
s/ H. Marlene O'Toole, At Large  
s/ Darryl Ervin Rouson, At Large  
Perry E. Thurston, Jr.,  
At Large  
s/ Ritch Workman, At Large  
s/ Dana D. Young, At Large

Managers on the part of the House

The Conference Committee Amendment for SB 1504, relating to state employees, provides for the following:

- Resolves the collective bargaining issues at impasse between the State of Florida and the bargaining representatives for state employees for the 2013-2014 fiscal year which have not been resolved in the General Appropriations Act or other legislation.

The amendment does not change substantive law.



**Conference Committee Amendment (579912)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. *Collective bargaining issues at impasse for the 2013-2014 fiscal year between the State of Florida and the certified representatives of the bargaining units for state employees are resolved as follows:*

(1) *Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists Selected Exempt Service (SES) Supervisory Non-Professional Unit regarding Article 11 “Classification and Pay Plan” and Article 23 “Insurance Benefits” shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.*

(2) *Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists State Employees Attorneys Guild regarding Article 7 “Employee Standards of Conduct and Performance,” Article 10 “Classification and Pay Plan,” and Article 19 “Insurance Benefits” shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.*

(3) *Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists Selected Exempt Service (SES) Physicians Unit regarding Article 19 “Insurance Benefits” and Article 21 “Pay Plan and Classification of Work” shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.*

(4) *Collective bargaining issues at impasse between the State of Florida and the Florida State Fire Service Association shall be resolved by continuing as the status quo the contract that went into effect on July 1, 2012, between the State of Florida and the Florida State Fire Service Association, pursuant to section 1(5) of chapter 2012-132, Laws of Florida, and s. 447.403(5)(b), Florida Statutes.*

(5) *Collective bargaining issues at impasse between the State of Florida and the American Federation of State, County and Municipal Employees, Florida, Council 79 regarding Article 4 “No Discrimination,” Article 13 “Health and Safety,” and Article 18 “Leaves of Absence, Hours of Work, Disability Leave” shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement. Article 6 “Grievance Procedure” shall be resolved pursuant to the state’s proposal dated March 29, 2013.*

(6) *Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association, Law Enforcement Unit regarding Article 10 “Disciplinary Action” shall be resolved pursuant to the state’s proposal dated April 4, 2013; and Article 18 “Hours of Work, Leave and Job-Connected Disability” shall be resolved pursuant to the union’s proposal dated April 24, 2013, except that Article 18, Section 6(A) contained in the union’s proposal is amended to read: “Special Compensatory Leave is defined as leave that is earned as a result of hours worked on a holiday, extra hours worked during an established work week which contains a holiday, or extra hours worked when a facility is closed under emergency conditions as provided in Rule 60L-34, Florida Administrative Code.”*

(7) *Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association, Florida Highway Patrol Unit, regarding Article 10 “Disciplinary Action” and Article 16 “Employment Outside State Government” shall be resolved pursuant to the state’s proposal dated April 4, 2013; and Article 18 “Hours of Work, Leave and Job-Connected Disability” shall be resolved pursuant to the union’s proposal dated April 24, 2013, except that Article 18, Section 6(A) contained in the union’s proposal is amended to read: “Special Compensatory Leave is defined as leave that is earned as a result of hours worked on a holiday, extra hours worked during an established work week which contains a holiday, or extra hours worked when a facility is closed under emergency conditions as provided in Rule 60L-34, Florida Administrative Code.”*

(8) *Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association Special Agent Unit regarding Article 23 “Workday, Workweek, and Overtime” shall be resolved pursuant to the union’s proposal dated April 23, 2013, except that Article 23, Section 6(A) contained in the union’s proposal is amended to read: “Special Compensatory Leave is defined as leave that is earned as a result of hours worked on a holiday, extra hours worked during an established*

*work week which contains a holiday, or extra hours worked when a facility is closed under emergency conditions as provided in Rule 60L-34, Florida Administrative Code.”*

(9) *Collective bargaining issues at impasse between the State of Florida and the Teamsters Local Union No. 2011, Security Services Unit regarding Article 23 “Hours of Work/Overtime” shall be resolved pursuant to the state’s proposal dated January 25, 2013.*

*All other mandatory collective bargaining issues at impasse for the 2013-2014 fiscal year which are not addressed by this act or the General Appropriations Act for the 2013-2014 fiscal year shall be resolved in accordance with the personnel rules in effect on May 1, 2013, and by otherwise maintaining the status quo under the language of the applicable current bargaining agreement.*

Section 2. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to state employees; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing for all other mandatory collective bargaining issues that are at impasse and that are not addressed by the act or the General Appropriations Act to be resolved consistent with personnel rules or by otherwise maintaining the status quo; providing an effective date.

On motion by Senator Negrón, the Conference Committee Report on **SB 1504** was adopted. **SB 1504** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Flores	Negrón
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

By direction of the President the following Conference Committee Report was read:

**CONFERENCE COMMITTEE REPORT ON SB 1802**

The Honorable Don Gaetz  
President of the Senate

May 1, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1802, same being:

An act relating to State Employee Health Insurance.

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

1. That the House of Representatives recede from its Amendment 1 (797117).

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

s/ Joe Negron, Chair	s/ Lizbeth Benacquisto, Vice Chair
s/ Joseph Abruzzo	s/ Thad Altman
s/ Aaron Bean	s/ Rob Bradley
s/ Jeff Brandes	s/ Oscar Braynon II
s/ Dwight Bullard	s/ Jeff Clemens
s/ Charles S. "Charlie" Dean, Sr.	s/ Nancy C. Detert
s/ Miguel Diaz de la Portilla	s/ Greg Evers
s/ Anitere Flores	s/ Bill Galvano
s/ Rene Garcia	s/ Andy Gardiner
s/ Audrey Gibson	s/ Denise Grimsley
s/ Alan Hays	s/ Dorothy L. Hukill
s/ Arthenia L. Joyner	s/ Jack Latvala
s/ Tom Lee	s/ John Legg
s/ Gwen Margolis	s/ Bill Montford
s/ Garrett Richter, At Large	s/ Jeremy Ring
s/ Maria Lorts Sachs	s/ David Simmons
s/ Wilton Simpson	s/ Christopher L. Smith, At Large
s/ Eleanor Sobel	s/ Darren Soto
s/ Kelli Stargel	s/ Geraldine F. "Geri" Thompson
s/ John Thrasher, At Large	

#### Managers on the part of the Senate

s/ Seth McKeel, Committee Chair	s/ Steve Crisafulli, Committee Vice Chair
s/ Marti Coley, At Large	Joseph A. "Joe" Gibbons, At Large
s/ Eddy Gonzalez, At Large	s/ Doug Holder, At Large
Mia L. Jones, At Large	s/ H. Marlene O'Toole, At Large
s/ Stephen L. Precourt, At Large	s/ Darryl Ervin Rouson, At Large
s/ Robert C. "Rob" Schenck, At Large	Perry E. Thurston, Jr., At Large
James W. "Jim" Waldman, At Large	s/ Ritch Workman, At Large
	s/ Dana D. Young, At Large

#### Managers on the part of the House

The Conference Committee Amendment for SB 1802, relating to state employee health insurance, provides for the following:

**Section 1** provides and revises definitions needed for the state employee group health insurance program to comply with the requirements for large employers under the Patient Protection and Affordable Care Act.

**Section 2** permits Other-Personal-Services (OPS) employees who are expected to work an average of at least 30 or more hours per week or who have worked an average of at least 30 or more hours per week to be eligible to participate in the state employee group health insurance program beginning January 1, 2014; requires agency employers of Other-Personal-Services (OPS) employees to provide specified information to the Department of Management Services; revises the amount of the required employer contribution for part-time employees participating in the state group insurance program; provides for the amount of the state contribution to health savings accounts for the 2013-2014 fiscal year; and provides that the state's contribution for health savings accounts may be set annually in the General Appropriations Act beginning in the 2014-2015 fiscal year.

**Section 3** authorizes the Department of Management Services to adopt emergency rules to modify the eligibility of persons paid with Other-Personal-Services funds to comply with federal the Patient Protection and Affordable Care Act to mitigate the state's exposure to potential liability under the penalty provisions of that law. The emergency rules must expire by June 30, 2014.

**Conference Committee Amendment (321700)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Effective December 1, 2013, present paragraphs (i) through (n) of subsection (2) of section 110.123, Florida Statutes, are redesignated as paragraphs (j) through (o), respectively, paragraphs (c) and (f) of that subsection are amended and a new paragraph (i) is added to that subsection, paragraph (g) of subsection (3), paragraph (d) of

subsection (4), and paragraph (a) of subsection (12) of that section are amended, and subsection (13) is added to that section, to read:

#### 110.123 State group insurance program.—

(2) DEFINITIONS.—As used in this section, the term:

(c) "Full-time state employees" means ~~includes all full-time~~ employees of all branches or agencies of state government holding salaried positions who are ~~and~~ paid by state warrant or from agency funds and who work or are expected to work an average of at least 30 or more hours per week; ~~and~~ employees paid from regular salary appropriations for 8 months' employment, including university personnel on academic contracts; and employees, but in no case shall "state employee" or "salaried position" include persons paid from other-personal-services (OPS) funds as described in subparagraphs 1. and 2. The term "Full-time employees" includes all full-time employees of the state universities. The term does not include seasonal workers who are paid from OPS funds.

1. For persons hired before April 1, 2013, the term includes any person paid from OPS funds who:

a. Has worked an average of at least 30 hours or more per week during the initial measurement period from April 1, 2013, through September 30, 2013; or

b. Has worked an average of at least 30 hours or more per week during a subsequent measurement period.

2. For persons hired after April 1, 2013, the term includes any person paid from OPS funds who:

a. Is reasonably expected to work an average of at least 30 hours or more per week; or

b. Has worked an average of at least 30 hours or more per week during the person's measurement period.

(f) "Part-time state employee" means ~~an any~~ employee of any branch or agency of state government paid by state warrant from salary appropriations or from agency funds, and who is employed for less than an average of 30 hours per week ~~the normal full-time workweek established by the department~~ or, if on academic contract or seasonal or other type of employment which is less than year-round, is employed for less than 8 months during any 12-month period, but does not ~~in no case shall~~ "part-time" employee include a person paid from other-personal-services (OPS) funds. The term "Part-time state employee" includes ~~all any~~ part-time employees ~~employee~~ of the state universities.

(i) "Seasonal workers" has the same meaning as provided under 29 C.F.R. 500.20(s)(1).

#### (3) STATE GROUP INSURANCE PROGRAM.—

(g) Participation by individuals in the program is available to all state officers, full-time state employees, and part-time state employees; and ~~such participation in the program or any plan~~ is voluntary. Participation in the program is also available to retired state officers and employees, ~~as defined in paragraph (2)(g)~~, who elect at the time of retirement to continue coverage under the program, but they may elect to continue all or only part of the coverage they had at the time of retirement. A surviving spouse may elect to continue coverage only under a state group health insurance plan, a TRICARE supplemental insurance plan, or a health maintenance organization plan.

1. Full-time state employees described in subsection (2)(c)1. are eligible for health insurance coverage in calendar year 2014 as long as they remain employed by an employer participating in the state group insurance program during the year. This subparagraph expires December 31, 2014.

2. Employees paid from other-personal-services (OPS) funds are not eligible for coverage before January 1, 2014.

#### (4) PAYMENT OF PREMIUMS; CONTRIBUTION BY STATE; LIMITATION ON ACTIONS TO PAY AND COLLECT PREMIUMS.—

(d) The state contribution for health insurance coverage for a part-time ~~permanent~~ state employee who elects to participate in the program

shall be prorated so that the amount of the cost contributed for the part-time permanent employee bears ~~the same~~ *that* relation to the amount of cost contributed for a similar full-time employee that the part-time employee's normal workday bears to a full-time employee's normal workday.

(12) **HEALTH SAVINGS ACCOUNTS.**—The department is authorized to establish health savings accounts for full-time and part-time state employees in association with a health insurance plan option authorized by the Legislature and conforming to the requirements and limitations of federal provisions relating to the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

(a) ~~A member participating in this health insurance plan option is eligible to:~~

1. Receive an employer contribution into the employee's health savings account from the State Employees Health Insurance Trust Fund in an amount to be determined by the Legislature. A member is not eligible for an employer contribution upon termination of employment. For the 2013-2014 ~~2012-2013~~ fiscal year, the state's monthly contribution for employees having individual coverage shall be \$41.66 and the monthly contribution for employees having family coverage shall be \$83.33. *For the 2014-2015 fiscal year and thereafter, the state's contribution from the trust fund into the member's health savings account shall be set in the annual General Appropriations Act.*

2. ~~A member participating in this health insurance plan option is eligible to~~ Deposit the member's own funds into a health savings account.

(13) **OTHER-PERSONAL-SERVICES EMPLOYEES (OPS).**—

(a) *Each agency or other entity that participates in the state group insurance program shall provide information to the department on each of its employees regardless of whether the employee participates in the program. Such information must include the name of the employee, the number of hours worked by the employee, and any other information the department considers necessary for determining the eligibility of the employee to participate in the program. Such information shall be submitted as prescribed by the department.*

(b) *Each agency or other entity that participates in the state group insurance program shall identify any of its employees paid from OPS funds or similar funds who are employed by another agency or entity participating in the state group insurance program.*

(c) *The initial measurement period used to determine whether an employee hired before April 1, 2013, and paid from OPS funds is a full-time employee described in subparagraph (2)(c)1. is the 6-month period from April 1, 2013, through September 30, 2013.*

(d) *All other measurement periods used to determine whether an employee paid from OPS funds is a full-time employee described in paragraph (2)(c) must be for 12 consecutive months.*

Section 2. Subsection (5) is added to section 110.131, Florida Statutes, to read:

110.131 Other-personal-services employment.—

(5) *Beginning January 1, 2014, an other-personal-services (OPS) employee who has worked an average of at least 30 or more hours per week during the measurement period described in s. 110.123(13)(c) or (d), or who is reasonably expected to work an average of at least 30 or more hours per week following his or her employment, is eligible to participate in the state group insurance program as provided under s. 110.123.*

Section 3. *The Department of Management Services may adopt emergency rules to modify the eligibility requirements of persons paid from other-personal-services (OPS) funds, which are limited to compliance with the coverage requirements of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, and any regulations adopted pursuant to those acts which are in effect on July 1, 2013. Emergency rules adopted under this provision shall be limited to mitigating the state's exposure to potential liability under the penalty provisions of those acts for failing to comply with such coverage require-*

*ments. Any emergency rules adopted pursuant to this section must expire by June 30, 2014.*

Section 4. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to state employee health insurance; amending s. 110.123, F.S.; modifying the terms “full-time state employees” and “part-time state employee” for the purposes of expressly excluding persons paid from other-personal-services funds who work less than a certain number of hours per week from the state group insurance program; defining the term “seasonal worker”; revising provisions relating to employer contributions to employee health savings accounts; requiring each agency or entity that participates in the program to provide information about its employees in order to determine eligibility for the insurance program; amending s. 110.131, F.S.; providing that an OPS employee meeting certain criteria is eligible to participate in the state group health insurance program; authorizing the Department of Management Services to adopt emergency rules in order to modify the eligibility of certain persons and comply with federal requirements; providing effective dates.

On motion by Senator Ring, the Conference Committee Report on **SB 1802** was adopted. **SB 1802** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Brandes, Galvano

By direction of the President the following Conference Committee Report was read:

**CONFERENCE COMMITTEE REPORT ON SB 1810**

The Honorable Don Gaetz  
President of the Senate

May 1, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1810, same being:

An act relating to the Florida Retirement System.

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

1. That the House of Representatives recede from its Amendment 1 (257161).

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

<i>s/ Joe Negron,</i> Chair	<i>s/ Lizbeth Benacquisto,</i> Vice Chair
<i>s/ Joseph Abruzzo</i>	<i>s/ Thad Altman</i>
<i>s/ Aaron Bean</i>	<i>s/ Rob Bradley</i>
<i>s/ Jeff Brandes</i>	<i>s/ Oscar Braynon II</i>
<i>s/ Dwight Bullard</i>	<i>s/ Jeff Clemens</i>
<i>s/ Charles S. "Charlie" Dean, Sr.</i>	<i>s/ Nancy C. Detert</i>
<i>s/ Miguel Diaz de la Portilla</i>	<i>s/ Greg Evers</i>
<i>s/ Anitere Flores</i>	<i>s/ Bill Galvano</i>
<i>s/ Rene Garcia</i>	<i>s/ Andy Gardiner</i>
<i>s/ Audrey Gibson</i>	<i>s/ Denise Grimsley</i>
<i>s/ Alan Hays</i>	<i>s/ Dorothy L. Hukill</i>
<i>s/ Arthenia L. Joyner</i>	<i>s/ Jack Latvala</i>
<i>s/ Tom Lee</i>	<i>s/ John Legg</i>
<i>s/ Gwen Margolis</i>	<i>s/ Bill Montford</i>
<i>s/ Garrett Richter, At Large</i>	<i>s/ Jeremy Ring</i>
<i>s/ Maria Lorts Sachs</i>	<i>s/ David Simmons</i>
<i>s/ Wilton Simpson</i>	<i>s/ Christopher L. Smith, At Large</i>
<i>s/ Eleanor Sobel</i>	<i>s/ Darren Soto</i>
<i>s/ Kelli Stargel</i>	<i>s/ Geraldine F. "Geri" Thompson</i>
<i>s/ John Thrasher, At Large</i>	

#### Managers on the part of the Senate

<i>s/ Seth McKeel,</i> Committee Chair	<i>s/ Steve Crisafulli,</i> Committee Vice Chair
<i>s/ Marti Coley, At Large</i>	Joseph A. "Joe" Gibbons, At Large
<i>s/ Eddy Gonzalez, At Large</i>	<i>s/ Doug Holder, At Large</i>
Mia L. Jones, At Large	<i>s/ H. Marlene O'Toole, At Large</i>
<i>s/ Stephen L. Precourt, At Large</i>	<i>s/ Darryl Ervin Rouson, At Large</i>
<i>s/ Robert C. "Rob" Schenck,</i> At Large	Perry E. Thurston, Jr., At Large
James W. "Jim" Waldman, At Large	<i>s/ Ritch Workman, At Large</i>
	<i>s/ Dana D. Young, At Large</i>

#### Managers on the part of the House

The Conference Committee Amendment for SB 1810, relating to the Florida Retirement System, provides for the following:

**Sections 1 through 4** increase the employer contribution for the Retiree Health Insurance Subsidy (HIS) from 1.11 percent to 1.20 percent of employee gross compensation.

**Section 5** adjusts the employer-paid contribution rates for normal cost and unfunded actuarial liability for the Florida Retirement System (FRS), based on the 2012 Actuarial Valuation.

**Sections 6 and 7** provide legislative findings that a proper and legitimate state purpose is served public retirement systems, including health insurance subsidies, are administered and funded in a reasonable manner.

**Conference Committee Amendment (801240)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraph (g) is added to subsection (8) of section 112.363, Florida Statutes, to read:

112.363 Retiree health insurance subsidy.—

(8) CONTRIBUTIONS.—For purposes of funding the insurance subsidy provided by this section:

(g) *Beginning July 1, 2013, the employer of each member of a state-administered plan shall contribute 1.20 percent of gross compensation each pay period.*

Such contributions shall be submitted to the Department of Management Services and deposited in the Retiree Health Insurance Subsidy Trust Fund.

Section 2. Paragraph (d) of subsection (7) of section 121.052, Florida Statutes, is amended to read:

121.052 Membership class of elected officers.—

#### (7) CONTRIBUTIONS.—

(d) The following table states the required employer contribution on behalf of each member of the Elected Officers' Class in terms of a percentage of the member's gross compensation. Such contribution constitutes the entire health insurance subsidy contribution with respect to each such member. A change in the contribution rate is effective with the first salary paid on or after the beginning date of the change. The retiree health insurance subsidy contribution rate is as follows:

Dates of Contribution Rate Changes	Contribution Rate
October 1, 1987, through December 31, 1988	0.24%
January 1, 1989, through December 31, 1993	0.48%
January 1, 1994, through December 31, 1994	0.56%
January 1, 1995, through June 30, 1998	0.66%
July 1, 1998, through June 30, 2001	0.94%
<del>Effective July 1, 2001, through June 30, 2013</del>	1.11%
<i>Effective July 1, 2013</i>	1.20%

Such contributions and accompanying payroll data are due and payable no later than the 5th working day of the month immediately following the month during which the payroll period ended and shall be deposited by the administrator in the Retiree Health Insurance Subsidy Trust Fund.

Section 3. Paragraph (d) of subsection (3) of section 121.055, Florida Statutes, is amended to read:

121.055 Senior Management Service Class.—There is hereby established a separate class of membership within the Florida Retirement System to be known as the "Senior Management Service Class," which shall become effective February 1, 1987.

#### (3)

(d) The following table states the required employer contribution on behalf of each member of the Senior Management Service Class in terms of a percentage of the member's gross compensation. Such contribution constitutes the entire health insurance subsidy contribution with respect to each such member. A change in the contribution rate is effective with the first salary paid on or after the beginning date of the change. The retiree health insurance subsidy contribution rate is as follows:

Dates of Contribution Rate Changes	ContributionRate
October 1, 1987, through December 31, 1988	0.24%
January 1, 1989, through December 31, 1993	0.48%
January 1, 1994, through December 31, 1994	0.56%
January 1, 1995, through June 30, 1998	0.66%
July 1, 1998, through June 30, 2001	0.94%
<del>Effective July 1, 2001, through June 30, 2013</del>	1.11%
<i>Effective July 1, 2013</i>	1.20%

Such contributions and accompanying payroll data are due and payable no later than the 5th working day of the month immediately following the month during which the payroll period ended and shall be deposited by the administrator in the Retiree Health Insurance Subsidy Trust Fund.

Section 4. Subsection (4) of section 121.071, Florida Statutes, is amended to read:

121.071 Contributions.—Contributions to the system shall be made as follows:

(4) The following table states the required employer contribution on behalf of each member of the Regular Class, Special Risk Class, or

Special Risk Administrative Support Class in terms of a percentage of the member's gross compensation. Such contribution constitutes the entire health insurance subsidy contribution with respect to each such member. A change in the contribution rate is effective with the first salary paid on or after the beginning date of the change. The retiree health insurance subsidy contribution rate is as follows:

Dates of Contribution Rate Changes	ContributionRate
October 1, 1987, through December 31, 1988	0.24%
January 1, 1989, through December 31, 1993	0.48%
January 1, 1994, through December 31, 1994	0.56%
January 1, 1995, through June 30, 1998	0.66%
July 1, 1998, through June 30, 2001	0.94%
<del>Effective</del> July 1, 2001, <i>through June 30, 2013</i>	1.11%
<i>Effective July 1, 2013</i>	1.20%

Such contributions shall be deposited by the administrator in the Retiree Health Insurance Subsidy Trust Fund.

Section 5. Subsections (4) and (5) of section 121.71, Florida Statutes, are amended to read:

121.71 Uniform rates; process; calculations; levy.—

(4) Required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	<del>Percentage of GrossCompensatio- n,EffectiveJuly 1, 2012</del>	Percentage of GrossCompensatio- n,EffectiveJuly 1, 2013
Regular Class	<del>3.55%</del>	3.53% <del>3.55%</del>
Special Risk Class	<del>11.01%</del>	11.00% <del>11.01%</del>
Special Risk Admin- istrative Support Class	<del>3.94%</del>	4.17% <del>3.94%</del>
Elected Officers' Class—Legislators, Governor, Lt. Gov- ernor, Cabinet Offi- cers, State Attor- neys, Public Defenders	<del>6.51%</del>	6.52% <del>6.51%</del>
Elected Officers' Class—Justices, Judges	<del>10.02%</del>	10.05% <del>10.02%</del>
Elected Officers' Class—County Elec- ted Officers	<del>8.36%</del>	8.44% <del>8.36%</del>
Senior Management Class	<del>4.84%</del>	4.81% <del>4.84%</del>
DROP	<del>4.33%</del>	4.63% <del>4.33%</del>

(5) In order to address unfunded actuarial liabilities of the system, the required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	<del>Percentage of GrossCompensatio- n,EffectiveJuly 1, 2012</del>	Percentage of GrossCompensatio- n,EffectiveJuly 1, 2013
Regular Class	<del>0.49%</del>	2.19% <del>2.02%</del>
Special Risk Class	<del>2.75%</del>	6.83% <del>7.03%</del>

Membership Class	<del>Percentage of GrossCompensatio- n,EffectiveJuly 1, 2012</del>	Percentage of GrossCompensatio- n,EffectiveJuly 1, 2013
Special Risk Admin- istrative Support Class	<del>0.83%</del>	30.56% <del>27.04%</del>
Elected Officers' Class—Legislators, Governor, Lt. Gov- ernor, Cabinet Offi- cers, State Attor- neys, Public Defenders	<del>0.88%</del>	24.85% <del>27.18%</del>
Elected Officers' Class—Justices, Judges	<del>0.77%</del>	17.00% <del>16.38%</del>
Elected Officers' Class—County Elec- ted Officers	<del>0.73%</del>	23.36% <del>23.01%</del>
Senior Management Service Class	<del>0.32%</del>	12.27% <del>11.25%</del>
DROP	<del>0.00%</del>	7.01% <del>6.21%</del>

Section 6. *The Legislature finds that a proper and legitimate state purpose is served when employees, officers, and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees, officers, and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 7. *The Legislature finds that a proper and legitimate state purpose is served when employees, officers, and retirees of the state and of its political subdivisions, and the dependents, survivors, and beneficiaries of such employees, officers, and retirees, are extended the basic protections afforded by governmental retirement systems that provide fair and adequate benefits, including health insurance subsidies, and that are managed, administered, and funded in a reasonable manner. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 8. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Florida Retirement System; amending ss. 112.363, 121.052, 121.055, and 121.071, F.S.; revising the employer contribution rates for the retiree health insurance subsidy; amending s. 121.71, F.S.; revising the required employer retirement contribution rates for members of each membership class and subclass of the Florida Retirement System; providing findings of an important state interest; providing an effective date.

On motion by Senator Negron, the Conference Committee Report on **SB 1810** was adopted. **SB 1810** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Bullard	Garcia
Abruzzo	Clemens	Gardiner
Altman	Dean	Gibson
Bean	Detert	Grimsley
Benacquisto	Diaz de la Portilla	Hays
Bradley	Evers	Hukill
Brandes	Flores	Joyner
Braynon	Galvano	Latvala

Lee	Ring	Soto
Legg	Sachs	Stargel
Margolis	Simmons	Thompson
Montford	Simpson	Thrasher
Negron	Smith	
Richter	Sobel	

Nays—None

By direction of the President the following Conference Committee Report was read:

#### CONFERENCE COMMITTEE REPORT ON SB 1516

The Honorable Don Gaetz  
President of the Senate

April 30, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1516, same being:

An act relating to the Internal Revenue Code.

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

1. That the House of Representatives recede from its Amendment 1 (605529).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

<i>s/ Joe Negron,</i> Chair	<i>s/ Lizbeth Benacquisto,</i> Vice Chair
<i>s/ Joseph Abruzzo</i>	<i>s/ Thad Altman</i>
<i>s/ Aaron Bean</i>	<i>s/ Rob Bradley</i>
<i>s/ Jeff Brandes</i>	<i>s/ Oscar Braynon II</i>
<i>s/ Dwight Bullard</i>	<i>s/ Jeff Clemens</i>
<i>s/ Charles S. "Charlie" Dean, Sr.</i>	<i>s/ Nancy C. Detert</i>
<i>s/ Miguel Diaz de la Portilla</i>	<i>s/ Greg Evers</i>
<i>s/ Anitere Flores</i>	<i>s/ Bill Galvano</i>
<i>s/ Rene Garcia</i>	<i>s/ Andy Gardiner</i>
<i>s/ Audrey Gibson</i>	<i>s/ Denise Grimsley</i>
<i>s/ Alan Hays</i>	<i>s/ Dorothy L. Hukill</i>
<i>s/ Arthenia L. Joyner</i>	<i>s/ Jack Latvala</i>
<i>s/ Tom Lee</i>	<i>s/ John Legg</i>
<i>s/ Gwen Margolis</i>	<i>s/ Bill Montford</i>
<i>s/ Garrett Richter, At Large</i>	<i>s/ Jeremy Ring</i>
<i>s/ Maria Lorts Sachs</i>	<i>s/ David Simmons</i>
<i>s/ Wilton Simpson</i>	<i>s/ Christopher L. Smith, At Large</i>
<i>s/ Eleanor Sobel</i>	<i>s/ Darren Soto</i>
<i>s/ Kelli Stargel</i>	<i>s/ Geraldine F. "Geri" Thompson</i>
<i>s/ John Thrasher</i>	

Managers on the part of the Senate

<i>s/ Seth McKeel,</i> Committee Chair	<i>s/ Steve Crisafulli,</i> Committee Vice Chair
<i>s/ Ritch Workman,</i> Chair	<i>s/ Matthew H. "Matt" Caldwell</i>
<i>Joseph A. "Joe" Gibbons, At Large</i>	<i>s/ Marti Coley, At Large</i>
<i>s/ Bill Hager</i>	<i>s/ Eddy Gonzalez, At Large</i>
<i>Mia L. Jones, At Large</i>	<i>s/ Doug Holder, At Large</i>
<i>s/ Stephen L. Precourt, At Large</i>	<i>s/ H. Marlene O'Toole, At Large</i>
<i>Jose Javier Rodriguez</i>	<i>s/ Dan Raulerson</i>
<i>David Santiago</i>	<i>s/ Darryl Ervin Rouson, At Large</i>
<i>Richard "Rick" Stark</i>	<i>s/ Robert C. "Rob" Schenck,</i> At Large
<i>s/ Perry E. Thurston, Jr.,</i> At Large	<i>Victor M. Torres, Jr.</i>
<i>s/ Dana D. Young, At Large</i>	<i>James W. "Jim" Waldman,</i> At Large

Managers on the part of the House

The Conference Committee Amendment for SB 1516, relating to the Internal Revenue Code, provides for the following:

#### Florida's Corporate Income Tax Code

Florida's corporate Income Tax Code uses the federal Internal Revenue Code as the starting point for determining a corporation's income for Florida corporate income tax purposes. The bill updates the Florida corporate Income Tax Code by adopting the Internal Revenue Code as in effect on January 1, 2013.

#### American Taxpayer Relief Act of 2012

The American Taxpayer Relief Act of 2012 granted extraordinary deductions for capital asset expensing and depreciation. Similar to past treatment, the bill requires Florida taxpayers to spread the benefit of these deductions over a 7-year period.

**Conference Committee Amendment (866924)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Paragraph (n) of subsection (1) and subsection (2) of section 220.03, Florida Statutes, are amended to read:

220.03 Definitions.—

(1) SPECIFIC TERMS.—When used in this code, and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:

(n) "Internal Revenue Code" means the United States Internal Revenue Code of 1986, as amended and in effect on January 1, 2013 ~~2012~~, except as provided in subsection (3).

(2) DEFINITIONAL RULES.—When used in this code and neither otherwise distinctly expressed nor manifestly incompatible with the intent thereof:

(a) The word "corporation" or "taxpayer" ~~includes~~ ~~shall be deemed to include~~ the words "and its successors and assigns" as if these words, or words of similar import, were expressed.;

(b) Any term used in any section of this code with respect to the application of, or in connection with, the provisions of any other section of this code ~~has~~ ~~shall have~~ the same meaning as in such other section.;

(c) Any term used in this code ~~has~~ ~~shall have~~ the same meaning as when used in a comparable context in the Internal Revenue Code and other statutes of the United States relating to federal income taxes, as such code and statutes are in effect on January 1, 2013 ~~2012~~. However, if subsection (3) is implemented, the meaning of a ~~any~~ term shall be taken at the time the term is applied under this code.

Section 2. Paragraph (e) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 "Adjusted federal income" defined.—

(1) The term "adjusted federal income" means an amount equal to the taxpayer's taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(e) Adjustments related to ~~federal acts~~ ~~the Federal Economic Stimulus Act of 2008, the American Recovery and Reinvestment Act of 2009, the Small Business Jobs Act of 2010, and the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010.~~ Taxpayers shall be required to make the adjustments prescribed in this paragraph for Florida tax purposes ~~with respect in relation~~ to certain tax benefits received pursuant to the Economic Stimulus Act of 2008, the American Recovery and Reinvestment Act of 2009, the Small Business Jobs Act of 2010, ~~and~~ the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010, ~~and the American Taxpayer Relief Act of 2012.~~

1. There shall be added to such taxable income an amount equal to 100 percent of any amount deducted for federal income tax purposes as bonus depreciation for the taxable year pursuant to ss. 167 and 168(k) of the Internal Revenue Code of 1986, as amended by s. 103 of Pub. L. No. 110-185, s. 1201 of Pub. L. No. 111-5, s. 2022 of Pub. L. No. 111-240, ~~and~~

s. 401 of Pub. L. No. 111-312, and s. 331 of Pub. L. No. 112-240, for property placed in service after December 31, 2007, and before January 1, 2014 ~~2013~~. For the taxable year and for each of the 6 subsequent taxable years, there shall be subtracted from such taxable income an amount equal to one-seventh of the amount by which taxable income was increased pursuant to this subparagraph, notwithstanding any sale or other disposition of the property that is the subject of the adjustments and regardless of whether such property remains in service in the hands of the taxpayer.

2. There shall be added to such taxable income an amount equal to 100 percent of any amount in excess of \$128,000 deducted for federal income tax purposes for the taxable year pursuant to s. 179 of the Internal Revenue Code of 1986, as amended by s. 102 of Pub. L. No. 110-185, s. 1202 of Pub. L. No. 111-5, s. 2021 of Pub. L. No. 111-240, and s. 402 of Pub. L. No. 111-312, and s. 315 of Pub. L. No. 112-240, for taxable years beginning after December 31, 2007, and before January 1, 2014 ~~2013~~. For the taxable year and for each of the 6 subsequent taxable years, there shall be subtracted from such taxable income one-seventh of the amount by which taxable income was increased pursuant to this subparagraph, notwithstanding any sale or other disposition of the property that is the subject of the adjustments and regardless of whether such property remains in service in the hands of the taxpayer.

3. There shall be added to such taxable income an amount equal to the amount of deferred income not included in such taxable income pursuant to s. 108(i)(1) of the Internal Revenue Code of 1986, as amended by s. 1231 of Pub. L. No. 111-5. There shall be subtracted from such taxable income an amount equal to the amount of deferred income included in such taxable income pursuant to s. 108(i)(1) of the Internal Revenue Code of 1986, as amended by s. 1231 of Pub. L. No. 111-5.

4. Subtractions available under this paragraph may be transferred to the surviving or acquiring entity following a merger or acquisition and used in the same manner and with the same limitations as specified by this paragraph.

5. The additions and subtractions specified in this paragraph are intended to adjust taxable income for Florida tax purposes, and, notwithstanding any other provision of this code, such additions and subtractions shall be permitted to change a taxpayer's net operating loss for Florida tax purposes.

#### Section 3. *Emergency rules.*—

(1) *The executive director of the Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act.*

(2) *Notwithstanding any other provision of law, the emergency rules shall remain in effect for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.*

Section 4. This act shall take effect upon becoming a law and operate retroactively to January 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Internal Revenue Code; amending s. 220.03, F.S.; adopting the 2013 version of the code for the purposes of ch. 220, F.S.; amending s. 220.13, F.S.; incorporating a reference to a recent federal act into state law for the purpose of defining the term "adjusted federal income"; authorizing the executive director of the Department of Revenue to adopt emergency rules; providing for retroactive application; providing an effective date.

On motion by Senator Hukill, the Conference Committee Report on **SB 1516** was adopted. **SB 1516** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President  
Abruzzo

Altman  
Bean

Benacquisto  
Bradley

Brandes  
Braynon  
Bullard  
Clemens  
Dean  
Detert  
Diaz de la Portilla  
Evers  
Flores  
Galvano  
Garcia  
Gardiner

Gibson  
Grimsley  
Hays  
Hukill  
Joyner  
Latvala  
Lee  
Legg  
Margolis  
Montford  
Negron  
Richter

Ring  
Sachs  
Simmons  
Simpson  
Smith  
Sobel  
Soto  
Stargel  
Thompson  
Thrasher

Nays—None

By direction of the President the following Conference Committee Report was read:

#### CONFERENCE COMMITTEE REPORT ON SB 1518

The Honorable Don Gaetz  
President of the Senate

April 30, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1518, same being:

An act relating to the Department of Children and Families.

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

1. That the House of Representatives recede from its Amendment 1 (719975).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ Joe Negron,  
Chair  
s/ Joseph Abruzzo  
s/ Aaron Bean  
s/ Jeff Brandes  
s/ Dwight Bullard  
s/ Charles S. "Charlie" Dean, Sr.  
s/ Miguel Diaz de la Portilla  
s/ Anitere Flores  
s/ Rene Garcia  
s/ Audrey Gibson  
s/ Alan Hays  
s/ Arthenia L. Joyner  
s/ Tom Lee  
s/ Gwen Margolis  
s/ Garrett Richter, At Large  
s/ Maria Lorts Sachs  
s/ Wilton Simpson  
s/ Eleanor Sobel  
s/ Kelli Stargel  
s/ John Thrasher, At Large

s/ Lizbeth Benacquisto,  
Vice Chair  
s/ Thad Altman  
s/ Rob Bradley  
s/ Oscar Braynon II  
s/ Jeff Clemens  
s/ Nancy C. Detert  
s/ Greg Evers  
s/ Bill Galvano  
s/ Andy Gardiner  
s/ Denise Grimsley  
s/ Dorothy L. Hukill  
s/ Jack Latvala  
s/ John Legg  
s/ Bill Montford  
s/ Jeremy Ring  
s/ David Simmons  
s/ Christopher L. Smith, At Large  
s/ Darren Soto  
s/ Geraldine F. "Geri" Thompson

Managers on the part of the Senate

s/ Seth McKeel,  
Committee Chair  
s/ Matt Hudson,  
Chair  
Janet Cruz  
s/ Jose Felix Diaz  
s/ Eddy Gonzalez, At Large  
s/ Doug Holder, At Large  
s/ Jose R. Oliva  
s/ Jimmy Patronis

s/ Steve Crisafulli,  
Committee Vice Chair  
s/ Jason T. Brodeur  
s/ Marti Coley, At Large  
s/ Travis Cummings  
Joseph A. "Joe" Gibbons,  
At Large  
Mia L. Jones, At Large  
s/ H. Marlene O'Toole, At Large  
s/ Stephen L. Precourt, At Large



David Richardson  
s/ Robert C. "Rob" Schenck,  
At Large  
James W. "Jim" Waldman,  
At Large  
s/ Dana D. Young, At Large

s/ Darryl Ervin Rouson, At Large  
Perry E. Thurston, Jr.,  
At Large  
s/ John Wood  
s/ Ritch Workman, At Large

Managers on the part of the House

The Conference Committee Amendment for SB 1518, relating to Department of Children and Families, provides for the following:

- Allows managing entities under contract with the Department of Children and Families for the regional management of behavioral health and substance abuse services, to carry forward unspent state dollars from one fiscal year to the next, under specified parameters. Requires DCF to provide a two-month advance payment to a managing entity at the beginning of a fiscal year. These provisions mirror current law for community-based care lead agency contracts.
- Alters the weighting for DCF's allocations to community-based care lead agencies. Currently, the allocations are weighted 75% for recurring core services funding and 25% for the equity allocation model. The bill changes the weighting to 90% and 10%, respectively. This change – requested by the CBC lead agencies – will alter the allocations among the CBC lead agencies but will not require more state funding.

**Conference Committee Amendment (770848)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Present subsections (9) and (10) of section 394.9082, Florida Statutes, are renumbered as subsections (10) and (11), respectively, and new subsection (9) is added to that section, to read:

394.9082 Behavioral health managing entities.—

(9) **FUNDING FOR MANAGING ENTITIES.**—

(a) *A contract established between the department and a managing entity under this section shall be funded by general revenue, other applicable state funds, or applicable federal funding sources. A managing entity may carry forward documented unexpended state funds from one fiscal year to the next; however, the cumulative amount carried forward may not exceed 8 percent of the total contract. Any unexpended state funds in excess of that percentage must be returned to the department. The funds carried forward may not be used in a way that would create increased recurring future obligations or for any program or service that is not currently authorized under the existing contract with the department. Expenditures of funds carried forward must be separately reported to the department. Any unexpended funds that remain at the end of the contract period shall be returned to the department. Funds carried forward may be retained through contract renewals and new procurements as long as the same managing entity is retained by the department.*

(b) *The method of payment for a fixed-price contract with a managing entity must provide for a 2-month advance payment at the beginning of each fiscal year and equal monthly payments thereafter.*

Section 2. Subsections (3) and (4) of section 409.16713, Florida Statutes, are amended to read:

409.16713 Allocation of funds for community-based care lead agencies.—

(3) Beginning in the 2013-2014 ~~2011-2012~~ state fiscal year, 90 ~~75~~ percent of the recurring core services funding for each community-based care lead agency shall be based on the prior year recurring base of core services funds and 10 ~~25~~ percent shall be based on the equity allocation model.

(4) *Unless otherwise specified in the General Appropriations Act For the 2011-2012 state fiscal year, any new core services funds shall be allocated based on the equity allocation model. Such allocations must shall be proportional to the proportion of funding based on the equity model and allocated only to the community-based care lead agency contracts if where the current funding proportion is less than the proportion of funding based on the equity model.*

Section 3. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to Department of Children and Families; amending s. 394.9082, F.S.; providing for the carrying forward, expenditure, and return of unexpended funds paid to entities contracting with the department to manage the delivery of behavioral health services; amending s. 409.16713, F.S.; revising recurring core services funding for community-based care lead agencies; providing an effective date.

On motion by Senator Grimsley, the Conference Committee Report on **SB 1518** was adopted. **SB 1518** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

## DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 1518** which comes before the Senate floor for a vote on May 3, 2013.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

Senator Don Gaetz, 1st District

## ADOPTION OF RESOLUTIONS

On motion by Senator Lee—

By Senator Gaetz—

**SR 1928**—A resolution honoring the service of Phillip J. "Jeff" Fleming, Jr., on his retirement from the Florida Senate.

WHEREAS, Phillip J. "Jeff" Fleming, Jr., began his service with the Florida Senate in June 1975, and

WHEREAS, Jeff was initially hired as a property manager in the Office of the Senate Sergeant at Arms, holding that position until July of 1998, when he was promoted to Deputy Sergeant at Arms, and

WHEREAS, Jeff helped in the move from the Historic Capitol to the modern Capitol, and

WHEREAS, Jeff traveled throughout the state during the 1982, 1992, 2002, and 2012 reapportionment meetings, assisting with that process, and

WHEREAS, Jeff also assisted with the 1977-1978 and 1997-1998 Constitution Revision Commissions, and

WHEREAS, Jeff served the Senate and the people of this state faithfully for nearly 38 years, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we recognize Phillip J. "Jeff" Fleming, Jr., for his dedicated service and wish him well in retirement.

—was introduced out of order and read by title. On motion by Senator Lee, **SR 1928** was read the second time in full and adopted.

## RECESS

On motion by Senator Thrasher, the Senate recessed at 12:28 p.m. to reconvene at 2:00 p.m.

## AFTERNOON SESSION

The Senate was called to order by President Gaetz at 2:00 p.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

## SPECIAL GUESTS

Senator Hays introduced his daughter, Leslie Broome, and granddaughter, Emma Grace Broome, who were present in the gallery, and newest grandson, Ethan Alan Broome, who was present in the chamber.

## REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Don Gaetz  
President, The Florida Senate

May 3, 2013

Dear President Gaetz:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

### *Office and Appointment*

*For Term  
Ending*

Citrus County Hospital Board  
Appointee: Joseph, Krista K. 07/11/2013

Big Cypress Basin Board of the South Florida Water Management District  
Appointee: Vaughn, John Wesley, Jr. 03/01/2016

Governing Board of the Southwest Florida Water Management District  
Appointees: Bronson, Thomas Edward 03/01/2016  
Mann, George W. III 03/01/2017

Governing Board of the Suwannee River Water Management District

### *Office and Appointment*

Appointee: Johns, Virginia H.

*For Term  
Ending*  
03/01/2017

Board of Trustees, Florida A & M University  
Appointee: Warren, Cleve E. 01/06/2016

Board of Trustees, Florida Atlantic University  
Appointee: Workman, Thomas, Jr. 01/06/2018

The following executive appointments were referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

### *Office and Appointment*

*For Term  
Ending*

Board of Trustees, Florida Atlantic University  
Appointee: Moabery, Abdol 01/06/2016

Board of Trustees, University of Central Florida  
Appointees: Garvy, Robert A. 01/06/2015  
Marchena, Marcos R. 01/06/2016

Board of Trustees, Florida State University  
Appointees: Gruters, Joseph R. 01/06/2016  
Pantin, Leslie V. 01/06/2018

Board of Trustees, Florida Gulf Coast University  
Appointee: McShea, Dorene 01/06/2016

Board of Trustees, Florida International University  
Appointees: Alvarez, Cesar L. 01/06/2018  
Barlick, Robert T., Jr. 01/06/2015  
Grant, Gerald C., Jr. 01/06/2016

Board of Trustees, New College of Florida  
Appointees: Baker, Bradford Dennis 01/06/2016  
Keating, Elaine M. 01/06/2016  
Skestos, George A. 01/06/2018  
Snyder, Steven L. 01/06/2016

Board of Trustees, University of North Florida  
Appointees: Franklin, Fred D., Jr. 01/06/2018  
Lovett, William Radford II 01/06/2016  
Pappas, M. Lynn 01/06/2015  
Pincomb, Myron W. 01/06/2016  
Russell, Lanny 01/06/2016  
Wamble-King, Sharon 01/06/2016

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

### *Office and Appointment*

*For Term  
Ending*

Fish and Wildlife Conservation Commission  
Appointee: Priddy, Aliese P. 01/06/2017

Governing Board of the Southwest Florida Water Management District  
Appointees: Babb, Michael A. 03/01/2014  
Beswick, Bryan K. 03/01/2016  
Giesy-Griffin, Wendy 03/01/2016  
Maggard, Randall "Randy" 03/01/2015  
Senft, H. Paul, Jr. 03/01/2015

Executive Director of Southwest Florida Water Management District  
Appointee: Guillory, Blake C. Pleasure of the Board

Executive Director of Suwannee River Water Management District  
Appointee: Shortelle, Ann B. Pleasure of the Board

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of

the Rules of the Florida Senate. The Senate Committee on Ethics and Elections conducted an inquiry concerning the qualifications of the appointees; however, the Committee on Ethics and Elections did not hold a public hearing for the following appointees during the 2013 Regular Session of the Florida Legislature.

<i>Office and Appointment</i>		<i>For Term Ending</i>
Board of Acupuncture		
Appointee:	Teisinger, Mary Katherine	10/31/2016
Florida Commission on Community Service		
Appointee:	Barber, Chucha S.	09/14/2015
Board of Trustees of Gulf Coast State College		
Appointee:	Warriner, David P.	05/31/2013
Board of Trustees of Miami-Dade College		
Appointee:	Leon, Benjamin III	05/31/2014
Board of Trustees of Northwest Florida State College		
Appointee:	Flynt, Michael M., Sr.	05/31/2014
Florida Commission on Human Relations		
Appointee:	Johns, James C.	09/30/2014
Tampa Bay Regional Planning Council, Region 8		
Appointee:	Kinsler, Angeleah C.	10/01/2015
Governing Board of the Northwest Florida Water Management District		
Appointee:	Clark, Gary F.	03/01/2017
Board of Trustees, Florida Gulf Coast University		
Appointee:	Goodlette, John Dudley	01/06/2018

Except as specifically noted above, the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:

(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointments be taken prior to the adjournment of the 2013 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,  
Jack Latvala, Chairman

On motion by Senator Latvala, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee:

The vote was:

Yeas—37

Mr. President	Detert	Latvala
Abruzzo	Diaz de la Portilla	Lee
Altman	Flores	Legg
Bean	Galvano	Margolis
Bradley	Gardiner	Montford
Brandes	Gibson	Negron
Braynon	Grimsley	Richter
Bullard	Hays	Ring
Clemens	Hukill	Sachs
Dean	Joyner	Simmons

Simpson  
Smith  
Sobel

Soto  
Stargel  
Thompson

Thrasher

Nays—None

## BILLS ON THIRD READING

**CS for CS for HB 411**—A bill to be entitled An act relating to children's initiatives; amending s. 409.147, F.S.; establishing the New Town Success Zone in Duval County and the Parramore Kidz Zone in Orange County; providing for the projects to be managed by corporations not for profit that are not subject to control, supervision, or direction by any department of the state; requiring the corporations to be subject to state public records and meeting requirements and procurement of commodities and contractual services requirements; requiring designated children's initiatives to assist in the creation of community-based service networks and programming that provides certain services for children and families residing in disadvantaged areas of the state; providing for evaluation, fiscal management, and oversight of the projects; providing an effective date.

—as amended May 2 was read the third time by title.

## RECONSIDERATION OF AMENDMENT

On motion by Senator Negron, the Senate reconsidered the vote by which **Amendment 1 (483252)** was adopted May 2. **Amendment 1 (483252)** was withdrawn.

Senator Thompson moved the following amendment which was adopted by two-thirds vote:

**Amendment 3 (937154) (with title amendment)**—Delete lines 21-90 and insert:

Section 1. Present subsection (9) of section 409.147, Florida Statutes, is renumbered as subsection (11) and amended, and new subsections (9) and (10) are added to that section, to read:

409.147 Children's initiatives.—

(9) **CREATION OF THE NEW TOWN SUCCESS ZONE.**—

(a) *There is created within the City of Jacksonville Council District 9 in Duval County a 10-year project that shall be managed by an entity organized as a corporation not for profit that is registered, incorporated, organized, and operated in compliance with chapter 617. The New Town Success Zone is not subject to control, supervision, or direction by any department of the state in any manner. The Legislature determines, however, that public policy dictates that the corporation operate in the most open and accessible manner consistent with its public purpose. Therefore, the Legislature declares that the corporation is subject to chapter 119, relating to public records, chapter 286, relating to public meetings and records, and chapter 287, relating to procurement of commodities or contractual services.*

(b) *This initiative is designed to encompass an area that is large enough to include all of the necessary components of community life, including, but not limited to, schools, places of worship, recreational facilities, commercial areas, and common space, yet small enough to allow programs and services to reach every member of the neighborhood who is willing to participate in the project.*

(10) **CREATION OF THE PARRAMORE KIDZ ZONE.**—

(a) *There is created within the City of Orlando in Orange County a 10-year project managed by an entity organized as a corporation not for profit that is registered, incorporated, organized, and operated in compliance with chapter 617. The Parramore Kidz Zone program is not subject to the control, supervision, or direction of any department of the state. The Legislature determines, however, that public policy dictates that the corporation operate in the most open and accessible manner consistent with its public purpose. Therefore, the Legislature specifically declares that the corporation is subject to chapter 119, relating to public records, chapter 286, relating to public meetings and records, and chapter 287, relating to procurement of commodities or contractual services.*

(b) *This initiative is designed to encompass an area that is large enough to include all of the necessary components of community life, including, but not limited to, schools, places of worship, recreational facilities, commercial areas, and common space, yet small enough to allow programs and services to reach every member of the neighborhood who is willing to participate in the project.*

(11)(9) IMPLEMENTATION.—

(a) *The Miami Children's Initiative, Inc., the New Town Success Zone, and the Parramore Kidz Zone have been designated as Florida Children's Initiatives consistent with the legislative intent and purpose of s. 16, chapter 2009-43, Laws of Florida, and as such shall each assist the disadvantaged areas of the state in creating a community-based service network and programming that develops, coordinates, and provides quality education, accessible health care, youth development programs, opportunities for employment, and safe and affordable housing for children and families living within their boundaries.*

(b) In order to implement this section for the *Miami Children's Initiative, Inc.*, the Department of Children and Families ~~Family Services~~ shall contract with a not-for-profit corporation, to work in collaboration with the governing body to adopt the resolution described in subsection (4), to establish the planning team as provided in subsection (5), and to develop and adopt the strategic community plan as provided in subsection (6). The not-for-profit corporation is also responsible for the development of a business plan and for the evaluation, fiscal management, and oversight of the Miami Children's Initiative, Inc.

And the title is amended as follows:

Delete lines 3-16 and insert: 409.147, F.S.; establishing the New Town Success Zone in Duval County and the Parramore Kidz Zone in Orange County; providing for the projects to be managed by corporations not for profit that are not subject to control, supervision, or direction by any department of the state; requiring the corporations to be subject to state public records and meeting requirements and procurement of commodities and contractual services requirements; requiring designated children's initiatives to assist in the creation of community-based service networks and programming that provides certain services for children and families residing in disadvantaged areas of the state; providing for evaluation, fiscal management, and oversight of the

On motion by Senator Gibson, **CS for CS for HB 411** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Benacquisto, Evers

**CS for HB 7165**—A bill to be entitled An act relating to early learning; creating s. 1001.213, F.S.; creating the Office of Early Learning within the Department of Education; providing duties relating to the establishment and operation of the school readiness program and the Voluntary Prekindergarten Education Program; amending s. 1002.51, F.S.; conforming a cross-reference; amending s. 1002.53, F.S.; clarifying Voluntary Prekindergarten Education Program student enrollment provisions; amending s. 1002.55, F.S.; providing additional requirements

for private prekindergarten providers and instructors; providing duties of the office; amending s. 1002.57, F.S.; requiring the office to adopt standards for a prekindergarten director credential; amending s. 1002.59, F.S.; requiring the office to adopt standards for training courses; amending s. 1002.61, F.S.; providing a requirement for a public school delivering the summer prekindergarten program; amending s. 1002.63, F.S.; providing a requirement for a public school delivering the school-year prekindergarten program; amending s. 1002.66, F.S.; deleting obsolete provisions; amending s. 1002.67, F.S.; requiring the office to adopt performance standards for students in the Voluntary Prekindergarten Education Program and approve curricula; revising provisions relating to removal of provider eligibility, submission of an improvement plan, and required corrective actions; amending s. 1002.69, F.S.; providing duties of the office relating to statewide kindergarten screening, kindergarten readiness rates, and good cause exemptions for providers; amending s. 1002.71, F.S.; revising provisions relating to payment of funds to providers; amending s. 1002.72, F.S.; providing for the release of Voluntary Prekindergarten Education Program student records for the purpose of investigations; amending s. 1002.75, F.S.; revising duties of the office for administering the Voluntary Prekindergarten Education Program; amending s. 1002.77, F.S.; revising provisions relating to the Florida Early Learning Advisory Council; amending s. 1002.79, F.S.; deleting certain State Board of Education rulemaking authority for the Voluntary Prekindergarten Education Program; creating part VI of ch. 1002, F.S., consisting of ss. 1002.81-1002.96, relating to the school readiness program; providing definitions; providing powers and duties of the Office of Early Learning; providing for early learning coalitions; providing early learning coalition powers and duties for the school readiness program; providing requirements for early learning coalition plans; providing a school readiness program education component; providing school readiness program eligibility and enrollment requirements; providing school readiness program provider standards and eligibility to deliver the school readiness program; providing school readiness program funding; providing a market rate schedule; providing for investigation of fraud or overpayment and penalties therefor; providing for child care and early childhood resource and referral; providing for school readiness program transportation services; providing for the Child Care Executive Partnership Program; providing for the Teacher Education and Compensation Helps scholarship program; providing for Early Head Start collaboration grants; transferring, renumbering, and amending s. 411.011, F.S., relating to the confidentiality of records of children in the school readiness program; revising provisions with respect to the release of records; amending s. 11.45, F.S.; conforming a cross-reference; amending s. 20.15, F.S.; conforming provisions; amending s. 216.136, F.S.; conforming a cross-reference; amending s. 402.281, F.S.; revising requirements relating to receipt of a Gold Seal Quality Care designation; amending s. 402.302, F.S.; conforming a cross-reference; amending s. 402.305, F.S.; providing that certain child care after-school programs may provide meals through a federal program; amending ss. 445.023, 490.014, and 491.014, F.S.; conforming cross-references; amending s. 1001.11, F.S.; providing a duty of the Commissioner of Education relating to early learning programs; repealing s. 411.01, F.S., relating to the school readiness program and early learning coalitions; repealing s. 411.0101, F.S., relating to child care and early childhood resource and referral; repealing s. 411.01013, F.S., relating to the prevailing market rate schedule; repealing s. 411.01014, F.S., relating to school readiness transportation services; repealing s. 411.01015, F.S., relating to consultation to child care centers and family day care homes; repealing s. 411.0102, F.S., relating to the Child Care Executive Partnership Act; repealing s. 411.0103, F.S., relating to the Teacher Education and Compensation Helps scholarship program; repealing s. 411.0104, relating to Early Head Start collaboration grants; repealing s. 411.0105, F.S., relating to the Early Learning Opportunities Act and Even Start Family Literacy Programs; repealing s. 411.0106, F.S., relating to infants and toddlers in state-funded education and care programs; authorizing specified positions for the Office of Early Learning; requiring the office to develop a reorganization plan for the office and submit the plan to the Governor and the Legislature; providing an effective date.

—as amended May 2 was read the third time by title.

On motion by Senator Legg, **CS for HB 7165** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Altman	Gardiner	Ring
Bean	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Benacquisto, Evers

## ADOPTION OF RESOLUTIONS

On motion by Senator Ring—

By Senator Ring—

**SR 1930**—A resolution recognizing the plight of Robert Levinson and encouraging his swift and safe return to his family.

WHEREAS, Robert Levinson was kidnapped in Iran on March 8, 2007, while working as a private citizen, and

WHEREAS, Robert Levinson rendered valuable public service to this nation before his retirement, serving as a special agent with the Federal Bureau of Investigation for 22 years and with the United States Drug Enforcement Administration for 6 years, and

WHEREAS, Robert Levinson has been held captive in Iran for almost 6 years, making his captivity one of the longest in American history, and

WHEREAS, citizens of this great nation have worked tirelessly to acquire over 25,000 signatures on behalf of Robert Levinson to ensure that the Federal Government utilize all of its diplomatic resources to secure his release and safe return to his family in Coral Springs, Florida, and

WHEREAS, Robert Levinson's personal health has deteriorated in captivity due to his diabetic condition and the lack of access to proper medication to control that condition, likely diminishing his ability to survive, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we recognize the plight of Robert Levinson and encourage his swift and safe return to his family.

—was introduced out of order and read by title. On motion by Senator Ring, **SR 1930** was read the second time by title and adopted.

## SPECIAL ORDER CALENDAR

Consideration of **CS for CS for SB 966** was deferred.

**CS for SB 1682**—A bill to be entitled An act relating to residential services for children; amending s. 409.175, F.S.; revising the definition of the term “boarding school”; providing accreditation requirements for boarding schools; establishing reporting requirements for boarding schools during the accreditation process; providing an exemption for the reporting requirements; authorizing the Department of Children and Families to impose administrative sanctions or civil remedies when residential group care is being provided without a license; requiring background screening for certain boarding school personnel; defining the term “direct student contact”; requiring boarding schools to follow

standard school schedules, holiday breaks, and summer recesses; providing that children other than foreign citizens may not be year-round residents; amending s. 409.176, F.S.; providing notification requirements for qualified associations for specified violations; providing reporting requirements for the qualified association regarding Type II facilities; authorizing the Department of Children and Families to adopt rules; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1682** to **CS for HB 7129**.

Pending further consideration of **CS for SB 1682** as amended, on motion by Senator Joyner, by two-thirds vote **CS for HB 7129** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and Appropriations.

On motion by Senator Joyner, the rules were waived and—

**CS for HB 7129**—A bill to be entitled An act relating to residential services for children; amending s. 409.175, F.S.; revising the definition of the term “boarding school”; providing accreditation requirements for boarding schools; establishing reporting requirements for boarding schools during the accreditation process; authorizing the Department of Children and Families to impose administrative sanctions or civil remedies when residential group care is provided without a license; requiring background screening for boarding school personnel; requiring boarding schools to follow standard school schedules, holiday breaks, and summer recesses; revising residency requirements; amending s. 409.176, F.S.; requiring notification of qualified associations for specified violations; providing for fines; providing an effective date.

—a companion measure, was substituted for **CS for SB 1682** as amended and read the second time by title.

On motion by Senator Joyner, further consideration of **CS for HB 7129** was deferred.

## INTRODUCTION OF FORMER SENATORS

The President recognized former Senate President John McKay who was present in the chamber.

## RECESS

The President declared the Senate in recess at 2:32 p.m. to reconvene at 3:15 p.m.

## CALL TO ORDER

The Senate was called to order by President Gaetz at 3:15 p.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

## SPECIAL ORDER CALENDAR

The Senate resumed consideration of—

**CS for HB 7129**—A bill to be entitled An act relating to residential services for children; amending s. 409.175, F.S.; revising the definition of the term “boarding school”; providing accreditation requirements for boarding schools; establishing reporting requirements for boarding schools during the accreditation process; authorizing the Department of Children and Families to impose administrative sanctions or civil remedies when residential group care is provided without a license; requiring background screening for boarding school personnel; requiring boarding schools to follow standard school schedules, holiday breaks, and summer recesses; revising residency requirements; amending s. 409.176, F.S.; requiring notification of qualified associations for specified violations; providing for fines; providing an effective date.

—which was previously considered this day.

Senator Negron moved the following amendment which was adopted:

**Amendment 1 (966282) (with title amendment)**—Between lines 147 and 148 insert:

Section 3. (1) *The sum of \$3,000,000 in recurring general revenue funds is appropriated to the Department of Health beginning in the 2013-2014 fiscal year to provide for a rural primary care residency program at Sacred Heart Hospital to include family physicians and pediatricians.*

(2) *The sum of \$250,000 in nonrecurring general revenue funds is appropriated to the Department of Health in the 2013-2014 fiscal year for A Safe Haven for Newborns.*

(3) *The sum of \$200,000 in nonrecurring general revenue funds is appropriated to the Department of Health in the 2013-2014 fiscal year for St. John Bosco Clinic.*

And the title is amended as follows:

Delete line 16 and insert: for specified violations; providing for fines; providing for appropriations from general revenue funds to the Department of Health for certain health programs benefitting children;

Senator Garcia moved the following amendment which failed:

**Amendment 2 (880764) (with title amendment)**—Between lines 147 and 148 insert:

Section 3. Paragraph (f) of subsection (1) of section 154.11, Florida Statutes, is amended to read:

154.11 Powers of board of trustees.—

(1) The board of trustees of each public health trust shall be deemed to exercise a public and essential governmental function of both the state and the county and in furtherance thereof it shall, subject to limitation by the governing body of the county in which such board is located, have all of the powers necessary or convenient to carry out the operation and governance of designated health care facilities, including, but without limiting the generality of, the foregoing:

(f) To lease, either as lessee or lessor, or rent for any number of years and upon any terms and conditions real property, except that the board shall not lease or rent, as lessor, any real property, *other than office space controlled by the public health trust*, except in accordance with the requirements of s. 125.35 [F. S. 1973].

And the title is amended as follows:

Delete line 16 and insert: for specified violations; providing for fines; amending s. 154.11, F.S.; revising the duties of a board of trustees of each public health trust with regard to leasing or renting real property;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Smith moved the following amendment which was adopted:

**Amendment 3 (137184) (with title amendment)**—Between lines 147 and 148 insert:

Section 3. Paragraph (i) is added to subsection (1) of section 163.506, Florida Statutes, to read:

163.506 Local government neighborhood improvement districts; creation; advisory council; dissolution.—

(1) After a local planning ordinance has been adopted authorizing the creation of local government neighborhood improvement districts, the local governing body of a municipality or county may create local government neighborhood improvement districts by the enactment of a separate ordinance for each district, which ordinance:

(i) *Authorizes the district to borrow money, contract loans, and issue bonds, certificates, warrants, notes, or other evidence of indebtedness to finance the undertaking of a capital or other project for a purpose permitted by the State Constitution and this part, and to pledge the funds, credit, property, and special assessment power of the district for the payment of such debts and bonds. Bonds that are issued under this paragraph must be authorized by resolution of the board, by resolution of the governing body of the municipality or county. Bonds may be issued in one or more series and shall bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form, registered or not, with or without coupon, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and subject to such terms of redemption, with or without premium, be secured in such manner, and have such other characteristics as may be provided by such resolution or trust indenture or mortgage issued pursuant thereto.*

And the title is amended as follows:

Between lines 16 and 17 insert: amending s. 163.506, F.S.; providing that an ordinance that creates a neighborhood improvement district may authorize the district to exercise certain powers, in addition to those already granted to such districts; specifying such powers; conditioning the exercise of those powers on resolution and referendum;

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Bradley moved the following amendment which was adopted:

**Amendment 4 (813982) (with title amendment)**—Between lines 147 and 148 insert:

Section 3. Paragraph (h) is added to subsection (1) of section 39.201, Florida Statutes, to read:

39.201 Mandatory reports of child abuse, abandonment, or neglect; mandatory reports of death; central abuse hotline.—

(1)

(h) *An officer or employee of a law enforcement agency is not required to provide notice to the department of reasonable cause to suspect child abuse by an adult other than a parent, legal custodian, caregiver, or other person responsible for the child's welfare when the incident under investigation by the law enforcement agency was reported to law enforcement by the Central Abuse Hotline through the electronic transfer of the report or call. The department's Central Abuse Hotline is not required to electronically transfer calls and reports received pursuant to paragraph (2)(b) to the county sheriff's office if the matter was initially reported to the department by the county sheriff's office or another law enforcement agency. This paragraph applies only when the information related to the alleged child abuse has been provided to the officer or employee of a law enforcement agency or Central Abuse Hotline employee in the course of carrying out his or her official duties.*

And the title is amended as follows:

Delete line 16 and insert: for specified violations; providing for fines; amending s. 39.201, F.S.; limiting the duty of an officer or employee of a law enforcement agency to provide notice to the Department of Children and Families of reasonable cause to suspect child abuse under certain circumstances; limiting the duty of the Central Abuse Hotline to electronically transfer certain calls and reports to the county sheriff's office under certain circumstances; providing applicability;

On motion by Senator Joyner, by two-thirds vote **CS for HB 7129** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

### BILLS ON THIRD READING

**CS for CS for HB 617**—A bill to be entitled An act relating to juvenile justice circuit advisory boards and juvenile justice county councils; amending s. 985.664, F.S.; redesignating juvenile justice circuit boards as juvenile justice circuit advisory boards; requiring each board to have a county organization representing each county in the circuit; providing an exception for single-county circuits; deleting provisions providing for juvenile justice county councils; revising provisions relating to duties and responsibilities of boards; requiring submission of circuit plans by specified dates; revising membership of boards; providing for appointment and terms of members; providing for quorums and for passage of measures or positions; revising provisions relating to bylaws; amending ss. 790.22, 938.17, 948.51, 985.48, and 985.676, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Evers, **CS for CS for HB 617** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—1

Gibson

**CS for CS for HB 7127**—A bill to be entitled An act relating to the Department of Transportation; amending s. 11.45, F.S.; removing a provision for audits of certain transportation corporations by the Auditor General; amending s. 20.23, F.S.; revising provisions relating to functions of the Florida Transportation Commission to add certain monitoring of Regional Transportation Finance Authorities and the Mid-Bay Bridge Authority; removing Secretary of Transportation review of the expenses of the Florida Statewide Passenger Rail Commission; revising the administrative support requirement for the Florida Statewide Passenger Rail Commission; designating an executive director and assistant executive director of the statewide passenger rail commission; amending s. 110.205, F.S., relating to career service exempt positions; revising the title of an existing department position; amending s. 125.35, F.S.; au-

thorizing counties to lease real or personal property belonging to the county; amending s. 125.42, F.S.; providing that an entity granted a license to construct and maintain utility or television lines shall move or remove such lines at no cost to the county if the lines are found by the county to be unreasonably interfering with road widening, repair, or reconstruction; creating s. 316.01, F.S.; providing that a local governmental entity may not prevent vehicular ingress or egress on a transportation facility into or out of a state university facility; amending s. 316.530, F.S., relating to towing requirements; removing a provision that prohibits assessment of a penalty for the combined weights of a disabled vehicle and a wrecker or tow truck; amending s. 316.545, F.S.; revising the maximum amount the gross vehicle weight may be reduced for calculation of a penalty for excess weight when an auxiliary power unit is installed on a commercial motor vehicle; amending s. 320.08058, F.S.; revising provisions for distribution and use of fees collected from the sale of the Florida Salutes Veterans license plate; amending s. 331.360, F.S., relating to aerospace facilities; removing provisions for a spaceport master plan; directing Space Florida to develop a spaceport system plan for certain purposes; providing for content of the plan; directing Space Florida to submit the plan to metropolitan planning organizations for review of intermodal impact and to the department; authorizing the department to include relevant portions in the 5-year work program; revising responsibilities of the department relating to aerospace facilities; authorizing the department to administratively house its space transportation responsibilities within an existing division or office; authorizing the department to enter into an agreement with Space Florida for specified purposes; authorizing the department to allocate certain funds under specified conditions; requiring Space Florida to provide certain information to the department before an agreement is executed; amending s. 332.007, F.S.; authorizing the department to fund strategic airport investment projects that meet specified criteria; amending s. 334.044, F.S.; prohibiting the department from entering into any lease-purchase agreement with any expressway authority, regional transportation authority, or other entity; providing the prohibition does not invalidate existing specified lease-purchase agreements or limit the department's authority relating to certain public-private transportation facilities; authorizing the department to enter into a concession agreement for commercial sponsorship displays on certain multiuse trails and facilities and providing for use of the revenue received; providing an exception from the requirement to purchase all plant materials from Florida commercial nursery stock when prohibited by applicable federal law or regulation; amending s. 335.055, F.S.; authorizing the department to enter into contracts with community development districts to perform routine maintenance work on the State Highway System; limiting liability; amending s. 335.06, F.S.; authorizing the department to improve and maintain any road that is part of a county road system or city street system that provides access to property within the state park system; requiring the county or city to maintain such road if the department does not; amending s. 337.11, F.S.; removing the requirement that a contractor provide a notarized affidavit as proof of motor vehicle registration; amending s. 337.14, F.S.; revising requirements for a person desiring to bid for the performance of certain department construction contracts to be prequalified; amending s. 337.168, F.S., relating to confidentiality of bid information; providing that a document that reveals the identity of a person who has requested or received certain information before a certain time is a public record; amending s. 337.25, F.S.; revising provisions for disposition of property by the department; authorizing the department to contract for auction services for conveyance of property; revising requirements for an inventory of property; amending s. 337.251, F.S.; revising provisions for lease of property; requiring the department to publish a notice of receipt of a proposal for lease of particular department property and accept other proposals; revising notice procedures; requiring the department to establish by rule an application fee for lease proposals; authorizing the department to engage the services of private consultants to assist in evaluating proposals; requiring the department to make specified determinations before approving a proposed lease; amending s. 337.403, F.S., relating to interference by a utility of the use of a public road or publicly owned rail corridor; providing for an authority to bear certain costs to eliminate interference when the utility certifies that it cannot prove or disprove it has a compensable property right where the utility is located; requiring the department to pay for utility work related to commuter rail or intercity passenger rail under certain circumstances; providing an exception; authorizing the department to pay for utility relocation in rural areas of critical economic concern under certain circumstances; requiring the Florida Transportation Commission to study the potential for state revenue from parking meters and other parking



time-limit devices; authorizing to commission to retain experts; requiring the department to pay for the experts; requiring certain information from municipalities and counties; requiring certain information to be considered in the study; requiring a written report; providing for the removal of parking meters and parking time-limit devices under certain circumstance; providing for municipalities and counties to pay the cost of removal; providing for a moratorium on new parking meters of other parking time-limit devices on the state right-of-way; providing an exception; amending s. 338.161, F.S.; revising provisions for the department to enter into agreements for certain purposes with public or private transportation facility owners whose systems become interoperable with the department's systems; amending s. 338.165, F.S.; removing references to certain facilities from the list of facilities the department is authorized to request bond issuance secured by facility revenues amending s. 338.26, F.S.; revising the uses of fees generated from tolls to include the design and construction of a fire station that may be used by certain local governments in accordance with a specified memorandum; removing a provision that authorizes a district to issue bonds or notes; amending s. 339.175, F.S.; revising provisions for designation of metropolitan planning organizations and provisions for voting membership; revising the criteria that qualify a local government for participation in a metropolitan planning organization; providing that certain counties shall be designated separate metropolitan planning organizations; revising the criteria to determine voting membership of a metropolitan planning organization; providing that each metropolitan planning organization shall review its membership and reapportion it as necessary; providing criteria; removing the requirement that the Governor review and apportion the voting membership among the various governmental entities within the metropolitan planning area; amending s. 339.2821, F.S.; authorizing Enterprise Florida, Inc., to be a consultant to the department for consideration of expenditures associated with and contracts for transportation projects; revising the requirements for economic development transportation project contracts between the department and a governmental entity; repealing ss. 339.401-339.421, F.S., relating to the Florida Transportation Corporation Act, definitions, legislative findings and purpose, authorization of corporations, type and structure and income of corporation, contract between the department and the corporation, articles of incorporation, boards of directors and advisory directors, bylaws, meetings and records, amendment of articles of incorporation, powers of corporations, use of state property, exemption from taxation, authority to alter or dissolve corporation, dissolution upon completion of purposes, transfer of funds and property upon dissolution, department rules, construction of provisions, and issuance of debt; amending s. 339.55, F.S.; providing for the state-funded infrastructure bank to lend capital costs or provide credit enhancements for projects that provide intermodal connectivity with spaceports and to make emergency loans for damages to public-use spaceports; revising criteria the department may consider for evaluation of projects for assistance from the bank; amending s. 341.031, F.S.; revising the definition of the term "intercity bus service," as used in the Florida Public Transit Act; amending s. 341.052, F.S.; prohibiting an eligible public transit provider from using public transit block grant funds to pursue or promote the levying of new or additional taxes through public referendum; requiring the amount of the provider's grant to be reduced by any amount so spent; defining the term "public funds" for purposes of the prohibition; amending s. 341.053, F.S.; revising provisions for use of Intermodal Development Program funds; amending s. 341.8203, F.S.; defining "communication facilities" and "railroad company" as used in the Florida Rail Enterprise Act; amending s. 341.822, F.S.; requiring the rail enterprise to establish a process to issue permits for railroad companies to construct communication facilities within a high speed rail system; providing rulemaking authority; providing for fees for issuing a permit; providing that copies of the permit application will be sent to municipalities and counties who will have an opportunity to comment on the application; creating s. 341.825, F.S.; providing for a permit authorizing the permittee to locate, construct, operate, and maintain communication facilities within a new or existing high speed rail system; providing for application procedures and fees; providing for the effects of a permit; providing an exemption from local land use and zoning regulations; authorizing the enterprise to permit variances and exemptions from rules of the enterprise or other agencies; providing that a permit is in lieu of licenses, permits, certificates, or similar documents; providing for a modification of a permit; amends s. 341.840, F.S.; conforming a cross-reference; amending ss. 343.82 and 343.922, F.S.; removing reference to advances from the Toll Facilities Revolving Trust Fund as a source of funding for certain projects by an authority; creating ch. 345, F.S., relating to the Florida Regional Transportation Finance Authority Act;

creating s. 345.0001, F.S.; providing a short title; creating s. 345.0002, F.S.; providing definitions; creating s. 345.0003, F.S.; providing for counties to form a regional transportation finance authority to construct, maintain, or operate transportation projects in a region of the state; providing for governance of an authority; providing for membership and organization of an authority; creating s. 345.0004, F.S.; providing for the powers and duties of an authority; limiting an authority's power with respect to an existing system; prohibiting an authority from pledging the credit or taxing power of the state or any political subdivision or agency of the state; requiring that an authority comply with certain reporting and documentation requirements; creating s. 345.0005, F.S.; authorizing an authority to issue bonds; providing that the issued bonds must meet certain requirements; providing that the resolution that authorizes the issuance of bonds meet certain requirements; authorizing an authority to enter into security agreements for issued bonds with a bank or trust company; providing that the issued bonds are negotiable instruments and have certain qualities; providing that a resolution authorizing the issuance of bonds and pledging of revenues of the system must meet certain requirements; prohibiting the use or pledge of state funds to pay principal or interest of an authority's bonds; creating s. 345.0006, F.S.; providing rights and remedies granted to certain bondholders; providing actions a trustee may take on behalf of the bondholders; providing for the appointment of a receiver; providing for the authority of the receiver; providing limitations to a receiver's authority; creating s. 345.0007, F.S.; providing that the Department of Transportation is the agent of each authority for specified purposes; providing for the administration and management of projects by the department; providing limits on the department as an agent; providing for the fiscal responsibilities of the authority; creating s. 345.0008, F.S.; authorizing the department to provide resources for an authority project or system if included in a specific plan and approved by the Legislature; providing for feasibility studies; requiring certain criteria to be met before department approval; providing for payment of expenses incurred by the department on behalf of an authority; requiring the department to receive a share of the revenue from the authority; providing for disbursement of revenues; creating s. 345.0009, F.S.; authorizing the authority to acquire private or public property and property rights for a project or plan; authorizing the authority to exercise the right of eminent domain; providing for the rights and liabilities and remedial actions relating to property acquired for a transportation project or corridor; creating s. 345.0010, F.S.; providing for contracts between certain entities and an authority; creating s. 345.0011, F.S.; providing that the state will not limit or alter the vested rights of a bondholder with regard to any issued bonds or rights relating to the bonds under certain conditions; creating s. 345.0012, F.S.; exempting the authority from paying certain taxes or assessments for property acquired or used for certain public purposes or for revenues received relating to the issuance of bonds; providing exceptions; creating s. 345.0013, F.S.; providing that the bonds or obligations issued are legal investments of specified entities; creating s. 345.0014, F.S.; providing applicability; amending s. 348.754, F.S.; revising the term limitation for leases that the Orlando-Orange County Expressway Authority may enter; amending s. 373.406, F.S.; exempting specified ponds, ditches, and wetlands from surface water management and storage requirements; exempting certain water control districts from certain wetlands regulation; amending s. 373.4137, F.S.; providing legislative intent that mitigation be implemented in a manner that promotes efficiency, timeliness, and cost-effectiveness in project delivery; revising the criteria of the environmental impact inventory; revising the criteria for mitigation of projected impacts identified in the environmental impact inventory; requiring the Department of Transportation to include funding for environmental mitigation for its projects in its work program; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the requirements for the payment to a water management district or the Department of Environmental Protection of the costs of mitigation planning and implementation of the mitigation required by a permit; revising the payment criteria for preparing and implementing mitigation plans adopted by water management districts for transportation impacts based on the environmental impact inventory; adding federal requirements for the development of a mitigation plan; providing for transportation projects in the environmental mitigation plan for which mitigation has not been specified; revising a water management district's responsibilities relating to a mitigation plan; creating s. 373.6053, F.S., authorizing water management districts to reassess the designation of positions for inclusion in the Senior Management Service Class;

authorizing the removal of positions from the class; providing effective dates.

—as amended April 30 was read the third time by title.

## RECONSIDERATION OF AMENDMENT

On motion by Senator Brandes, the Senate reconsidered the vote by which **Amendment 1 (740626)** as amended was adopted.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senator Brandes moved the following substitute amendment:

**Amendment 2 (814240) (with title amendment)**—Delete every-thing after the enacting clause and insert:

Section 1. *Paragraph (m) of subsection (3) of section 11.45, Florida Statutes, is repealed.*

Section 2. Paragraph (b) of subsection (2) and subsection (3) of section 20.23, Florida Statutes, are amended, and present subsections (4) through (7) of that subsection are renumbered as subsections (3) through (6), to read:

20.23 Department of Transportation.—There is created a Department of Transportation which shall be a decentralized agency.

(2)

(b) The commission shall ~~have the primary functions to:~~

1. Recommend major transportation policies for the Governor's approval, and assure that approved policies and any revisions ~~thereto~~ are properly executed.

2. Periodically review the status of the state transportation system including highway, transit, rail, seaport, intermodal development, and aviation components of the system and recommend improvements therein to the Governor and the Legislature.

3. Perform an in-depth evaluation of the annual department budget request, the Florida Transportation Plan, and the tentative work program for compliance with all applicable laws and established departmental policies. Except as specifically provided in s. 339.135(4)(c)2., (d), and (f), the commission may not consider individual construction projects, but shall consider methods of accomplishing the goals of the department in the most effective, efficient, and businesslike manner.

4. Monitor the financial status of the department on a regular basis to assure that the department is managing revenue and bond proceeds responsibly and in accordance with law and established policy.

5. Monitor on at least a quarterly basis, the efficiency, productivity, and management of the department, using performance and production standards developed by the commission pursuant to s. 334.045.

6. Perform an in-depth evaluation of the factors causing disruption of project schedules in the adopted work program and recommend to the Legislature and the Governor methods to eliminate or reduce the disruptive effects of these factors.

7. Recommend to the Governor and the Legislature improvements to the department's organization in order to streamline and optimize the efficiency of the department. In reviewing the department's organization, the commission shall determine if the current district organizational structure is responsive to Florida's changing economic and demographic development patterns. The initial report by the commission must be delivered to the Governor and Legislature by December 15, 2000, and each year thereafter, as appropriate. The commission may retain ~~such~~ experts ~~that~~ *as* are reasonably necessary to effectuate this subparagraph, and the department shall pay the expenses of ~~the~~ *such* experts.

8. Monitor the efficiency, productivity, and management of the authorities created under chapters 348 and 349, including any authority formed using the provisions of part I of chapter 348, and any authority formed under chapter 343 ~~which is not monitored under subsection (3).~~

The commission shall also conduct periodic reviews of each authority's operations and budget, acquisition of property, management of revenue and bond proceeds, and compliance with applicable laws and generally accepted accounting principles.

~~(3) There is created the Florida Statewide Passenger Rail Commission.~~

~~(a)1. The commission shall consist of nine voting members appointed as follows:~~

~~a. Three members shall be appointed by the Governor, one of whom must have a background in the area of environmental concerns, one of whom must have a legislative background, and one of whom must have a general business background.~~

~~b. Three members shall be appointed by the President of the Senate, one of whom must have a background in civil engineering, one of whom must have a background in transportation construction, and one of whom must have a general business background.~~

~~c. Three members shall be appointed by the Speaker of the House of Representatives, one of whom must have a legal background, one of whom must have a background in financial matters, and one of whom must have a general business background.~~

2. The initial term of each member appointed by the Governor shall be for 4 years. The initial term of each member appointed by the President of the Senate shall be for 3 years. The initial term of each member appointed by the Speaker of the House of Representatives shall be for 2 years. Succeeding terms for all members shall be for 4 years.

3. A vacancy occurring during a term shall be filled by the respective appointing authority in the same manner as the original appointment and only for the balance of the unexpired term. An appointment to fill a vacancy shall be made within 60 days after the occurrence of the vacancy.

4. The commission shall elect one of its members as chair of the commission. The chair shall hold office at the will of the commission. Five members of the commission shall constitute a quorum, and the vote of five members shall be necessary for any action taken by the commission. The commission may meet upon the constitution of a quorum. A vacancy in the commission does not impair the right of a quorum to exercise all rights and perform all duties of the commission.

5. The members of the commission are not entitled to compensation but are entitled to reimbursement for travel and other necessary expenses as provided in s. 112.061.

~~(b) The commission shall have the primary functions of:~~

1. Monitoring the efficiency, productivity, and management of all publicly funded passenger rail systems in the state, including, but not limited to, any authority created under chapter 343, chapter 349, or chapter 163 if the authority receives public funds for the provision of passenger rail service. The commission shall advise each monitored authority of its findings and recommendations. The commission shall also conduct periodic reviews of each monitored authority's passenger rail and associated transit operations and budget, acquisition of property, management of revenue and bond proceeds, and compliance with applicable laws and generally accepted accounting principles. The commission may seek the assistance of the Auditor General in conducting such reviews and shall report the findings of such reviews to the Legislature. This paragraph does not preclude the Florida Transportation Commission from conducting its performance and work program monitoring responsibilities.

2. Advising the department on policies and strategies used in planning, designing, building, operating, financing, and maintaining a coordinated statewide system of passenger rail services.

3. Evaluating passenger rail policies and providing advice and recommendations to the Legislature on passenger rail operations in the state.

~~(c) The commission or a member of the commission may not enter into the day-to-day operation of the department or a monitored authority and is specifically prohibited from taking part in:~~

- ~~1. The awarding of contracts.~~
- ~~2. The selection of a consultant or contractor or the prequalification of any individual consultant or contractor. However, the commission may recommend to the secretary standards and policies governing the procedure for selection and prequalification of consultants and contractors.~~
- ~~3. The selection of a route for a specific project.~~
- ~~4. The specific location of a transportation facility.~~
- ~~5. The acquisition of rights of way.~~
- ~~6. The employment, promotion, demotion, suspension, transfer, or discharge of any department personnel.~~
- ~~7. The granting, denial, suspension, or revocation of any license or permit issued by the department.~~

~~(d) The commission is assigned to the Office of the Secretary of the Department of Transportation for administrative and fiscal accountability purposes, but it shall otherwise function independently of the control and direction of the department except that reasonable expenses of the commission shall be subject to approval by the Secretary of Transportation. The department shall provide administrative support and service to the commission.~~

Section 3. Paragraphs (j) and (m) of subsection (2) of section 110.205, Florida Statutes, are amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(j) The appointed secretaries and the State Surgeon General, assistant secretaries, deputy secretaries, and deputy assistant secretaries of all departments; the executive directors, assistant executive directors, deputy executive directors, and deputy assistant executive directors of all departments; the directors of all divisions and those positions determined by the department to have managerial responsibilities comparable to such positions, which positions include, but are not limited to, program directors, assistant program directors, district administrators, deputy district administrators, the Director of Central Operations Services of the Department of Children and Family Services, the State Transportation Development Administrator, State *Freight and Logistics Public Transportation and Modal* Administrator, district secretaries, district directors of transportation development, transportation operations, transportation support, and the managers of the offices specified in s. 20.23(3)(b) ~~20.23(4)(b)~~, of the Department of Transportation. Unless otherwise fixed by law, the department shall set the salary and benefits of these positions in accordance with the rules of the Senior Management Service; and the county health department directors and county health department administrators of the Department of Health.

(m) All assistant division director, deputy division director, and bureau chief positions in any department, and those positions determined by the department to have managerial responsibilities comparable to such positions, which include, but are not limited to:

1. Positions in the Department of Health and the Department of Children and Family Services that are assigned primary duties of serving as the superintendent or assistant superintendent of an institution.
2. Positions in the Department of Corrections that are assigned primary duties of serving as the warden, assistant warden, colonel, or major of an institution or that are assigned primary duties of serving as the circuit administrator or deputy circuit administrator.
3. Positions in the Department of Transportation that are assigned primary duties of serving as regional toll managers and managers of offices, as defined in s. 20.23(3)(b) and (4)(c) ~~20.23(4)(b) and (5)(c)~~.
4. Positions in the Department of Environmental Protection that are assigned the duty of an Environmental Administrator or program administrator.

5. Positions in the Department of Health that are assigned the duties of Environmental Administrator, Assistant County Health Department Director, and County Health Department Financial Administrator.

Unless otherwise fixed by law, the department shall set the salary and benefits of the positions listed in this paragraph in accordance with the rules established for the Selected Exempt Service.

Section 4. Subsection (5) of section 125.42, Florida Statutes, is amended to read:

125.42 Water, sewage, gas, power, telephone, other utility, and television lines along county roads and highways.—

(5) In the event of widening, repair, or reconstruction of any such road, the licensee shall move or remove such water, sewage, gas, power, telephone, and other utility lines and television lines at no cost to the county *should they be found by the county to be unreasonably interfering*, except as provided in s. 337.403(1)(d)-(i) ~~337.403(1)(c)~~.

Section 5. Paragraph (b) of subsection (1) of section 125.35, Florida Statutes, is amended to read:

125.35 County authorized to sell real and personal property and to lease real property.—

(1)

(b) Notwithstanding ~~the provisions of~~ paragraph (a), *under terms and conditions negotiated by the board*, the board of county commissioners ~~may is expressly authorized to~~:

1. Negotiate the lease of an airport or seaport facility;
2. Modify or extend an existing lease of real property for an additional term not to exceed 25 years, where the improved value of the lease has an appraised value in excess of \$20 million; or
3. Lease a professional sports franchise facility financed by revenues received pursuant to s. 125.0104 or s. 212.20 *which may include a commercial development that is ancillary to the sports facility if the ancillary development property is part of or contiguous to the professional sports franchise facility. The board's authority to lease the above described ancillary commercial development in conjunction with a professional sports franchise facility lease applies only if at the time the board leases the ancillary commercial development, the professional sports franchise facility lease has been in effect for at least 10 years and such lease has at least an additional 10 years remaining in the lease term;*

~~under such terms and conditions as negotiated by the board.~~

Section 6. Paragraph (a) of subsection (3) of section 316.515, Florida Statutes, is amended to read:

316.515 Maximum width, height, length.—

(3) LENGTH LIMITATION.—Except as otherwise provided in this section, length limitations apply solely to a semitrailer or trailer, and not to a truck tractor or to the overall length of a combination of vehicles. No combination of commercial motor vehicles coupled together and operating on the public roads may consist of more than one truck tractor and two trailing units. Unless otherwise specifically provided for in this section, a combination of vehicles not qualifying as commercial motor vehicles may consist of no more than two units coupled together; such nonqualifying combination of vehicles may not exceed a total length of 65 feet, inclusive of the load carried thereon, but exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. Notwithstanding any other provision of this section, a truck tractor-semitrailer combination engaged in the transportation of automobiles or boats may transport motor vehicles or boats on part of the power unit; and, except as may otherwise be mandated under federal law, an automobile or boat transporter semitrailer may not exceed 50 feet in length, exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer. The 50-foot length limitation does not apply to non-stinger-steered automobile or boat transporters that are 65 feet or less in overall length, exclusive of the load carried thereon, or to stinger-steered automobile or boat transporters that are 75 feet or less in overall length, exclusive of the load carried thereon. For purposes of this subsection, a "stinger-steered

automobile or boat transporter" is an automobile or boat transporter configured as a semitrailer combination wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit. Notwithstanding paragraphs (a) and (b), any straight truck or truck tractor-semi-trailer combination engaged in the transportation of horticultural trees may allow the load to extend up to an additional 10 feet beyond the rear of the vehicle, provided said trees are resting against a retaining bar mounted above the truck bed so that the root balls of the trees rest on the floor and to the front of the truck bed and the tops of the trees extend up over and to the rear of the truck bed, and provided the overhanging portion of the load is covered with protective fabric.

(a) *Straight trucks.*—A straight truck may not exceed a length of 40 feet in extreme overall dimension, exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. *A straight truck may attach a forklift to the rear of the cargo bed, provided the overall combined length of the vehicle and the forklift does not exceed 50 feet.* A straight truck may tow no more than one trailer, and the overall length of the truck-trailer combination may not exceed 68 feet, including the load thereon. Notwithstanding any other provisions of this section, a truck-trailer combination engaged in the transportation of boats, or boat trailers whose design dictates a front-to-rear stacking method may not exceed the length limitations of this paragraph exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer.

Section 7. Subsection (3) of section 316.530, Florida Statutes, is repealed.

Section 8. Subsection (3) of section 316.545, Florida Statutes, is amended to read:

316.545 Weight and load unlawful; special fuel and motor fuel tax enforcement; inspection; penalty; review.—

(3) Any person who violates the overloading provisions of this chapter shall be conclusively presumed to have damaged the highways of this state by reason of such overloading, which damage is hereby fixed as follows:

(a) ~~If when~~ the excess weight is 200 pounds or less than the maximum ~~herein~~ provided by this chapter, the penalty is ~~shall be~~ \$10;

(b) Five cents per pound for each pound of weight in excess of the maximum ~~herein~~ provided in this chapter if ~~when~~ the excess weight exceeds 200 pounds. However, if ~~whenever~~ the gross weight of the vehicle or combination of vehicles does not exceed the maximum allowable gross weight, the maximum fine for the first 600 pounds of unlawful axle weight is ~~shall be~~ \$10;

(c) For a vehicle equipped with fully functional idle-reduction technology, any penalty shall be calculated by reducing the actual gross vehicle weight or the internal bridge weight by the certified weight of the idle-reduction technology or by 550 ~~400~~ pounds, whichever is less. The vehicle operator must present written certification of the weight of the idle-reduction technology and must demonstrate or certify that the idle-reduction technology is fully functional at all times. This calculation is not allowed for vehicles described in s. 316.535(6);

(d) An apportioned motor vehicle, as defined in s. 320.01, operating on the highways of this state without being properly licensed and registered shall be subject to the penalties as ~~herein~~ provided in this section; and

(e) Vehicles operating on the highways of this state from nonmember International Registration Plan jurisdictions which are not in compliance with the provisions of s. 316.605 shall be subject to the penalties as ~~herein~~ provided in this section.

Section 9. Section 331.360, Florida Statutes, is reordered and amended to read:

331.360 ~~Joint participation agreement or assistance; Spaceport system master plan.~~—

(2)(1) ~~It shall be the duty, function, and responsibility of~~ The department ~~shall of Transportation to~~ promote the further development and improvement of aerospace transportation facilities; to address in-

termal requirements and impacts of the launch ranges, spaceports, and other space transportation facilities; to assist in the development of joint-use facilities and technology that support aviation and aerospace operations; to coordinate and cooperate in the development of spaceport infrastructure and related transportation facilities contained in the Strategic Intermodal System Plan; to encourage, where appropriate, the cooperation and integration of airports and spaceports in order to meet transportation-related needs; and to facilitate and promote cooperative efforts between federal and state government entities to improve space transportation capacity and efficiency. In carrying out this duty and responsibility, the department may assist and advise, cooperate with, and coordinate with federal, state, local, or private organizations and individuals. The department may administratively house its space transportation responsibilities within an existing division or office.

(3)(2) Notwithstanding any other provision of law, the department ~~of Transportation~~ may enter into an ~~a joint participation~~ agreement with, or otherwise assist, Space Florida as necessary to effectuate the provisions of this chapter and may allocate funds for such purposes in its 5-year work program. However, the department may not fund the administrative or operational costs of Space Florida.

(1)(2) Space Florida shall develop a spaceport system ~~master~~ plan that identifies statewide spaceport goals and the need for expansion and modernization of space transportation facilities within spaceport territories as defined in s. 331.303. The plan ~~must shall~~ contain recommended projects that ~~to~~ meet current and future commercial, national, and state space transportation requirements. Space Florida shall submit the plan to each ~~any~~ appropriate metropolitan planning organization for review of intermodal impacts. Space Florida shall submit the spaceport system ~~master~~ plan to the department of Transportation, which may include those portions of the system plan which are relevant to the Department of Transportation's mission and such plan may be included within the department's 5-year work program of qualifying projects ~~aerospace discretionary capacity improvement under subsection (4).~~ The plan ~~must shall~~ identify appropriate funding levels for each project and include recommendations on appropriate sources of revenue that ~~may be developed to contribute to the State Transportation Trust Fund.~~

(4)(a) Beginning in fiscal year 2013-2014, a minimum of \$15 million annually is authorized to be made available from the State Transportation Trust Fund to fund space transportation projects. The funds for this initiative shall be from the funds dedicated to public transportation projects pursuant to s. 206.46(3).

(b) Before executing an agreement, Space Florida must provide project-specific information to the department in order to demonstrate that the project includes transportation and aerospace benefits. The project-specific information must include, but need not be limited to:

1. The description, characteristics, and scope of the project.
2. The funding sources for and costs of the project.
3. The financing considerations that emphasize federal, local, and private participation.
4. A financial feasibility and risk analysis, including a description of the efforts to protect the state's investment and to ensure that project goals are realized.
5. A demonstration that the project will encourage, enhance, or create economic benefits for the state.

(c) The department may fund up to 50 percent of eligible project costs. If the project meets the following criteria, the department may fund up to 100 percent of eligible project costs. The project must:

1. Provide important access and on-spaceport capacity improvements;
2. Provide capital improvements to strategically position the state to maximize opportunities in the aerospace industry or foster growth and development of a sustainable and world-leading aerospace industry in the state;
3. Meet state goals of an integrated intermodal transportation system; and

4. *Demonstrate the feasibility and availability of matching funds through federal, local, or private partners* ~~Subject to the availability of appropriated funds, the department may participate in the capital cost of eligible spaceport discretionary capacity improvement projects. The annual legislative budget request shall be based on the proposed funding requested for approved spaceport discretionary capacity improvement projects.~~

Section 10. Subsection (11) is added to section 332.007, Florida Statutes, to read:

332.007 Administration and financing of aviation and airport programs and projects; state plan.—

(11) *The department may fund strategic airport investment projects at up to 100 percent of the project's cost if all the following criteria are met:*

(a) *Important access and on-airport capacity improvements are provided.*

(b) *Capital improvements that strategically position the state to maximize opportunities in international trade, logistics, and the aviation industry are provided.*

(c) *Goals of an integrated intermodal transportation system for the state are achieved.*

(d) *Feasibility and availability of matching funds through federal, local, or private partners are demonstrated.*

Section 11. Subsections (16), (26), and (33) of section 334.044, Florida Statutes, are amended to read:

334.044 Department; powers and duties.—The department shall have the following general powers and duties:

(16) To plan, acquire, lease, construct, maintain, and operate toll facilities; to authorize the issuance and refunding of bonds; and to fix and collect tolls or other charges for travel on any such facilities. *Effective July 1, 2013, and notwithstanding any other law to the contrary, the department may not enter into a lease-purchase agreement with an expressway authority, regional transportation authority, or other entity. This provision does not invalidate a lease-purchase agreement authorized under chapter 348 or chapter 2000-411, Laws of Florida, and existing as of July 1, 2013, and does not limit the department's authority under s. 334.30.*

(26) To provide for the enhancement of environmental benefits, including air and water quality; to prevent roadside erosion; to conserve the natural roadside growth and scenery; and to provide for the implementation and maintenance of roadside conservation, enhancement, and stabilization programs. No less than 1.5 percent of the amount contracted for construction projects shall be allocated by the department on a statewide basis for the purchase of plant materials. Department districts may not expend funds for landscaping in connection with any project that is limited to resurfacing existing lanes unless the expenditure has been approved by the department's secretary or the secretary's designee. To the greatest extent practical, a minimum of 50 percent of the funds allocated under this subsection shall be allocated for large plant materials and the remaining funds for other plant materials. *Except as prohibited by applicable federal law or regulation, all plant materials shall be purchased from Florida commercial nursery stock in this state on a uniform competitive bid basis. The department shall develop grades and standards for landscaping materials purchased through this process. To accomplish these activities, the department may contract with nonprofit organizations having the primary purpose of developing youth employment opportunities.*

(33) To develop, in coordination with its partners and stakeholders, a Freight Mobility and Trade Plan to assist in making freight mobility investments that contribute to the economic growth of the state. Such plan should enhance the integration and connectivity of the transportation system across and between transportation modes throughout the state. The department shall deliver the Freight Mobility and Trade Plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by ~~December~~ *July 1, 2013.*

(a) The Freight Mobility and Trade Plan shall include, but need not be limited to, proposed policies and investments that promote the following:

1. Increasing the flow of domestic and international trade through the state's seaports and airports, including specific policies and investments that will recapture cargo currently shipped through seaports and airports located outside the state.

2. Increasing the development of intermodal logistic centers in the state, including specific strategies, policies, and investments that capitalize on the empty backhaul trucking and rail market in the state.

3. Increasing the development of manufacturing industries in the state, including specific policies and investments in transportation facilities that will promote the successful development and expansion of manufacturing facilities.

4. Increasing the implementation of compressed natural gas (CNG), liquefied natural gas (LNG), and propane energy policies that reduce transportation costs for businesses and residents located in the state.

5. *The development of strategic plans or policies which encourage the grouping of activities and infrastructure associated with freight transportation and related services within designated areas or zones around or contiguous to an intermodal logistic center.*

(b) Freight issues and needs shall also be given emphasis in all appropriate transportation plans, including the Florida Transportation Plan and the Strategic Intermodal System Plan.

Section 12. Section 335.06, Florida Statutes, is amended to read:

335.06 Access roads to the state park system.—~~A~~ *Any road that which provides access to property within the state park system must shall be maintained by the department if the road is a part of the State Highway System and may be improved and maintained by the department if the road is part of a county road system or city street system. If the department does not maintain a county or city road that is a part of the county road system or the city street system and that provides access to the state park system, the road must or shall be maintained by the appropriate county or municipality if the road is a part of the county road system or the city street system.*

Section 13. Subsection (13) of section 337.11, Florida Statutes, is amended to read:

337.11 Contracting authority of department; bids; emergency repairs, supplemental agreements, and change orders; combined design and construction contracts; progress payments; records; requirements of vehicle registration.—

(13) Each contract let by the department for the performance of road or bridge construction or maintenance work shall ~~require contain a provision requiring the contractor to provide proof to the department, in the form of a notarized affidavit from the contractor, that all motor vehicles that the contractor he or she operates or causes to be operated in this state to be are~~ registered in compliance with chapter 320.

Section 14. Subsection (1) of section 337.14, Florida Statutes, is amended to read:

337.14 Application for qualification; certificate of qualification; restrictions; request for hearing.—

(1) ~~A~~ *Any person who desires desiring* to bid for the performance of any construction contract ~~with a proposed budget estimate in excess of \$250,000 which the department proposes to let must first be certified by the department as qualified pursuant to this section and rules of the department. The rules of the department must shall~~ address the qualification of a person ~~persons~~ to bid on construction contracts ~~with a proposed budget estimate that is in excess of \$250,000 and must shall~~ include requirements with respect to the equipment, past record, experience, financial resources, and organizational personnel of the applicant necessary to perform the specific class of work for which the person seeks certification. The department may limit the dollar amount of any contract upon which a person is qualified to bid or the aggregate total dollar volume of contracts such person ~~may is allowed to~~ have under contract at any one time. Each applicant ~~who seeks seeking~~ qua-

lification to bid on construction contracts *with a proposed budget estimate* in excess of \$250,000 ~~must shall~~ furnish the department a statement under oath, on such forms as the department may prescribe, setting forth detailed information as required on the application. Each application for certification ~~must shall~~ be accompanied by the latest annual financial statement of the applicant completed within the last 12 months. If the application or the annual financial statement shows the financial condition of the applicant more than 4 months ~~before prior to~~ the date on which the application is received by the department, ~~then~~ an interim financial statement must be submitted and be accompanied by an updated application. The interim financial statement must cover the period from the end date of the annual statement and must show the financial condition of the applicant no more than 4 months ~~before prior to~~ the date the interim financial statement is received by the department. However, upon request by the applicant, an application and accompanying annual or interim financial statement received by the department within 15 days after either 4-month period *provided pursuant to* ~~under~~ this subsection ~~must shall~~ be considered timely. Each required annual or interim financial statement must be audited and accompanied by the opinion of a certified public accountant. An applicant desiring to bid exclusively for the performance of construction contracts with proposed budget estimates of less than \$1 million may submit reviewed annual or reviewed interim financial statements prepared by a certified public accountant. The information required by this subsection is confidential and exempt from the provisions of s. 119.07(1). The department shall act upon the application for qualification within 30 days after the department determines that the application is complete. The department may waive the requirements of this subsection for projects having a contract price of \$500,000 or less if the department determines that the project is of a noncritical nature and the waiver will not endanger public health, safety, or property.

Section 15. Subsection (2) of section 337.168, Florida Statutes, is amended to read:

337.168 Confidentiality of official estimates, identities of potential bidders, and bid analysis and monitoring system.—

(2) A document ~~that reveals revealing~~ the identity of a person who ~~has persons who have~~ requested or obtained a bid package, plan, packages, plans, or specifications pertaining to any project to be let by the department is confidential and exempt from the provisions of s. 119.07(1) for the period ~~that which~~ begins 2 working days ~~before prior to~~ the deadline for obtaining bid packages, plans, or specifications and ends with the letting of the bid. A document ~~that reveals the identity of a person who has requested or obtained a bid package, plan, or specifications pertaining to any project to be let by the department before the 2 working days before the deadline for obtaining bid packages, plans, or specifications remains a public record subject to the provisions of s. 119.07(1).~~

Section 16. Section 337.25, Florida Statutes, is amended to read:

337.25 Acquisition, lease, and disposal of real and personal property.—

(1)(a) The department may purchase, lease, exchange, or otherwise acquire any land, property interests, or buildings or other improvements, including personal property within such buildings or on such lands, necessary to secure or utilize transportation rights-of-way for existing, proposed, or anticipated transportation facilities on the State Highway System, on the State Park Road System, in a rail corridor, or in a transportation corridor designated by the department. Such property shall be held in the name of the state.

(b) The department may accept donations of any land or buildings or other improvements, including personal property within such buildings or on such lands with or without such conditions, reservations, or reverter provisions as are acceptable to the department. Such donations may be used as transportation rights-of-way or to secure or utilize transportation rights-of-way for existing, proposed, or anticipated transportation facilities on the State Highway System, on the State Park Road System, or in a transportation corridor designated by the department.

(c) When lands, buildings, or other improvements are needed for transportation purposes, but are held by a federal, state, or local governmental entity and utilized for public purposes other than transpor-

tation, the department may compensate the entity for such properties by providing functionally equivalent replacement facilities. The providing of replacement facilities under this subsection may only be undertaken with the agreement of the governmental entity affected.

(d) *The department may contract pursuant to s. 287.055 for auction services used in the conveyance of real or personal property or the conveyance of leasehold interests under the provisions of subsections (4) and (5). The contract may allow for the contractor to retain a portion of the proceeds as compensation for the contractor's services.*

(2) A complete inventory shall be made of all real or personal property immediately upon possession or acquisition. Such inventory shall include ~~a statement of the location or site of each piece of realty, structure, or severable item; an itemized listing of all appliances, fixtures, and other severable items; a statement of the location or site of each piece of realty, structure, or severable item; and the serial number assigned to each.~~ Copies of each inventory shall be filed in the district office in which the property is located. Such inventory shall be carried forward to show the final disposition of each item of property, both real and personal.

(3) The inventory of real property which was acquired by the state after December 31, 1988, which has been owned by the state for 10 or more years, and which is not within a transportation corridor or within the right-of-way of a transportation facility shall be evaluated to determine the necessity for retaining the property. If the property is not needed for the construction, operation, and maintenance of a transportation facility, or is not located within a transportation corridor, the department may dispose of the property pursuant to subsection (4).

(4) The department may ~~convey sell~~, in the name of the state, any land, building, or other property, real or personal, which was acquired under the provisions of subsection (1) and which the department has determined is not needed for the construction, operation, and maintenance of a transportation facility. ~~With the exception of any parcel governed by paragraph (c), paragraph (d), paragraph (f), paragraph (g), or paragraph (i), the department shall afford first right of refusal to the local government in the jurisdiction of which the parcel is situated.~~ When such a determination has been made, property may be disposed of through negotiations, sealed competitive bids, auctions, or any other means the department deems to be in its best interest, with due advertisement for property valued by the department at greater than \$10,000. A sale may not occur at a price less than the department's current estimate of value, except as provided in paragraphs (a)-(d). The department may afford a right of first refusal to the local government or other political subdivision in the jurisdiction in which the parcel is situated, except in conveyances transacted under paragraph (a), paragraph (c), or paragraph (e). ~~in the following manner:~~

(a) If the ~~value of the property has been donated to the state for transportation purposes and a facility has not been constructed for a period of at least 5 years, plans have not been prepared for the construction of such facility, and the property is not located in a transportation corridor, the governmental entity may authorize reconveyance of the donated property for no consideration to the original donor or the donor's heirs, successors, assigns, or representatives is \$10,000 or less as determined by department estimate, the department may negotiate the sale.~~

(b) If ~~the value of the property is to be used for a public purpose, the property may be conveyed without consideration to a governmental entity exceeds \$10,000 as determined by department estimate, such property may be sold to the highest bidder through receipt of sealed competitive bids, after due advertisement, or by public auction held at the site of the improvement which is being sold.~~

(c) If ~~the property was originally acquired specifically to provide replacement housing for persons displaced by transportation projects, the department may negotiate for the sale of such property as replacement housing. As compensation, the state shall receive no less than its investment in such property or the department's current estimate of value, whichever is lower. It is expressly intended that this benefit be extended only to persons actually displaced by the project. Dispositions to any other person must be for no less than the department's current estimate of value; in the discretion of the department, public sale would be inequitable, properties may be sold by negotiation to the owner holding title to the property abutting the property to be sold, provided such sale is at a negotiated price not less than fair market value as determined by an~~

independent appraisal, the cost of which shall be paid by the owner of the abutting land. If negotiations do not result in the sale of the property to the owner of the abutting land and the property is sold to someone else, the cost of the independent appraisal shall be borne by the purchaser; and the owner of the abutting land shall have the cost of the appraisal refunded to him or her. If, however, no purchase takes place, the owner of the abutting land shall forfeit the sum paid by him or her for the independent appraisal. If, due to action of the department, the property is removed from eligibility for sale, the cost of any appraisal prepared shall be refunded to the owner of the abutting land.

(d) If the department determines that the property will require significant costs to be incurred or that continued ownership of the property exposes the department to significant liability risks, the department may use the projected maintenance costs over the next 10 years to offset the property's value in establishing a value for disposal of the property, even if that value is zero. ~~property acquired for use as a borrow pit is no longer needed, the department may sell such property to the owner of the parcel of abutting land from which the borrow pit was originally acquired, provided the sale is at a negotiated price not less than fair market value as determined by an independent appraisal, the cost of which shall be paid by the owner of such abutting land.~~

(e) If, in the discretion of the department, a sale to anyone other than an abutting property owner would be inequitable, the property may be sold to the abutting owner for the department's current estimate of value. ~~the department begins the process for disposing of the property on its own initiative, either by negotiation under the provisions of paragraph (a), paragraph (c), paragraph (d), or paragraph (i), or by receipt of sealed competitive bids or public auction under the provisions of paragraph (b) or paragraph (i), a department staff appraiser may determine the fair market value of the property by an appraisal.~~

(f) ~~Any property which was acquired by a county or by the department using constitutional gas tax funds for the purpose of a right of way or borrow pit for a road on the State Highway System, State Park Road System, or county road system and which is no longer used or needed by the department may be conveyed without consideration to that county. The county may then sell such surplus property upon receipt of competitive bids in the same manner prescribed in this section.~~

(g) ~~If a property has been donated to the state for transportation purposes and the facility has not been constructed for a period of at least 5 years and no plans have been prepared for the construction of such facility and the property is not located in a transportation corridor, the governmental entity may authorize reconveyance of the donated property for no consideration to the original donor or the donor's heirs, successors, assigns, or representatives.~~

(h) ~~If property is to be used for a public purpose, the property may be conveyed without consideration to a governmental entity.~~

(i) ~~If property was originally acquired specifically to provide replacement housing for persons displaced by transportation projects, the department may negotiate for the sale of such property as replacement housing. As compensation, the state shall receive no less than its investment in such properties or fair market value, whichever is lower. It is expressly intended that this benefit be extended only to those persons actually displaced by such project. Dispositions to any other persons must be for fair market value.~~

(j) ~~If the department determines that the property will require significant costs to be incurred or that continued ownership of the property exposes the department to significant liability risks, the department may use the projected maintenance costs over the next 5 years to offset the market value in establishing a value for disposal of the property, even if that value is zero.~~

(5) The department may convey a leasehold interest for commercial or other purposes, in the name of the state, to any land, building, or other property, real or personal, which was acquired under the provisions of subsection (1). *However, a lease may not be entered into at a price less than the department's current estimate of value.*

(a) *A lease may be through negotiations, sealed competitive bids, auctions, or any other means the department deems to be in its best interest. The department may negotiate such a lease at the prevailing market value with the owner from whom the property was acquired;*

with the holders of leasehold estates existing at the time of the department's acquisition; or, if public bidding would be inequitable, with the owner holding title to privately owned abutting property, if reasonable notice is provided to all other owners of abutting property. The department may allow an outdoor advertising sign to remain on the property acquired, or be relocated on department property, and such sign shall not be considered a nonconforming sign pursuant to chapter 479.

(b) *If, in the discretion of the department, a lease to a person other than an abutting property owner or tenant with a leasehold interest in the abutting property would be inequitable, the property may be leased to the abutting owner or tenant for no less than the department's current estimate of value. All other leases shall be by competitive bid.*

(c) No lease signed pursuant to paragraph (a) ~~or paragraph (b)~~ shall be for a period of more than 5 years; however, the department may renegotiate or extend such a lease for an additional term of 5 years *as the department deems appropriate without rebidding.*

(d) Each lease shall provide that, *unless otherwise directed by the lessor*, any improvements made to the property during the term of the lease shall be removed at the lessee's expense.

(e) If property is to be used for a public purpose, ~~including a fair, art show, or other educational, cultural, or fundraising activity~~, the property may be leased without consideration to a governmental entity ~~or school board~~. *A lease for a public purpose is exempt from the term limits in paragraph (c).*

(f) Paragraphs (c) and (e) ~~(d)~~ do not apply to leases entered into pursuant to s. 260.0161(3), except as provided in such a lease.

(g) No lease executed under this subsection may be utilized by the lessee to establish the ~~4 years'~~ standing required by s. 73.071(3)(b) if the business had not been established *for the specified number of 4 years* on the date title passed to the department.

(h) The department may enter into a long-term lease without compensation with a public port listed in s. 403.021(9)(b) for rail corridors used for the operation of a short-line railroad to the port.

(6) Nothing in this chapter prevents the joint use of right-of-way for alternative modes of transportation; provided that the joint use does not impair the integrity and safety of the transportation facility.

(7) *The department's estimate of value, required by subsections (4) and (5), shall be prepared in accordance with department procedures, guidelines, and rules for valuation of real property. If the value of the property exceeds \$50,000, as determined by the department estimate, the sale or lease must be at a negotiated price not less than the estimate of value as determined by an appraisal prepared in accordance with department procedures, guidelines, and rules for valuation of real property, the cost of which shall be paid by the party seeking the purchase or lease of the property. appraisal required by paragraphs (4)(c) and (d) shall be prepared in accordance with department guidelines and rules by an independent appraiser who has been certified by the department. If federal funds were used in the acquisition of the property, the appraisal shall also be subject to the approval of the Federal Highway Administration.*

(8) A "due advertisement" under this section is an advertisement in a newspaper of general circulation in the area of the improvements of not less than 14 calendar days prior to the date of the receipt of bids or the date on which a public auction is to be held.

(9) The department, with the approval of the Chief Financial Officer, is authorized to disburse state funds for real estate closings in a manner consistent with good business practices and in a manner minimizing costs and risks to the state.

(10) The department is authorized to purchase title insurance in those instances where it is determined that such insurance is necessary to protect the public's investment in property being acquired for transportation purposes. The department shall adopt procedures to be followed in making the determination to purchase title insurance for a particular parcel or group of parcels which, at a minimum, shall set forth criteria which the parcels must meet.

(11) *This section does not modify the requirements of s. 73.013.*



Section 17. Subsection (2) of section 337.251, Florida Statutes, is amended to read:

337.251 Lease of property for joint public-private development and areas above or below department property.—

(2) The department may request proposals for the lease of such property or, if the department receives a proposal for ~~to negotiate~~ a lease of a particular department property that the department desires to consider, the department ~~must~~ ~~it shall~~ publish a notice in a newspaper of general circulation at least once a week for 2 weeks, stating that it has received the proposal and will accept, for 120 ~~60~~ days after the date of publication, other proposals for lease of the particular property ~~use of the space~~. A copy of the notice must be mailed to each local government in the affected area. ~~The department shall, by rule, establish an application fee for the submission of proposals pursuant to this section. The fee must be sufficient to pay the anticipated costs of evaluating the proposals. The department may engage the services of private consultants to assist in the evaluation. Before approval, the department must determine that the proposed lease:~~

- (a) *Is in the public's best interest;*
- (b) *Does not require state funds to be used; and*
- (c) *Has adequate safeguards in place to ensure that no additional costs are borne and no service disruptions are experienced by the traveling public and residents of the state in the event of default by the private lessee or upon termination or expiration of the lease.*

Section 18. Paragraphs (h) and (i) are added to subsection (1), and subsection (1) of section 337.403, Florida Statutes, is further amended to read:

337.403 Interference caused by ~~relocation of~~ utility; expenses.—

(1) If a utility that is placed upon, under, over, or along any public road or publicly owned rail corridor is found by the authority to be unreasonably interfering in any way with the convenient, safe, or continuous use, or the maintenance, improvement, extension, or expansion, of such public road or publicly owned rail corridor, the utility owner shall, upon 30 days' written notice to the utility or its agent by the authority, initiate the work necessary to alleviate the interference at its own expense except as provided in paragraphs (a)-(i) ~~(g)~~. The work must be completed within such reasonable time as stated in the notice or such time as agreed to by the authority and the utility owner.

(a) If the relocation of utility facilities, as referred to in s. 111 of the Federal-Aid Highway Act of 1956, Pub. L. No. 627 of the 84th Congress, is necessitated by the construction of a project on the federal-aid interstate system, including extensions thereof within urban areas, and the cost of the project is eligible and approved for reimbursement by the Federal Government to the extent of 90 percent or more under the Federal Aid Highway Act, or any amendment thereof, then in that event the utility owning or operating such facilities shall perform any necessary work upon notice from the department, and the state shall pay the entire expense properly attributable to such work after deducting therefrom any increase in the value of a new facility and any salvage value derived from an old facility.

(b) When a joint agreement between the department and the utility is executed for utility work to be accomplished as part of a contract for construction of a transportation facility, the department may participate in those utility work costs that exceed the department's official estimate of the cost of the work by more than 10 percent. The amount of such participation shall be limited to the difference between the official estimate of all the work in the joint agreement plus 10 percent and the amount awarded for this work in the construction contract for such work. The department may not participate in any utility work costs that occur as a result of changes or additions during the course of the contract.

(c) When an agreement between the department and utility is executed for utility work to be accomplished in advance of a contract for construction of a transportation facility, the department may participate in the cost of clearing and grubbing necessary to perform such work.

(d) If the utility facility was initially installed to exclusively serve the authority or its tenants, or both, the authority shall bear the costs of the utility work. However, the authority is not responsible for the cost of

utility work related to any subsequent additions to that facility for the purpose of serving others. *For a county or municipality, if such utility facility was installed in the right-of-way as a means to serve a county or municipal facility on a parcel of property adjacent to the right-of-way, and the intended use of the county or municipal facility is for other than transportation purposes, the obligation of the county or municipality to bear the costs of the utility work shall extend only to utility work on the parcel of property on which the facility of the county or municipality originally served by the utility facility is located.*

(e) If, under an agreement between a utility and the authority entered into after July 1, 2009, the utility conveys, subordinates, or relinquishes a compensable property right to the authority for the purpose of accommodating the acquisition or use of the right-of-way by the authority, without the agreement expressly addressing future responsibility for the cost of necessary utility work, the authority shall bear the cost of removal or relocation. This paragraph does not impair or restrict, and may not be used to interpret, the terms of any such agreement entered into before July 1, 2009.

(f) If the utility is an electric facility being relocated underground in order to enhance vehicular, bicycle, and pedestrian safety and in which ownership of the electric facility to be placed underground has been transferred from a private to a public utility within the past 5 years, the department shall incur all costs of the necessary utility work.

(g) An authority may bear the costs of utility work required to eliminate an unreasonable interference when the utility is not able to establish that it has a compensable property right in the particular property where the utility is located if:

1. The utility was physically located on the particular property before the authority acquired rights in the property;

2. The utility demonstrates that it has a compensable property right in ~~an~~ adjacent properties along the alignment of the utility *or, after due diligence, certifies that the utility does not have evidence to prove or disprove that it has a compensable property right in the particular property where the utility is located;* and

3. The information available to the authority does not establish the relative priorities of the authority's and the utility's interests in the particular property.

(h) *If the relocation of utility facilities is necessitated by the construction of a commuter rail service project or an inter-city passenger rail service project and the cost of the project is eligible and approved for reimbursement by the Federal Government, then in that event the utility owning or operating such facilities located by permit on a department-owned rail corridor shall perform any necessary utility relocation work upon notice from the department, and the department shall pay the expense properly attributable to such utility relocation work in the same proportion as Federal funds are expended on the commuter rail service project or an inter-city passenger rail service project after deducting therefrom any increase in the value of a new facility and any salvage value derived from an old facility. In no event shall the state be required to use state dollars for such utility relocation work. This subsection shall not apply to any phase of the Central Florida Rail Corridor project known as SunRail.*

(i) *If a city or county owned utility is located in a rural area of critical economic concern, designated pursuant to s. 288.0656, and the department's comptroller determines that the utility is not able, and will not within the following 10 years be able, to pay for the cost of utility work necessitated by a department project on the State Highway System, the department may pay the cost of such utility work performed by the department or the department's contractor, in whole or in part.*

Section 19. Subsection (5) of section 338.161, Florida Statutes, is amended to read:

338.161 Authority of department or toll agencies to advertise and promote electronic toll collection; expanded uses of electronic toll collection system; authority of department to collect tolls, fares, and fees for private and public entities.—

(5) If the department finds that it can increase nontoll revenues or add convenience or other value for its customers, and if a public or pri-

vate transportation facility owner agrees that its facility will become interoperable with the department's electronic toll collection and video billing systems, the department ~~may be authorized to enter into an agreement with the owner of such facility under which the department uses private or public entities for the department's use of its electronic toll collection and video billing systems to collect and enforce for the owner tolls, fares, administrative fees, and other applicable charges due imposed in connection with use of the owner's facility transportation facilities of the private or public entities that become interoperable with the department's electronic toll collection system.~~ The department may modify its rules regarding toll collection procedures and the imposition of administrative charges to be applicable to toll facilities that are not part of the turnpike system or otherwise owned by the department. This subsection may not be construed to limit the authority of the department under any other provision of law or under any agreement entered into before ~~prior to~~ July 1, 2012.

Section 20. Subsection (4) of section 338.165, Florida Statutes, is amended to read:

338.165 Continuation of tolls.—

(4) Notwithstanding any other law to the contrary, pursuant to s. 11, Art. VII of the State Constitution, and subject to the requirements of subsection (2), the Department of Transportation may request the Division of Bond Finance to issue bonds secured by toll revenues collected on the Alligator Alley, the Sunshine Skyway Bridge, ~~the Bee Line East Expressway, the Navarre Bridge, and the Pinellas Bayway to fund transportation projects located within the county or counties in which the revenue-producing project is located and contained in the adopted work program of the department.~~

Section 21. Subsections (3) and (4) of section 338.26, Florida Statutes, are amended to read:

338.26 Alligator Alley toll road.—

(3) Fees generated from tolls shall be deposited in the State Transportation Trust Fund, and any amount of funds generated annually in excess of that required to reimburse outstanding contractual obligations, to operate and maintain the highway and toll facilities, including reconstruction and restoration, to pay for those projects that are funded with Alligator Alley toll revenues and that are contained in the 1993-1994 adopted work program or the 1994-1995 tentative work program submitted to the Legislature on February 22, 1994, and to ~~design and construct~~ ~~develop and operate~~ a fire station at mile marker 63 on Alligator Alley, ~~which may be used by Collier County or other appropriate local governmental entity to provide fire, rescue, and emergency management services to the adjacent counties along Alligator Alley, may be transferred to the Everglades Fund of the South Florida Water Management District in accordance with the memorandum of understanding of June 30, 1997, between the district and the department.~~ The South Florida Water Management District shall deposit funds for projects undertaken pursuant to s. 373.4592 in the Everglades Trust Fund pursuant to s. 373.4592(4)(a). Any funds remaining in the Everglades Fund may be used for environmental projects to restore the natural values of the Everglades, subject to compliance with any applicable federal laws and regulations. Projects ~~must~~ ~~shall~~ be limited to:

(a) Highway redesign to allow for improved sheet flow of water across the southern Everglades.

(b) Water conveyance projects to enable more water resources to reach Florida Bay to replenish marine estuary functions.

(c) Engineering design plans for wastewater treatment facilities as recommended in the Water Quality Protection Program Document for the Florida Keys National Marine Sanctuary.

(d) Acquisition of lands to move STA 3/4 out of the Toe of the Boot, provided such lands are located within 1 mile of the northern border of STA 3/4.

(e) Other Everglades Construction Projects as described in the February 15, 1994, conceptual design document.

(4) ~~The district may issue revenue bonds or notes under s. 373.584 and pledge the revenue from the transfers from the Alligator Alley toll revenues as security for such bonds or notes. The proceeds from such~~

~~revenue bonds or notes shall be used for environmental projects; at least 50 percent of said proceeds must be used for projects that benefit Florida Bay, as described in this section subject to resolutions approving such activity by the Board of Trustees of the Internal Improvement Trust Fund and the governing board of the South Florida Water Management District and the remaining proceeds must be used for restoration activities in the Everglades Protection Area.~~

Section 22. Subsections (2) through (4) of section 339.175, Florida Statutes, are amended to read:

339.175 Metropolitan planning organization.—

(2) DESIGNATION.—

(a)1. An M.P.O. shall be designated for each urbanized area of the state; however, this does not require that an individual M.P.O. be designated for each such area. ~~The M.P.O. Such~~ designation shall be accomplished by agreement between the Governor and units of general-purpose local government ~~that together represent representing~~ at least 75 percent of the population, ~~including the largest incorporated municipality, based on population, of the urbanized area; however, the unit of general-purpose local government that represents the central city or cities within the M.P.O. jurisdiction, as named defined by the United States Bureau of the Census, must be a party to such agreement.~~

2. To the extent possible, only one M.P.O. shall be designated for each urbanized area or group of contiguous urbanized areas. More than one M.P.O. may be designated within an existing urbanized area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing urbanized area makes the designation of more than one M.P.O. for the area appropriate.

(b) Each M.P.O. designated in a manner prescribed by Title 23 of the United States Code shall be created and operated under the provisions of this section pursuant to an interlocal agreement entered into pursuant to s. 163.01. The signatories to the interlocal agreement shall be the department and the governmental entities designated by the Governor for membership on the M.P.O. Each M.P.O. shall be considered separate from the state or the governing body of a local government that is represented on the governing board of the M.P.O. or that is a signatory to the interlocal agreement creating the M.P.O. and shall have such powers and privileges that are provided under s. 163.01. If there is a conflict between this section and s. 163.01, this section prevails.

(c) The jurisdictional boundaries of an M.P.O. shall be determined by agreement between the Governor and the applicable M.P.O. The boundaries must include at least the metropolitan planning area, which is the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period, and may encompass the entire metropolitan statistical area or the consolidated metropolitan statistical area.

(d) In the case of an urbanized area designated as a nonattainment area for ozone or carbon monoxide under the Clean Air Act, 42 U.S.C. ss. 7401 et seq., the boundaries of the metropolitan planning area in existence as of the date of enactment of this paragraph shall be retained, except that the boundaries may be adjusted by agreement of the Governor and affected metropolitan planning organizations in the manner described in this section. If more than one M.P.O. has authority within a metropolitan area or an area that is designated as a nonattainment area, each M.P.O. shall consult with other M.P.O.'s designated for such area and with the state in the coordination of plans and programs required by this section.

(e) The governing body of the M.P.O. shall designate, at a minimum, a chair, vice chair, and agency clerk. The chair and vice chair shall be selected from among the member delegates comprising the governing board. The agency clerk shall be charged with the responsibility of preparing meeting minutes and maintaining agency records. The clerk shall be a member of the M.P.O. governing board, an employee of the M.P.O., or other natural person.

Each M.P.O. required under this section must be fully operative no later than 6 months following its designation.

(3) VOTING MEMBERSHIP.—

(a) The voting membership of an M.P.O. shall consist of not fewer than 5 or more than 19 apportioned members, the exact number to be determined on an equitable geographic-population ratio ~~basis by the Governor~~, based on an agreement among the affected units of general-purpose local government ~~and the Governor as required by federal rules and regulations. The voting membership of an M.P.O. that is re-designated after the effective date of this act as a result of the expansion of the M.P.O. to include a new urbanized area or the consolidation of two or more M.P.O.'s may consist of no more than 25 members.~~ The Governor, in accordance with 23 U.S.C. s. 134, may also provide for M.P.O. members who represent municipalities to alternate with representatives from other municipalities within the metropolitan planning area that do not have members on the M.P.O. County commission members shall compose not less than one-third of the M.P.O. membership, except for an M.P.O. with more than 15 members located in a county with a 5-member county commission or an M.P.O. with 19 members located in a county with no more than 6 county commissioners, in which case county commission members may compose less than one-third percent of the M.P.O. membership, but all county commissioners must be members. All voting members shall be elected officials of general-purpose local governments, except that an M.P.O. may include, as part of its apportioned voting members, a member of a statutorily authorized planning board, an official of an agency that operates or administers a major mode of transportation, or an official of Space Florida. As used in this section, the term "elected officials of a general-purpose local government" ~~excludes shall exclude~~ constitutional officers, including sheriffs, tax collectors, supervisors of elections, property appraisers, clerks of the court, and similar types of officials. County commissioners shall compose not less than 20 percent of the M.P.O. membership if an official of an agency that operates or administers a major mode of transportation has been appointed to an M.P.O.

(b) In metropolitan areas in which authorities or other agencies have been or may be created by law to perform transportation functions and are performing transportation functions that are not under the jurisdiction of a general-purpose local government represented on the M.P.O., they ~~may shall~~ be provided voting membership on the M.P.O. In all other M.P.O.'s where transportation authorities or agencies are to be represented by elected officials from general-purpose local governments, the M.P.O. shall establish a process by which the collective interests of such authorities or other agencies are expressed and conveyed.

(c) Any other provision of this section to the contrary notwithstanding, a chartered county with a population of more than ~~over~~ 1 million ~~population~~ may elect to reapportion the membership of an M.P.O. whose jurisdiction is wholly within the county. The charter county may exercise the provisions of this paragraph if:

1. The M.P.O. approves the reapportionment plan by a three-fourths vote of its membership;
2. The M.P.O. and the charter county determine that the reapportionment plan is needed to fulfill specific goals and policies applicable to that metropolitan planning area; and
3. The charter county determines the reapportionment plan otherwise complies with all federal requirements pertaining to M.P.O. membership.

A ~~Any~~ charter county that elects to exercise the provisions of this paragraph shall notify the Governor in writing.

(d) Any other provision of this section to the contrary notwithstanding, a ~~any~~ county chartered under s. 6(e), Art. VIII of the State Constitution may elect to have its county commission serve as the M.P.O., if the M.P.O. jurisdiction is wholly contained within the county. A ~~Any~~ charter county that elects to exercise the provisions of this paragraph shall so notify the Governor in writing. Upon receipt of ~~the such~~ notification, the Governor must designate the county commission as the M.P.O. The Governor must appoint four additional voting members to the M.P.O., one of whom must be an elected official representing a municipality within the county, one of whom must be an expressway authority member, one of whom must be a person who does not hold elected public office and who resides in the unincorporated portion of the county, and one of whom must be a school board member.

#### (4) APPORTIONMENT.—

(a) ~~Each M.P.O. in the state shall review the composition of its membership in conjunction with the decennial census, as prepared by the United States Department of Commerce, Bureau of the Census, and, with the agreement of the affected units of general-purpose local government and the Governor, reapportion the membership as necessary to comply with subsection (3). The Governor shall, with the agreement of the affected units of general-purpose local government as required by federal rules and regulations, apportion the membership on the applicable M.P.O. among the various governmental entities within the area.~~

(b) At the request of a majority of the affected units of general-purpose local government comprising an M.P.O., the Governor and a majority of units of general-purpose local government serving on an M.P.O. shall cooperatively agree upon and prescribe who may serve as an alternate member and a method for appointing alternate members who may vote at any M.P.O. meeting that an alternate member attends in place of a regular member. The method ~~must shall~~ be set forth as a part of the interlocal agreement describing the M.P.O.'s membership or in the M.P.O.'s operating procedures and bylaws. The governmental entity so designated shall appoint the appropriate number of members to the M.P.O. from eligible officials. Representatives of the department shall serve as nonvoting advisers to the M.P.O. governing board. Additional nonvoting advisers may be appointed by the M.P.O. as deemed necessary; however, to the maximum extent feasible, each M.P.O. shall seek to appoint nonvoting representatives of various multimodal forms of transportation not otherwise represented by voting members of the M.P.O. An M.P.O. shall appoint nonvoting advisers representing major military installations located within the jurisdictional boundaries of the M.P.O. upon the request of the aforesaid major military installations and subject to the agreement of the M.P.O. All nonvoting advisers may attend and participate fully in governing board meetings but may not vote or be members of the governing board. ~~The Governor shall review the composition of the M.P.O. membership in conjunction with the decennial census as prepared by the United States Department of Commerce, Bureau of the Census, and reapportion it as necessary to comply with subsection (3).~~

(c)~~(b)~~ Except for members who represent municipalities on the basis of alternating with representatives from other municipalities that do not have members on the M.P.O. as provided in paragraph (3)(a), the members of an M.P.O. shall serve 4-year terms. Members who represent municipalities on the basis of alternating with representatives from other municipalities that do not have members on the M.P.O. as provided in paragraph (3)(a) may serve terms of up to 4 years as further provided in the interlocal agreement described in paragraph (2)(b). The membership of a member who is a public official automatically terminates upon the member's leaving his or her elective or appointive office for any reason, or may be terminated by a majority vote of the total membership of the entity's governing board represented by the member. A vacancy shall be filled by the original appointing entity. A member may be reapportioned for one or more additional 4-year terms.

(d)~~(c)~~ If a governmental entity fails to fill an assigned appointment to an M.P.O. within 60 days after notification by the Governor of its duty to appoint, that appointment ~~must shall~~ be made by the Governor from the eligible representatives of that governmental entity.

Section 23. Paragraph (a) of subsection (1) and subsections (4) and (5) of section 339.2821, Florida Statutes, are amended to read:

339.2821 Economic development transportation projects.—

(1)(a) The department, in consultation with the Department of Economic Opportunity and Enterprise Florida, Inc., may make and approve expenditures and contract with the appropriate governmental body for the direct costs of transportation projects. The Department of Economic Opportunity and the Department of Environmental Protection may formally review and comment on recommended transportation projects, although the department has final approval authority for any project authorized under this section.

(4) A contract between the department and a governmental body for a transportation project must:

(a) Specify that the transportation project is for the construction of a new or expanding business and specify the number of full-time permanent jobs that will result from the project.

(b) Identify the governmental body and require that the governmental body award the construction of the particular transportation project to the lowest and best bidder in accordance with applicable state and federal statutes or rules unless the transportation project can be constructed using existing local governmental employees within the contract period specified by the department.

(c) Require that the governmental body provide the department with ~~quarterly~~ progress reports. Each ~~quarterly~~ progress report must contain:

1. A narrative description of the work completed and whether the work is proceeding according to the transportation project schedule;
2. A description of each change order executed by the governmental body;
3. A budget summary detailing planned expenditures compared to actual expenditures; and
4. The identity of each small or minority business used as a contractor or subcontractor.

(d) Require that the governmental body make and maintain records in accordance with accepted governmental accounting principles and practices for each progress payment made for work performed in connection with the transportation project, each change order executed by the governmental body, and each payment made pursuant to a change order. The records are subject to financial audit as required by law.

(e) Require that the governmental body, upon completion and acceptance of the transportation project, certify to the department that the transportation project has been completed in compliance with the terms and conditions of the contract between the department and the governmental body and meets the minimum construction standards established in accordance with s. 336.045.

(f) ~~Specify that the department transfer funds will not be transferred to the governmental body unless construction has begun on the facility of the not more often than quarterly, upon receipt of a request for funds from the governmental body and consistent with the needs of the transportation project. The governmental body shall expend funds received from the department in a timely manner. The department may not transfer funds unless construction has begun on the facility of a business on whose behalf the award was made. If construction of the transportation project does not begin within 4 years after the date of the initial grant award, the grant award is terminated. A contract totaling less than \$200,000 is exempt from the transfer requirement.~~

(g) Require that funds be used only on a transportation project that has been properly reviewed and approved in accordance with the criteria set forth in this section.

(h) Require that the governing board of the governmental body adopt a resolution accepting future maintenance and other attendant costs occurring after completion of the transportation project if the transportation project is constructed on a county or municipal system.

(5) For purposes of this section, Space Florida may serve as the governmental body or as the contracting agency for a ~~transportation~~ project within a spaceport territory as defined by s. 331.304.

Section 24. *Section 339.401, Florida Statutes, is repealed.*

Section 25. *Section 339.402, Florida Statutes, is repealed.*

Section 26. *Section 339.403, Florida Statutes, is repealed.*

Section 27. *Section 339.404, Florida Statutes, is repealed.*

Section 28. *Section 339.405, Florida Statutes, is repealed.*

Section 29. *Section 339.406, Florida Statutes, is repealed.*

Section 30. *Section 339.407, Florida Statutes, is repealed.*

Section 31. *Section 339.408, Florida Statutes, is repealed.*

Section 32. *Section 339.409, Florida Statutes, is repealed.*

Section 33. *Section 339.410, Florida Statutes, is repealed.*

Section 34. *Section 339.411, Florida Statutes, is repealed.*

Section 35. *Section 339.412, Florida Statutes, is repealed.*

Section 36. *Section 339.414, Florida Statutes, is repealed.*

Section 37. *Section 339.415, Florida Statutes, is repealed.*

Section 38. *Section 339.416, Florida Statutes, is repealed.*

Section 39. *Section 339.417, Florida Statutes, is repealed.*

Section 40. *Section 339.418, Florida Statutes, is repealed.*

Section 41. *Section 339.419, Florida Statutes, is repealed.*

Section 42. *Section 339.420, Florida Statutes, is repealed.*

Section 43. *Section 339.421, Florida Statutes, is repealed.*

Section 44. Paragraphs (a) and (c) of subsection (2) and paragraph (i) of subsection (7) of section 339.55, Florida Statutes, are amended to read:

339.55 State-funded infrastructure bank.—

(2) The bank may lend capital costs or provide credit enhancements for:

(a) A transportation facility project that is on the State Highway System or that provides for increased mobility on the state's transportation system or provides intermodal connectivity with airports, seaports, *spaceports*, rail facilities, and other transportation terminals, pursuant to s. 341.053, for the movement of people and goods.

(c)1. Emergency loans for damages incurred to public-use commercial deepwater seaports, public-use airports, *public-use spaceports*, and other public-use transit and intermodal facilities that are within an area that is part of an official state declaration of emergency pursuant to chapter 252 and all other applicable laws. Such loans:

a. May not exceed 24 months in duration except in extreme circumstances, for which the Secretary of Transportation may grant up to 36 months upon making written findings specifying the conditions requiring a 36-month term.

b. Require application from the recipient to the department that includes documentation of damage claims filed with the Federal Emergency Management Agency or an applicable insurance carrier and documentation of the recipient's overall financial condition.

c. Are subject to approval by the Secretary of Transportation and the Legislative Budget Commission.

2. Loans provided under this paragraph must be repaid upon receipt by the recipient of eligible program funding for damages in accordance with the claims filed with the Federal Emergency Management Agency or an applicable insurance carrier, but no later than the duration of the loan.

(7) The department may consider, but is not limited to, the following criteria for evaluation of projects for assistance from the bank:

(i) The extent to which the project will provide for connectivity between the State Highway System and airports, seaports, *spaceports*, rail facilities, and other transportation terminals and intermodal options pursuant to s. 341.053 for the increased accessibility and movement of people and goods.

Section 45. Subsection (11) of section 341.031, Florida Statutes, is amended to read:

341.031 Definitions relating to Florida Public Transit Act.—As used in ss. 341.011-341.061, the term:

(11) "Intercity bus service" means regularly scheduled bus service for the general public which operates with limited stops over fixed routes connecting two or more urban areas not in close proximity; has the capacity for transporting baggage carried by passengers; and makes meaningful connections with scheduled intercity bus service to more

distant points, if such service is available; ~~maintains scheduled information in the National Official Bus Guide; and provides package express service incidental to passenger transportation.~~

Section 46. Subsection (3) of section 341.052, Florida Statutes, is amended to read:

341.052 Public transit block grant program; administration; eligible projects; limitation.—

(3) The following limitations shall apply to the use of public transit block grant program funds:

(a) State participation in eligible capital projects shall be limited to 50 percent of the nonfederal share of such project costs.

(b) State participation in eligible public transit operating costs may not exceed 50 percent of such costs or an amount equal to the total revenue, excluding farebox, charter, and advertising revenue and federal funds, received by the provider for operating costs, whichever amount is less.

(c) No eligible public transit provider shall use public transit block grant funds to supplant local tax revenues made available to such provider for operations in the previous year; however, the Secretary of Transportation may waive this provision for public transit providers located in a county recovering from a state of emergency declared pursuant to part I of chapter 252.

(d) *Notwithstanding any law to the contrary, no eligible public transit provider or a person acting on behalf of a public transit provider shall use public transit block grant funds for a political advertisement or electioneering communication concerning an issue, referendum, or amendment, including any state question, that is subject to a vote of the electors. To the extent that a public transit provider uses other public funds in this manner, the amount of the provider's grant must be reduced by the same amount. As used in this paragraph, the term "public funds" means all moneys under the jurisdiction or control of a federal agency, the state, a county, or a municipality, including any district, authority, commission, board, or agency thereof, for any public purpose. This paragraph does not apply to any communication from a public transit provider or a person acting on behalf of a public transit provider which is not advocating a position and is limited to factual information.*

(e) The state may not give any county more than 39 percent of the funds available for distribution under this section or more than the amount that local revenue sources provide to that transit system.

Section 47. Section 341.053, Florida Statutes, is amended to read:

341.053 Intermodal Development Program; administration; eligible projects; limitations.—

(1) There is created within the Department of Transportation an Intermodal Development Program to provide for major capital investments in fixed-guideway transportation systems, access to seaports, airports, *spaceports*, and other transportation terminals, providing for the construction of intermodal or multimodal terminals; and to *plan or fund construction of airport, spaceport, seaport, transit, and rail projects that otherwise* facilitate the intermodal or multimodal movement of people and goods.

(2) *The Intermodal Development Program shall be used for projects that support statewide goals as outlined in the Florida Transportation Plan, the Strategic Intermodal System Plan, the Freight Mobility and Trade Plan, or the appropriate department modal plan. In recognition of the department's role in the economic development of this state, the department shall develop a proposed intermodal development plan to connect Florida's airports, deepwater seaports, rail systems serving both passenger and freight, and major intermodal connectors to the Strategic Intermodal System highway corridors as the primary system for the movement of people and freight in this state in order to make the intermodal development plan a fully integrated and interconnected system. The intermodal development plan must:*

(a) ~~Define and assess the state's freight intermodal network, including airports, seaports, rail lines and terminals, intercity bus lines and terminals, and connecting highways.~~

(b) ~~Prioritize statewide infrastructure investments, including the acceleration of current projects, which are found by the Freight Stakeholders Task Force to be priority projects for the efficient movement of people and freight.~~

(c) ~~Be developed in a manner that will assure maximum use of existing facilities and optimum integration and coordination of the various modes of transportation, including both government owned and privately owned resources, in the most cost effective manner possible.~~

(3) The Intermodal Development Program shall be administered by the department.

(4) The department shall review funding requests from a rail authority created pursuant to chapter 343. The department may include projects of the authorities, including planning and design, in the tentative work program.

(5) ~~No single transportation authority operating a fixed guideway transportation system, or single fixed guideway transportation system not administered by a transportation authority, receiving funds under the Intermodal Development Program shall receive more than 33 1/3 percent of the total intermodal development funds appropriated between July 1, 1990, and June 30, 2015. In determining the distribution of funds under the Intermodal Development Program in any fiscal year, the department shall assume that future appropriation levels will be equal to the current appropriation level.~~

(6) ~~The department may is authorized to~~ fund projects within the Intermodal Development Program, which are consistent, to the maximum extent feasible, with approved local government comprehensive plans of the units of local government in which the project is located. Projects that are eligible for funding under this program include *planning studies*, major capital investments in public rail and fixed-guideway transportation or *freight* facilities and systems which provide intermodal access; road, rail, intercity bus service, or fixed-guideway access to, from, or between seaports, airports, *spaceports*, *intermodal logistics centers*, and other transportation terminals; construction of intermodal or multimodal terminals, *including projects on airports, spaceports, intermodal logistics centers, or seaports which assist in the movement or transfer of people or goods*; development and construction of dedicated bus lanes; and projects which otherwise facilitate the intermodal or multimodal movement of people and goods.

Section 48. Section 341.8203, Florida Statutes, is amended to read:

341.8203 Definitions.—As used in ss. 341.8201-341.842, unless the context clearly indicates otherwise, the term:

(1) "Associated development" means property, equipment, buildings, or other related facilities which are built, installed, used, or established to provide financing, funding, or revenues for the planning, building, managing, and operation of a high-speed rail system and which are associated with or part of the rail stations. The term includes air and subsurface rights, services that provide local area network devices for transmitting data over wireless networks, parking facilities, retail establishments, restaurants, hotels, offices, advertising, or other commercial, civic, residential, or support facilities.

(2) "Communication facilities" means the communication systems related to high-speed passenger rail operations, including those which are built, installed, used, or established for the planning, building, managing, and operating of a high-speed rail system. The term includes the land; structures; improvements; rights-of-way; easements; positive train control systems; wireless communication towers and facilities that are designed to provide voice and data services for the safe and efficient operation of the high-speed rail system; voice, data, and wireless communication amenities made available to crew and passengers as part of a high-speed rail service; and any other facilities or equipment used for operation of, or the facilitation of communications for, a high-speed rail system. Owners of communication facilities may not offer voice or data service to any entity other than passengers, crew, or other persons involved in the operation of a high-speed rail system.

(3)(2) "Enterprise" means the Florida Rail Enterprise.

(4)(2) "High-speed rail system" means any high-speed fixed guideway system for transporting people or goods, which system is, by definition of

the United States Department of Transportation, reasonably expected to reach speeds of at least 110 miles per hour, including, but not limited to, a monorail system, dual track rail system, suspended rail system, magnetic levitation system, pneumatic repulsion system, or other system approved by the enterprise. The term includes a corridor, associated intermodal connectors, and structures essential to the operation of the line, including the land, structures, improvements, rights-of-way, easements, rail lines, rail beds, guideway structures, switches, yards, parking facilities, power relays, switching houses, and rail stations and also includes facilities or equipment used exclusively for the purposes of design, construction, operation, maintenance, or the financing of the high-speed rail system.

(5)(4) “Joint development” means the planning, managing, financing, or constructing of projects adjacent to, functionally related to, or otherwise related to a high-speed rail system pursuant to agreements between any person, firm, corporation, association, organization, agency, or other entity, public or private.

(6)(5) “Rail station,” “station,” or “high-speed rail station” means any structure or transportation facility that is part of a high-speed rail system designed to accommodate the movement of passengers from one mode of transportation to another at which passengers board or disembark from transportation conveyances and transfer from one mode of transportation to another.

(7) “Railroad company” means a person developing, or providing service on, a high-speed rail system.

(8)(6) “Selected person or entity” means the person or entity to whom the enterprise awards a contract to establish a high-speed rail system pursuant to ss. 341.8201-341.842.

Section 49. Paragraph (c) is added to subsection (2) of section 341.822, Florida Statutes, to read:

341.822 Powers and duties.—

(2)

(c) The enterprise shall establish a process to issue permits to railroad companies for the construction of communication facilities within a new or existing public or private high-speed rail system. The enterprise may adopt rules to administer such permits, including rules regarding the form, content, and necessary supporting documentation for permit applications; the process for submitting applications; and the application fee for a permit under s. 341.825. The enterprise shall provide a copy of a completed permit application to municipalities and counties where the high-speed rail system will be located. The enterprise shall allow each such municipality and county 30 days to provide comments to the enterprise regarding the application, including any recommendations regarding conditions that may be placed on the permit.

Section 50. Section 341.825, Florida Statutes, is created to read:

341.825 Communication facilities.—

(1) **LEGISLATIVE INTENT.**—The Legislature intends to:

(a) Establish a streamlined process to authorize the location, construction, operation, and maintenance of communication facilities within new and existing high-speed rail systems.

(b) Expedite the expansion of the high-speed rail system’s wireless voice and data coverage and capacity for the safe and efficient operation of the high-speed rail system and the safety, use, and efficiency of its crew and passengers as a critical communication facilities component.

(2) **APPLICATION SUBMISSION.**—A railroad company may submit to the enterprise an application to obtain a permit to construct communication facilities within a new or existing high-speed rail system. The application shall include an application fee limited to the amount needed to pay the anticipated cost of reviewing the application, not to exceed \$10,000, which shall be deposited into the State Transportation Trust Fund. The application must include the following information:

(a) The location of the proposed communication facilities.

(b) A description of the proposed communication facilities.

(c) Any other information reasonably required by the enterprise.

(3) **APPLICATION REVIEW.**—The enterprise shall review each application for completeness within 30 days after receipt of the application.

(a) If the enterprise determines that an application is not complete, the enterprise shall, within 30 days after the receipt of the initial application, notify the applicant in writing of any errors or omissions. An applicant shall have 30 days within which to correct the errors or omissions in the initial application.

(b) If the enterprise determines that an application is complete, the enterprise shall act upon the permit application within 60 days of the receipt of the completed application by approving in whole, approving with conditions as the enterprise deems appropriate, or denying the application, and stating the reason for issuance or denial. In determining whether an application should be approved, approved with modifications or conditions, or denied, the enterprise shall consider any comments or recommendations received from a municipality or county and the extent to which the proposed communication facilities:

1. Are located in a manner that is appropriate for the communication technology specified by the applicant.

2. Serve an existing or projected future need for communication facilities.

3. Provide sufficient wireless voice and data coverage and capacity for the safe and efficient operation of the high-speed rail system and the safety, use, and efficiency of its crew and passengers.

(c) The failure to adopt any recommendation or comment may not be a basis for challenging the issuance of a permit.

(4) **EFFECT OF PERMIT.**—

(a) A permit authorizes the permittee to locate, construct, operate, and maintain the communication facilities within a new or existing high-speed rail system, subject to the conditions set forth in the permit. Such activities are not subject to local government land use or zoning regulations.

(b) A permit may include conditions that constitute variances and exemptions from rules of the enterprise or any other agency, which would otherwise be applicable to the communication facilities within the new or existing high-speed rail system.

(c) Notwithstanding any other provisions of law, the permit shall be in lieu of any license, permit, certificate, or similar document required by any local agency.

(d) Nothing in this section is intended to impose procedures or restrictions on railroad companies that are subject to the exclusive jurisdiction of the federal Surface Transportation Board pursuant to the Interstate Commerce Commission Termination Act of 1995, 49 U.S.C. ss. 10101, et seq.

(5) **MODIFICATION OF PERMIT.**—A permit may be modified by the applicant after issuance upon the filing of a petition with the enterprise.

(a) A petition for modification must set forth the proposed modification and the factual reasons asserted for the modification.

(b) The enterprise shall act upon the petition within 30 days by approving or denying the application, and stating the reason for issuance or denial.

Section 51. Paragraph (b) of subsection (2) of section 341.840, is amended to read:

341.840 Tax exemption.—

(2)

(b) For the purposes of this section, any item or property that is within the definition of the term “associated development” in s. 341.8203(1) may not be considered part of the high-speed rail system as defined in s. 341.8203(4) ~~s. 341.8203(3)~~.

Section 52. Subsection (4) of section 343.922, Florida Statutes, is amended to read:

343.922 Powers and duties.—

(4) The authority may undertake projects or other improvements in the master plan in phases as particular projects or segments become feasible, as determined by the authority. The authority shall coordinate project planning, development, and implementation with the applicable local governments. The authority's projects that are transportation oriented shall be consistent to the maximum extent feasible with the adopted local government comprehensive plans at the time they are funded for construction. Authority projects that are not transportation oriented and meet the definition of development pursuant to s. 380.04 shall be consistent with the local comprehensive plans. In carrying out its purposes and powers, the authority may request funding and technical assistance from the department and appropriate federal and local agencies, including, but not limited to, state infrastructure bank loans; ~~advances from the Toll Facilities Revolving Trust Fund;~~ and funding and technical assistance from any other source.

Section 53. Section 348.53, Florida Statutes, is amended to read:

348.53 Purposes of the authority.—The authority is created for the purposes and shall have power to construct, reconstruct, improve, extend, repair, maintain, and operate the expressway system. It is hereby found and declared that such purposes are, in all respects, for the benefit of the people of the State of Florida, City of Tampa, and the County of Hillsborough; for the increase of their pleasure, convenience, and welfare, for the improvement of their health, to facilitate transportation, *including managed lanes and other transit supporting facilities, excluding rail or other rail related facilities*, for their recreation and commerce, and for the common defense. The authority shall be performing a public purpose and a governmental function in carrying out its corporate purpose and in exercising the powers granted herein.

Section 54. Subsections (3) and (4) of section 348.565, Florida Statutes, are amended to read:

348.565 Revenue bonds for specified projects.—The existing facilities that constitute the Tampa-Hillsborough County Expressway System are hereby approved to be refinanced by revenue bonds issued by the Division of Bond Finance of the State Board of Administration pursuant to s. 11(f), Art. VII of the State Constitution and the State Bond Act or by revenue bonds issued by the authority pursuant to s. 348.56(1)(b). In addition, the following projects of the Tampa-Hillsborough County Expressway Authority are approved to be financed or refinanced by the issuance of revenue bonds in accordance with this part and s. 11(f), Art. VII of the State Constitution:

(3) Lee Roy Selmon ~~Crosstown~~ Expressway System widening.

(4) The connector highway linking the Lee Roy Selmon ~~Crosstown~~ Expressway to Interstate 4.

Section 55. Paragraph (d) of subsection (2) of section 348.754, Florida Statutes, is amended to read:

348.754 Purposes and powers.—

(2) The authority is hereby granted, and shall have and may exercise all powers necessary, appurtenant, convenient or incidental to the carrying out of the aforesaid purposes, including, but without being limited to, the following rights and powers:

(d) To enter into and make leases for terms not exceeding 99 40 years, as ~~either~~ lessee or lessor, in order to carry out the right to lease as ~~specified set forth~~ in this part.

Section 56. Section 373.4137, Florida Statutes, is amended to read:

373.4137 Mitigation requirements for specified transportation projects.—

(1) The Legislature finds that environmental mitigation for the impact of transportation projects proposed by the Department of Transportation or a transportation authority established pursuant to chapter 348 or chapter 349 can be more effectively achieved by regional, long-range mitigation planning rather than on a project-by-project basis. It is

the intent of the Legislature that mitigation to offset the adverse effects of these transportation projects be funded by the Department of Transportation and be carried out by the use of mitigation banks and any other mitigation options that satisfy state and federal requirements *in a manner that promotes efficiency, timeliness in project delivery, and cost-effectiveness.*

(2) Environmental impact inventories for transportation projects proposed by the Department of Transportation or a transportation authority established pursuant to chapter 348 or chapter 349 shall be developed as follows:

(a) By July 1 of each year, the Department of Transportation, or a transportation authority established pursuant to chapter 348 or chapter 349 which chooses to participate in the program, shall submit to the water management districts a list of its projects in the adopted work program and an environmental impact inventory of *habitat impacts and the anticipated amount of mitigation needed to offset impacts as described in paragraph (b). The environmental impact inventory must be based on habitats addressed in the rules adopted pursuant to this part, and s. 404 of the Clean Water Act, 33 U.S.C. s. 1344, and which may be impacted by the Department of Transportation's* its plan of construction for transportation projects in the next 3 years of the tentative work program. The Department of Transportation or a transportation authority established pursuant to chapter 348 or chapter 349 may also include in its environmental impact inventory the habitat impacts *and the anticipated amount of mitigation needed for* of any future transportation project. The Department of Transportation and each transportation authority established pursuant to chapter 348 or chapter 349 may fund any mitigation activities for future projects using current year funds.

(b) The environmental impact inventory *must* ~~shall~~ include a description of ~~these~~ habitat impacts, including their location, acreage, and type; *the anticipated amount of mitigation needed based on the functional loss as determined through the Uniform Mitigation Assessment Method (UMAM) adopted in Chapter 62-345, F.A.C.; identification of the proposed mitigation option;* state water quality classification of impacted wetlands and other surface waters; any other state or regional designations for these habitats; and a list of threatened species, endangered species, and species of special concern affected by the proposed project.

(c) *Before projects are identified for inclusion in a water management district mitigation plan as described in subsection (4), the Department of Transportation must consider using credits from a permitted mitigation bank. The Department of Transportation must consider availability of suitable and sufficient mitigation bank credits within the transportation project's area, ability to satisfy commitments to regulatory and resource agencies, availability of suitable and sufficient mitigation purchased or developed through this section, ability to complete existing water management district or Department of Environmental Protection suitable mitigation sites initiated with Department of Transportation mitigation funds, and ability to satisfy state and federal requirements including long-term maintenance and liability.*

(3)(a) ~~To implement the mitigation option fund development and implementation of the mitigation plan for the projected impacts identified in the environmental impact inventory described in subsection (2), the Department of Transportation may purchase credits for current and future use directly from a mitigation bank; purchase mitigation services through the water management districts or the Department of Environmental Protection; conduct its own mitigation; or use other mitigation options that meet state and federal requirements. *shall identify funds quarterly in an escrow account within the State Transportation Trust Fund for the environmental mitigation phase of projects budgeted by Funding for the identified mitigation option as described in the environmental impact inventory must be included in the Department of Transportation's work program developed pursuant to s. 339.135 for the current fiscal year. The escrow account shall be maintained by the Department of Transportation for the benefit of the water management districts. Any interest earnings from the escrow account shall remain with the Department of Transportation. The amount programmed each year by the Department of Transportation and participating transportation authorities established pursuant to chapter 348 or chapter 349 must correspond to an estimated cost per credit of \$150,000 multiplied by the projected number of credits identified in the environmental impact inventory described in subsection (2). This estimated cost per credit will be adjusted every 2 years by the Department of Transportation based on the average cost per UMAM credit paid through this section.*~~



(b) Each transportation authority established pursuant to chapter 348 or chapter 349 that chooses to participate in this program shall create an escrow account within its financial structure and deposit funds in the account to pay for the environmental mitigation phase of projects budgeted for the current fiscal year. The escrow account shall be maintained by the authority for the benefit of the water management districts. Any interest earnings from the escrow account shall remain with the authority.

(c) *For mitigation implemented by the water management district or the Department of Environmental Protection, as appropriate, the amount paid each year must be based on mitigation services provided by the water management districts or Department of Environmental Protection pursuant to an approved water management district plan, as described in subsection (4). Except for current mitigation projects in the monitoring and maintenance phase and except as allowed by paragraph (d), the water management districts or the Department of Environmental Protection, as appropriate, may request payment a transfer of funds from an escrow account no sooner than 30 days before the date the funds are needed to pay for activities associated with development or implementation of the permitted mitigation meeting the requirements pursuant to this part, 33 U.S.C. s. 1344, and 33 C.F.R. s. 332, in the approved mitigation plan described in subsection (4) for the current fiscal year, including, but not limited to, design, engineering, production, and staff support. Actual conceptual plan preparation costs incurred before plan approval may be submitted to the Department of Transportation or the appropriate transportation authority each year with the plan. The conceptual plan preparation costs of each water management district will be paid from mitigation funds associated with the environmental impact inventory for the current year. The amount transferred to the escrow accounts each year by the Department of Transportation and participating transportation authorities established pursuant to chapter 348 or chapter 349 shall correspond to a cost per acre of \$75,000 multiplied by the projected acres of impact identified in the environmental impact inventory described in subsection (2). However, the \$75,000 cost per acre does not constitute an admission against interest by the state or its subdivisions and is not admissible as evidence of full compensation for any property acquired by eminent domain or through inverse condemnation. Each July 1, the cost per acre shall be adjusted by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 1996. Each quarter, the projected amount of mitigation must acreage of impact shall be reconciled with the actual amount of mitigation needed for acreage of impact of projects as permitted, including permit modifications, pursuant to this part and s. 404 of the Clean Water Act, 33 U.S.C. s. 1344. The subject year's programming transfer of funds shall be adjusted accordingly to reflect the mitigation acreage of impacts as permitted. The Department of Transportation and participating transportation authorities established pursuant to chapter 348 or chapter 349 are authorized to transfer such funds from the escrow accounts to the water management districts to carry out the mitigation programs. Environmental mitigation funds that are identified for or maintained in an escrow account for the benefit of a water management district may be released if the associated transportation project is excluded in whole or part from the mitigation plan. For a mitigation project that is in the maintenance and monitoring phase, the water management district may request and receive a one time payment based on the project's expected future maintenance and monitoring costs. If the water management district excludes a project from an approved water management district mitigation plan, cannot timely permit a mitigation site to offset the impacts of a Department of Transportation project identified in the environmental impact inventory, or if the proposed mitigation does not meet state and federal requirements, the Department of Transportation may use the associated funds for the purchase of mitigation bank credits or any other mitigation option that satisfies state and federal requirements. Upon final disbursement of the final maintenance and monitoring payment for mitigation of a transportation project as permitted, the obligation of the Department of Transportation or the participating transportation authority is satisfied and the water management district or the Department of Environmental Protection, as appropriate, will have continuing responsibility for the mitigation project, the escrow account for the project established by the Department of Transportation or the participating transportation authority may be closed. Any interest earned on these disbursed funds shall remain with the water management district and must be used as authorized under this section.*

(d) *Beginning with the March 2014 water management district mitigation plans, in the 2005-2006 fiscal year, each water management district or the Department of Environmental Protection, as appropriate, shall invoice the Department of Transportation for mitigation services to offset only the impacts of a Department of Transportation project identified in the environmental impact inventory, including planning, design, construction, maintenance and monitoring, and other costs necessary to meet requirements pursuant to this section, 33 U.S.C. s. 1344, and 33 C.F.R. s. 332 be paid a lump sum amount of \$75,000 per acre, adjusted as provided under paragraph (c), for federally funded transportation projects that are included on the environmental impact inventory and that have an approved mitigation plan. Beginning in the 2009-2010 fiscal year, each water management district shall be paid a lump sum amount of \$75,000 per acre, adjusted as provided under paragraph (c), for federally funded and nonfederally funded transportation projects that have an approved mitigation plan. All mitigation costs, including, but not limited to, the costs of preparing conceptual plans and the costs of design, construction, staff support, future maintenance, and monitoring the mitigated acres shall be funded through these lump sum amounts. If the water management district identifies the use of mitigation bank credits to offset a Department of Transportation impact, the water management district shall exclude that purchase from the mitigation plan, and the Department of Transportation must purchase the bank credits.*

(e) *For mitigation activities occurring on existing water management district or Department of Environmental Protection mitigation sites initiated with Department of Transportation mitigation funds before July 1, 2013, the water management district or Department of Environmental Protection shall invoice the Department of Transportation or a participating transportation authority at a cost per acre of \$75,000 multiplied by the projected acres of impact as identified in the environmental impact inventory. The cost per acre must be adjusted by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 1996. When implementing the mitigation activities necessary to offset the permitted impacts as provided in the approved mitigation plan, the water management district shall maintain records of the costs incurred in implementing the mitigation. The records must include, but are not limited to, costs for planning, land acquisition, design, construction, staff support, long-term maintenance and monitoring of the mitigation site, and other costs necessary to meet the requirements of 33 U.S.C. s. 1344 and 33 C.F.R. s. 332.*

(f) *For purposes of preparing and implementing the mitigation plans to be adopted by the water management districts on or before March 1, 2013, for impacts based on the July 1, 2012, environmental impact inventory, the funds identified in the Department of Transportation's work program or participating transportation authorities' escrow accounts must correspond to a cost per acre of \$75,000 multiplied by the project acres of impact as identified in the environmental impact inventory. The cost per acre shall be adjusted by the percentage change in the average of the Consumer Price Index issued by the United States Department of Labor for the most recent 12-month period ending September 30, compared to the base year average, which is the average for the 12-month period ending September 30, 1996. Payment as provided under this paragraph is limited to those mitigation activities that are identified in the first year of the 2013 mitigation plan and for which the transportation project is permitted and is in the Department of Transportation's adopted work program, or equivalent for a transportation authority. When implementing the mitigation activities necessary to offset the permitted impacts as provided in the approved mitigation plan, the water management district shall maintain records of the costs incurred in implementing the mitigation. The records must include, but are not limited to, costs for planning, land acquisition, design, construction, staff support, long-term maintenance and monitoring of the mitigation site, and other costs necessary to meet the requirements of 33 U.S.C. s. 1344 and 33 C.F.R. s. 332. To the extent moneys paid to a water management district by the Department of Transportation or a participating transportation authority exceed the amount expended by the water management districts in implementing the mitigation to offset the permitted impacts, these funds must be refunded to the Department of Transportation or participating transportation authority. This paragraph expires June 30, 2014.*

(4) *Before March 1 of each year, each water management district shall develop a mitigation plan to offset only the impacts of transportation projects in the environmental impact inventory for which a water man-*



agement district is implementing mitigation that meets the requirements of this section, 33 U.S.C. s. 1344, and 33 C.F.R. s. 332. The water management-district mitigation plan must be developed, in consultation with the Department of Environmental Protection, the United States Army Corps of Engineers, the Department of Transportation, participating transportation authorities established pursuant to chapter 348 or chapter 349, and other appropriate federal, state, and local governments, and other interested parties, including entities operating mitigation banks, shall develop a plan for the primary purpose of complying with the mitigation requirements adopted pursuant to this part and 33 U.S.C. s. 1344. In developing such plans, the water management districts shall use sound ecosystem management practices to address significant water resource needs and consider ~~shall focus on~~ activities of the Department of Environmental Protection and the water management districts, such as surface water improvement and management (SWIM) projects and lands identified for potential acquisition for preservation, restoration, or enhancement, and the control of invasive and exotic plants in wetlands and other surface waters, to the extent that the activities comply with the mitigation requirements adopted under this part, and 33 U.S.C. s. 1344, and 33 C.F.R. s. 332. The water management district mitigation plan must identify each site where the water management district will mitigate for a transportation project. For each mitigation site, the water management district shall provide the scope of the mitigation services, provide the functional gain as determined through the UMAM per Chapter 62-345, F.A.C., describe how the mitigation offsets the impacts of each transportation project as permitted, and provide a schedule for the mitigation services. The water management districts shall maintain records of costs incurred and payments received for providing these services. Records must include, but are not limited to, planning, land acquisition, design, construction, staff support, long-term maintenance and monitoring of the mitigation site, and other costs necessary to meet the requirements of 33 U.S.C. s. 1344 and 33 C.F.R. s. 332. To the extent monies paid to a water management district by the Department of Transportation or a participating transportation authority exceed the amount expended by the water management districts in providing the mitigation services to offset the permitted transportation project impacts, these monies must be refunded to the Department of Transportation or participating transportation authority. ~~In determining the activities to be included in the plans, the districts shall consider the purchase of credits from public or private mitigation banks permitted under s. 373.4136 and associated federal authorization and shall include the purchase as a part of the mitigation plan when the purchase would offset the impact of the transportation project, provide equal benefits to the water resources than other mitigation options being considered, and provide the most cost effective mitigation option.~~ The mitigation plan shall be submitted to the water management district governing board, or its designee, for review and approval. At least 14 days before approval by the governing board, the water management district shall provide a copy of the draft mitigation plan to the Department of Environmental Protection and any person who has requested a copy. Subsequent to governing board approval, the mitigation plan must be submitted to the Department of Environmental Protection for approval. The plan may not be implemented until it is submitted to and approved, in part or in its entirety, by the Department of Environmental Protection.

~~(a) For each transportation project with a funding request for the next fiscal year, the mitigation plan must include a brief explanation of why a mitigation bank was or was not chosen as a mitigation option, including an estimation of identifiable costs of the mitigation bank and nonbank options and other factors such as time saved, liability for success of the mitigation, and long term maintenance.~~

~~(a)(b)~~ Specific projects may be excluded from the mitigation plan, in whole or in part, and are not subject to this section upon the election of the Department of Transportation, a transportation authority if applicable, or the appropriate water management district. The Department of Transportation or a participating transportation authority may not exclude a transportation project from the mitigation plan when mitigation is scheduled for implementation by the water management district in the current fiscal year, except when the transportation project is removed from the Department of Transportation's work program or transportation authority funding plan, the mitigation cannot be timely permitted to offset the impacts of a Department of Transportation project identified in the environmental impact inventory, or the proposed mitigation does not meet state and federal requirements. If a project is removed from the work program or the mitigation plan, costs expended by the water management

district prior to removal are eligible for reimbursement by the Department of Transportation or participating transportation authority.

~~(b)(c)~~ When determining which projects to include in or exclude from the mitigation plan, the Department of Transportation shall investigate using credits from a permitted mitigation bank before those projects are submitted for inclusion in a water management district mitigation plan. ~~The investigation shall consider the cost-effectiveness of mitigation bank credits, including, but not limited to, factors such as time saved, transfer of liability for success of the mitigation, and long term maintenance.~~ The Department of Transportation shall exclude a project from the mitigation plan if the investigation undertaken pursuant to this paragraph results in the conclusion that the use of credits from a permitted mitigation bank promotes efficiency, timeliness in project delivery, cost-effectiveness, and transfer of liability for success and long-term maintenance.

(5) The water management district shall ensure that mitigation requirements pursuant to 33 U.S.C. s. 1344 and 33 C.F.R. s. 332 are met for the impacts identified in the environmental impact inventory for which the water management district will implement mitigation described in subsection (2), by implementation of the approved mitigation plan described in subsection (4) to the extent funding is provided by the Department of Transportation, or a transportation authority established pursuant to chapter 348 or chapter 349, if applicable. In developing and implementing the mitigation plan, the water management district shall comply with federal permitting requirements pursuant to 33 U.S.C. s. 1344 and 33 C.F.R. s. 332. During the federal permitting process, the water management district may deviate from the approved mitigation plan in order to comply with federal permitting requirements upon notice and coordination with the Department of Transportation or participating transportation authority.

(6) The water management district mitigation plans shall be updated annually to reflect the most current Department of Transportation work program and project list of a transportation authority established pursuant to chapter 348 or chapter 349, if applicable, and may be amended throughout the year to anticipate schedule changes or additional projects which may arise. Before amending the mitigation plan to include new projects, the Department of Transportation shall consider mitigation banks and other available mitigation options that meet state and federal requirements. Each update and amendment of the mitigation plan shall be submitted to the governing board of the water management district or its designee for approval. However, such approval shall not be applicable to a deviation as described in subsection (5).

(7) Upon approval by the governing board of the water management district and the Department of Environmental Protection ~~or its designee~~, the mitigation plan shall be deemed to satisfy the mitigation requirements under this part for impacts specifically identified in the environmental impact inventory described in subsection (2) and any other mitigation requirements imposed by local, regional, and state agencies for these same impacts. The approval of the governing board of the water management district ~~or its designee~~ and the Department of Environmental Protection shall authorize the activities proposed in the mitigation plan, and no other state, regional, or local permit or approval shall be necessary.

(8) This section shall not be construed to eliminate the need for the Department of Transportation or a transportation authority established pursuant to chapter 348 or chapter 349 to comply with the requirement to implement practicable design modifications, including realignment of transportation projects, to reduce or eliminate the impacts of its transportation projects on wetlands and other surface waters as required by rules adopted pursuant to this part, or to diminish the authority under this part to regulate other impacts, including water quantity or water quality impacts, or impacts regulated under this part that are not identified in the environmental impact inventory described in subsection (2).

~~(9) The process for environmental mitigation for the impact of transportation projects under this section shall be available to an expressway, bridge, or transportation authority established under chapter 348 or chapter 349. Use of this process may be initiated by an authority depositing the requisite funds into an escrow account set up by the authority and filing an environmental impact inventory with the appropriate water management district. An authority that initiates the environmental mitigation process established by this section shall comply~~

~~with subsection (6) by timely providing the appropriate water management district with the requisite work program information. A water management district may draw down funds from the escrow account as provided in this section.~~

Section 57. Section 373.618, Florida Statutes, is amended to read:

373.618 Public service warnings, alerts, and announcements.—The Legislature believes it is in the public interest that ~~each~~ ~~all~~ water management ~~district districts~~ created pursuant to s. 373.069 own, acquire, develop, construct, operate, and manage public information systems. Public information systems may be located on property owned by the water management district, upon terms and conditions approved by the water management district, and must display messages to the general public concerning water management services, activities, events, and sponsors, as well as other public service announcements, including watering restrictions, severe weather reports, amber alerts, and other essential information needed by the public. ~~Local government review or approval is not required for a public information system owned or hereafter acquired, developed, or constructed by the water management district on its own property. A public information system is subject to exempt from the requirements of chapter 479; however, a public information system that is subject to the Highway Beautification Act of 1965 must be approved by the Department of Transportation and the Federal Highway Administration if required by federal law and federal regulation under the agreement between the state and the United States Department of Transportation, and federal regulations enforced by the Department of Transportation under s. 479.02(1). Water management district funds may not be used to pay the cost to acquire, develop, construct, operate, or manage a public information system. Any necessary funds for a public information system shall be paid for and collected from private sponsors who may display commercial messages.~~

Section 58. Section 479.16, Florida Statutes, is amended to read:

479.16 Signs for which permits are not required.—The following signs are exempt from the requirement that a permit for a sign be obtained under the provisions of this chapter but are required to comply with the provisions of s. 479.11(4)-(8), *and the provisions of subsections (15)–(20) may not be implemented or continued if the Federal Government notifies the department that implementation or continuation will adversely affect the allocation of federal funds to the department:*

(1) Signs erected on the premises of an establishment, which signs consist primarily of the name of the establishment or which identify the principal or accessory merchandise, services, activities, or entertainment sold, produced, manufactured, or furnished on the premises of the establishment and which comply with the lighting restrictions ~~under department rule adopted~~ pursuant to s. 479.11(5), or signs owned by a municipality or a county located on the premises of such municipality or such county which display information regarding government services, activities, events, or entertainment. For purposes of this section, the following types of messages shall not be considered information regarding government services, activities, events, or entertainment:

- (a) Messages which specifically reference any commercial enterprise.
- (b) Messages which reference a commercial sponsor of any event.
- (c) Personal messages.
- (d) Political campaign messages.

If a sign located on the premises of an establishment consists principally of brand name or trade name advertising and the merchandise or service is only incidental to the principal activity, or if the owner of the establishment receives rental income from the sign, then the sign is not exempt under this subsection.

(2) Signs erected, used, or maintained on a farm by the owner or lessee of such farm and relating solely to farm produce, merchandise, service, or entertainment sold, produced, manufactured, or furnished on such farm.

(3) Signs posted or displayed on real property by the owner or by the authority of the owner, stating that the real property is for sale or rent. However, if the sign contains any message not pertaining to the sale or rental of that real property, then it is not exempt under this section.

(4) Official notices or advertisements posted or displayed on private property by or under the direction of any public or court officer in the performance of her or his official or directed duties, or by trustees under deeds of trust or deeds of assignment or other similar instruments.

(5) Danger or precautionary signs relating to the premises on which they are located; forest fire warning signs erected under the authority of the Florida Forest Service of the Department of Agriculture and Consumer Services; and signs, notices, or symbols erected by the United States Government under the direction of the United States Forestry Service.

(6) Notices of any railroad, bridge, ferry, or other transportation or transmission company necessary for the direction or safety of the public.

(7) Signs, notices, or symbols for the information of aviators as to location, directions, and landings and conditions affecting safety in aviation erected or authorized by the department.

(8) Signs or notices erected or maintained upon property stating only the name of the owner, lessee, or occupant of the premises and not exceeding 16 § square feet in area.

(9) Historical markers erected by duly constituted and authorized public authorities.

(10) Official traffic control signs and markers erected, caused to be erected, or approved by the department.

(11) Signs erected upon property warning the public against hunting and fishing or trespassing thereon.

(12) Signs not in excess of 16 § square feet that are owned by and relate to the facilities and activities of churches, civic organizations, fraternal organizations, charitable organizations, or units or agencies of government.

(13) ~~Except that~~ Signs placed on benches, transit shelters, *modular news racks, street light poles, public pay telephones,* and waste receptacles, *within the right-of-way,* as provided for in s. 337.408 are exempt from ~~the all~~ provisions of this chapter.

(14) Signs relating exclusively to political campaigns.

(15) Signs not in excess of 16 square feet placed at a road junction with the State Highway System denoting only the distance or direction of a residence or farm operation, or, ~~outside an incorporated in a rural area where a hardship is created because a small business is not visible from the road junction with the State Highway System, one sign not in excess of 16 square feet, denoting only the name of the business and the distance and direction to the business. The small business sign provision of this subsection does not apply to charter counties and may not be implemented if the Federal Government notifies the department that implementation will adversely affect the allocation of federal funds to the department.~~

(16) *Signs placed by a local tourist-oriented business located within a rural area of critical economic concern, as defined by s. 288.0656(2)(d) and (e), and are:*

- (a) *Not more than 8 square feet in size or more than 4 feet in height;*
- (b) *Located only in rural areas, along non-limited access highways;*
- (c) *Located within 2 miles of the business location and are not less than 500 feet apart;*
- (d) *Located only in two directions leading to the business; and*
- (e) *Not located within the road right-of-way.*

*A business placing such signs must be at least 4 miles from any other business using this exemption and may not participate in any other department directional signage program.*

(17) *Signs not in excess of 32 square feet placed temporarily during harvest season of a farm operation for a period of no more than 4 months at a road junction with the State Highway System denoting only the distance or direction of the farm operation.*

(18) Acknowledgement signs erected upon publicly funded school premises relating to a specific public school club, team, or event placed no closer than 1,000 feet from another acknowledgement sign on the same side of the roadway. The sponsor information on an acknowledgement sign may constitute no more than 100 square feet of the sign. As used in this subsection, the term "acknowledgement signs" means signs that are intended to inform the traveling public that a public school club, team, or event has been sponsored by a person, firm, or other entity.

(19) Displays erected upon a sports facility the content of which is directly related to the facility's activities or where a presence of the products or services offered on the property exists. Displays must be mounted flush to the surface of the sports facility and must rely upon the building facade for structural support. For purposes of this subsection, the term "sports facility" means an athletic complex, athletic arena, or athletic stadium, including physically connected parking facilities, which is open to the public and has a permanent installed seating capacity of 15,000 or more.

(20) The Legislature believes it is in the public interest that all welcome centers created pursuant to s. 288.12265 have the option to own, acquire, develop, construct, operate, and manage public information systems. Public information systems may only display messages to the general public concerning public service announcements, including severe weather reports, Amber Alerts, Silver Alerts, and other essential information needed by the public. Local government review or approval is not required for a public information system owned or hereafter acquired, developed, or constructed at the welcome center. A public information system is exempt from the requirements of chapter 479; provided, however, that any public information system that is subject to the Highway Beautification Act of 1965 or the Manual of Uniform Transportation Control Devices must be approved by the Department of Transportation and the Federal Highway Administration if required by federal law and federal regulations.

If the exemptions in subsections (15) through (20) are not implemented or continued due to Federal Government notification to the department that the allocation of federal funds to the department will be adversely impacted, the department shall provide notice to the sign owner that the sign must be removed within 30 days after receiving notice. If the sign is not removed within 30 days, the department may remove the sign, and the costs incurred in connection with the sign removal shall be assessed against and collected from the sign owner.

Section 59. The Florida Transportation Commission shall conduct a study of the potential for the state to obtain revenue from any parking meters or other parking time-limit devices that regulate designated parking spaces located within or along the right-of-way limits of a state road. The commission may retain such experts as are reasonably necessary to complete the study, and the department shall pay the expenses of such experts. On or before August 31, 2013, each municipality and county that receives revenue from any parking meters or other parking time-limit devices that regulate designated parking spaces located within or along the right-of-way limits of a state road shall provide the commission a written inventory of the location of each such meter or device and the total revenue collected from such locations during the last 3 fiscal years. Each municipality and county shall at the same time inform the commission of any pledge or commitment by the municipality or county of such revenues to the payment of debt service on any bonds or other debt issued by the municipality or county. The commission shall consider the information provided by the municipalities and counties, together with such other matters as it deems appropriate, including, but not limited to, the use of variable rate parking, and shall develop policy recommendations regarding the manner and extent that revenues generated by regulating parking within the right-of-way limits of a state road may be allocated between the department and municipalities and counties. The commission shall develop specific recommendations concerning the allocation of revenues generated by meters or devices regulating such parking that were installed before July 1, 2013, and the allocation of revenues that may be generated by meters or devices installed after that date. The commission shall complete the study and provide a written report of its findings and conclusions to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of each of the appropriations committees of the Legislature by October 31, 2013.

(2) If, by August 31, 2013, a municipality or county does not provide the information requested by the commission, the department is authorized to remove the parking meters or parking time-limit devices that regulate designated parking spaces located within or along the right-of-

way limits of a state road, and all costs incurred in connection with the removal shall be assessed against and collected from the municipality or county.

(3) The Legislature finds that preservation of the status quo pending the commission's study and the Legislature's review of the commission's report is appropriate and desirable. From July 1, 2013, through July 1, 2014, a county or municipality may not install any parking meters or other parking time-limit devices that regulate designated parking spaces located within or along the right-of-way limits of a state road. This subsection does not prohibit the replacement of meters or similar devices installed before July 1, 2013, with new devices that regulate the same designated parking spaces.

Section 60. Ralph Sanchez Way designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. 1 in Miami-Dade County between South East 2nd Street and North East 3rd Street is designated as "Ralph Sanchez Way."

(2) The Department of Transportation is directed to erect suitable markers designating Ralph Sanchez Way as described in subsection (1).

Section 61. Paragraph (d) of subsection (6) of section 212.20, Florida Statutes, is amended to read:

212.20 Funds collected, disposition; additional powers of department; operational expense; refund of taxes adjudicated unconstitutionally collected.—

(6) Distribution of all proceeds under this chapter and s. 202.18(1)(b) and (2)(b) shall be as follows:

(d) The proceeds of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) ~~must~~ be distributed as follows:

1. In any fiscal year, the greater of \$500 million, minus an amount equal to 4.6 percent of the proceeds of the taxes collected pursuant to chapter 201, or 5.2 percent of all other taxes and fees imposed pursuant to this chapter or remitted pursuant to s. 202.18(1)(b) and (2)(b) ~~must~~ be deposited in monthly installments into the General Revenue Fund.

2. After the distribution under subparagraph 1., 8.814 percent of the amount remitted by a sales tax dealer located within a participating county pursuant to s. 218.61 ~~must~~ be transferred into the Local Government Half-cent Sales Tax Clearing Trust Fund. Beginning July 1, 2003, the amount to be transferred ~~must~~ be reduced by 0.1 percent, and the department shall distribute this amount to the Public Employees Relations Commission Trust Fund less \$5,000 each month, which ~~must~~ be added to the amount calculated in subparagraph 3. and distributed accordingly.

3. After the distribution under subparagraphs 1. and 2., 0.095 percent ~~must~~ be transferred to the Local Government Half-cent Sales Tax Clearing Trust Fund and distributed pursuant to s. 218.65.

4. After the distributions under subparagraphs 1., 2., and 3., 2.0440 percent of the available proceeds ~~must~~ be transferred monthly to the Revenue Sharing Trust Fund for Counties pursuant to s. 218.215.

5. After the distributions under subparagraphs 1., 2., and 3., 1.3409 percent of the available proceeds ~~must~~ be transferred monthly to the Revenue Sharing Trust Fund for Municipalities pursuant to s. 218.215. If the total revenue to be distributed pursuant to this subparagraph is at least as great as the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, ~~a no~~ municipality may not ~~shall~~ receive less than the amount due from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000. If the total proceeds to be distributed are less than the amount received in combination from the Revenue Sharing Trust Fund for Municipalities and the former Municipal Financial Assistance Trust Fund in state fiscal year 1999-2000, each municipality shall receive an amount proportionate to the amount it was due in state fiscal year 1999-2000.

## 6. Of the remaining proceeds:

a. In each fiscal year, the sum of \$29,915,500 ~~must shall~~ be divided into as many equal parts as there are counties in the state, and one part ~~must shall~~ be distributed to each county. The distribution among the several counties must begin each fiscal year on or before January 5th and continue monthly for a total of 4 months. If a local or special law required that any moneys accruing to a county in fiscal year 1999-2000 under the then-existing provisions of s. 550.135 be paid directly to the district school board, special district, or a municipal government, such payment must continue until the local or special law is amended or repealed. The state covenants with holders of bonds or other instruments of indebtedness issued by local governments, special districts, or district school boards before July 1, 2000, that it is not the intent of this subparagraph to adversely affect the rights of those holders or relieve local governments, special districts, or district school boards of the duty to meet their obligations as a result of previous pledges or assignments or trusts entered into which obligated funds received from the distribution to county governments under then-existing s. 550.135. This distribution specifically is in lieu of funds distributed under s. 550.135 before July 1, 2000.

b. The department shall, *pursuant to s. 288.1162*, distribute \$166,667 monthly ~~pursuant to s. 288.1162~~ to each applicant certified as a facility for a new or retained professional sports franchise ~~pursuant to s. 288.1162~~. Up to \$41,667 ~~must shall~~ be distributed monthly by the department to each certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. However, not more than \$416,670 may be distributed monthly in the aggregate to all certified applicants for facilities for spring training franchises. Distributions begin 60 days after such certification and continue for not more than 30 years, except as otherwise provided in s. 288.11621. A certified applicant identified in this sub-subparagraph may not receive more in distributions than expended by the applicant for the public purposes provided for in s. 288.1162 ~~288.1162(5)~~ or s. 288.11621(3).

c. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been certified as the professional golf hall of fame pursuant to s. 288.1168 and is open to the public, \$166,667 ~~must shall~~ be distributed monthly, for up to 300 months, to the applicant.

d. Beginning 30 days after notice by the Department of Economic Opportunity to the Department of Revenue that the applicant has been certified as the International Game Fish Association World Center facility pursuant to s. 288.1169, and the facility is open to the public, \$83,333 ~~must shall~~ be distributed monthly, for up to 168 months, to the applicant. This distribution is subject to reduction pursuant to s. 288.1169. A lump sum payment of \$999,996 ~~must shall~~ be made, after certification and before July 1, 2000.

e. *Beginning 45 days after notice by the Department of Economic Opportunity to the Department of Revenue that an applicant has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.11625, the department shall distribute each month an amount equal to one-twelfth the annual distribution amount certified by the Department of Economic Opportunity for the applicant. The department may not distribute more than \$13 million annually to all applicants approved by the Legislature and certified by the Department of Economic Opportunity pursuant to s. 288.11625.*

## 7. All other proceeds must remain in the General Revenue Fund.

Section 62. Section 288.11625, Florida Statutes, is created to read:

288.11625 *Sports development.*—

(1) *ADMINISTRATION.*—*The department shall serve as the state agency responsible for screening applicants for state funding under s. 212.20(6)(d)6.e.*

(2) *DEFINITIONS.*—*As used in this section, the term:*

(a) *“Agreement” means a signed agreement between a unit of local government and a beneficiary.*

(b) *“Applicant” means a unit of local government, as defined in s. 218.369, which is responsible for the construction, management, or operation of a facility; or an entity that is responsible for the construction,*

*management, or operation of a facility if a unit of local government holds title to the underlying property on which the facility is located.*

(c) *“Beneficiary” means a professional sports franchise of the National Football League, the National Hockey League, the National Basketball Association, the National League or American League of Major League Baseball, Major League Soccer, or the National Association for Stock Car Auto Racing, or a nationally recognized professional sports association that occupies or uses a facility as the facility’s primary tenant. A beneficiary may also be an applicant under this section.*

(d) *“Facility” means a facility primarily used to host games or events held by a beneficiary and does not include any portion used to provide transient lodging.*

(e) *“Project” means a proposed construction, reconstruction, renovation, or improvement of a facility, or the proposed acquisition of land to construct a new facility.*

(f) *“Signature event” means a professional sports event with significant export factor potential. For purposes of this paragraph, the term “export factor” means the attraction of economic activity or growth into the state which otherwise would not have occurred. Examples of signature events may include, but are not limited to:*

1. *National Football League Super Bowls.*
2. *Professional sports All-Star games.*
3. *International sporting events and tournaments.*
4. *Professional automobile race championships or Formula 1 Grand Prix.*
5. *The establishment of a new professional sports franchise in this state.*

(g) *“State sales taxes generated by sales at the facility” means state sales taxes imposed under chapter 212 generated by admissions to the facility or by sales made by vendors at the facility who are accessible to persons attending events occurring at the facility.*

(3) *PURPOSE.*—*The purpose of this section is to provide applicants state funding under s. 212.20(6)(d)6.e. for the public purpose of constructing, reconstructing, renovating, or improving a facility.*

(4) *APPLICATION AND APPROVAL PROCESS.*—

(a) *The department shall establish the procedures and application forms deemed necessary pursuant to the requirements of this section. The department may notify an applicant of any additional required or incomplete information necessary to evaluate an application.*

(b) *The annual application period is from June 1 through November 1.*

(c) *Within 60 days after receipt of a completed application, the department shall complete its evaluation of the application as provided under subsection (5) and notify the applicant in writing of the department’s decision to recommend approval of the applicant by the Legislature or to deny the application.*

(d) *Annually by February 1, the department shall rank the applicants and shall provide to the Legislature the list of the recommended applicants in ranked order of projects most likely to positively impact the state based on required criteria established in this section. The list must include the department’s evaluation of the applicant.*

(e) *A recommended applicant’s request for funding must be approved by the Legislature by general law.*

1. *An application by a unit of local government which is approved by the Legislature and subsequently certified by the department remains certified for the duration of the beneficiary’s agreement with the applicant or for 30 years, whichever is less, provided the certified applicant has an agreement with a beneficiary at the time of initial certification by the department.*

2. An application by a beneficiary which is approved by the Legislature and subsequently certified by the department remains certified for the duration of the beneficiary's agreement with the unit of local government that owns the underlying property or for 30 years, whichever is less, provided the certified applicant has an agreement with the unit of local government at the time of initial certification by the department.

3. An applicant that is previously certified pursuant to this section does not need legislative approval each year to receive state funding.

(f) An applicant that is recommended by the department but is not approved by the Legislature may reapply and update any information in the original application as required by the department.

(g) The department may recommend no more than one distribution under this section for any applicant, facility, or beneficiary at a time.

#### (5) EVALUATION PROCESS.—

(a) Before recommending an applicant to receive a state distribution under s. 212.20(6)(d)6.e., the department must verify that:

1. The applicant or beneficiary is responsible for the construction, reconstruction, renovation, or improvement of a facility.

2. If the applicant is also the beneficiary, a unit of local government holds title to the property on which the facility and project are located.

3. If the applicant is a unit of local government in whose jurisdiction the facility will be located, the unit of local government has an exclusive intent agreement to negotiate in this state with the beneficiary.

4. The unit of local government in whose jurisdiction the facility will be located supports the application for state funds. Such support must be verified by the adoption of a resolution after a public hearing that the project serves a public purpose.

5. The applicant or beneficiary has not previously defaulted or failed to meet any statutory requirements of a previous state-administered sports-related program under s. 288.1162, s. 288.11621, or s. 288.1168.

6. The applicant or beneficiary has sufficiently demonstrated a commitment to employ residents of this state, contract with Florida-based firms, and purchase locally available building materials to the greatest extent possible.

7. If the applicant is a unit of local government, the applicant has a certified copy of a signed agreement with a beneficiary for the use of the facility. If the applicant is a beneficiary, the beneficiary must enter into an agreement with the department. The applicant's or beneficiary's agreement must also require the following:

a. The beneficiary must reimburse the state for state funds that have been distributed and will be distributed if the beneficiary relocates before the agreement expires.

b. The beneficiary must pay for signage or advertising within the facility. The signage or advertising must be placed in a prominent location as close to the field of play or competition as is practical, displayed consistent with signage or advertising in the same location and like value, and must feature Florida advertising approved by the Florida Tourism Industry Marketing Corporation.

8. The project will commence within 12 months after receiving state funds.

9. The project for which the applicant is seeking state funding did not commence construction before July 1, 2013, or before the annual application period for which the applicant is applying.

(b) The department shall competitively evaluate and rank applicants that submit applications for state funding which are received during the application period using the following criteria to evaluate the applicant's ability to positively impact the state:

1. The proposed use of state funds.

2. The length of time that a beneficiary has agreed to use the facility.

3. The percentage of total project funds provided by the applicant and the percentage of total project funds provided by the beneficiary.

4. The number and type of signature events the facility is likely to attract during the duration of the agreement with the beneficiary.

5. The anticipated increase in average annual ticket sales and attendance at the facility due to the project.

6. The potential to attract out-of-state visitors to the facility.

7. The length of time a beneficiary has been in the state or partnered with the unit of local government. In order to encourage new franchises to locate in this state, an application for a new franchise shall be considered to have a significant positive impact on the state and shall be given priority in the evaluation and ranking by the department.

8. The multiuse capabilities of the facility.

9. The facility's projected employment of residents of this state, contracts with Florida-based firms, and purchases of locally available building materials.

10. The amount of private and local financial or in-kind contributions to the project.

11. The amount of positive advertising or media coverage the facility generates.

#### (6) DISTRIBUTION.—

(a) The department shall determine the annual distribution amount an applicant may receive based on the total cost of the project.

1. If the total project cost is \$200 million or greater, the applicant is eligible to receive annual distributions equal to the new incremental state sales taxes generated by sales at the facility during 12 months as provided under subparagraph (b)2., up to \$3 million.

2. If the total project cost is at least \$100 million but less than \$200 million, the applicant is eligible to receive annual distributions equal to the new incremental state sales taxes generated by sales at the facility during 12 months as provided under subparagraph (b)2., up to \$2 million.

3. If the total project cost is less than \$100 million, the applicant is eligible to receive annual distributions equal to the new incremental state sales taxes generated by sales at the facility during 12 months as provided under subparagraph (b)2., up to \$1 million.

(b) At the time of initial evaluation and review by the department pursuant to subsection (5), the applicant must provide an analysis by an independent certified public accountant which demonstrates:

1. The amount of state sales taxes generated by sales at the facility during the 12-month period immediately prior to the beginning of the application period. This amount is the baseline.

2. The expected amount of new incremental state sales taxes generated by sales at the facility above the baseline which will be generated as a result of the project.

(c) The independent analysis provided in paragraph (b) must be verified by the department.

(d) The Department of Revenue shall begin distributions within 45 days after notification of initial certification from the department.

(e) The department must consult with the Department of Revenue and the Office of Economic and Demographic Research to develop a standard calculation for estimating new incremental state sales taxes generated by sales at the facility and adjustments to distributions.

(f) In any 12-month period when total distributions for all certified applicants equal \$13 million, the department may not certify new distributions for any additional applicants.

(7) CONTRACT.—An applicant approved by the Legislature and certified by the department must enter into a contract with the department which:

- (a) *Specifies the terms of the state's investment.*
- (b) *States the criteria that the certified applicant must meet in order to remain certified.*
- (c) *Requires the applicant to submit the independent analysis required under subsection (6) and an annual independent analysis.*

1. *The applicant must agree to submit to the department, beginning 12 months after completion of a project or 12 months after the first four annual distributions, whichever is earlier, an annual analysis by an independent certified public accountant demonstrating the actual amount of new incremental state sales taxes generated by sales at the facility during the previous 12-month period. The applicant shall certify to the department a comparison of the actual amount of state sales taxes generated by sales at the facility during the previous 12-month period to the baseline under subparagraph (6)(b)1.*

2. *The applicant must submit the certification within 60 days after the end of the previous 12-month period. The department shall verify the analysis.*

(d) *Specifies information that the certified applicant must report to the department.*

(e) *Requires the applicant to reimburse the state for the amount each year that the actual new incremental state sales taxes generated by sales at the facility during the most recent 12-month period was less than the annual distribution under paragraph (6)(a). This requirement applies 12 months after completion of a project or 12 months after the first four annual distributions, whichever is earlier.*

1. *If the applicant is unable or unwilling to reimburse the state in any year for the amount equal to the difference between the actual new incremental state sales taxes generated by sales at the facility and the annual distribution under paragraph (6)(a), the department may place a lien on the applicant's facility.*

2. *If the applicant is a municipality or county, it may reimburse the state from its half-cent sales tax allocation, as provided in s. 218.64(3).*

3. *Reimbursements must be sent to the Department of Revenue for deposit into the General Revenue Fund.*

(f) *Includes any provisions deemed prudent by the department.*

(8) **USE OF FUNDS.**—*An applicant certified under this section may use state funds only for the following purposes:*

(a) *Constructing, reconstructing, renovating, or improving a facility, or reimbursing such costs.*

(b) *Paying or pledging for the payment of debt service on, or to fund debt service reserve funds, arbitrage rebate obligations, or other amounts payable with respect thereto, bonds issued for the construction or renovation of such facility; or for the reimbursement of such costs or the refinancing of bonds issued for such purposes.*

(9) **REPORTS.**—

(a) *On or before November 1 of each year, an applicant certified under this section and approved to receive state funds must submit to the department any information required by the department. The department shall summarize this information for inclusion in the report to the Legislature due February 1 under paragraph (4)(d).*

(b) *Every 5 years following the first month that an applicant receives a monthly distribution, the department must verify that the applicant is meeting the program requirements. If the applicant is not meeting program requirements, the department must notify the Governor and Legislature of the requirements not being met and must recommend future action as part of the report to the Legislature due February 1 pursuant to paragraph (4)(d). The department shall consider exceptions that may have prevented the applicant from meeting the program requirements. Such exceptions include:*

- 1. *Force majeure events.*
- 2. *Significant economic downturn.*

3. *Other extenuating circumstances.*

(10) **AUDITS.**—*The Auditor General may conduct audits pursuant to s. 11.45 to verify the independent analysis required under paragraphs (6)(b) and (7)(c) and to verify that the distributions are expended as required. The Auditor General shall report the findings to the department. If the Auditor General determines that the distribution payments are not expended as required, the Auditor General must notify the Department of Revenue, which may pursue recovery of distributions under the laws and rules that govern the assessment of taxes.*

(11) **REPAYMENT OF DISTRIBUTIONS.**—*An applicant that is certified under this section may be subject to repayment of distributions upon the occurrence of any of the following:*

(a) *An applicant's beneficiary has broken the terms of its agreement with the applicant and relocated from the facility. The beneficiary must reimburse the state for state funds that have been distributed and will be distributed if the beneficiary relocates before the agreement expires.*

(b) *The department has determined that an applicant has submitted any information or made a representation that is determined to be false, misleading, deceptive, or otherwise untrue. The applicant must reimburse the state for state funds that have been distributed and will be distributed if such determination is made.*

(12) **HALTING OF PAYMENTS.**—*The applicant may request to halt future distributions by providing the department with written notice at least 20 days prior to the next monthly distribution payment. The department must immediately notify the Department of Revenue to halt future payments.*

(13) **RULEMAKING.**—*The department may adopt rules to implement this section.*

Section 63. Contingent upon enactment of the Economic Development Program Evaluation as set forth in SB 406 or similar legislation, section 288.116255, Florida Statutes, is created to read:

288.116255 **Sports Development Program Evaluation.**—*Beginning in 2015, the Sports Development Program must be evaluated as part of the Economic Development Program Evaluation, and every 3 years thereafter.*

Section 64. Subsections (2) and (3) of section 218.64, Florida Statutes, are amended to read:

218.64 **Local government half-cent sales tax; uses; limitations.**—

(2) *Municipalities shall expend their portions of the local government half-cent sales tax only for municipality-wide programs, for reimbursing the state as required by a contract pursuant to s. 288.11625(7), or for municipality-wide property tax or municipal utility tax relief. All utility tax rate reductions afforded by participation in the local government half-cent sales tax shall be applied uniformly across all types of taxed utility services.*

(3) *Subject to ordinances enacted by the majority of the members of the county governing authority and by the majority of the members of the governing authorities of municipalities representing at least 50 percent of the municipal population of such county, counties may use up to \$3 ~~\$2~~ million annually of the local government half-cent sales tax allocated to that county for ~~funding for~~ any of the following purposes ~~applicants~~:*

(a) *Funding a certified applicant as a facility for a new or retained professional sports franchise under s. 288.1162 or a certified applicant as defined in s. 288.11621 for a facility for a spring training franchise. It is the Legislature's intent that the provisions of s. 288.1162, including, but not limited to, the evaluation process by the Department of Economic Opportunity except for the limitation on the number of certified applicants or facilities as provided in that section and the restrictions set forth in s. 288.1162(8), shall apply to an applicant's facility to be funded by local government as provided in this subsection.*

(b) *Funding a certified applicant as a "motorsport entertainment complex," as provided for in s. 288.1171. Funding for each franchise or motorsport complex shall begin 60 days after certification and shall continue for not more than 30 years.*

(c) *Reimbursing the state as required by a contract pursuant to s. 288.11625(7).*

Section 65. (1) *The executive director of the Department of Economic Opportunity may, and all conditions are deemed met, adopt emergency rules pursuant to ss. 120.536(1) and 120.54(4), Florida Statutes, for the purpose of implementing this act.*

(2) *Notwithstanding any provision of law, such emergency rules remain in effect for 6 months after the date adopted and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.*

Section 66. *Effective upon becoming a law, the Legislature hereby enacts a moratorium on the assessment or enforcement of the communications services tax on the sale of prepaid wireless communications services sold without a written contract by dealers registered with the Department of Revenue. However, any seller of prepaid wireless communications services must collect and remit taxes pursuant to chapter 202 or chapter 212, Florida Statutes. During the period that the moratorium is in effect, the provisions of s. 95.091, Florida Statutes, are tolled with respect to the issues covered by the moratorium. This section is repealed June 30, 2014.*

Section 67. *Blue square critical motorist medical information program; blue square decal, folder, and information form.—*

(1) *The governing body of a county may create a blue square critical motorist medical information program to assist emergency medical responders and drivers and passengers who participate in the program by making critical medical information readily available to a responder in the event of a motor vehicle accident or a medical emergency involving a participant's vehicle.*

(2)(a) *The governing body of a county may solicit sponsorships from interested business entities and not-for-profit organizations to cover costs of the program, including the cost of the blue square decals and folders that shall be provided free of charge to participants. Two or more counties may enter into an interlocal agreement to solicit such sponsorships.*

(b) *The Department of Transportation may provide education and training to encourage emergency medical responders to participate in the program and may take reasonable measures to publicize the program.*

(3)(a) *Any owner or lessee of a motor vehicle may participate in the program upon submission of an application and documentation, in the form and manner prescribed by the governing body of the county.*

(b) *The application form shall include a statement that the information submitted will be disclosed only to authorized personnel of law enforcement and public safety agencies, emergency medical services agencies, and hospitals for the purposes authorized in subsection (5).*

(c) *The application form shall describe the confidential nature of the medical information voluntarily provided by the participant and shall state that, by providing the medical information, the participant has authorized the use and disclosure of the medical information to authorized personnel solely for the purposes listed in subsection (5). The application form shall also require the participant's express written consent for such use and disclosure.*

(d) *The county may not charge any fee to participate in the blue square program.*

(4) *A participant shall receive a blue square decal, a blue square folder, and a form with the participant's information.*

(a) *The participant shall affix the decal onto the rear window in the left lower corner of a motor vehicle or in a clearly visible location on a motorcycle.*

(b) *A person who rides in a motor vehicle as a passenger may also participate in the program but may not be issued a decal if a decal is issued to the owner or lessee of the motor vehicle in which the person rides.*

(c) *The blue square folder, which shall be stored in the glove compartment of the motor vehicle or in a compartment attached to a motorcycle, shall contain a form with the following information about the participant:*

1. *The participant's name.*
2. *The participant's photograph.*
3. *Emergency contact information of no more than two persons for the participant.*
4. *The participant's medical information, including medical conditions, recent surgeries, allergies, and medications being taken.*
5. *The participant's hospital preference.*
6. *Contact information for no more than two physicians for the participant.*

(5)(a) *If a driver or passenger of a motor vehicle becomes involved in a motor vehicle accident or emergency situation, and a blue square decal is affixed to the vehicle, an emergency medical responder at the scene is authorized to search the glove compartment of the vehicle for the corresponding blue square folder.*

(b) *An emergency medical responder at the scene may use the information in the blue square folder for the following purposes only:*

1. *To positively identify the participant.*
2. *To ascertain whether the participant has a medical condition that might impede communications between the participant and the responder.*
3. *To inform the participant's emergency contacts about the location, condition, or death of the participant.*
4. *To learn the nature of any medical information reported by the participant on the form.*
5. *To ensure that the participant's current medications and preexisting medical conditions are considered when emergency medical treatment is administered for any injury to or condition of the participant.*

(6) *Except for wanton or willful conduct, an emergency medical responder or the employer of a responder does not incur any liability if a responder is unable to make contact, in good faith, with a participant's emergency contact person, or if a responder disseminates or fails to disseminate any information from the blue square folder to any other emergency medical responder, hospital, or healthcare provider who renders emergency medical treatment to the participant.*

(7) *The governing body of a participating county shall adopt guidelines and procedures for ensuring that any information that is confidential is not made public through the program.*

(8) *This section shall take effect July 1, 2014, or on the same date that legislation which exempts the information required under the blue square critical motorist medical information program from s. 119.071(1), Florida Statutes, and s. 24(a), Article I of the State Constitution, takes effect, whichever occurs later, if such legislation is adopted in the 2014 Regular Session of the Legislature or an extension thereof and becomes law.*

Section 68. *Except as otherwise expressly provided in this act, this act shall take effect upon becoming law.*

*And the title is amended as follows:*

*Delete everything before the enacting clause and insert: A bill to be entitled An act relating to economic development; repealing s. 11.45(3)(m), F.S., relating to the authority of the Auditor General to conduct audits of transportation corporations under the Florida Transportation Corporation Act; amending s. 20.23, F.S.; deleting the Florida Statewide Passenger Rail Commission; amending s. 110.205, F.S.; changing a title to the State Freight and Logistics Administrator from the State Public Transportation and Modal Administrator, which is an exempt position not covered under career service; amending s. 125.42, F.S.; requiring utility and television lines to be removed from county roads and highways at no cost to the county if the county finds the lines to be unreasonably interfering with the widening, repair, or reconstruction of any such road; amending s. 125.35, F.S.; providing that a county may include a commercial development that is ancillary to a professional sports facility in the lease of a sports facility under certain*



circumstances; amending s. 316.515, F.S.; providing that a straight truck may attach a forklift to the rear of the cargo bed if it does not exceed a specified length; repealing s. 316.530(3), F.S., relating to load limits for certain towed vehicles; amending s. 316.545, F.S.; increasing the weight amount used for penalty calculations; conforming terminology; amending s. 331.360, F.S.; reordering provisions; providing for a spaceport system plan; providing funding for space transportation projects from the State Transportation Trust Fund; requiring Space Florida to provide the Department of Transportation with specific project information and to demonstrate transportation and aerospace benefits; specifying the information to be provided; providing funding criteria; amending s. 332.007, F.S.; authorizing the Department of Transportation to fund strategic airport investments; providing criteria; amending s. 334.044, F.S.; prohibiting the department from entering into a lease-purchase agreement with certain transportation authorities after a specified time; providing an exception from the requirement to purchase all plant materials from Florida commercial nursery stock when prohibited by applicable federal law or regulation; revising requirements for and due date of Freight Mobility and Trade Plan; amending s. 335.06, F.S.; revising the responsibilities of the Department of Transportation, a county, or a municipality to improve or maintain a road that provides access to property within the state park system; amending s. 337.11, F.S.; removing the requirement that a contractor provide a notarized affidavit as proof of registration; amending s. 337.14, F.S.; revising the criteria for bidding certain construction contracts to require a proposed budget estimate if a contract is more than a specified amount; amending s. 337.168, F.S.; providing that a document that reveals the identity of a person who has requested or received certain information before a certain time is a public record; amending s. 337.25, F.S.; authorizing the Department of Transportation to use auction services in the conveyance of certain property or leasehold interests; revising certain inventory requirements; revising provisions and providing criteria for the department to dispose of certain excess property; providing such criteria for the disposition of donated property, property used for a public purpose, or property acquired to provide replacement housing for certain displaced persons; providing value offsets for property that requires significant maintenance costs or exposes the department to significant liability; providing procedures for the sale of property to abutting property owners; deleting provisions to conform to changes made by the act; providing monetary restrictions and criteria for the conveyance of certain leasehold interests; providing exceptions to restrictions for leases entered into for a public purpose; providing criteria for the preparation of estimates of value prepared by the department; providing that the requirements of s. 73.013, F.S., relating to eminent domain, are not modified; amending s. 337.251, F.S.; revising criteria for leasing particular department property; increasing the time the department must accept proposals for lease after a notice is published; authorizing the department to establish an application fee by rule; providing criteria for the fee; providing criteria that the lease must meet; amending s. 337.403, F.S.; revising the conditions under which an authority may bear the costs of utility work required to eliminate an unreasonable interference when the utility is unable to establish that it has a compensable property right in the property where the utility is located; requiring the department to pay the expenses of utility work necessitated by certain federally-funded projects under certain conditions; prohibiting the use of state dollars for such work; providing the subsection does not apply to any phase of the SunRail project; authorizing the department to pay the cost of utility work necessitated by a department project on the State Highway System for a city- or county-owned utility located in a rural area of critical economic concern designated pursuant to s. 288.0656, F.S.; amending s. 338.161, F.S.; authorizing the department to enter into agreements with owners of public or private transportation facilities under which the department uses its electronic toll collection and video billing systems to collect for the owner certain charges for use of the owners' transportation facilities; amending s. 338.165, F.S.; removing the Beeline-East Expressway and the Navarre Bridge from the list of facilities that have toll revenues to secure their bonds; amending s. 338.26, F.S.; revising the uses of fees that are generated from tolls to include the design and construction of a fire station that may be used by certain local governments in accordance with a specified memorandum; removing authority of a district to issue bonds or notes; amending s. 339.175, F.S.; revising the criteria that qualify a local government for participation in a metropolitan planning organization; revising the criteria to determine voting membership of a metropolitan planning organization; providing that each metropolitan planning organization shall review its membership and reapportion it as necessary; providing criteria; relocating the requirement that the Governor review and apportion the voting mem-

bership among the various governmental entities within the metropolitan planning area; amending s. 339.2821, F.S.; authorizing Enterprise Florida, Inc., to be a consultant to the Department of Transportation for consideration of expenditures associated with and contracts for transportation projects; revising the requirements for economic development transportation project contracts between the department and a governmental entity; repealing the Florida Transportation Corporation Act; repealing s. 339.401, F.S., relating to the short title; repealing s. 339.402, F.S., relating to definitions; repealing s. 339.403, F.S., relating to legislative findings and purpose; repealing s. 339.404, F.S., relating to authorization of corporations; repealing s. 339.405, F.S., relating to type and structure of the corporation and income; repealing s. 339.406, F.S., relating to contracts between the department and the corporation; repealing s. 339.407, F.S., relating to articles of incorporation; repealing s. 339.408, F.S., relating to the board of directors and advisory directors; repealing s. 339.409, F.S., relating to bylaws; repealing s. 339.410, F.S., relating to notice of meetings and open records; repealing s. 339.411, F.S., relating to the amendment of articles; repealing s. 339.412, F.S., relating to the powers of the corporation; repealing s. 339.414, F.S., relating to use of state property; repealing s. 339.415, F.S., relating to exemptions from taxation; repealing s. 339.416, F.S., relating to the authority to alter or dissolve corporations; repealing s. 339.417, F.S., relating to the dissolution of a corporation upon the completion of purposes; repealing s. 339.418, F.S., relating to transfer of funds and property upon dissolution; repealing s. 339.419, F.S., relating to department rules; repealing s. 339.420, F.S., relating to construction; repealing s. 339.421, F.S., relating to issuance of debt; amending s. 339.55, F.S.; adding spaceports to the list of facility types for which the state-funded infrastructure bank may lend capital costs or provide credit enhancements; amending s. 341.031, F.S.; revising the definition of the term "intercity bus service"; amending s. 341.052, F.S.; prohibiting an eligible public transit provider from using public transit block grant funds for a political advertisement or electioneering communication concerning an issue, referendum, or amendment, including any state question, that is subject to a vote of the electors; requiring the amount of the provider's grant to be reduced by any amount so spent; defining the term "public funds" for purposes of the prohibition; providing an exception; amending s. 341.053, F.S.; revising the types of eligible projects and criteria of the intermodal development program; amending s. 341.8203, F.S.; defining "communication facilities" and "railroad company" as used in the Florida Rail Enterprise Act; prohibiting owners of communication facilities from offering certain services to persons unrelated to a high-speed rail system; amending s. 341.822, F.S.; requiring the rail enterprise to establish a process to issue permits for railroad companies to construct communication facilities within a high speed rail system; providing rulemaking authority; providing for fees for issuing a permit; creating s. 341.825, F.S.; providing for a permit authorizing the permittee to locate, construct, operate, and maintain communication facilities within a new or existing high speed rail system; providing for application procedures and fees; providing for the effects of a permit; providing an exemption from local land use and zoning regulations; authorizing the enterprise to permit variances and exemptions from rules of the enterprise or other agencies; providing that a permit is in lieu of licenses, permits, certificates, or similar documents required under specified laws; providing for a modification of a permit; amending s. 341.840, F.S.; conforming a cross-reference; amending s. 343.922, F.S.; removing a reference to advances from the Toll Facilities Revolving Trust Fund as a source of funding for certain projects by an authority; amending s. 348.53, F.S.; authorizing the Tampa-Hillsborough County Expressway Authority to facilitate transportation, including managed lanes and other transit supporting facilities, excluding rail or other rail related facilities; amending s. 348.565, F.S.; revising the name of the Lee Roy Selmon Crosstown Expressway; amending s. 348.754, F.S.; extending, to 99 years from 40 years, the term of a lease agreement; amending s. 373.4137, F.S.; providing legislative intent that mitigation be implemented in a manner that promotes efficiency, timeliness, and cost-effectiveness in project delivery; revising the criteria of the environmental impact inventory; revising the criteria for mitigation of projected impacts identified in the environmental impact inventory; requiring the Department of Transportation to include funding for environmental mitigation for its projects in its work program; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the requirements for the payment to a water management district or the Department of Environmental Protection of the costs of mitigation planning and implementation of the mitigation required by a permit;



revising the payment criteria for preparing and implementing mitigation plans adopted by water management districts for transportation impacts based on the environmental impact inventory; adding federal requirements for the development of a mitigation plan; providing for transportation projects in the environmental mitigation plan for which mitigation has not been specified; revising a water management district's responsibilities relating to a mitigation plan; amending s. 373.618, F.S.; revising the outdoor advertisement exemption criteria for a public information system; requiring local government review or approval for certain public information systems; making public information systems subject to the requirements of ch. 479, F.S.; amending s. 479.16, F.S.; providing an exception if the Federal Government notifies the department that implementation or continuation will adversely affect allocation of federal funds; expanding the allowable size of certain signs or notices; expanding the placement exemption of certain signs; removing a certain small-business sign exemption; expanding the exemption requiring permits to signs placed by a local tourist-oriented business located in an area of critical economic concern, signs not in excess of a certain size placed temporarily during harvest season of a farm operation for a certain period of time, certain acknowledgement signs erected upon publicly funded school premises relating to a specific public school club, team, or event, and displays erected upon a sports facility; providing criteria for the signs; providing criteria for welcome centers to place certain signs under specified conditions; requiring the Florida Transportation Commission to study the potential for state revenue from parking meters and other parking time-limit devices; authorizing the commission to retain experts; requiring the department to pay for the experts; requiring certain information from municipalities and counties; requiring certain information to be considered in the study; requiring a written report; providing for a moratorium on new parking meters or other parking time-limit devices on the state right-of-way; providing honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; amending s. 212.20, F.S.; authorizing a distribution for an applicant that has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.11625, F.S.; providing a limitation; creating s. 288.11625, F.S.; providing that the Department of Economic Opportunity shall screen applicants for state funding for sports development; defining the terms "agreement," "applicant," "beneficiary," "facility," "project," "state sales taxes generated by sales at the facility," and "signature event"; providing a purpose to provide funding for applicants for constructing, reconstructing, renovating, or improving a facility; providing an application and approval process; providing for an annual application period; providing for the Department of Economic Opportunity to submit recommendations to the Legislature by a certain date; requiring legislative approval for state funding; providing evaluation criteria for an applicant to receive state funding; providing for evaluation and ranking of applicants under certain criteria; allowing the department to determine the type of beneficiary; providing levels of state funding up to a certain amount of new incremental state sales tax revenue; providing for a distribution and calculation; requiring the Department of Revenue to distribute funds within a certain time-frame after notification by the department; limiting annual distributions to \$13 million; providing for a contract between the department and the applicant; limiting use of funds; requiring an applicant to submit information to the department annually; requiring a 5-year review; authorizing the Auditor General to conduct audits; providing for reimbursement of the state funding under certain circumstances; providing for discontinuation of distributions upon an applicant's request; authorizing the Department of Economic Opportunity to adopt rules; contingently creating s. 288.116255, F.S.; providing for an evaluation; amending s. 218.64, F.S.; providing for municipalities and counties to expend a portion of local government half-cent sales tax revenues to reimburse the state as required by a contract; authorizing the Department of Economic Opportunity to adopt emergency rules; enacting a moratorium on the assessment or enforcement of the communications services tax on the sale of prepaid wireless communications services under certain conditions; providing for the tolling of certain statutes of limitations covered by the moratorium; providing for the repeal of the section; authorizing the governing body of a county to create a blue square critical motorist medical information program for certain purposes; authorizing a county to solicit sponsorships for the medical information program and enter into an interlocal agreement with another county to solicit such sponsorships; authorizing the Department of Transportation to provide education and training and publicize the program; authorizing an owner or lessee of a motor vehicle to participate in the program upon the submission of certain documentation; providing

for an application form that must contain statements regarding the disclosure of personal information and confidentiality; providing for distribution to participants of a blue square decal, a blue square folder to be issued to participants, and a form containing specified information about the participant; providing procedures for use of the decal, folder, and form; providing for limited use of information on the forms by emergency medical responders; limiting liability of emergency medical responders; requiring the governing body of a participating county to adopt guidelines and procedures to ensure that confidential information is not made public; providing for applicability; providing effective dates.

Senator Clemens moved the following amendment to substitute **Amendment 2** which failed:

**Amendment 2A (931716)**—Between lines 2450 and 2451 insert:

*(20) Signs erected upon land owned by a municipality which is zoned for park or recreational use and upon which the sign is erected for the purpose of utilizing all revenues derived from the sign to maintain or improve the park or recreational area upon which the sign is erected.*

The question recurred on substitute **Amendment 2 (814240)** which was adopted by two-thirds vote.

On motion by Senator Brandes, **CS for CS for HB 7127** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

## RECESS

The President declared the Senate in recess at 3:36 p.m. to reconvene at 4:00 p.m.

## CALL TO ORDER

The Senate was called to order by President Gaetz at 4:14 p.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

## BILLS ON THIRD READING

**CS for CS for CS for HB 999**—A bill to be entitled An act relating to environmental regulation; amending s. 20.255, F.S.; authorizing the Department of Environmental Protection to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending ss. 125.022 and 166.033, F.S.; providing requirements for the review of development permit applications by counties and municipalities; amending s. 211.3103, F.S.; revising the definition of “phosphate-related expenses” to include maintenance and restoration of certain lands; amending s. 253.0345, F.S.; revising provisions for the duration of leases and letters of consent issued by the Board of Trustees of the Internal Improvement Trust Fund for special events; providing conditions for fees relating to such leases and letters of consent; creating s. 253.0346, F.S.; defining the term “first-come, first-served basis”; providing conditions for the discount and waiver of lease fees and surcharges for certain marinas, boatyards, and marine retailers; providing applicability; amending s. 253.0347, F.S.; providing exemptions from lease fees for certain lessees; amending s. 373.118, F.S.; deleting provisions requiring the department to adopt general permits for public marina facilities; deleting certain requirements under general permits for public marina facilities and mooring fields; limiting the number of vessels for mooring fields authorized under such permits; providing for the department to issue certain leases; amending s. 373.233, F.S.; clarifying conditions for competing consumptive use of water applications; amending s. 373.236, F.S.; prohibiting water management districts from reducing certain allocations as a result of sea-water desalination plant activities; providing an exception; amending s. 373.246, F.S.; authorizing the department or governing board to notify permittees by electronic mail of permit changes under certain conditions; amending s. 373.308, F.S.; providing that issuance of well permits is the sole responsibility of water management districts, delegated local governments, and local county health departments; prohibiting certain counties and other government entities from imposing requirements and fees and establishing programs for installation and abandonment of groundwater wells; amending s. 373.323, F.S.; providing that licenses issued by water management districts are the only water well contractor licenses required for construction, repair, or abandonment of water wells; authorizing licensed water well contractors to install equipment for all water systems; amending s. 373.406, F.S.; exempting specified ponds, ditches, and wetlands from surface water management and storage requirements; exempting certain water control districts from certain wetlands regulation; amending s. 376.30713, F.S.; increasing the amount of funding for preapproved advanced cleanup work contracts; increasing the amount of funding a facility is eligible for in each fiscal year; amending s. 376.313, F.S.; holding harmless a person who discharges pollution pursuant to ch. 403, F.S.; amending s. 403.031, F.S.; defining the term “beneficiary”; amending s. 403.061, F.S.; authorizing the department to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending s. 403.0872, F.S.; extending the payment deadline of permit fees for major sources of air pollution and conforming the date for related notice by the department; revising provisions for the calculation of such annual fees; amending s. 403.088, F.S.; revising conditions for denial of water pollution operation permit applications; amending s. 403.0893, F.S.; authorizing a local government to charge stormwater utility fees to the beneficiaries of the stormwater utility; providing for the collection of delinquent fees; amending s. 403.7046, F.S.; prohibiting local governments from using information contained in recovered materials dealer registration applications for specified purposes; providing that a recovered materials dealer may seek injunctive relief and damages for certain violations; amending s. 403.813, F.S.; revising conditions under which certain permits are not required for seawall restoration projects; creating s. 403.8141, F.S.; requiring the Department of Environmental Protection to establish general permits for special events; providing permit requirements; amending s. 403.973, F.S.; authorizing expedited permitting for natural gas pipelines, subject to specified certification; providing that natural gas pipelines are subject to certain requirements; providing that natural gas pipelines are eligible for certain review; providing for applicability of specified changes made by the act; providing for legislative ratification and approval of specified leases approved by the Board of Trustees of the Internal Improvement Trust Fund; providing legislative findings with respect to such leases; creating the Florida Fertilizer Regulatory Review Council; providing legislative findings; providing for the council’s purpose, membership, and duties; providing for the council to be staffed and funded jointly by the Department of Agriculture and Consumer Services and the Department of

Environmental Protection; requiring the council to submit a report to the Governor, Legislature, and specified officials; providing for dissolution of the council; prohibiting local governments from adopting or enforcing certain ordinances; providing an exception; providing an effective date.

—as amended May 2 was read the third time by title.

On motion by Senator Altman, **CS for CS for CS for HB 999** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—1

Negron

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for HB 7013 as further amended, and requests the concurrence of the Senate.

Robert L. “Bob” Ward, Clerk

**CS for HB 7013**—A bill to be entitled An act relating to the Florida Election Code; amending s. 97.0555, F.S.; revising the persons authorized to register late to vote; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; specifying that the limitation on the number of words does not apply to a ballot summary revised by the Attorney General; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; revising the number of days and hours for early voting; amending s. 101.68, F.S.; requiring the supervisor of elections to notify an elector whose absentee ballot is returned without a signature or with another defect that an absentee ballot may be reissued upon completion of an affidavit; revising what a canvassing board may consider an illegal absentee ballot; providing a form for the affidavit; providing procedures for the reissuance of an absentee ballot; amending s. 102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor of elections to upload certain canvassed election results into a county’s election management system by the end of the early voting period; prohibiting disclosure of those results providing an effective date.

**House Amendment 1 (240123) (with title amendment) to Senate Amendment 1 (362928)**—Remove lines 5-1085 of the amendment and insert:

Section 1. Section 97.0555, Florida Statutes, is amended to read:

97.0555 Late registration.—An individual or accompanying family member who has been discharged or separated from the uniformed services or the *United States Merchant Marine*, has returned from a military deployment or activation, or has separated from employment outside the territorial limits of the United States, after the book-closing date for an election pursuant to s. 97.055 and who is otherwise qualified may register to vote in such election until 5 p.m. on the Friday before

that election in the office of the supervisor of elections. Such persons must produce sufficient documentation showing evidence of qualifying for late registration pursuant to this section.

Section 2. Section 100.032, Florida Statutes, is created to read:

*100.032 Election preparation report; general election.*

*Each supervisor of elections must post a report on his or her official website at least 3 months before a general election which outlines preparations for the upcoming general election. The report must include, at a minimum, the following elements: the anticipated staffing levels during the early voting period, on election day and after election day; and the anticipated amount of automatic tabulating equipment at each early voting site and polling place.*

Section 3. Section 100.061, Florida Statutes, is amended to read:

**100.061 Primary election.**—In each year in which a general election is held, a primary election for nomination of candidates of political parties shall be held on the Tuesday ~~10~~ 42 weeks prior to the general election. The candidate receiving the highest number of votes cast in each contest in the primary election shall be declared nominated for such office. If two or more candidates receive an equal and highest number of votes for the same office, such candidates shall draw lots to determine which candidate is nominated.

Section 4. Paragraphs (a) and (b) of subsection (2) of section 101.045, Florida Statutes, are amended to read:

**101.045** Electors must be registered in precinct; provisions for change of residence or name.—

(2)(a) An elector who moves from the precinct in which the elector is registered ~~may be permitted to vote in the precinct to which he or she has moved his or her legal residence, if the change of residence is within the same county or the precinct to which the elector has moved his or her legal residence is within a county that uses an electronic database as a precinct register at the polling place, and the elector completes an affirmation in substantially the following form:~~

**Change of Legal Residence of Registered Voter**

Under penalties for false swearing, I, ...(Name of voter)..., swear (or affirm) that the former address of my legal residence was ...(Address of legal residence)... in the municipality of ..., in ... County, Florida, and I was registered to vote in the ... precinct of ... County, Florida; that I have not voted in the precinct of my former registration in this election; that I now reside at ...(Address of legal residence)... in the Municipality of ..., in ... County, Florida, and am therefore eligible to vote in the ... precinct of ... County, Florida; and I further swear (or affirm) that I am otherwise legally registered and entitled to vote.

...(Signature of voter whose address of legal residence has changed)...

(b) Except for an active uniformed services voter or a member of his or her family ~~and except for an elector who has moved his or her legal residence to a precinct within a county that uses an electronic database as a precinct register at the polling place, an elector whose change of address is from outside the county may not change his or her legal residence at the polling place and must vote a provisional regular ballot; however, such elector is entitled to vote a provisional ballot.~~

Section 5. Present subsection (8) of section 101.151, Florida Statutes, is renumbered as subsection (9), and a new subsection (8) is added to that section, to read:

**101.151** Specifications for ballots.—

(8) In counties subject to multi-language ballot requirements, the supervisor may petition the United States Department of Justice for authorization for the supervisor to print and deliver single-language ballots for each minority language required.

Section 6. Subsection (3) of section 101.161, Florida Statutes, is amended to read:

**101.161** Referenda; ballots.—

(3)(a) Each joint resolution that proposes a constitutional amendment or revision shall include one or more ballot statements set forth in order of priority. Each ballot statement shall consist of a ballot title, by which the measure is commonly referred to or spoken of, not exceeding 15 words in length, and either a ballot summary that describes the chief purpose of the amendment or revision in clear and unambiguous language, ~~or the full text of the amendment or revision. If a joint resolution that proposes a constitutional amendment or revision contains only one ballot statement, the ballot summary may not exceed 75 words in length. If a joint resolution that proposes a constitutional amendment or revision contains more than one ballot statement, the first ballot summary, in order of priority, may not exceed 75 words in length.~~

(b) The Department of State shall furnish a designating number pursuant to subsection (2) and the appropriate ballot statement to the supervisor of elections of each county. The ballot statement shall be printed on the ballot after the list of candidates, followed by the word “yes” and also by the word “no,” and shall be styled in such a manner that a “yes” vote will indicate approval of the amendment or revision and a “no” vote will indicate rejection.

(c)(b)1. Any action for a judicial determination that one or more ballot statements embodied in a joint resolution are defective must be commenced by filing a complaint or petition with the appropriate court within 30 days after the joint resolution is filed with the Secretary of State. The complaint or petition shall assert all grounds for challenge to each ballot statement. Any ground not asserted within 30 days after the joint resolution is filed with the Secretary of State is waived.

2. The court, including any appellate court, shall accord an action described in subparagraph 1. priority over other pending cases and render a decision as expeditiously as possible. If the court finds that all ballot statements embodied in a joint resolution are defective and further appeals are declined, abandoned, or exhausted, unless otherwise provided in the joint resolution, the Attorney General shall, within 10 days, prepare and submit to the Department of State a revised ballot title or ballot summary that corrects the deficiencies identified by the court, and the Department of State shall furnish a designating number and the revised ballot title or ballot summary to the supervisor of elections of each county for placement on the ballot. *The revised ballot summary may exceed 75 words in length.* The court shall retain jurisdiction over challenges to a revised ballot title or ballot summary prepared by the Attorney General, and any challenge to a revised ballot title or ballot summary must be filed within 10 days after a revised ballot title or ballot summary is submitted to the Department of State.

~~3. A ballot statement that consists of the full text of an amendment or revision shall be presumed to be a clear and unambiguous statement of the substance and effect of the amendment or revision, providing fair notice to the electors of the content of the amendment or revision and sufficiently advising electors of the issue upon which they are to vote.~~

Section 7. Subsection (3) of section 101.5605, Florida Statutes, is amended to read:

**101.5605** Examination and approval of equipment.—

(3)(a) *Before the Department of State approves the electronic or electromechanical voting system, the person who submitted it for examination shall provide the department with the name, mailing address, and telephone number of a registered agent, which agent must have and continuously maintain an office in this state. Any change in the name, address, or telephone number of the registered agent shall promptly be made known to the department.*

(b) *Before entering into a contract for the sale or lease of a voting system approved under this section to any county, the person entering into such contract shall provide the department with the name, mailing address, and telephone number of a registered agent, which agent must have and continuously maintain an office in this state. Any change in the name, address, or telephone number of the registered agent shall promptly be made known to the department.*

(c) *The department's proof of delivery or attempted delivery to the last mailing address of the registered agent on file with the department at the time of delivery or attempted delivery is valid for all notice purposes.*

(d) Within 30 days after completing the examination and upon approval of any electronic or electromechanical voting system, the Department of State shall make and maintain a report on the system, together with a written or printed description and drawings and photographs clearly identifying the system and the operation thereof. As soon as practicable after such filing, the department shall send a notice of certification and, upon request, a copy of the report to the governing bodies of the respective counties of the state. Any voting system that does not receive the approval of the department ~~may shall~~ not be adopted for or used at any election.

(e)(b) After a voting system has been approved by the Department of State, any change or improvement in the system is required to be approved by the department prior to the adoption of such change or improvement by any county. If any such change or improvement does not comply with the requirements of this act, the department shall suspend all sales of the equipment or system in the state until the equipment or system complies with the requirements of this act.

Section 8. Section 101.56065, Florida Statutes, is created to read:

*101.56065 Voting system defects; disclosure; investigations; penalties.—*

(1) *For purposes of this section, the term:*

(a) *“Defect” means:*

1. *Any failure, fault, or flaw in an electronic or electromechanical voting system approved pursuant to s. 101.5605 which results in non-conformance with the standards in a manner that affects the timeliness or accuracy of the casting or counting of ballots; or*

2. *Any failure or inability of the voting system manufacturer or vendor to make available or provide approved replacements of hardware or software to the counties that have purchased the approved voting system, the unavailability of which results in the system’s nonconformance with the standards in a manner that affects the timeliness or accuracy of the casting or counting of ballots.*

(b) *“Standards” refers to the requirements in ss. 101.5606 and 101.56062 under which a voting system was approved for use in the state.*

(c) *“Vendor” means a person who submits or previously submitted a voting system that was approved by the Department of State in accordance with s. 101.5605, or a person who enters into a contract for the sale or lease of a voting system to any county, or that previously entered into such a contract that has not expired.*

(2)(a) *No later than December 31, 2013, and, thereafter, on January 1 of every odd-numbered year, each vendor shall file a written disclosure with the department identifying any known defect in the voting system or the fact that there is no known defect, the effect of any defect on the operation and use of the approved voting system, and any known corrective measures to cure a defect, including, but not limited to, advisories and bulletins issued to system users.*

(b) *Implementation of corrective measures approved by the department which enable a system to conform to the standards and ensure the timeliness and accuracy of the casting and counting of ballots constitutes a cure of a defect.*

(c) *If a vendor becomes aware of the existence of a defect, he or she must file a new disclosure with the department as provided in paragraph (a) within 30 days after the date the vendor determined or reasonably should have determined that the defect existed.*

(d) *If a vendor discloses to the department that a defect exists, the department may suspend all sales or leases of the voting system in the state and may suspend the use of the system in any election in the state. The department shall provide written notice of any such suspension to each affected vendor and supervisor of elections. If the department determines that the defect no longer exists, the department shall lift the suspension and provide written notice to each affected vendor and supervisor of elections.*

(e) *If a vendor fails to file a required disclosure for a voting system previously approved by the department, that system may not be sold, leased, or used for elections in the state until it has been submitted for*

*examination and approval and adopted for use pursuant to s. 101.5605. The department shall provide written notice to all supervisors of elections that the system is no longer approved.*

(3)(a) *If the department has reasonable cause to believe a voting system approved pursuant to s. 101.5605 contains a defect either before, during, or after an election which has not been disclosed pursuant to subsection (2), the department may investigate whether the voting system has a defect.*

(b) *The department may initiate an investigation pursuant to paragraph (a) on its own initiative or upon the written request of the supervisor of elections of a county that purchased or leased a voting system that contains the alleged defect.*

(c) *Upon initiating an investigation, the department shall provide written notice to the vendor and all of the supervisors of elections.*

(4)(a) *If the department determines by a preponderance of the evidence that a defect exists in the voting system, or that a vendor failed to timely disclose a defect pursuant to subsection (2), the department shall provide written notice to the affected vendor and supervisors of elections.*

(b) *A vendor entitled to receive notice pursuant to paragraph (a) shall, within 10 days, file a written response to the department which:*

1. *Denies that the alleged defect exists or existed as alleged by the department or that the vendor failed to timely disclose a defect, and sets forth the reasons for such denial; or*

2. *Admits that the defect exists or existed as alleged by the department or that the vendor failed to timely disclose a defect.*

(c) *If the defect has been cured, the vendor shall provide an explanation of how the defect was cured.*

(d) *If the defect has not been cured, the vendor shall inform the department whether the defect can be cured and shall provide the department with a plan for curing the defect. If the defect can be cured, the department shall establish a timeframe within which to cure the defect.*

(5) *If after receiving a response from the vendor, the department determines that a defect does not exist or has been cured within the timeframe established by the department, the department shall take no further action.*

(6) *If the department determines that: a vendor failed to timely disclose a defect; or that a defect exists and a vendor has not filed a written response or has failed to cure within the timeframe established by the department, or if the defect cannot be cured, the department shall impose a civil penalty of \$25,000 for the defect plus an amount equal to the actual costs incurred by the department in conducting the investigation.*

(7) *If the department finds that a defect existed:*

(a) *The department may suspend all sales and leases of the voting system and may suspend its use in any county in the state. The department shall provide written notice of the suspension to each affected vendor and supervisor of elections.*

(b) *If the department determines that a defect no longer exists in a voting system that has been suspended from use pursuant to paragraph (a), the department shall lift the suspension and authorize the sale, lease, and use of the voting system in any election in the state. The department shall provide written notice that the suspension has been lifted to each affected vendor and supervisor of elections.*

(c) *If the defect cannot be cured, the department may disapprove the voting system for use in elections in the state. The department shall provide written notice to all supervisors of elections that the system is no longer approved. After approval of a system has been withdrawn pursuant to this paragraph, the system may not be sold, leased, or used in elections in the state until it has been submitted for examination and approval and adopted for use pursuant to s. 101.5605.*

(d) *Any vendor against whom a civil penalty was imposed under this section may not submit a voting system for approval by the Department of State in accordance with s. 101.5605 or enter into a contract for sale or lease of a voting system in the state until the civil penalties have been paid*

and the department provides written confirmation to the supervisors of elections of the payment.

(8) The department shall prepare a written report of any investigation conducted pursuant to this section.

(9) The authority of the department under this section is in addition to, and not exclusive of, any other authority provided by law.

(10) All proceedings under this section are exempt from chapter 120.

Section 9. Section 101.56075, Florida Statutes, is amended to read:

101.56075 Voting methods.—

(1) Except as provided in subsection (2), all voting shall be by mark-sense ballot utilizing a marking device for the purpose of designating ballot selections.

(2) Persons with disabilities may vote on a voter interface device that meets the voting system accessibility requirements for individuals with disabilities pursuant to s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062.

(3) By 2020 2016, persons with disabilities shall vote on a voter interface device that meets the voter accessibility requirements for individuals with disabilities under s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062 which are consistent with subsection (1) of this section.

~~(4) By December 31, 2013, all voting systems utilized by voters during a state election shall permit placement on the ballot of the full text of a constitutional amendment or revision containing stricken or underlined text.~~

Section 10. Subsections (1) and (2) of section 101.591, Florida Statutes, are amended, and subsection (4) of that section is republished, to read:

101.591 Voting system audit.—

(1) Immediately following the certification of each election, the county canvassing board or the local board responsible for certifying the election shall conduct a manual audit or an automated, independent audit of the voting systems used in randomly selected precincts.

(2)(a) ~~A manual~~ The audit shall consist of a public manual tally of the votes cast in one randomly selected race that appears on the ballot. The tally sheet shall include election-day, absentee, early voting, provisional, and overseas ballots, in at least 1 percent but no more than 2 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. If 1 percent of the precincts is less than one entire precinct, the audit shall be conducted using at least one precinct chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting.

(b) ~~An automated audit shall consist of a public automated tally of the votes cast across every race that appears on the ballot. The tally sheet shall include election day, absentee, early voting, provisional, and overseas ballots in at least 20 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. Such precincts shall be selected at a publicly noticed canvassing board meeting.~~

(c) The division shall adopt rules for approval of an independent audit system which provide that the system, at a minimum, must be:

1. Completely independent of the primary voting system.
2. Fast enough to produce final audit results within the timeframe prescribed in subsection (4).
3. Capable of demonstrating that the ballots of record have been accurately adjudicated by the audit system.

(4) The audit must be completed and the results made public no later than 11:59 p.m. on the 7th day following certification of the election by

the county canvassing board or the local board responsible for certifying the election.

Section 11. Subsections (1) and (3) and paragraph (c) of subsection (4) of section 101.62, Florida Statutes, are amended to read:

101.62 Request for absentee ballots.—

(1)(a) The supervisor shall accept a request for an absentee ballot from an elector in person or in writing. One request shall be deemed sufficient to receive an absentee ballot for all elections through the end of the calendar year of the second ensuing regularly scheduled general election, unless the elector or the elector's designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written or telephonic request for an absentee ballot to be mailed to an elector's address on file in the Florida Voter Registration System from the elector, or, if directly instructed by the elector, a member of the elector's immediate family, or the elector's legal guardian; if the ballot is requested to be mailed to an address other than the elector's address on file in the Florida Voter Registration System, the request must be made in writing and signed by the elector. However, an absent uniformed service voter or an overseas voter seeking an absentee ballot is not required to submit a signed, written request for an absentee ballot that is being mailed to an address other than the elector's address on file in the Florida Voter Registration System. For purposes of this section, the term "immediate family" has the same meaning as specified in paragraph (4)(c). The person making the request must disclose:

1. The name of the elector for whom the ballot is requested.
2. The elector's address.
3. The elector's date of birth.
4. The requester's name.
5. The requester's address.
6. The requester's driver's license number, if available.
7. The requester's relationship to the elector.
8. The requester's signature (written requests only).

(c) Upon receiving a request for an absentee ballot from an absent voter, the supervisor of elections shall notify the voter of the free access system that has been designated by the department for determining the status of his or her absentee ballot.

(3) For each request for an absentee ballot received, the supervisor shall record the date the request was made, the date the absentee ballot was delivered to the voter or the voter's designee or the date the absentee ballot was delivered to the post office or other carrier, the date the ballot was received by the supervisor, the absence of the voter's signature on the voter's certificate, if applicable, and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from the provisions of s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees or registered committees of continuous existence, for political purposes only.

(4)

(c) The supervisor shall provide an absentee ballot to each elector by whom a request for that ballot has been made by one of the following means:

1. By nonforwardable, return-if-undeliverable mail to the elector's current mailing address on file with the supervisor or any other address the elector specifies in the request.

2. By forwardable mail, e-mail, or facsimile machine transmission to absent uniformed services voters and overseas voters. The absent uniformed services voter or overseas voter may designate in the absentee ballot request the preferred method of transmission. If the voter does not designate the method of transmission, the absentee ballot shall be mailed.

3. By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043.

4. By delivery to a designee on election day or up to 5 days prior to the day of an election. Any elector may designate in writing a person to pick up the ballot for the elector; however, the person designated may not pick up more than two absentee ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the designee's spouse or the parent, child, grandparent, or sibling of the designee or of the designee's spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

5. *Except as provided in s. 101.655, the supervisor may not deliver an absentee ballot to an elector or an elector's immediate family member on the day of the election unless there is an emergency, to the extent that the elector will be unable to go to his or her assigned polling place. If an absentee ballot is delivered, the elector or his or her designee shall execute an affidavit affirming to the facts which allow for delivery of the absentee ballot. The department shall adopt a rule providing for the form of the affidavit.*

Section 12. Section 101.65, Florida Statutes, is amended to read:

101.65 Instructions to absent electors.—The supervisor shall enclose with each absentee ballot separate printed instructions in substantially the following form:

**READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.**

1. **VERY IMPORTANT.** In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the day of the election. *However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your absentee ballot must be postmarked or dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election.*

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one candidate, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope.

5. Insert the secrecy envelope into the enclosed mailing envelope which is addressed to the supervisor.

6. Seal the mailing envelope and completely fill out the Voter's Certificate on the back of the mailing envelope.

7. **VERY IMPORTANT.** In order for your absentee ballot to be counted, you must sign your name on the line above (Voter's Signature). An absentee ballot will be considered illegal and not be counted if the signature on the voter's certificate does not match the signature on record. The signature on file at the start of the canvass of the absentee ballots is the signature that will be used to verify your signature on the voter's certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of the canvassing of absentee ballots, which occurs no earlier than the 15th day before election day.

8. **VERY IMPORTANT.** If you are an overseas voter, you must include the date you signed the Voter's Certificate on the line above (Date) or your ballot may not be counted.

9. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

10. **FELONY NOTICE.** It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

Section 13. Paragraphs (a) and (d) of subsection (1) of section 101.657, Florida Statutes, are amended to read:

101.657 Early voting.—

(1)(a) As a convenience to the voter, the supervisor of elections shall allow an elector to vote early in the main or branch office of the supervisor. The supervisor shall mark, code, indicate on, or otherwise track the voter's precinct for each early voted ballot. In order for a branch office to be used for early voting, it shall be a permanent facility of the supervisor and shall have been designated and used as such for at least 1 year prior to the election. The supervisor may also designate any city hall, ~~or~~ permanent public library facility, fairground, civic center, courthouse, county commission building, stadium, convention center, government-owned senior center, or government-owned community center as early voting sites; however, if so designated, the sites must be geographically located so as to provide all voters in the county an equal opportunity to cast a ballot, insofar as is practicable. *In addition, a supervisor may designate one early voting site per election in an area of the county that does not have any of the eligible early voting locations. Such additional early voting site must be geographically located so as to provide all voters in that area with an equal opportunity to cast a ballot, insofar as is practicable. Each county shall, at a minimum, operate the same total number of early voting sites for a general election which the county operated for the 2012 general election.* The results or tabulation of votes cast during early voting may not be made before the close of the polls on election day. Results shall be reported by precinct.

(d) Early voting shall begin on the 10th day before an election that contains state or federal races and end on the 3rd day before the election, and shall be provided for no less than 8 ~~6~~ hours and no more than 12 hours per day at each site during the applicable period. *In addition, early voting may be offered at the discretion of the supervisor of elections on the 15th, 14th, 13th, 12th, 11th, or 2nd day before an election that contains state or federal races for at least 8 hours per day, but not more than 12 hours per day.* The supervisor of elections may provide early voting for elections that are not held in conjunction with a state or federal election. However, the supervisor has the discretion to determine the hours of operation of early voting sites in those elections.

Section 14. Subsection (2) of section 101.67, Florida Statutes, is amended to read:

101.67 Safekeeping of mailed ballots; deadline for receiving absentee ballots.—

(2) *Except as provided in s. 101.6952(5),* all marked absent electors' ballots to be counted must be received by the supervisor by 7 p.m. the day of the election. All ballots received thereafter shall be marked with the time and date of receipt and filed in the supervisor's office.

Section 15. Subsections (1) and (4) of section 101.68, Florida Statutes, are amended, and subsection (2) of that section is reenacted and amended, to read:

**101.68 Canvassing of absentee ballot.—**

(1) The supervisor of the county where the absent elector resides shall receive the voted ballot, at which time the supervisor shall compare the signature of the elector on the voter's certificate with the signature of the elector in the registration books or the precinct register to determine whether the elector is duly registered in the county and may record on the elector's registration certificate that the elector has voted. However, effective July 1, 2005, an elector who dies after casting an absentee ballot but on or before election day shall remain listed in the registration books until the results have been certified for the election in which the ballot was cast. The supervisor shall safely keep the ballot unopened in his or her office until the county canvassing board canvasses the vote. *Except as provided in subsection (4)*, after an absentee ballot is received by the supervisor, the ballot is deemed to have been cast, and changes or additions may not be made to the voter's certificate.

(2)(a) The county canvassing board may begin the canvassing of absentee ballots at 7 a.m. on the 15th day before the election, but not later than noon on the day following the election. In addition, for any county using electronic tabulating equipment, the processing of absentee ballots through such tabulating equipment may begin at 7 a.m. on the 15th day before the election. However, notwithstanding any such authorization to begin canvassing or otherwise processing absentee ballots early, no result shall be released until after the closing of the polls in that county on election day. Any supervisor of elections, deputy supervisor of elections, canvassing board member, election board member, or election employee who releases the results of a canvassing or processing of absentee ballots prior to the closing of the polls in that county on election day commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) To ensure that all absentee ballots to be counted by the canvassing board are accounted for, the canvassing board shall compare the number of ballots in its possession with the number of requests for ballots received to be counted according to the supervisor's file or list.

(c)1. The canvassing board shall, if the supervisor has not already done so, compare the signature of the elector on the voter's certificate or on the absentee ballot affidavit as provided in subsection (4) with the signature of the elector in the registration books or the precinct register to see that the elector is duly registered in the county and to determine the legality of that absentee ballot. The ballot of an elector who casts an absentee ballot shall be counted even if the elector dies on or before election day, as long as, prior to the death of the voter, the ballot was postmarked by the United States Postal Service, date-stamped with a verifiable tracking number by common carrier, or already in the possession of the supervisor of elections. An absentee ballot shall be considered illegal if the voter's certificate or absentee ballot affidavit ~~it~~ does not include the signature of the elector, as shown by the registration records or the precinct register. However, an absentee ballot ~~is shall~~ not be considered illegal if the signature of the elector does not cross the seal of the mailing envelope. If the canvassing board determines that any ballot is illegal, a member of the board shall, without opening the envelope, mark across the face of the envelope: "rejected as illegal." *The absentee ballot affidavit, if applicable*, the envelope, and the ballot contained therein shall be preserved in the manner that official ballots voted are preserved.

2. If any elector or candidate present believes that an absentee ballot is illegal due to a defect apparent on the voter's certificate or the absentee ballot affidavit, he or she may, at any time before the ballot is removed from the envelope, file with the canvassing board a protest against the canvass of that ballot, specifying the precinct, the ballot, and the reason he or she believes the ballot to be illegal. A challenge based upon a defect in the voter's certificate or absentee ballot affidavit may not be accepted after the ballot has been removed from the mailing envelope.

(d) The canvassing board shall record the ballot upon the proper record, unless the ballot has been previously recorded by the supervisor. The mailing envelopes shall be opened and the secrecy envelopes shall be mixed so as to make it impossible to determine which secrecy envelope came out of which signed mailing envelope; however, in any county in which an electronic or electromechanical voting system is used, the ballots may be sorted by ballot styles and the mailing envelopes may

be opened and the secrecy envelopes mixed separately for each ballot style. The votes on absentee ballots shall be included in the total vote of the county.

(4)(a) The supervisor of elections shall, on behalf of the county canvassing board, notify each elector whose ballot was rejected as illegal and ~~provide the specific reason the ballot was rejected because of a difference between the elector's signature on the ballot and that on the elector's voter registration record.~~ The supervisor shall mail a voter registration application to the elector to be completed indicating the elector's current signature if the elector's ballot was rejected due to a difference between the elector's signature on the voter's certificate or absentee ballot affidavit and the elector's signature in the registration books or precinct register. This section does not prohibit the supervisor from providing additional methods for updating an elector's signature.

(b) *Until 5 p.m. on the day before an election, the supervisor shall allow an elector who has returned an absentee ballot that does not include the elector's signature to complete and submit an affidavit in order to cure the unsigned absentee ballot.*

(c) *The elector shall provide identification to the supervisor and must complete an absentee ballot affidavit in substantially the following form:*

**ABSENTEE BALLOT AFFIDAVIT**

*I, ..., am a qualified voter in this election and registered voter of .... County, Florida. I do solemnly swear or affirm that I requested and returned the absentee ballot and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I may be convicted of a felony of the third degree and fined up to \$5,000 and imprisoned for up to 5 years. I understand that my failure to sign this affidavit means that my absentee ballot will be invalidated.*

*...(Voter's Signature)...*

*...(Address)...*

*(d) Instructions must accompany the absentee ballot affidavit in substantially the following form:*

**READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.**

*1. In order to ensure that your absentee ballot will be counted, your affidavit should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 5 p.m. on the 2nd day before the election.*

*2. You must sign your name on the line above (Voter's Signature).*

*3. You must make a copy of one of the following forms of identification:*

*a. Identification that includes your name and photograph: United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; or public assistance identification; or*

*b. Identification that shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document (excluding voter identification card).*

*4. Place the envelope bearing the affidavit into a mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope. Mail, deliver, or have delivered the completed affidavit along with the copy of your identification to your county supervisor of elections. Be sure there is sufficient postage if mailed and that the supervisor's address is correct.*

*5. Alternatively, you may fax or e-mail your completed affidavit and a copy of your identification to the supervisor of elections. If e-mailing, please provide these documents as attachments.*

*(e) The department and each supervisor shall include the affidavit and instructions on their respective websites. The supervisor must include his or her office's mailing address, e-mail address, and fax number on the*



page containing the affidavit instructions; the department's instruction page must include the office mailing addresses, e-mail addresses, and fax numbers of all supervisors of elections or provide a conspicuous link to such addresses.

(f) The supervisor shall attach each affidavit received to the appropriate absentee ballot mailing envelope.

Section 16. Subsection (2) of section 101.6923, Florida Statutes, is amended to read:

101.6923 Special absentee ballot instructions for certain first-time voters.—

(2) A voter covered by this section shall be provided with printed instructions with his or her absentee ballot in substantially the following form:

**READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.**

1. In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the date of the election. *However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your absentee ballot must be postmarked or dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election.*

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope and seal the envelope.

5. Insert the secrecy envelope into the enclosed envelope bearing the Voter's Certificate. Seal the envelope and completely fill out the Voter's Certificate on the back of the envelope.

a. You must sign your name on the line above (Voter's Signature).

b. If you are an overseas voter, you must include the date you signed the Voter's Certificate on the line above (Date) or your ballot may not be counted.

c. An absentee ballot will be considered illegal and will not be counted if the signature on the Voter's Certificate does not match the signature on record. The signature on file at the start of the canvass of the absentee ballots is the signature that will be used to verify your signature on the Voter's Certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of canvassing of absentee ballots, which occurs no earlier than the 15th day before election day.

6. Unless you meet one of the exemptions in Item 7., you must make a copy of one of the following forms of identification:

a. Identification which must include your name and photograph: United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; or public assistance identification; or

b. Identification which shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document (excluding voter identification card).

7. The identification requirements of Item 6. do not apply if you meet one of the following requirements:

a. You are 65 years of age or older.

b. You have a temporary or permanent physical disability.

c. You are a member of a uniformed service on active duty who, by reason of such active duty, will be absent from the county on election day.

d. You are a member of the Merchant Marine who, by reason of service in the Merchant Marine, will be absent from the county on election day.

e. You are the spouse or dependent of a member referred to in paragraph c. or paragraph d. who, by reason of the active duty or service of the member, will be absent from the county on election day.

f. You are currently residing outside the United States.

8. Place the envelope bearing the Voter's Certificate into the mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope. **DO NOT PUT YOUR IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR BALLOT WILL NOT COUNT.**

9. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

10. **FELONY NOTICE.** It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

Section 17. Subsection (5) is added to section 101.6952, Florida Statutes, to read:

101.6952 Absentee ballots for absent uniformed services and overseas voters.—

(5) *An absentee ballot from an overseas voter in any presidential preference primary or general election which is postmarked or dated no later than the date of the election and is received by the supervisor of elections of the county in which the overseas voter is registered no later than 10 days after the date of the election shall be counted as long as the absentee ballot is otherwise proper.*

Section 18. Paragraphs (a) and (b) of subsection (4) of section 102.031, Florida Statutes, are amended, and paragraph (d) is added to that subsection, to read:

102.031 Maintenance of good order at polls; authorities; persons allowed in polling rooms and early voting areas; unlawful solicitation of voters.—

(4)(a) No person, political committee, committee of continuous existence, or other group or organization may solicit voters inside the polling place or within 100 feet of the entrance to any polling place, ~~a~~ ~~or~~ polling room where the polling place is also a polling room, ~~an~~ ~~or~~ early voting site, or an office of the supervisor of elections where absentee ballots are requested and printed on demand for the convenience of electors who appear in person to request them. Before the opening of the polling place or early voting site, the clerk or supervisor shall designate the no-solicitation zone and mark the boundaries.

(b) For the purpose of this subsection, the terms "solicit" or "solicitation" shall include, but not be limited to, seeking or attempting to seek any vote, fact, opinion, or contribution; distributing or attempting to distribute any political or campaign material, leaflet, or handout; conducting a poll except as specified in this paragraph; seeking or attempting to seek a signature on any petition; and selling or attempting to sell any item. The terms "solicit" or "solicitation" ~~may shall~~ not be construed to prohibit exit polling.

(d) *Except as provided in paragraph (a), the supervisor may not designate a no-solicitation zone or otherwise restrict access to any person, political committee, committee of continuous existence, candidate, or other group or organization for the purposes of soliciting voters. This paragraph applies to any public or private property used as a polling place or early voting site.*

Section 19. Subsections (1) and (4) of section 102.141, Florida Statutes, are amended to read:

102.141 County canvassing board; duties.—

(1) The county canvassing board shall be composed of the supervisor of elections; a county court judge, who shall act as chair; and the chair of the board of county commissioners. *Alternate canvassing board members must be appointed pursuant to paragraph (e).* In the event any member of the county canvassing board is unable to serve, is a candidate who has opposition in the election being canvassed, or is an active participant in the campaign or candidacy of any candidate who has opposition in the election being canvassed, such member shall be replaced as follows:

(a) If no county court judge is able to serve or if all are disqualified, the chief judge of the judicial circuit in which the county is located shall appoint as a substitute member a qualified elector of the county who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed. In such event, the members of the county canvassing board shall meet and elect a chair.

(b) If the supervisor of elections is unable to serve or is disqualified, the chair of the board of county commissioners shall appoint as a substitute member a member of the board of county commissioners who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed. The supervisor, however, shall act in an advisory capacity to the canvassing board.

(c) If the chair of the board of county commissioners is unable to serve or is disqualified, the board of county commissioners shall appoint as a substitute member one of its members who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed.

(d) If a substitute member or alternate member cannot be appointed as provided elsewhere in this subsection, or in the event of a vacancy in such office, the chief judge of the judicial circuit in which the county is located shall appoint as a substitute member or alternate member a qualified elector of the county who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed.

(e) 1. The chief judge of the judicial circuit in which the county is located shall appoint a county court judge as an alternate member of the county canvassing board or, if each county court judge is unable to serve or is disqualified, shall appoint an alternate member who is qualified to serve as a substitute member under paragraph (a).

2. The chair of the board of county commissioners shall appoint a member of the board of county commissioners as an alternate member of the county canvassing board or, if each member of the board of county commissioners is unable to serve or is disqualified, shall appoint an alternate member who is qualified to serve as a substitute member under paragraph (d).

3. If a member of the county canvassing board is unable to participate in a meeting of the board, the chair of the county canvassing board or his or her designee shall designate which alternate member will serve as a member of the board in the place of the member who is unable to participate at that meeting.

4. If not serving as one of the three members of the county canvassing board, an alternate member may be present, observe, and communicate with the three members constituting the county canvassing board, but may not vote in the board's decisions or determinations.

(4)(a) The supervisor of elections shall upload into the county's election management system by 7 p.m. on the day before the election the results of all early voting and absentee ballots that have been canvassed and tabulated by the end of the early voting period. Pursuant to ss. 101.5614(9), 101.657, and 101.68(2), the tabulation of votes cast or the results of such uploads may not be made public before the close of the polls on election day.

(b) The canvassing board shall report all early voting and all tabulated absentee results to the Department of State within 30 minutes after the polls close. Thereafter, the canvassing board shall report, with the exception of provisional ballot results, updated precinct election results to the department at least every 45 minutes until all results are completely reported. The supervisor of elections shall notify the department immediately of any circumstances that do not permit periodic updates as required. Results shall be submitted in a format prescribed by the department.

Section 20. Subsections (1), (2), and (3) of section 103.101, Florida Statutes, are amended to read:

103.101 Presidential preference primary.—

(1)(a) ~~Each political party other than a minor political party shall, at the presidential preference primary, elect one person to be the party's candidate for nomination for President of the United States or select delegates to the party's national nominating convention, as provided by party rule. The presidential preference primary shall be held in each year the number of which is a multiple of 4 on the first Tuesday that the rules of the major political parties provide for state delegations to be allocated without penalty. Any party rule directing the vote of delegates at a national nominating convention shall reasonably reflect the results of the presidential preference primary, if one is held. There shall be a Presidential Preference Primary Date Selection Committee composed of the Secretary of State, who shall be a nonvoting chair; three members, no more than two of whom may be from the same political party, appointed by the Governor; three members, no more than two of whom may be from the same political party, appointed by the Speaker of the House of Representatives; and three members, no more than two of whom may be from the same political party, appointed by the President of the Senate. No later than October 1 of the year preceding the presidential preference primary, the committee shall meet and set a date for the presidential preference primary. The date selected may be no earlier than the first Tuesday in January and no later than the first Tuesday in March in the year of the presidential preference primary. The presidential preference primary shall be held in each year the number of which is a multiple of 4.~~

(b) ~~Each political party other than a minor political party shall, on the date selected by the Presidential Preference Primary Date Selection Committee in each year the number of which is a multiple of 4, elect one person to be its candidate for nomination of such party for President of the United States or select delegates to the national nominating convention, as provided by party rule. Any party rule directing the vote of delegates at a national nominating convention shall reasonably reflect the results of the presidential preference primary, if one is held.~~

(2) By November 30 ~~October 31~~ of the year preceding the presidential preference primary, each political party shall submit to the Secretary of State a list of its presidential candidates to be placed on the presidential preference primary ballot or candidates entitled to have delegates appear on the presidential preference primary ballot. The Secretary of State shall prepare and publish a list of the names of the presidential candidates submitted not later than the first Tuesday after the first Monday in December ~~November~~ of the year preceding the presidential preference primary. The Department of State shall immediately notify each presidential candidate listed by the Secretary of State. Such notification shall be in writing, by registered mail, with return receipt requested.

(3) A candidate's name shall be printed on the presidential preference primary ballot unless the candidate submits to the Department of State, prior to the second Tuesday after the first Monday in December ~~November~~ of the year preceding the presidential preference primary, an affidavit stating that he or she is not now, and does not presently intend to become, a candidate for President at the upcoming nominating convention. If a candidate withdraws pursuant to this subsection, the Department of State shall notify the state executive committee that the candidate's name will not be placed on the ballot. The Department of State shall, no later than the third Tuesday after the first Monday in December ~~November~~ of the year preceding the presidential preference primary, certify to each supervisor of elections the name of each candidate for political party nomination to be printed on the ballot.

Section 21. Section 104.0616, Florida Statutes, is amended to read:

104.0616 Absentee ballots and voting; violations.—

(1) For purposes of this section, the term “immediate family” means a person’s spouse or the parent, child, grandparent, or sibling of the person or the person’s spouse.

(2) Any person who provides or offers to provide, and any person who accepts, a pecuniary or other benefit in exchange for distributing, ordering, requesting, collecting, delivering, or otherwise physically possessing more than two absentee ballots per election in addition to his or her own ballot or a ballot belonging to an immediate family member, ~~with intent to alter, change, modify, or erase any vote on the absentee ballot,~~ except as provided in ss. 101.6105-101.695, commits a misdemeanor of the first ~~felony of the third~~ degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 22. (1) Notwithstanding any other provision of law and effective retroactively to May 1, 2013, each committee of continuous existence, as defined in s. 106.011, Florida Statutes, and each reporting individual and procurement employee, as defined in ss. 112.3148 and 112.3149, Florida Statutes, is subject to and shall comply with ss. 112.3148 and 112.3149, Florida Statutes, with respect to gifts, honoraria, and expenses related to honorarium events provided by a committee of continuous existence. This section expires September 30, 2013.

(2) This section takes effect upon this act becoming a law.

Section 23. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect January 1, 2014.

And the title is amended as follows:

Remove lines 1091-1213 of the amendment and insert: A bill to be entitled An act relating to elections; amending s. 97.0555, F.S.; revising qualifications for late voter registration; creating s. 100.032, F.S.; requiring each supervisor of elections to post a report on the supervisor’s official website at least 3 months before a general election; specifying the content of the report; amending s. 100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 101.045, F.S.; authorizing an elector to vote at the polling place in the precinct to which he or she has moved if such county uses an electronic database as a precinct register; amending s. 101.151, F.S.; authorizing the supervisor to petition the United States Department of Justice for authorization for the supervisor to print and deliver single-language ballots; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; amending s. 101.5605, F.S.; requiring a person to provide the name, mailing address, and telephone number of a registered agent of a voting systems vendor to the Department of State under certain circumstances; providing that proof of delivery or attempt to deliver constitutes valid notice; creating s. 101.56065, F.S.; providing definitions; requiring a vendor to file a written disclosure with the department; providing requirements for the disclosure; providing what constitutes a cure of a defect; requiring a vendor to file a new disclosure with the department if a vendor becomes aware of a defect within a specified period; authorizing the department to suspend all sales or leases or use in an election of a defective voting system; providing procedures for the suspension of voting systems; authorizing the department to withdraw approval of voting systems under certain circumstances; authorizing the department to initiate an investigation of a defective voting system; establishing procedures and requirements of investigations; providing a penalty; amending s. 101.56075, F.S.; revising the date that persons with disabilities must vote with voter interface devices; removing the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.591, F.S.; authorizing use of automated, independent audits of voting systems; providing audit requirements; requiring the Division of Elections to adopt rules; amending s. 101.62, F.S.; revising the requirements for a valid absentee ballot request; requiring the supervisor to record the absence of the voter’s signature on the voter’s certificate under specified circumstances; prohibiting the supervisor from providing an absentee ballot on the day of an election under certain circumstances; requiring a person who requests an absentee ballot to complete an affidavit under certain circumstances; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.657, F.S.; revising the list of permissible sites

available for early voting; authorizing the supervisor to designate one additional early voting site per election; providing requirements; requiring each county to operate at least the same number of early voting sites for a general election as used for the 2012 general election; revising the number of days and hours for early voting; amending s. 101.67, F.S.; conforming a provision to changes made by the act; amending s. 101.68, F.S., and reenacting subsection (2), relating to the canvassing of absentee ballots; authorizing the supervisor to use the elector’s signature in a precinct register to compare with the elector’s signature on the voter’s certificate; requiring the supervisor to provide the elector with the specific reason his or her ballot was rejected; requiring the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot before a specified time; providing the form and contents of the affidavit; providing instructions to accompany each absentee ballot affidavit; requiring the affidavit, instructions, and the supervisor’s office mailing address to be posted on certain websites; requiring the supervisor to attach a received affidavit to the appropriate absentee ballot mailing envelope; amending s. 101.6923, F.S.; revising special absentee ballot instructions; amending s. 101.6952, F.S.; providing that absentee ballots received from overseas voters in certain elections may be received up to 10 days after the date of the election; amending s. 102.031, F.S.; revising restrictions relating to the solicitation of voters; amending s. 102.141, F.S.; revising methods of selecting canvassing board members; requiring a supervisor to upload certain canvassed election results into a county’s election management system prior to the election; prohibiting public disclosure of uploaded results before the close of the polls on election day; amending s. 103.101, F.S.; providing for the date of the Presidential Preference Primary; abolishing the Presidential Preference Primary Date Selection Committee; revising dates for the submission and publication of information related to the Presidential Preference Primary; amending s. 104.0616, F.S.; providing a definition for the term “immediate family”; prohibiting possession of more than two absentee ballots under certain circumstances; providing for criminal penalties; providing that each committee of continuous existence, reporting individual, and procurement employee is subject to ss. 112.3148 and 112.3149, F.S.; providing for retroactive application; providing for expiration; providing effective dates.

On motion by Senator Latvala, the Senate concurred in **House Amendment 1 (240123) to Senate Amendment 1 (362928)**.

**CS for HB 7013** passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—27

Mr. President	Evers	Lee
Altman	Flores	Legg
Bean	Galvano	Montford
Benacquisto	Garcia	Negron
Bradley	Gardiner	Richter
Brandes	Grimsley	Simmons
Dean	Hays	Simpson
Detert	Hukill	Stargel
Diaz de la Portilla	Latvala	Thrasher

Nays—13

Abruzzo	Joyner	Sobel
Braynon	Margolis	Soto
Bullard	Ring	Thompson
Clemens	Sachs	
Gibson	Smith	

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for CS for HB 1309 as further amended, and requests the concurrence of the Senate.

Robert L. “Bob” Ward, Clerk

**CS for CS for HB 1309**—A bill to be entitled An act relating to the procurement of commodities and contractual services; amending s.

215.971, F.S.; providing additional information that must be included in an agency agreement that provides state financial assistance to a recipient or subrecipient; requiring each state agency to designate an employee to function as a grant manager for purposes of the agreement; requiring training for certain grant managers; requiring the Chief Financial Officer to establish and disseminate uniform procedures for grant management; requiring the grant manager to report certain information; requiring the Chief Financial Officer to perform audits of executed grant agreements; amending s. 215.985, F.S.; requiring the Chief Financial Officer to establish and maintain a secure contract tracking system; providing requirements for the system; requiring state agencies to post certain information on the contract tracking system within a specified timeframe; specifying information that must be posted on the contract tracking system; providing that records posted on the system may not contain confidential or exempt information; requiring state agencies to redact confidential or exempt information prior to posting records on the system; providing a process for a party to the contract to request redaction of confidential or exempt information; providing notice requirements; providing that posting of information on the contract tracking system does not supersede the duty of a state agency to respond to a public record request; providing that a subpoena for certain contract information must be served on the state agency that is party to the contract; authorizing the Chief Financial Officer to adopt rules; defining the term "state agency"; authorizing the judicial branch, Department of Legal Affairs, Department of Agriculture and Consumer Services, and Department of Financial Services to elect to comply with the posting requirements; amending s. 287.012, F.S.; providing and revising definitions; amending s. 287.042, F.S.; revising powers, duties, and functions of the Department of Management Services; eliminating a duty of the department to maintain a vendor list; providing an additional circumstance under which the department may proceed with a competitive solicitation or contract award process of a term contract as an alternative to the stay of such process pursuant to a formal written protest under the Administrative Procedure Act; authorizing the department to lead or enter into joint agreements with governmental entities for the purchase of commodities or contractual services that can be used by multiple agencies; amending s. 287.056, F.S.; eliminating provisions requiring certain inclusions in agency agreements; amending s. 287.057, F.S.; providing that contracts awarded pursuant to an invitation to bid shall be awarded to the responsible and responsive vendor that submits the lowest responsive bid; revising exceptions to the requirement that the purchase of specified commodities or contractual services be made only as a result of receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies; revising contractual services and commodities that are not subject to competitive solicitation requirements by virtue of being available only from a single source; providing that a contract for commodities or contractual services may be awarded without competition if the recipient of funds is established during the appropriations process; revising provisions relating to extension of a contract for commodities or contractual services; authorizing an agency to negotiate better pricing upon renewal of a contract; providing training requirements for contract managers responsible for contracts in excess of a specified threshold amount; providing contract manager certification for contract managers responsible for contracts in excess of a specified threshold amount; providing that the Department of Management Services is responsible for establishing and disseminating the requirements for certification of a contract manager; providing that training will be conducted jointly by the Department of Management Services and the Department of Financial Services; providing training guidelines and requirements; requiring the department, in consultation with the Chief Financial Officer to maintain a program for online procurement of commodities and contractual services; amending s. 287.0571, F.S.; revising nonapplicability of a business case to outsource; amending s. 287.058, F.S.; defining the term "performance measure"; revising references within provisions relating to purchase orders used in lieu of written agreements for classes of contractual services; revising terminology; amending s. 287.076, F.S.; providing that Project Management Professionals training for personnel involved in managing outsourcings and negotiations is subject to annual appropriations; creating s. 287.136, F.S.; requiring the Chief Financial Officer to perform audits of executed contracts; creating reporting requirements; amending ss. 16.0155, 283.33, 394.457, 402.7305, 409.9132, 427.0135, 445.024, 627.311, 627.351, 765.5155, and 893.055, F.S.; conforming cross-references; requiring the Department of Management Services, in consultation with the Chief Financial Officer, to prepare and submit a report to the Governor and Legislature relating to the eradication of human

trafficking, slavery, and exploitive labor from supply chains for tangible goods offered for sale to the state; providing effective dates.

**House Amendment 1 (317793) (with title amendment) to Senate Amendment 1 (872490)**—Remove lines 5-1487 of the amendment and insert:

Section 1. Section 119.0701, Florida Statutes, is created to read:

*119.0701 Contracts; public records.—*

*(1) For purposes of this section, the term:*

*(a) "Contractor" means an individual, partnership, corporation, or business entity that enters into a contract for services with a public agency and is acting on behalf of the public agency as provided under s. 119.011(2).*

*(b) "Public agency" means a state, county, district, authority, or municipal officer, or department, division, board, bureau, commission, or other separate unit of government created or established by law.*

*(2) In addition to other contract requirements provided by law, each public agency contract for services must include a provision that requires the contractor to comply with public records laws, specifically to:*

*(a) Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the service.*

*(b) Provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.*

*(c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.*

*(d) Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency.*

*(3) If a contractor does not comply with a public records request, the public agency shall enforce the contract provisions in accordance with the contract.*

Section 2. Section 215.971, Florida Statutes, is amended to read:

215.971 Agreements funded with federal or ~~and~~ state assistance.—

*(1) For* An agency agreement that provides state financial assistance to a recipient or subrecipient, as those terms are defined in s. 215.97, or that provides federal financial assistance to a subrecipient, as defined by applicable United States Office of Management and Budget circulars, ~~must the agreement shall~~ include all of the following:

*(a)(1) A provision specifying a scope of work that clearly establishes the tasks that the recipient or subrecipient is required to perform; and*

*(b)(2) A provision dividing the agreement into quantifiable units of deliverables that must be received and accepted in writing by the agency before payment. Each deliverable must be directly related to the scope of work and must specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.*

*(c) A provision specifying the financial consequences that apply if the recipient or subrecipient fails to perform the minimum level of service required by the agreement. The provision can be excluded from the agreement only if financial consequences are prohibited by the federal agency awarding the grant. Funds refunded to a state agency from a recipient or subrecipient for failure to perform as required under the agreement may be expended only in direct support of the program from which the agreement originated.*

(d) A provision specifying that a recipient or subrecipient of federal or state financial assistance may expend funds only for allowable costs resulting from obligations incurred during the specified agreement period.

(e) A provision specifying that any balance of unobligated funds which has been advanced or paid must be refunded to the state agency.

(f) A provision specifying that any funds paid in excess of the amount to which the recipient or subrecipient is entitled under the terms and conditions of the agreement must be refunded to the state agency.

(g) Any additional information required pursuant to s. 215.97.

(2) For each agreement funded with federal or state financial assistance, the state agency shall designate an employee to function as a grant manager who shall be responsible for enforcing performance of the agreement's terms and conditions and who shall serve as a liaison with the recipient or subrecipient.

(a)1. Each grant manager who is responsible for agreements in excess of the threshold amount for CATEGORY TWO under s. 287.017 must, at a minimum, complete training conducted by the Chief Financial Officer for accountability in contracts and grant management.

2. Effective December 1, 2014, each grant manager responsible for agreements in excess of \$100,000 annually must complete the training and become a certified contract manager as provided under s. 287.057(14). All grant managers must become certified contract managers within 24 months after establishment of the training and certification requirements by the Department of Management Services and the Department of Financial Services.

(b) The Chief Financial Officer shall establish and disseminate uniform procedures for grant management pursuant to s. 17.03(3) to ensure that services have been rendered in accordance with agreement terms before the agency processes an invoice for payment. The procedures must include, but need not be limited to, procedures for monitoring and documenting recipient or subrecipient performance, reviewing and documenting all deliverables for which payment is requested by the recipient or subrecipient, and providing written certification by the grant manager of the agency's receipt of goods and services.

(c) The grant manager shall reconcile and verify all funds received against all funds expended during the grant agreement period and produce a final reconciliation report. The final report must identify any funds paid in excess of the expenditures incurred by the recipient or subrecipient.

(3) After execution of a grant agreement, the Chief Financial Officer shall perform audits of the executed state and federal grant agreement documents and grant manager's records in order to ensure that adequate internal controls are in place for complying with the terms and conditions of such agreements and for validation and receipt of goods and services.

(a) At the conclusion of the audit, the Chief Financial Officer's designee shall discuss the audit and potential findings with the official whose office is subject to audit. The final audit report shall be submitted to the agency head.

(b) Within 30 days after receipt of the final audit report, the agency head shall submit to the Chief Financial Officer or designee his or her written statement of explanation or rebuttal concerning findings requiring corrective action, including corrective action to be taken to preclude a recurrence.

Section 3. Subsections (4) through (28) of section 287.012, Florida Statutes, are amended to read:

287.012 Definitions.—As used in this part, the term:

(4) "Best value" means the highest overall value to the state based on objective factors that include, but are not limited to, price, quality, design, and workmanship.

(5) "Commodity" means any of the various supplies, materials, goods, merchandise, food, equipment, information technology, and other personal property, including a mobile home, trailer, or other portable structure that has with floor space of less than 5,000 square feet of floor space, purchased, leased, or otherwise contracted for by the state and its

agencies. The term "Commodity" also includes interest on deferred-payment commodity contracts approved pursuant to s. 287.063 entered into by an agency for the purchase of other commodities. However, commodities purchased for resale are excluded from this definition. Printing of publications shall be considered a commodity if procured ~~when let upon contract~~ pursuant to s. 283.33, whether purchased for resale or not.

(6) "Competitive solicitation" means the process of requesting and receiving two or more sealed bids, proposals, or replies submitted by responsive vendors in accordance with the terms of a competitive process, regardless of the method of procurement.

(7) "Contractor" means a person who contracts to sell commodities or contractual services to an agency.

(8) "Contractual service" means the rendering by a contractor of its time and effort rather than the furnishing of specific commodities. The term applies only to those services rendered by individuals and firms who are independent contractors, and such services may include, but are not limited to, evaluations; consultations; maintenance; accounting; security; management systems; management consulting; educational training programs; research and development studies or reports on the findings of consultants engaged thereunder; and professional, technical, and social services. The term "Contractual service" does not include a ~~any~~ contract for the furnishing of labor or materials for the construction, renovation, repair, modification, or demolition of a ~~any~~ facility, building, portion of building, utility, park, parking lot, or structure or other improvement to real property entered into pursuant to chapter 255 and rules adopted thereunder.

(9) "Department" means the Department of Management Services.

(10) "Electronic posting" or "electronically post" means the noticing of solicitations, agency decisions or intended decisions, or other matters relating to procurement on a centralized Internet website designated by the department for this purpose, and in the manner and form required under s. 120.57(3)(a).

(11) "Eligible user" means any person or entity authorized by the department pursuant to rule to purchase from state term contracts or to use the online procurement system.

(12) "Exceptional purchase" means any purchase of commodities or contractual services excepted by law or rule from the requirements for competitive solicitation, including, but not limited to, purchases from a single source; purchases upon receipt of less than two responsive bids, proposals, or replies; purchases made by an agency; after receiving approval from the department, from a contract procured, pursuant to s. 287.057(1), or by another agency; and purchases made without advertisement in the manner required under ~~by~~ s. 287.042(3)(b).

(13) "Extension" means an increase in the time allowed for the contract period ~~due to circumstances which, without fault of either party, make performance impracticable or impossible, or which prevent a new contract from being executed, with or without a proportional increase in the total dollar amount, with any increase to be based on the method and rate previously established in the contract.~~

(14) "Governmental entity" means a political subdivision or agency of this state or of any state of the United States, including, but not limited to, state government, county, municipality, school district, nonprofit public university or college, single-purpose or multipurpose special district, single-purpose or multipurpose public authority, metropolitan or consolidated government, separate legal entity or administrative entity, or any agency of the Federal Government.

(15)(14) "Information technology" has the same meaning as provided ~~ascribed~~ in s. 282.0041.

(16)(15) "Invitation to bid" means a written or electronically posted solicitation for competitive sealed bids.

(17)(16) "Invitation to negotiate" means a written or electronically posted solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or contractual services.

(18)(17) “Minority business enterprise” has the *same* meaning as provided ~~ascribed~~ in s. 288.703.

(19)(18) “Office” means the Office of Supplier Diversity of the Department of Management Services.

(20)(19) “Outsource” means the process of contracting with a vendor to provide a service as defined in s. 216.011(1)(f), in whole or in part, or an activity as defined in s. 216.011(1)(rr), while a state agency retains the responsibility and accountability for the service or activity and there is a transfer of management responsibility for the delivery of resources and the performance of those resources.

(21)(20) “Renewal” means contracting with the same contractor for an additional contract period after the initial contract period, only if pursuant to contract terms specifically providing for such renewal.

(22)(21) “Request for information” means a written or electronically posted request made by an agency to vendors for information concerning commodities or contractual services. Responses to these requests are not offers and may not be accepted by the agency to form a binding contract.

(23)(22) “Request for proposals” means a written or electronically posted solicitation for competitive sealed proposals.

(24)(23) “Request for a quote” means an oral, *electronic*, or written request for written pricing or services information from a state term contract vendor for commodities or contractual services available on a state term contract from that vendor.

(25)(24) “Responsible vendor” means a vendor who has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance.

(26)(25) “Responsive bid,” “responsive proposal,” or “responsive reply” means a bid, or proposal, or reply submitted by a responsive and responsible vendor *which* ~~that~~ conforms in all material respects to the solicitation.

(27)(26) “Responsive vendor” means a vendor that has submitted a bid, proposal, or reply that conforms in all material respects to the solicitation.

(28)(27) “State term contract” means a term contract that is competitively procured by the department pursuant to s. 287.057 and that is used by agencies and eligible users pursuant to s. 287.056.

(29)(28) “Term contract” means an indefinite quantity contract to furnish commodities or contractual services during a defined period.

Section 4. Paragraph (a) of subsection (1), paragraph (b) of subsection (2), and subsections (8) and (15) of section 287.042, Florida Statutes, are amended to read:

287.042 Powers, duties, and functions.—The department shall have the following powers, duties, and functions:

(1)(a) To canvass all sources of supply, ~~establish and maintain a vendor list~~, and contract for the purchase, lease, or acquisition, including purchase by installment sales or lease-purchase contracts which may provide for the payment of interest on unpaid portions of the purchase price, of all commodities and contractual services required by any agency under this chapter. Any contract providing for deferred payments and the payment of interest *is* ~~shall be~~ subject to specific rules adopted by the department.

(2)

(b) As an alternative to any provision in s. 120.57(3)(c), the department may proceed with the competitive solicitation or contract award process of a term contract when the Secretary of *Management Services* ~~the department~~ or his or her designee sets forth in writing particular facts and circumstances *that* ~~which~~ demonstrate that the delay incident to staying the solicitation or contract award process would be detrimental to the interests of the state. After the award of a contract resulting from a competitive solicitation in which a timely protest was received and in which the state did not prevail, the contract may be canceled and re-awarded.

(8) To provide any commodity and contractual service purchasing rules to the Chief Financial Officer and all agencies *electronically* or through ~~an electronic medium~~ or other means. Agencies may not approve *an any* account or request any payment of *an any* account for the purchase of any commodity or the procurement of any contractual service covered by a purchasing or contractual service rule except as authorized therein. The department shall furnish copies of rules adopted by the department to any county, municipality, or other local public agency requesting them.

(15) *To lead or enter into joint agreements with governmental entities agencies, as defined in s. 163.3164, for the purpose of pooling funds for the purchase of commodities or contractual services information technology that can be used by multiple agencies.*

(a) Each agency that has been appropriated or has existing funds for such purchase, shall, upon contract award by the department, transfer *its* ~~their~~ portion of the funds into the department’s Operating Trust Fund for payment by the department. The funds shall be transferred by the Executive Office of the Governor pursuant to the agency budget amendment request provisions *under* ~~in~~ chapter 216.

(b) Agencies that sign the joint agreements are financially obligated for their portion of the agreed-upon funds. If an agency becomes more than 90 days delinquent in paying the funds, the department shall certify to the Chief Financial Officer the amount due, and the Chief Financial Officer shall transfer the amount due to the Operating Trust Fund of the department from any of the agency’s available funds. The Chief Financial Officer shall report these transfers and the reasons for the transfers to the Executive Office of the Governor and the legislative appropriations committees.

Section 5. Paragraph (a) of subsection (1) and subsections (3), (10), (12), (13), (16), and (22) of section 287.057, Florida Statutes, are amended to read:

287.057 Procurement of commodities or contractual services.—

(1) The competitive solicitation processes authorized in this section shall be used for procurement of commodities or contractual services in excess of the threshold amount provided for CATEGORY TWO in s. 287.017. Any competitive solicitation shall be made available simultaneously to all vendors, must include the time and date for the receipt of bids, proposals, or replies and of the public opening, and must include all contractual terms and conditions applicable to the procurement, including the criteria to be used in determining acceptability and relative merit of the bid, proposal, or reply.

(a) *Invitation to bid.*—The invitation to bid shall be used when the agency is capable of specifically defining the scope of work for which a contractual service is required or when the agency is capable of establishing precise specifications defining the actual commodity or group of commodities required.

1. All invitations to bid must include:

a. A detailed description of the commodities or contractual services sought; and

b. If the agency contemplates renewal of the contract, a statement to that effect.

2. Bids submitted in response to an invitation to bid in which the agency contemplates renewal of the contract must include the price for each year for which the contract may be renewed.

3. Evaluation of bids *must* ~~shall~~ include consideration of the total cost for each year of the contract, including renewal years, as submitted by the vendor.

4. *The contract shall be awarded to the responsible and responsive vendor who submits the lowest responsive bid.*

(3) *If* ~~When~~ the purchase price of commodities or contractual services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO, ~~no~~ purchase of commodities or contractual services may *not* be made without receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies unless:

(a) The agency head determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the state requires emergency action. After the agency head ~~signs~~ ~~makes~~ such a written determination, the agency may proceed with the procurement of commodities or contractual services necessitated by the immediate danger, without receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies. However, ~~the~~ ~~such~~ emergency procurement shall be made by obtaining pricing information from at least two prospective vendors, which must be retained in the contract file, unless the agency determines in writing that the time required to obtain pricing information will increase the immediate danger to the public health, safety, or welfare or other substantial loss to the state. The agency shall furnish copies of all written determinations ~~certified under oath~~ and any other documents relating to the emergency action to the department. A copy of the *written* statement shall be furnished to the Chief Financial Officer with the voucher authorizing payment. The individual purchase of personal clothing, shelter, or supplies which are needed on an emergency basis to avoid institutionalization or placement in a more restrictive setting is an emergency for the purposes of this paragraph, and the filing with the department of such statement is not required in such circumstances. In the case of the emergency purchase of insurance, the period of coverage of such insurance ~~may~~ ~~shall~~ not exceed ~~a period of~~ 30 days, and all such emergency purchases shall be reported to the department.

(b) The purchase is made by an agency from a state term contract procured, pursuant to this section, by the department or by an agency, after receiving approval from the department, from a contract procured, pursuant to subsection (1), by another agency.

(c) Commodities or contractual services available only from a single source may be excepted from the competitive-solicitation requirements. ~~If~~ ~~When~~ an agency believes that commodities or contractual services are available only from a single source, the agency shall electronically post a description of the commodities or contractual services sought for ~~a period of~~ at least 7 business days. The description must include a request that prospective vendors provide information regarding their ability to supply the commodities or contractual services described. If it is determined in writing by the agency, after reviewing any information received from prospective vendors, that the commodities or contractual services are available only from a single source, the agency shall:

~~1. provide notice of its intended decision to enter a single-source purchase contract in the manner specified in s. 120.57(3), if the amount of the contract does not exceed the threshold amount provided in s. 287.017 for CATEGORY FOUR.~~

~~2. Request approval from the department for the single source purchase, if the amount of the contract exceeds the threshold amount provided in s. 287.017 for CATEGORY FOUR. The agency shall initiate its request for approval in a form prescribed by the department, which request may be electronically transmitted. The failure of the department to approve or disapprove the agency's request for approval within 21 days after receiving such request shall constitute prior approval of the department. If the department approves the agency's request, the agency shall provide notice of its intended decision to enter a single source contract in the manner specified in s. 120.57(3).~~

~~(d) When it is in the best interest of the state, the secretary of the department or his or her designee may authorize the Support Program to purchase insurance by negotiation, but such purchase shall be made only under conditions most favorable to the public interest.~~

~~(d)(e)~~ Prescriptive assistive devices for the purpose of medical, developmental, or vocational rehabilitation of clients are excepted from competitive-solicitation requirements and shall be procured pursuant to an established fee schedule or by any other method ~~that~~ ~~which~~ ensures the best price for the state, taking into consideration the needs of the client. Prescriptive assistive devices include, but are not limited to, prosthetics, orthotics, and wheelchairs. For purchases made pursuant to this paragraph, state agencies shall annually file with the department a description of the purchases and methods of procurement.

~~(e)(f)~~ The following contractual services and commodities are not subject to the competitive-solicitation requirements of this section:

1. Artistic services. ~~As used in~~ ~~For the purposes of~~ this subsection, the term "artistic services" does not include advertising or typesetting. As

used in this subparagraph, the term "advertising" means the making of a representation in any form in connection with a trade, business, craft, or profession in order to promote the supply of commodities or services by the person promoting the commodities or contractual services.

2. Academic program reviews if the fee for such services does not exceed \$50,000.

3. Lectures by individuals.

4. Legal services, including attorney, paralegal, expert witness, appraisal, or mediator services.

~~5.a.~~ Health services involving examination, diagnosis, treatment, prevention, medical consultation, or administration. ~~The term also includes,~~

~~b. Beginning January 1, 2011, health services, including,~~ but is not limited to, substance abuse and mental health services, involving examination, diagnosis, treatment, prevention, or medical consultation ~~if,~~ ~~when~~ such services are offered to eligible individuals participating in a specific program that qualifies multiple providers and uses a standard payment methodology. Reimbursement of administrative costs for providers of services purchased in this manner ~~are~~ ~~shall~~ also be exempt. For purposes of this ~~subparagraph~~ ~~sub-subparagraph~~, the term "providers" means health professionals ~~and,~~ health facilities, or organizations that deliver or arrange for the delivery of health services.

6. Services provided to persons with mental or physical disabilities by not-for-profit corporations ~~that~~ ~~which~~ have obtained exemptions under ~~the provisions of~~ s. 501(c)(3) of the United States Internal Revenue Code or when such services are governed by the ~~provisions of~~ Office of Management and Budget Circular A-122. However, in acquiring such services, the agency shall consider the ability of the vendor, past performance, willingness to meet time requirements, and price.

7. Medicaid services delivered to an eligible Medicaid recipient unless the agency is directed otherwise in law.

8. Family placement services.

9. Prevention services related to mental health, including drug abuse prevention programs, child abuse prevention programs, and shelters for runaways, operated by not-for-profit corporations. However, in acquiring such services, the agency shall consider the ability of the vendor, past performance, willingness to meet time requirements, and price.

10. Training and education services provided to injured employees pursuant to s. 440.491(6).

11. Contracts entered into pursuant to s. 337.11.

12. Services or commodities provided by governmental ~~entities~~ ~~agencies~~.

13. Statewide public service announcement programs provided by a Florida statewide nonprofit corporation under s. 501(c)(6) of the Internal Revenue Code ~~which have,~~ ~~with~~ a guaranteed documented match of at least \$3 to \$1.

~~(f)(g)~~ Continuing education events or programs that are offered to the general public and for which fees have been collected ~~which~~ ~~that~~ pay all expenses associated with the event or program are exempt from requirements for competitive solicitation.

(10) A contract for commodities or contractual services may be awarded without competition if state or federal law prescribes with whom the agency must contract or if the rate of payment or ~~the recipient of the funds~~ is established during the appropriations process.

(12) Extension of a contract for ~~commodities or~~ contractual services ~~must~~ ~~shall~~ be in writing for a period not to exceed 6 months and ~~is~~ ~~shall~~ be subject to the same terms and conditions set forth in the initial contract ~~and any written amendments signed by the parties~~. There ~~may~~ ~~shall~~ be only one extension of a contract unless the failure to meet the criteria set forth in the contract for completion of the contract is due to events beyond the control of the contractor.



(13) Contracts for commodities or contractual services may be renewed for a period that may not exceed 3 years or the term of the original contract, whichever ~~period~~ is longer. Renewal of a contract for commodities or contractual services *must shall* be in writing and *is shall be* subject to the same terms and conditions set forth in the initial contract *and any written amendments signed by the parties*. If the commodity or contractual service is purchased as a result of the solicitation of bids, proposals, or replies, the price of the commodity or contractual service to be renewed *must shall* be specified in the bid, proposal, or reply, *except that an agency may negotiate lower pricing*. A renewal contract may not include any compensation for costs associated with the renewal. Renewals *are shall be* contingent upon satisfactory performance evaluations by the agency and subject to the availability of funds. Exceptional purchase contracts pursuant to paragraphs (3)(a) and (c) may not be renewed. With the exception of subsection (10) ~~(12)~~, if a contract amendment results in a longer contract term or increased payments, a state agency may not renew or amend a contract for the outsourcing of a service or activity that has an original term value exceeding ~~the sum of~~ \$10 million before submitting a written report concerning contract performance to the Governor, the President of the Senate, and the Speaker of the House of Representatives at least 90 days before execution of the renewal or amendment.

(16)(a) For a contract in excess of the threshold amount provided in s. 287.017 for CATEGORY FOUR, the agency head shall appoint:

1.~~(a)~~ At least three persons to evaluate proposals and replies who collectively have experience and knowledge in the program areas and service requirements for which commodities or contractual services are sought.

2.~~(b)~~ At least three persons to conduct negotiations during a competitive sealed reply procurement who collectively have experience and knowledge in negotiating contracts, contract procurement, and the program areas and service requirements for which commodities or contractual services are sought.

~~(b) If When~~ the value of a contract is in excess of \$1 million in any fiscal year, at least one of the persons conducting negotiations must be certified as a contract negotiator based upon *department rules adopted by the Department of Management Services* in order to ensure that certified contract negotiators are knowledgeable about effective negotiation strategies, capable of successfully implementing those strategies, and involved appropriately in the procurement process. At a minimum, the rules must address the qualifications required for certification, the method of certification, and the procedure for involving the certified negotiator. If the value of a contract is in excess of \$10 million in any fiscal year, at least one of the persons conducting negotiations must be a Project Management Professional, as certified by the Project Management Institute.

(22) The department, in consultation with the *Chief Financial Officer* ~~Agency for Enterprise Information Technology and the Comptroller~~, shall *maintain develop* a program for online procurement of commodities and contractual services. To enable the state to promote open competition and ~~to~~ leverage its buying power, agencies shall participate in the online procurement program, and eligible users may participate in the program. Only vendors prequalified as meeting mandatory requirements and qualifications criteria may participate in online procurement.

(a) The department, ~~in consultation with the agency~~, may contract for equipment and services necessary to develop and implement online procurement.

(b) The department, ~~in consultation with the agency~~, shall adopt rules, ~~pursuant to ss. 120.536(1) and 120.54~~, to administer the program for online procurement. The rules *must shall* include, but not be limited to:

1. Determining the requirements and qualification criteria for pre-qualifying vendors.
2. Establishing the procedures for conducting online procurement.
3. Establishing the criteria for eligible commodities and contractual services.
4. Establishing the procedures for providing access to online procurement.

5. Determining the criteria warranting any exceptions to participation in the online procurement program.

(c) The department may impose and shall collect all fees for the use of the online procurement systems.

1. The fees may be imposed on an individual transaction basis or as a fixed percentage of the cost savings generated. At a minimum, the fees must be set in an amount sufficient to cover the projected costs of the services, including administrative and project service costs in accordance with the policies of the department.

2. If the department contracts with a provider for online procurement, the department, pursuant to appropriation, shall compensate the provider from the fees after the department has satisfied all ongoing costs. The provider shall report transaction data to the department each month so that the department may determine the amount due and payable to the department from each vendor.

3. All fees that are due and payable to the state on a transactional basis or as a fixed percentage of the cost savings generated are subject to s. 215.31 and must be remitted within 40 days after receipt of payment for which the fees are due. For fees that are not remitted within 40 days, the vendor shall pay interest at the rate established under s. 55.03(1) on the unpaid balance from the expiration of the 40-day period until the fees are remitted.

4. All fees and surcharges collected under this paragraph shall be deposited in the Operating Trust Fund as provided by law.

Section 6. Effective December 1, 2014, subsection (14) of section 287.057, Florida Statutes, is amended to read:

287.057 Procurement of commodities or contractual services.—

(14) For each contractual services contract, the agency shall designate an employee to function as contract manager who *is shall be* responsible for enforcing performance of the contract terms and conditions and serve as a liaison with the contractor.

(a) Each contract manager who is responsible for contracts in excess of the threshold amount for CATEGORY TWO must, *at a minimum, complete attend* training conducted by the Chief Financial Officer for accountability in contracts and grant management. The Chief Financial Officer shall establish and disseminate uniform procedures pursuant to s. 17.03(3) to ensure that contractual services have been rendered in accordance with the contract terms before the agency processes the invoice for payment. The procedures *must shall* include, but need not be limited to, procedures for monitoring and documenting contractor performance, reviewing and documenting all deliverables for which payment is requested by vendors, and providing written certification by contract managers of the agency's receipt of goods and services.

(b) *Each contract manager who is responsible for contracts in excess of \$100,000 annually must complete training in contract management and become a certified contract manager. The department is responsible for establishing and disseminating the requirements for certification which include completing the training conducted by the Chief Financial Officer for accountability in contracts and grant management. Training and certification must be coordinated by the department, and the training must be conducted jointly by the department and the Department of Financial Services. Training must promote best practices and procedures related to negotiating, managing, and ensuring accountability in agency contracts and grant agreements, which must include the use of case studies based upon previous audits, contracts, and grant agreements. All agency contract managers must become certified within 24 months after establishment of the training and certification requirements by the department and the Department of Financial Services.*

Section 7. Paragraph (a) of subsection (3) of section 287.0571, Florida Statutes, is amended to read:

287.0571 Business case to outsource; applicability.—

(3) This section does not apply to:

(a) A procurement of commodities and contractual services listed in s. 287.057(3)(d) and (e) ~~287.057(3)(e), (f), and (g)~~ and (21).

Section 8. Subsections (1), (2), and (5) of section 287.058, Florida Statutes, are amended to read:

287.058 Contract document.—

(1) Every procurement of contractual services in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO, except for the providing of health and mental health services or drugs in the examination, diagnosis, or treatment of sick or injured state employees or the providing of other benefits as required by the provisions of chapter 440, shall be evidenced by a written agreement embodying all provisions and conditions of the procurement of such services, which shall, where applicable, include, but not be limited to, a provision:

(a) That bills for fees or other compensation for services or expenses be submitted in detail sufficient for a proper preaudit and postaudit thereof.

(b) That bills for any travel expenses be submitted in accordance with s. 112.061. A state agency may establish rates lower than the maximum provided in s. 112.061.

(c) Allowing unilateral cancellation by the agency for refusal by the contractor to allow public access to all documents, papers, letters, or other material made or received by the contractor in conjunction with the contract, unless the records are exempt from s. 24(a) of Art. I of the State Constitution and s. 119.07(1).

(d) Specifying a scope of work that clearly establishes all tasks the contractor is required to perform.

(e) Dividing the contract into quantifiable, measurable, and verifiable units of deliverables that must be received and accepted in writing by the contract manager before payment. Each deliverable must be directly related to the scope of work and specify a performance measure. As used in this paragraph, the term “performance measure” means the required minimum acceptable level of service to be performed and criteria for evaluating the successful completion of each deliverable.

(f) Specifying the criteria and the final date by which such criteria must be met for completion of the contract.

(g) Specifying that the contract may be renewed for a period that may not exceed 3 years or the term of the original contract, whichever period is longer, specifying the renewal price for the contractual service as set forth in the bid, proposal, or reply, specifying that costs for the renewal may not be charged, and specifying that renewals are ~~shall be~~ contingent upon satisfactory performance evaluations by the agency and subject to the availability of funds. Exceptional purchase contracts pursuant to s. 287.057(3)(a) and (c) may not be renewed.

(h) Specifying the financial consequences that the agency must apply if the contractor fails to perform in accordance with the contract.

(i) Addressing the property rights of any intellectual property related to the contract and the specific rights of the state regarding the intellectual property if the contractor fails to provide the services or is no longer providing services.

In lieu of a written agreement, the ~~agency department~~ may authorize the use of a purchase order for classes of contractual services; if the provisions of paragraphs (a)-(i) are included in the purchase order or solicitation. The purchase order must include, but need not be limited to, an adequate description of the services, the contract period, and the method of payment. In lieu of printing the provisions of paragraphs (a)-(c) and (g) ~~(a)-(i)~~ in the contract document or purchase order, agencies may incorporate the requirements of paragraphs (a)-(c) and (g) ~~(a)-(i)~~ by reference.

(2) The written agreement shall be signed by the agency head or designee and the contractor ~~before~~ ~~prior to~~ the rendering of any contractual service the value of which is in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO, except in the case of a valid emergency as certified by the agency head. The ~~written statement certification~~ of an emergency ~~must~~ ~~shall~~ be prepared within 30 days after the contractor begins rendering the service and ~~must~~ ~~shall~~ state the particular facts and circumstances which precluded the execution of the written agreement ~~before~~ ~~prior to~~ the rendering of the service. If the agency fails to have the contract signed by the agency head or designee and the

contractor ~~before~~ ~~prior to~~ rendering the contractual service, and if an emergency does not exist, the agency head shall, ~~within no later than~~ 30 days after the contractor begins rendering the service, certify the specific conditions and circumstances to the department as well as describe actions taken to prevent recurrence of such noncompliance. The agency head may delegate the ~~written statement certification~~ only to other senior management agency personnel. A copy of the ~~written statement certification~~ shall be furnished to the Chief Financial Officer with the voucher authorizing payment. The department shall report repeated instances of noncompliance by an agency to the Auditor General. ~~Nothing in~~ This subsection ~~does not~~ ~~shall be deemed to~~ authorize additional compensation prohibited under ~~by~~ s. 215.425. The procurement of contractual services ~~may~~ ~~shall~~ not be divided so as to avoid the provisions of this section.

(5) Unless otherwise provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, the Chief Financial Officer may waive the requirements of this section for services which are included in s. 287.057(3)(e) ~~287.057(3)(f)~~.

Section 9. Section 287.136, Florida Statutes, is created to read:

287.136 Audit of executed contract documents.—After execution of a contract, the Chief Financial Officer shall perform audits of the executed contract document and contract manager's records to ensure that adequate internal controls are in place for complying with the terms and conditions of the contract and for the validation and receipt of goods and services.

(1) At the conclusion of the audit, the Chief Financial Officer's designee shall discuss the audit and potential findings with the official whose office is subject to audit. The final audit report shall be submitted to the agency head.

(2) Within 30 days after receipt of the final audit report, the agency head shall submit to the Chief Financial Officer or designee his or her written statement of explanation or rebuttal concerning findings requiring corrective action, including corrective action to be taken to preclude a recurrence.

Section 10. Section 287.076, Florida Statutes, is amended to read:

287.076 Project Management Professionals training for personnel involved in managing outsourcings and negotiations; funding.—The department of Management Services may implement a program to train state agency employees who are involved in managing outsourcings as Project Management Professionals, as certified by the Project Management Institute. ~~Subject to annual appropriations, For the 2006-2007 fiscal year, the sum of \$500,000 in recurring funds from the General Revenue Fund is appropriated to the Department of Management Services to implement this program.~~ the department of Management Services, in consultation with entities subject to this part act, shall identify personnel to participate in this training based on requested need and ensure that each agency is represented. The department of Management Services may remit payment for this training on behalf of all participating personnel.

Section 11. Subsection (3) of section 16.0155, Florida Statutes, is amended to read:

16.0155 Contingency fee agreements.—

(3) ~~Notwithstanding the exemption provided in s. 287.057(3)(e), if the Attorney General makes the determination described in subsection (2), he or she notwithstanding the exemption provided in s. 287.057(3)(f), the Attorney General shall request proposals from private attorneys to represent the department on a contingency-fee basis, unless the Attorney General determines in writing that requesting proposals is not feasible under the circumstances. The written determination does not constitute a final agency action subject to review pursuant to ss. 120.569 and 120.57. For purposes of this subsection only, the department is exempt from the requirements of s. 120.57(3), and neither the request for proposals nor the contract award is subject to challenge pursuant to ss. 120.569 and 120.57.~~

Section 12. Subsection (1) of section 283.33, Florida Statutes, is amended to read:

283.33 Printing of publications; lowest bidder awards.—

(1) Publications may be printed and prepared in-house, by another agency or the Legislature, or purchased on bid, whichever is more economical and practicable as determined by the agency. An agency may contract for binding separately when more economical or practicable, whether or not the remainder of the printing is done in-house. A vendor may subcontract for binding and still be considered a responsible vendor as defined in s. 287.012, notwithstanding s. 287.012(24).

Section 13. Subsection (3) of section 394.457, Florida Statutes, is amended to read:

**394.457 Operation and administration.—**

(3) **POWER TO CONTRACT.**—The department may contract to provide, and be provided with, services and facilities in order to carry out its responsibilities under this part with the following agencies: public and private hospitals; receiving and treatment facilities; clinics; laboratories; departments, divisions, and other units of state government; the state colleges and universities; the community colleges; private colleges and universities; counties, municipalities, and any other governmental unit, including facilities of the United States Government; and any other public or private entity which provides or needs facilities or services. Baker Act funds for community inpatient, crisis stabilization, short-term residential treatment, and screening services must be allocated to each county pursuant to the department's funding allocation methodology. Notwithstanding s. 287.057(3)(e) the provisions of s. 287.057(3)(f), contracts for community-based Baker Act services for inpatient, crisis stabilization, short-term residential treatment, and screening provided under this part, other than those with other units of government, to be provided for the department must be awarded using competitive sealed bids if when the county commission of the county receiving the services makes a request to the department's district office by January 15 of the contracting year. The district may shall not enter into a competitively bid contract under this provision if such action will result in increases of state or local expenditures for Baker Act services within the district. Contracts for these Baker Act services using competitive sealed bids are will be effective for 3 years. The department shall adopt rules establishing minimum standards for such contracted services and facilities and shall make periodic audits and inspections to assure that the contracted services are provided and meet the standards of the department.

Section 14. Paragraph (a) of subsection (2) of section 402.7305, Florida Statutes, is amended to read:

**402.7305 Department of Children and Family Services; procurement of contractual services; contract management.—**

**(2) PROCUREMENT OF COMMODITIES AND CONTRACTUAL SERVICES.—**

(a) Notwithstanding s. 287.057(3)(e)12. ~~287.057(3)(f)12~~, if whenever the department intends to contract with a public postsecondary institution to provide a service, the department must allow all public postsecondary institutions in this state that are accredited by the Southern Association of Colleges and Schools to bid on the contract. Thereafter, notwithstanding any other provision of law to the contrary, if a public postsecondary institution intends to subcontract for any service awarded in the contract, the subcontracted service must be procured by competitive procedures.

Section 15. Section 409.9132, Florida Statutes, is amended to read:

**409.9132 Pilot project to monitor home health services.**—The Agency for Health Care Administration shall expand the home health agency monitoring pilot project in Miami-Dade County on a statewide basis effective July 1, 2012, except in counties in which the program is will not be cost-effective, as determined by the agency. The agency shall contract with a vendor to verify the utilization and delivery of home health services and provide an electronic billing interface for home health services. The contract must require the creation of a program to submit claims electronically for the delivery of home health services. The program must verify telephonically visits for the delivery of home health services using voice biometrics. The agency may seek amendments to the Medicaid state plan and waivers of federal laws, as necessary, to implement or expand the pilot project. Notwithstanding s. 287.057(3)(e) ~~287.057(3)(f)~~, the agency must award the contract through the competitive solicitation process and may use the current contract to expand the home health

agency monitoring pilot project to include additional counties as authorized under this section.

Section 16. Subsection (3) of section 427.0135, Florida Statutes, is amended to read:

**427.0135 Purchasing agencies; duties and responsibilities.**—Each purchasing agency, in carrying out the policies and procedures of the commission, shall:

(3) Not procure transportation disadvantaged services without initially negotiating with the commission, as provided in s. 287.057(3)(e)12. ~~287.057(3)(f)12~~, or unless otherwise authorized by statute. If the purchasing agency, after consultation with the commission, determines that it cannot reach mutually acceptable contract terms with the commission, the purchasing agency may contract for the same transportation services provided in a more cost-effective manner and of comparable or higher quality and standards. The Medicaid agency shall implement this subsection in a manner consistent with s. 409.908(18) and as otherwise limited or directed by the General Appropriations Act.

Section 17. Paragraph (c) of subsection (5) of section 445.024, Florida Statutes, is amended to read:

**445.024 Work requirements.—**

(5) **USE OF CONTRACTS.**—Regional workforce boards shall provide work activities, training, and other services, as appropriate, through contracts. In contracting for work activities, training, or services, the following applies:

(c) Notwithstanding the exemption from the competitive sealed bid requirements provided in s. 287.057(3)(e) ~~287.057(3)(f)~~ for certain contractual services, each contract awarded under this chapter must be awarded on the basis of a competitive sealed bid, except for a contract with a governmental entity as determined by the regional workforce board.

Section 18. Paragraph (c) of subsection (5) of section 627.311, Florida Statutes, is amended to read:

**627.311 Joint underwriters and joint reinsurers; public records and public meetings exemptions.—**

**(5)**

(c) The operation of the plan shall be governed by a plan of operation that is prepared at the direction of the board of governors and approved by order of the office. The plan is subject to continuous review by the office. The office may, by order, withdraw approval of all or part of a plan if the office determines that conditions have changed since approval was granted and that the purposes of the plan require changes in the plan. The plan of operation must shall:

1. Authorize the board to engage in the activities necessary to implement this subsection, including, but not limited to, borrowing money.

2. Develop criteria for eligibility for coverage by the plan, including, but not limited to, documented rejection by at least two insurers which reasonably assures that insureds covered under the plan are unable to acquire coverage in the voluntary market.

3. Require notice from the agent to the insured at the time of the application for coverage that the application is for coverage with the plan and that coverage may be available through an insurer, group self-insurers' fund, commercial self-insurance fund, or assessable mutual insurer through another agent at a lower cost.

4. Establish programs to encourage insurers to provide coverage to applicants of the plan in the voluntary market and to insureds of the plan, including, but not limited to:

a. Establishing procedures for an insurer to use in notifying the plan of the insurer's desire to provide coverage to applicants to the plan or existing insureds of the plan and in describing the types of risks in which the insurer is interested. The description of the desired risks must be on a form developed by the plan.

b. Developing forms and procedures that provide an insurer with the information necessary to determine whether the insurer wants to write particular applicants to the plan or insureds of the plan.

c. Developing procedures for notice to the plan and the applicant to the plan or insured of the plan that an insurer will insure the applicant or the insured of the plan, and notice of the cost of the coverage offered; and developing procedures for the selection of an insuring entity by the applicant or insured of the plan.

d. Provide for a market-assistance plan to assist in the placement of employers. All applications for coverage in the plan received 45 days before the effective date for coverage shall be processed through the market-assistance plan. A market-assistance plan specifically designed to serve the needs of small, good policyholders as defined by the board must be reviewed and updated periodically.

5. Provide for policy and claims services to the insureds of the plan of the nature and quality provided for insureds in the voluntary market.

6. Provide for the review of applications for coverage with the plan for reasonableness and accuracy, using any available historic information regarding the insured.

7. Provide for procedures for auditing insureds of the plan which are based on reasonable business judgment and are designed to maximize the likelihood that the plan will collect the appropriate premiums.

8. Authorize the plan to terminate the coverage of and refuse future coverage for any insured that submits a fraudulent application to the plan or provides fraudulent or grossly erroneous records to the plan or to any service provider of the plan in conjunction with the activities of the plan.

9. Establish service standards for agents who submit business to the plan.

10. Establish criteria and procedures to prohibit any agent who does not adhere to the established service standards from placing business with the plan or receiving, directly or indirectly, any commissions for business placed with the plan.

11. Provide for the establishment of reasonable safety programs for all insureds in the plan. All insureds of the plan must participate in the safety program.

12. Authorize the plan to terminate the coverage of and refuse future coverage to any insured who fails to pay premiums or surcharges when due; who, at the time of application, is delinquent in payments of workers' compensation or employer's liability insurance premiums or surcharges owed to an insurer, group self-insurers' fund, commercial self-insurance fund, or assessable mutual insurer licensed to write such coverage in this state; or who refuses to substantially comply with any safety programs recommended by the plan.

13. Authorize the board of governors to provide the goods and services required by the plan through staff employed by the plan, through reasonably compensated service providers who contract with the plan to provide services as specified by the board of governors, or through a combination of employees and service providers.

a. Purchases that equal or exceed \$2,500 but are less than or equal to \$25,000, shall be made by receipt of written quotes, telephone quotes, or informal bids, *if whenever* practical. The procurement of goods or services valued over \$25,000 is subject to competitive solicitation, except in situations in which the goods or services are provided by a sole source or are deemed an emergency purchase, or the services are exempted from competitive-solicitation requirements under s. 287.057(3)(e) ~~287.057(3)(f)~~. Justification for the sole-sourcing or emergency procurement must be documented. Contracts for goods or services valued at or over \$100,000 are subject to board approval.

b. The board shall determine whether it is more cost-effective and in the best interests of the plan to use legal services provided by in-house attorneys employed by the plan rather than contracting with outside counsel. In making such determination, the board shall document its findings and shall consider the expertise needed; whether time commitments exceed in-house staff resources; whether local representation is needed; the travel, lodging, and other costs associated with in-house

representation; and such other factors that the board determines are relevant.

14. Provide for service standards for service providers, methods of determining adherence to those service standards, incentives and disincentives for service, and procedures for terminating contracts for service providers that fail to adhere to service standards.

15. Provide procedures for selecting service providers and standards for qualification as a service provider that reasonably assure that any service provider selected will continue to operate as an ongoing concern and is capable of providing the specified services in the manner required.

16. Provide for reasonable accounting and data-reporting practices.

17. Provide for annual review of costs associated with the administration and servicing of the policies issued by the plan to determine alternatives by which costs can be reduced.

18. Authorize the acquisition of such excess insurance or reinsurance as is consistent with the purposes of the plan.

19. Provide for an annual report to the office on a date specified by the office and containing such information as the office reasonably requires.

20. Establish multiple rating plans for various classifications of risk which reflect risk of loss, hazard grade, actual losses, size of premium, and compliance with loss control. At least one of such plans must be a preferred-rating plan to accommodate small-premium policyholders with good experience as defined in sub-subparagraph 22.a.

21. Establish agent commission schedules.

22. For employers otherwise eligible for coverage under the plan, establish three tiers of employers meeting the criteria and subject to the rate limitations specified in this subparagraph.

a. Tier One.—

(I) Criteria; rated employers.—An employer that has an experience modification rating shall be included in Tier One if the employer meets all of the following:

(A) The experience modification is below 1.00.

(B) The employer had no lost-time claims subsequent to the applicable experience modification rating period.

(C) The total of the employer's medical-only claims subsequent to the applicable experience modification rating period did not exceed 20 percent of premium.

(II) Criteria; non-rated employers.—An employer that does not have an experience modification rating shall be included in Tier One if the employer meets all of the following:

(A) The employer had no lost-time claims for the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan.

(B) The total of the employer's medical-only claims for the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan did not exceed 20 percent of premium.

(C) The employer has secured workers' compensation coverage for the entire 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan.

(D) The employer is able to provide the plan with a loss history generated by the employer's prior workers' compensation insurer, except if the employer is not able to produce a loss history due to the insolvency of an insurer, the receiver shall provide to the plan, upon the request of the employer or the employer's agent, a copy of the employer's loss history from the records of the insolvent insurer if the loss history is contained in records of the insurer which are in the possession of the receiver. If the receiver is unable to produce the loss history, the employer may, in lieu of the loss history, submit an affidavit from the employer and the employer's insurance agent setting forth the loss history.

(E) The employer is not a new business.

(III) Premiums.—The premiums for Tier One insureds shall be set at a premium level 25 percent above the comparable voluntary market premiums until the plan has sufficient experience as determined by the board to establish an actuarially sound rate for Tier One, at which point the board shall, subject to paragraph (e), adjust the rates, if necessary, to produce actuarially sound rates, provided such rate adjustment shall not take effect prior to January 1, 2007.

b. Tier Two.—

(I) Criteria; rated employers.—An employer that has an experience modification rating shall be included in Tier Two if the employer meets all of the following:

(A) The experience modification is equal to or greater than 1.00 but not greater than 1.10.

(B) The employer had no lost-time claims subsequent to the applicable experience modification rating period.

(C) The total of the employer's medical-only claims subsequent to the applicable experience modification rating period did not exceed 20 percent of premium.

(II) Criteria; non-rated employers.—An employer that does not have any experience modification rating shall be included in Tier Two if the employer is a new business. An employer shall be included in Tier Two if the employer has less than 3 years of loss experience in the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan and the employer meets all of the following:

(A) The employer had no lost-time claims for the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan.

(B) The total of the employer's medical-only claims for the 3-year period immediately preceding the inception date or renewal date of the employer's coverage under the plan did not exceed 20 percent of premium.

(C) The employer is able to provide the plan with a loss history generated by the workers' compensation insurer that provided coverage for the portion or portions of such period during which the employer had secured workers' compensation coverage, except if the employer is not able to produce a loss history due to the insolvency of an insurer, the receiver shall provide to the plan, upon the request of the employer or the employer's agent, a copy of the employer's loss history from the records of the insolvent insurer if the loss history is contained in records of the insurer which are in the possession of the receiver. If the receiver is unable to produce the loss history, the employer may, in lieu of the loss history, submit an affidavit from the employer and the employer's insurance agent setting forth the loss history.

(III) Premiums.—The premiums for Tier Two insureds shall be set at a rate level 50 percent above the comparable voluntary market premiums until the plan has sufficient experience as determined by the board to establish an actuarially sound rate for Tier Two, at which point the board shall, subject to paragraph (e), adjust the rates, if necessary, to produce actuarially sound rates, provided such rate adjustment shall not take effect prior to January 1, 2007.

c. Tier Three.—

(I) Eligibility.—An employer shall be included in Tier Three if the employer does not meet the criteria for Tier One or Tier Two.

(II) Rates.—The board shall establish, subject to paragraph (e), and the plan shall charge, actuarially sound rates for Tier Three insureds.

23. For Tier One or Tier Two employers which employ no nonexempt employees or which report payroll which is less than the minimum wage hourly rate for one full-time employee for 1 year at 40 hours per week, the plan shall establish actuarially sound premiums, provided, however, that the premiums may not exceed \$2,500. These premiums shall be in addition to the fee specified in subparagraph 26. When the plan establishes actuarially sound rates for all employers in Tier One and Tier

Two, the premiums for employers referred to in this paragraph are no longer subject to the \$2,500 cap.

24. Provide for a depopulation program to reduce the number of insureds in the plan. If an employer insured through the plan is offered coverage from a voluntary market carrier:

a. During the first 30 days of coverage under the plan;

b. Before a policy is issued under the plan;

c. By issuance of a policy upon expiration or cancellation of the policy under the plan; or

d. By assumption of the plan's obligation with respect to an in-force policy,

that employer is no longer eligible for coverage through the plan. The premium for risks assumed by the voluntary market carrier must be no greater than the premium the insured would have paid under the plan, and shall be adjusted upon renewal to reflect changes in the plan rates and the tier for which the insured would qualify as of the time of renewal. The insured may be charged such premiums only for the first 3 years of coverage in the voluntary market. A premium under this subparagraph is deemed approved and is not an excess premium for purposes of s. 627.171.

25. Require that policies issued and applications must include a notice that the policy could be replaced by a policy issued from a voluntary market carrier and that, if an offer of coverage is obtained from a voluntary market carrier, the policyholder is no longer eligible for coverage through the plan. The notice must also specify that acceptance of coverage under the plan creates a conclusive presumption that the applicant or policyholder is aware of this potential.

26. Require that each application for coverage and each renewal premium be accompanied by a nonrefundable fee of \$475 to cover costs of administration and fraud prevention. The board may, with the prior approval of the office, increase the amount of the fee pursuant to a rate filing to reflect increased costs of administration and fraud prevention. The fee is not subject to commission and is fully earned upon commencement of coverage.

Section 19. Paragraph (e) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(e) Purchases that equal or exceed \$2,500, but are less than \$25,000, shall be made by receipt of written quotes, written record of telephone quotes, or informal bids, ~~if whenever practical~~. The procurement of goods or services valued at or over \$25,000 ~~is shall be~~ subject to competitive solicitation, except in situations where the goods or services are provided by a sole source or are deemed an emergency purchase; the services are exempted from competitive solicitation requirements under s. 287.057(3)(e) ~~287.057(3)(f)~~; or the procurement of services is subject to s. 627.3513. Justification for the sole-sourcing or emergency procurement must be documented. Contracts for goods or services valued at or over \$100,000 are subject to approval by the board.

Section 20. Subsection (2) of section 765.5155, Florida Statutes, is amended to read:

765.5155 Donor registry; education program.—

(2) The agency and the department shall jointly contract for the operation of a donor registry and education program. The contractor shall be procured by competitive solicitation pursuant to chapter 287, notwithstanding ~~an any~~ exemption under ~~in~~ s. 287.057(3)(e) ~~287.057(3)(f)~~. When awarding the contract, priority shall be given to existing nonprofit groups that are based within the state, have expertise working with procurement organizations, have expertise in conducting statewide organ and tissue donor public education campaigns, and represent the needs of the organ and tissue donation community in the state.

Section 21. Subsection (10) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(10) All costs incurred by the department in administering the prescription drug monitoring program shall be funded through federal grants or private funding applied for or received by the state. The department may not commit funds for the monitoring program without ensuring funding is available. The prescription drug monitoring program and the implementation thereof are contingent upon receipt of the nonstate funding. The department and state government shall cooperate with the direct-support organization established pursuant to subsection (11) in seeking federal grant funds, other nonstate grant funds, gifts, donations, or other private moneys for the department ~~if so long as~~ the costs of doing so are not considered material. Nonmaterial costs for this purpose include, but are not limited to, the costs of mailing and personnel assigned to research or apply for a grant. Notwithstanding the exemptions to competitive-solicitation requirements under s. 287.057(3)(e) ~~287.057(3)(f)~~, the department shall comply with the competitive-solicitation requirements under s. 287.057 for the procurement of any goods or services required by this section. Funds provided, directly or indirectly, by prescription drug manufacturers may not be used to implement the program.

Section 22. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2013.

And the title is amended as follows:

Remove lines 1493-1591 of the amendment and insert: A bill to be entitled An act relating to governmental accountability; creating s. 119.0701, F.S.; providing definitions; providing that each public agency contract for services must meet specified requirements; requiring the public agency to enforce contract provisions if a contractor does not comply with a public records request; amending s. 215.971, F.S.; requiring agreements funded with state or federal financial assistance to include additional provisions; requiring state agencies to designate a grants manager for each agreement and providing requirements and procedures for managers; requiring the Chief Financial Officer to perform audits of executed agreements and to discuss such audits with agency officials; requiring the agency head to respond to the audit; amending s. 287.012, F.S.; providing and revising definitions; amending s. 287.042, F.S.; revising powers, duties, and functions of the Department of Management Services; eliminating a duty of the department to maintain a vendor list; authorizing the department to lead or enter into joint agreements with governmental entities for the purchase of commodities or contractual services that can be used by multiple agencies; amending s. 287.057, F.S.; providing that contracts awarded pursuant to an invitation to bid shall be awarded to the responsible and responsive vendor that submits the lowest responsive bid; revising exceptions to the requirement that the purchase of specified commodities or contractual services be made only as a result of receiving competitive sealed bids, competitive sealed proposals, or competitive sealed replies; revising contractual services and commodities that are not subject to competitive solicitation requirements by virtue of being available only from a single source; providing that a contract for commodities or contractual services may be awarded without competition if the recipient of funds is established during the appropriations process; revising provisions relating to extension of a contract for commodities or contractual services; authorizing an agency to negotiate better pricing upon renewal of a contract; providing training requirements for contract managers responsible for contracts in excess of a specified threshold amount; providing contract manager certification for contract managers responsible for contracts in excess of a specified threshold amount; providing that the department is responsible for establishing and disseminating the requirements for certification of a contract manager; providing that training will be conducted jointly by the Department of Management Services and the Department of Financial Services; providing training guidelines and requirements; requiring the department, in consultation with the Chief Financial Officer to maintain a program for online procurement of commodities and contractual services; amending s. 287.0571, F.S.; revising nonapplicability of a business case to outsource; amending s. 287.058, F.S.; defining the term “performance measure”; revising references within provisions relating to purchase orders used in lieu of written agreements for classes of contractual services; revising terminology; creating s. 287.136, F.S.; requiring the Chief Financial Officer to perform audits of executed contract documents and to discuss such audits with the agency officials; requiring the agency head to respond to the audit; amending s. 287.076, F.S.; providing that Project Management Professionals training for personnel involved in managing outsourcings

and negotiations is subject to annual appropriations; amending ss. 16.0155, 283.33, 394.457, 402.7305, 409.9132, 427.0135, 445.024, 627.311, 627.351, 765.5155, and 893.055, F.S.; conforming cross-references; providing effective dates.

On motion by Senator Brandes, the Senate concurred in **House Amendment 1 (317793) to Senate Amendment 1 (872490)**.

**CS for CS for HB 1309** passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5401, as amended by the Conference Committee Report.

*Robert L. “Bob” Ward, Clerk*

#### CONFERENCE COMMITTEE REPORT ON HB 5401

The Honorable Don Gaetz  
President of the Senate

May 1, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5401, same being:

An act relating to Transparency in State Contracting.

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

1. That the Senate recede from its Amendment 1 (322536).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

*s/ Joe Negron,*  
Chair  
*s/ Joseph Abruzzo*  
*s/ Aaron Bean*  
*s/ Jeff Brandes*  
*s/ Dwight Bullard*  
*s/ Charles S. “Charlie” Dean, Sr.*  
*s/ Miguel Diaz de la Portilla*  
*s/ Anitere Flores*  
*s/ Rene Garcia*  
*s/ Audrey Gibson*  
*s/ Alan Hays*

*s/ Lizbeth Benacquisto,*  
Vice Chair  
*s/ Thad Altman*  
*s/ Rob Bradley*  
*s/ Oscar Braynon II*  
*s/ Jeff Clemens*  
*s/ Nancy C. Detert*  
*s/ Greg Evers*  
*s/ Bill Galvano*  
*s/ Andy Gardiner*  
*s/ Denise Grimsley*  
*s/ Dorothy L. Hukill*

s/ Arthenia L. Joyner  
 s/ Tom Lee  
 s/ Gwen Margolis  
 s/ Garrett Richter, At Large  
 s/ Maria Lorts Sachs  
 s/ Wilton Simpson  
 s/ Eleanor Sobel  
 s/ Kelli Stargel  
 s/ John Thrasher

s/ Jack Latvala  
 s/ John Legg  
 s/ Bill Montford  
 s/ Jeremy Ring  
 s/ David Simmons  
 s/ Christopher L. Smith, At Large  
 s/ Darren Soto  
 s/ Geraldine F. "Geri" Thompson

#### Managers on the part of the Senate

s/ Seth McKeel,  
 Committee Chair  
 s/ Clay Ingram,  
 Chair  
 Gwyndolen "Gwyn"  
 Clarke-Reed  
 Joseph A. "Joe" Gibbons, At Large  
 s/ Gayle B. Harrell  
 s/ Dave Hood  
 s/ H. Marlene O'Toole, At Large  
 s/ Stephen L. Precourt, At Large  
 s/ Darryl Ervin Rouson, At Large  
 Perry E. Thurston, Jr.  
 At Large  
 s/ Ritch Workman, At Large  
 s/ Dana D. Young, At Large

s/ Steve Crisafulli,  
 Committee Vice Chair  
 Bruce Antone  
 s/ Douglas Vaughn "Doug"  
 Broxson  
 s/ Marti Coley, At Large  
 s/ Eddy Gonzalez, At Large  
 s/ Doug Holder, At Large  
 Mia L. Jones, At Large  
 s/ Kathleen Peters  
 s/ Ray Rodrigues  
 s/ Robert C. "Rob" Schenck,  
 At Large  
 James W. "Jim" Waldman,  
 At Large

#### Managers on the part of the House

The Conference Committee Amendment for HB 5401, relating to transparency in state contracting, provides for the following:

- Requires the creation of a single website through which all other websites required by the act may be accessed.
- Creates style and formatting requirements for all websites required by the Transparency Florida Act.
- Requires the creation of a website relating to state employee and officer data.
- Requires the creation of a website relating to state fiscal planning data.
- Adds search criteria and informational requirements to the existing state budget website.
- Expands the posting requirements for the state contract tracking system to include contracts and certain procurement documents of all executive and judicial branch entities.
- Provides exemptions from posting of contract and procurement documents in certain instances.
- Creates a task force to develop and recommend a design for consolidating state transparency websites into one website.

**Conference Committee Amendment (506411) (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. Section 215.985, Florida Statutes, is reordered and amended to read:

215.985 Transparency in government spending.—

(1) This section may be cited as the "Transparency Florida Act."

(2) As used in this section, the term:

(a)(e) "Committee" means the Legislative Auditing Committee created in s. 11.40.

(b) "Contract" means a written agreement or purchase order issued for the purchase of goods or services or a written agreement for the receipt of state or federal financial assistance.

(c)(a) "Governmental entity" means a ~~any~~ state, regional, county, municipal, special district, or other political subdivision whether ex-

ecutive, judicial, or legislative, including, but not limited to, a ~~any~~ department, division, bureau, commission, authority, district, or agency thereof, or ~~any~~ public school, Florida College System institution, state university, or associated board.

(d)(b) "Website" means a site on the Internet which is easily accessible to the public at no cost and does not require the user to provide ~~any~~ information.

(3) *The Executive Office of the Governor, in consultation with the appropriations committees of the Senate and the House of Representatives, shall establish and maintain a single website that provides access to all other websites required by this section. Such single website and other websites must:*

(a) *Be constructed for usability that, to the extent possible, provides an intuitive user experience.*

(b) *Provide a consistent visual design, interaction or navigation design, and information or data presentation.*

(c) *Be deployed in compliance with the Americans with Disabilities Act.*

(d) *Be compatible with all major web browsers.*

(4)(b) *The Executive Office of the Governor, in consultation with the appropriations committees of the Senate and the House of Representatives, shall establish and maintain a single website that, directly accessible through the state's official Internet portal, which provides information relating to the approved operating budget each appropriation in the General Appropriations Act for each branch of state government and state agency.*

(a) At a minimum, the information ~~provided~~ must include:

1. Disbursement data for each appropriation by the object code associated with each expenditure established within the Florida Accounting Information Resource Subsystem. Expenditure data must include the name of the payee, the date of the expenditure, the amount of the expenditure, and the statewide document number. *Such data must be searchable by the name of the payee, the paying agency, and fiscal year, and must be downloadable in a format that allows offline analysis.*

2. For each appropriation, any adjustments, including vetoes, approved supplemental appropriations included in legislation other than the General Appropriations Act, budget amendments, other actions approved pursuant to chapter 216, and ~~any~~ other adjustments authorized by law.

3. Status of spending authority for each appropriation in the approved operating budget, including released, unreleased, reserved, and disbursed balances.

4. Position and rate information for positions provided in the General Appropriations Act *or approved through an amendment to the approved operating budget and position information for positions established in the legislative branch.*

5. *Allotments for planned expenditures of state appropriations established by state agencies in the Florida Accounting Information Resource Subsystem, and the current balances of such allotments.*

6. *Trust fund balance reports, including cash available, investments, and receipts.*

7. *General revenue fund balance reports, including revenue received and amounts disbursed.*

8. *Fixed capital outlay project data, including original appropriation and disbursements throughout the life of the project.*

9. *A 10-year history of appropriations indicated by agency.*

10. *Links to state audits or reports related to the expenditure and dispersal of state funds.*

11. *Links to program or activity descriptions for which funds may be expended.*



(b) All data provided through the website must be data currently available in the state's financial management information system referenced in s. 215.93. *The Office of Policy and Budget in the Executive Office of the Governor shall ensure that all data added to the website remains accessible to the public for 10 years.*

~~(4) The committee shall propose providing additional state fiscal information, which may include, but is not limited to, the following information for state agencies:~~

~~(a) Details of nonoperating budget authority established pursuant to s. 216.181.~~

~~(b) Trust fund balance reports, including cash available, investments, and receipts.~~

~~(c) General revenue fund balance reports, including revenue received and amounts disbursed.~~

~~(d) Fixed capital outlay project data, including original appropriation and disbursements throughout the life of the project.~~

~~(e) A 10-year history of appropriations indicated by agency.~~

~~(f) Links to state audits or reports related to the expenditure and dispersal of state funds.~~

~~(g) Links to program or activity descriptions for which funds may be expended.~~

(5) *The Executive Office of the Governor, in consultation with the appropriations committees of the Senate and the House of Representatives, shall establish and maintain a website that provides information relating to fiscal planning for the state.*

(a) *At a minimum, the information must include:*

1. *The long-range financial outlook adopted by the Legislative Budget Commission.*

2. *The instructions to the agencies relating to legislative budget requests, capital improvement plans, and long-range program plans.*

3. *The legislative budget requests submitted by each state agency or branch of state government, and any amendments to such requests.*

4. *The capital improvement plans submitted by each state agency or branch of state government.*

5. *The long-range program plans submitted by each state agency or branch of state government.*

6. *The Governor's budget recommendation submitted pursuant to s. 216.163.*

(b) *The data must be searchable by the fiscal year, agency, appropriation category, and keywords.*

(c) *The Office of Policy and Budget in the Executive Office of the Governor shall ensure that all data added to the website remains accessible to the public for 10 years.*

~~(5) The committee shall recommend a format for collecting and displaying information from state universities, Florida College System institutions, school districts, charter schools, charter technical career centers, local governmental units, and other governmental entities.~~

(6) *The Department of Management Services shall establish and maintain a website that provides current information relating to each employee or officer of a state agency, a state university, or the State Board of Administration, regardless of the appropriation category from which the person is paid.*

(a) *For each employee or officer, the information must include, at a minimum, his or her:*

1. *Name and salary or hourly rate of pay.*

2. *Position number, class code, and class title.*

3. *Employing agency and budget entity.*

(b) *The information must be searchable by state agency, state university, and the State Board of Administration, and by employee name, salary range, or class code and must be downloadable in a format that allows offline analysis.*

(7)(6) *By November 1, 2013 2012, and annually thereafter, the committee shall recommend to the President of the Senate and the Speaker of the House of Representatives:*

(a) *Additional information to be added to a website, such as whether to expand the scope of the information provided to include state universities, Florida College System institutions, school districts, charter schools, charter technical career centers, local government units, and other governmental entities.*

(b) ~~develop~~ *A schedule for adding additional information to the website by type of information and governmental entity, including timeframes and development entity.*

(c) *A format for collecting and displaying the additional information. The schedule for adding additional information shall be submitted to the President of the Senate and the Speaker of the House of Representatives. Additional information may include:*

~~(a) Disbursements by the governmental entity from funds established within the treasury of the governmental entity, including, for all branches of state government, allotment balances in the Florida Accounting Information Resource Subsystem.~~

~~(b) Revenues received by each governmental entity, including receipts or deposits by the governmental entity into funds established within the treasury of the governmental entity.~~

~~(c) Information relating to a governmental entity's bonded indebtedness, including, but not limited to, the total amount of obligation stated in terms of principal and interest, an itemization of each obligation, the term of each obligation, the source of funding for repayment of each obligation, the amounts of principal and interest previously paid to reduce each obligation, the balance remaining of each obligation, any refinancing of any obligation, and the cited statutory authority to issue such bonds.~~

~~(d) Links to available governmental entity websites.~~

(8)(7) *The manager of each website described in subsections (4), (5), and (6) shall submit to the committee information relating to the cost of creating and maintaining such website, and A counter shall be established on the website to show the number of times the website has been accessed.*

~~(8) By August 31 of each fiscal year, each executive branch agency, the state court system, and the Legislature shall establish allotments in the Florida Accounting Information Resource Subsystem for planned expenditures of state appropriations.~~

(9) *The committee shall coordinate with the Financial Management Information Board in developing any recommendations for including information on the website which is necessary to meet the requirements of s. 215.91(8).*

(10) *Functional owners as described defined in s. 215.94 and other governmental entities shall provide information necessary to accomplish the purposes of this section.*

~~(11) A municipality or special district that has total annual revenues of less than \$10 million is exempt from this section.~~

(11)(12) *By September 1, 2011, Each water management district shall provide a monthly financial statement to its governing board and make such statement available for public access on its website.*

(12)(13) *This section does not require or permit the disclosure of information that is considered confidential under by state or federal law.*

~~(14) The Office of Policy and Budget in the Executive Office of the Governor shall ensure that all data added to the website remains accessible to the public for 10 years.~~

(13)(15) The committee shall prepare an annual report detailing progress in establishing the single website and providing recommendations for enhancement of the content and format of the website and related policies and procedures. The first report shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2011, and annually by November 1 thereafter.

(14)(16) The Chief Financial Officer shall establish and maintain a secure contract tracking ~~provide public access to a state contract management~~ system available for viewing and downloading by the public through a secure website. The Chief Financial Officer shall use appropriate Internet security measures to ensure that no person has the ability to alter or modify records available on the website ~~that provides information and documentation relating to contracts procured by governmental entities.~~

(a) Within 30 calendar days after executing a contract, each state entity shall post the following information relating to the contract on the contract tracking system:

1. The names of the contracting entities.
2. The procurement method.
3. The contract beginning and ending dates.
4. The nature or type of the commodities or services purchased.
5. Applicable contract unit prices and deliverables.
6. Total compensation to be paid or received under the contract.
7. All payments made to the contractor to date.
8. Applicable contract performance measures.

9. If a competitive solicitation was not used to procure the goods or services, the justification of such action, including citation to a statutory exemption or exception from competitive solicitation, if any.

10. Electronic copies of the contract and procurement documents that have been redacted to exclude confidential or exempt information. ~~The data collected in the system must include, but need not be limited to, the contracting agency; the procurement method; the contract beginning and ending dates; the type of commodity or service; the purpose of the commodity or service; the compensation to be paid; compliance information, such as performance metrics for the service or commodity; contract violations; the number of extensions or renewals; and the statutory authority for providing the service.~~

(b) Within 30 calendar days after an amendment ~~a major change~~ to an existing contract, ~~or the execution of a new contract, agency procurement staff of the state entity that is a party to the contract must affected state governmental entity shall~~ update the necessary information described in paragraph (a) in the state contract tracking ~~management~~ system. An amendment ~~A major change~~ to a contract includes, but is not limited to, a renewal, termination, or extension of the contract or a modification of ~~an amendment to~~ the terms of the contract.

(c) By January 1, 2014, each state entity shall post to the contract tracking system the information required in paragraph (a) for each existing contract that was executed before July 1, 2013, with payment from state funds made after June 30, 2013.

(d)1. Records made available on the contract tracking system may not reveal information made confidential or exempt by law.

2. Each state entity that is a party to a contract must redact confidential or exempt information from the contract and procurement documents before posting an electronic copy on the contract tracking system. If a state entity that is a party to the contract becomes aware that an electronic copy of a contract or a procurement document has been posted but has not been properly redacted, the state entity must immediately notify the Chief Financial Officer and must immediately remove the contract or procurement document from the contract tracking system. Within 7 business days, the state entity must post a properly redacted copy of the contract or procurement document on the contract tracking system.

3.a. If a party to a contract, or an authorized representative of a party to a contract, discovers that an electronic copy of a contract or procurement document has been posted to the contract tracking system but has not been properly redacted, the party or representative may request the state entity that is a party to the contract to redact the confidential or exempt information. Upon receipt of the request, the state entity shall redact the confidential or exempt information.

b. A request to redact confidential or exempt information must be made in writing and delivered by mail, facsimile, electronic transmission, or in person to the state entity that is a party to the contract. The request must identify the specific document, the page numbers that include the confidential or exempt information, the information that is confidential or exempt, and the applicable statutory exemption. A fee may not be charged for a redaction made pursuant to the request.

c. A party to a contract may petition the circuit court for an order directing compliance with this paragraph.

4. The contract tracking system shall display a notice of the right of an affected party to request redaction of confidential or exempt information contained on the system.

5.a. The Chief Financial Officer, the Department of Financial Services, or an officer, employee, or contractor thereof, is not responsible for redacting confidential or exempt information from an electronic copy of a contract or procurement document posted by another state entity on the system.

b. The Chief Financial Officer, the Department of Financial Services, or an officer, employee, or contractor thereof, is not liable for the failure of a state entity to redact the confidential or exempt information.

(e)1. The posting of information on the contract tracking system or the provision of contract information on a website for public viewing and downloading does not supersede the duty of a state entity to respond to a public records request or subpoena for the information.

2. A request for a copy of a contract or procurement document or certified copy of a contract or procurement document shall be made to the state entity that is party to the contract. The request may not be made to the Chief Financial Officer, the Department of Financial Services, or an officer, employee, or contractor thereof, unless the Chief Financial Officer or the department is a party to the contract.

3. A subpoena for a copy of a contract or procurement document or certified copy of a contract or procurement document must be served on the state entity that is a party to the contract and that maintains the original documents. The Chief Financial Officer, the Department of Financial Services, or an officer, employee, or contractor thereof, may not be served a subpoena for those records unless the Chief Financial Officer or the department is a party to the contract.

(f) The Chief Financial Officer may regulate and prohibit the posting of records that could facilitate identity theft or fraud, such as signatures; compromise or reveal an agency investigation; reveal the identity of undercover personnel; reveal proprietary business information or trade secrets; reveal an individual's medical information; or reveal another record or information that the Chief Financial Officer believes may jeopardize the health, safety, or welfare of the public. However, such action by the Chief Financial Officer does not supersede the duty of a state entity to provide a copy of a public record upon request.

(g) The Chief Financial Officer may adopt rules to administer this subsection.

(h) For purposes of this subsection, the term:

1. "Procurement document" means any document or material provided to the public or any vendor as part of a formal competitive solicitation of goods or services undertaken by a state entity, and a document or material submitted in response to a formal competitive solicitation by any vendor who is awarded the resulting contract.

2. "State entity" means an official, officer, commission, board, authority, council, committee, or department of the executive branch of state government; a state attorney, public defender, criminal conflict and civil regional counsel, capital collateral regional counsel, and the Justice Ad-

ministrative Commission; the Public Service Commission; and any part of the judicial branch of state government.

(i) *In lieu of posting in the contract tracking system administered by the Chief Financial Officer, the Department of Legal Affairs and the Department of Agriculture and Consumer Services may post the information described in paragraphs (a) through (c) to its own agency-managed website. The data posted on the agency-managed website must be downloadable in a format that allows offline analysis.*

(j) *The requirement under paragraphs (a) through (c) that each agency post information and documentation relating to contracts on the tracking system does not apply to any record that could reveal attorney work product or strategy.*

#### Section 2. User Experience Task Force.—

(1) *The User Experience Task Force is created to develop and recommend a design for consolidating existing state-managed websites that provide public access to state operational and fiscal information into a single website. If necessary, the recommendation may include a complete redesign of data submission and inclusion.*

(2) *The task force shall be comprised of four members:*

(a) *One member designated by the Governor.*

(b) *One member designated by the Chief Financial Officer.*

(c) *One member designated by the President of the Senate.*

(d) *One member designated by the Speaker of the House of Representatives.*

(3) *The task force shall elect a chair from among its members.*

(4) *The Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives shall assign staff to assist the task force in performing its duties.*

(5) *By October 1, 2013, the task force shall submit a work plan to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives. The work plan must include, but is not limited to, a review of:*

(a) *All relevant state-managed websites.*

(b) *Options for reducing the number of websites without losing detailed data.*

(c) *Options for linking expenditure data with related invoices and contracts.*

(6) *By March 1, 2014, the task force shall submit its complete recommendation to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives. The recommended design must provide an intuitive and cohesive user experience that allows users to move easily between varied types of related data. The recommendation must also include a cost estimate for implementation of the design.*

(7) *This section expires June 30, 2014.*

#### Section 3. This act shall take effect July 1, 2013.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to transparency in government spending; amending s. 215.985, F.S.; adding a definition; requiring the Executive Office of the Governor to establish a single website providing access to other websites; revising provisions relating to the establishment of a website relating to the approved operating budget; requiring the office to establish a website providing information about fiscal planning for the state and specifying the information to be included on the website; requiring the Department of Management Services to maintain a website that provides current information on state employees and officers; revising provisions requiring the Legislative Auditing Committee to provide recommendations to the Legislature about adding other informa-

tion to a website; requiring website managers to provide information about the cost of creating and maintaining each website; revising provisions relating to access to the state contract management system to require that such information be accessible through a website; requiring the Chief Financial Officer to establish and maintain a secure contract tracking system; requiring that such system be available for viewing and downloading by the public through a secure website; requiring state entities to post certain information on the system and to update that information; requiring that exempt and confidential information be redacted from contracts and procurement documents posted on the system; providing procedures for removing such information from the system; providing applicability of public record requests for information posted on the website; providing an exemption; providing for service of subpoenas for contract or procurement documents; authorizing the Chief Financial Officer to regulate and prohibit the posting of certain information that could facilitate identity theft or cause harm; authorizing the Chief Financial Officer to adopt rules; providing definitions; authorizing certain departments to post specified information on agency-managed websites in lieu of posting through the contract tracking system; creating the User Experience Task Force to develop and recommend a design for consolidating existing state-managed websites; providing for membership; providing for staffing; requiring reports; providing for expiration; providing an effective date.

On motion by Senator Ring, the Conference Committee Report on **HB 5401** was adopted. **HB 5401** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5503, as amended by the Conference Committee Report.

Robert L. “Bob” Ward, Clerk

#### CONFERENCE COMMITTEE REPORT ON HB 5503

The Honorable Don Gaetz  
President of the Senate

April 30, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5503, same being:

An act relating to Fish and Wildlife Conservation Commission.

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

1. That the Senate recede from its Amendment 1 (210764).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

*s/ Joe Negron,*  
Chair  
*s/ Joseph Abruzzo*  
*s/ Aaron Bean*  
*s/ Jeff Brandes*  
*s/ Dwight Bullard*  
*s/ Charles S. "Charlie" Dean, Sr.*  
*s/ Miguel Diaz de la Portilla*  
*s/ Anitere Flores*  
*s/ Rene Garcia*  
*s/ Audrey Gibson*  
*s/ Alan Hays*  
*s/ Arthenia L. Joyner*  
*s/ Tom Lee*  
*s/ Gwen Margolis*  
*s/ Garrett Richter, At Large*  
*s/ Maria Lorts Sachs*  
*s/ Wilton Simpson*  
*s/ Eleanor Sobel*  
*s/ Kelli Stargel*  
*s/ John Thrasher*

*s/ Lizbeth Benacquisto,*  
Vice Chair  
*s/ Thad Altman*  
*s/ Rob Bradley*  
*s/ Oscar Braynon II*  
*s/ Jeff Clemens*  
*s/ Nancy C. Detert*  
*s/ Greg Evers*  
*s/ Bill Galvano*  
*s/ Andy Gardiner*  
*s/ Denise Grimsley*  
*s/ Dorothy L. Hukill*  
*s/ Jack Latvala*  
*s/ John Legg*  
*s/ Bill Montford*  
*s/ Jeremy Ring*  
*s/ David Simmons*  
*s/ Christopher L. Smith, At Large*  
*s/ Darren Soto*  
*s/ Geraldine F. "Geri" Thompson*

#### Managers on the part of the Senate

*s/ Seth McKeel,*  
Committee Chair  
*s/ Ben Albritton,*  
Chair  
*s/ Eddy Gonzalez, At Large*  
*Mia L. Jones, At Large*  
*Mark S. Pafford*  
*s/ Jake Raburn*  
*s/ Darryl Ervin Rouson, At Large*  
*s/ Jimmie T. Smith*  
*Linda Stewart*  
*Perry E. Thurston, Jr.,*  
At Large  
*Clovis Watson, Jr.*  
*s/ Dana D. Young, At Large*

*s/ Steve Crisafulli,*  
Committee Vice Chair  
*s/ Marti Coley, At Large*  
*Joseph A. "Joe" Gibbons, At Large*  
*s/ Doug Holder, At Large*  
*H. Marlene O'Toole, At Large*  
*s/ Stephen L. Precourt, At Large*  
*s/ Holly Merrill Raschein*  
*s/ Robert C. "Rob" Schenck,*  
At Large  
*s/ Charlie Stone*  
*James W. "Jim" Waldman,*  
At Large  
*s/ Ritch Workman, At Large*

#### Managers on the part of the House

The Conference Committee Amendment for HB 5503, relating to the Fish and Wildlife Conservation Commission, provides for the following:

- Deletes subsections 328.72(1)(b) and 379.354(1)(b), Florida Statutes, eliminating the Consumer Price Index adjustments to vessel registration fees and recreational hunting and fishing license fees which would have taken effect July 1, 2013.
- Removes the requirement for the Fish and Wildlife Conservation Commission to submit a report detailing how the increase in fees would be used within the agency.
- Provides an effective date of July 1, 2013.

#### Conference Committee Amendment (719439)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (1) of section 328.72, Florida Statutes, is amended to read:

328.72 Classification; registration; fees and charges; surcharge; disposition of fees; fines; marine turtle stickers.—

##### (1) VESSEL REGISTRATION FEE.—

(a) Vessels that are required to be registered shall be classified for registration purposes according to the following schedule, and the registration certificate fee shall be in the following amounts:

Class A-1—Less than 12 feet in length, and all canoes to which propulsion motors have been attached, regardless of length: \$5.50 for each 12-month period registered.

Class A-2—12 feet or more and less than 16 feet in length: \$16.25 for each 12-month period registered.

(To county): 2.85 for each 12-month period registered.

Class 1—16 feet or more and less than 26 feet in length: \$28.75 for each 12-month period registered.

(To county): 8.85 for each 12-month period registered.

Class 2—26 feet or more and less than 40 feet in length: \$78.25 for each 12-month period registered.

(To county): 32.85 for each 12-month period registered.

Class 3—40 feet or more and less than 65 feet in length: \$127.75 for each 12-month period registered.

(To county): 56.85 for each 12-month period registered.

Class 4—65 feet or more and less than 110 feet in length: \$152.75 for each 12-month period registered.

(To county): 68.85 for each 12-month period registered.

Class 5—110 feet or more in length: \$189.75 for each 12-month period registered.

(To county): 86.85 for each 12-month period registered.

Dealer registration certificate: \$25.50 for each 12-month period registered.

The county portion of the vessel registration fee is derived from recreational vessels only.

~~(b) In 2013 and every 5 years thereafter, vessel registration fees shall be adjusted by the percentage change in the Consumer Price Index for All Urban Consumers since the fees were last adjusted, unless otherwise provided by general law. By February 1 of each year in which an adjustment is scheduled to occur, the Fish and Wildlife Conservation Commission shall submit a report to the President of the Senate and the Speaker of the House of Representatives detailing how the increase in vessel registration fees will be used within the agency. The vessel registration fee increases shall take effect July 1 of each adjustment year.~~

Section 2. Subsection (1) of section 379.354, Florida Statutes, is amended to read:

379.354 Recreational licenses, permits, and authorization numbers; fees established.—

##### (1) LICENSE, PERMIT, OR AUTHORIZATION NUMBER REQUIRED.—

(a) Except as provided in s. 379.353, no person shall take game, freshwater or saltwater fish, or fur-bearing animals within this state without having first obtained a license, permit, or authorization number and paid the fees set forth in this chapter. Such license, permit, or authorization number shall authorize the person to whom it is issued to take game, freshwater or saltwater fish, or fur-bearing animals, and participate in outdoor recreational activities in accordance with the laws of the state and rules of the commission.

~~(b) In 2013 and every 5 years thereafter, license and permit fees established in subsections (4) and (5) shall be adjusted by the percentage change in the Consumer Price Index for All Urban Consumers since the fees were last adjusted, unless otherwise provided by general law. By February 1 of each year in which an adjustment is scheduled to occur, the Fish and Wildlife Conservation Commission shall submit a report to the President of the Senate and the Speaker of the House of Representatives detailing how the increase in license and permit fees will be used within the agency. The license and permit fee increases shall take effect July 1 of each adjustment year.~~

Section 3. This act shall take effect July 1, 2013.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending ss. 328.72 and 379.354, F.S.; deleting provisions for periodic adjustments of certain fees based on changes in the Consumer Price Index; providing an effective date.

On motion by Senator Hays, the Conference Committee Report on **HB 5503** was adopted. **HB 5503** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5501, as amended by the Conference Committee Report.

*Robert L. "Bob" Ward, Clerk*

#### CONFERENCE COMMITTEE REPORT ON HB 5501

The Honorable Don Gaetz April 30, 2013  
President of the Senate

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5501, same being:

An act relating to Weights and Measures Instruments and Devices.

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

1. That the Senate recede from its Amendment 1 (214886).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

<i>s/ Joe Negron,</i> Chair	<i>s/ Lizbeth Benacquisto,</i> Vice Chair
<i>s/ Joseph Abruzzo</i>	<i>s/ Thad Altman</i>
<i>s/ Aaron Bean</i>	<i>s/ Rob Bradley</i>
<i>s/ Jeff Brandes</i>	<i>s/ Oscar Braynon II</i>
<i>s/ Dwight Bullard</i>	<i>s/ Jeff Clemens</i>
<i>s/ Charles S. "Charlie" Dean, Sr.</i>	<i>s/ Nancy C. Detert</i>
<i>s/ Miguel Diaz de la Portilla</i>	<i>s/ Greg Evers</i>
<i>s/ Anitere Flores</i>	<i>s/ Bill Galvano</i>
<i>s/ Rene Garcia</i>	<i>s/ Andy Gardiner</i>

*s/ Audrey Gibson*  
*s/ Alan Hays*  
*s/ Arthenia L. Joyner*  
*s/ Tom Lee*  
*s/ Gwen Margolis*  
*s/ Garrett Richter, At Large*  
*s/ Maria Lorts Sachs*  
*s/ Wilton Simpson*  
*s/ Eleanor Sobel*  
*s/ Kelli Stargel*  
*s/ John Thrasher*

*s/ Denise Grimsley*  
*s/ Dorothy L. Hukill*  
*s/ Jack Latvala*  
*s/ John Legg*  
*s/ Bill Montford*  
*s/ Jeremy Ring*  
*s/ David Simmons*  
*s/ Christopher L. Smith, At Large*  
*s/ Darren Soto*  
*s/ Geraldine F. "Geri" Thompson*

Managers on the part of the Senate

<i>s/ Seth McKeel,</i> Committee Chair	<i>s/ Steve Crisafulli,</i> Committee Vice Chair
<i>s/ Ben Albritton,</i> Chair	<i>s/ Marti Coley, At Large</i>
<i>s/ Eddy Gonzalez, At Large</i>	<i>Joseph A. "Joe" Gibbons, At Large</i>
<i>Mia L. Jones, At Large</i>	<i>s/ Doug Holder, At Large</i>
<i>Mark S. Pafford</i>	<i>s/ H. Marlene O'Toole, At Large</i>
<i>s/ Jake Raburn</i>	<i>s/ Stephen L. Precourt, At Large</i>
<i>s/ Darryl Ervin Rouson, At Large</i>	<i>s/ Holly Merrill Raschein</i>
<i>s/ Jimmie T. Smith</i>	<i>s/ Robert C. "Rob" Schenck,</i> At Large
<i>Linda Stewart</i>	<i>s/ Charlie Stone</i>
<i>Perry E. Thurston, Jr.,</i> At Large	<i>James W. "Jim" Waldman,</i> At Large
<i>Clovis Watson, Jr.</i>	<i>s/ Ritch Workman, At Large</i>
<i>s/ Dana D. Young, At Large</i>	

Managers on the part of the House

The Conference Committee Amendment for HB 5501, relating to weights and measures instruments and devices, provides for the following:

- Creates section 531.67, F.S., and extends the repeal date of the weights and measures permitting program and associated fees within the Department of Agriculture and Consumer Services from July 11, 2014 to July 1, 2020.
- Repeals section 40 of chapter 2009-66, Laws of Florida, which establishes a permitting and testing program for commercially operated weights and measures instruments to be administered by the Department of Agriculture and Consumer Services.
- Provides an effective date of July 1, 2013.

**Conference Committee Amendment (227173)(with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. Section 531.67, Florida Statutes, is created to read:

*531.67 Expiration of sections.—Sections 531.60, 531.61, 531.62, 531.63, 531.64, 531.65, and 531.66 shall expire July 1, 2020.*

Section 2. *Section 40 of chapter 2009-66, Laws of Florida, is repealed.*

Section 3. This act shall take effect July 1, 2013.

And the title is amended as follows:

Remove everything before the enacting clause and insert: A bill to be entitled An act relating to weights and measures instruments and devices; creating s. 531.67, F.S., and repealing s. 40, ch. 2009-66, Laws of Florida, relating to commercial use permits for weights and measures instruments and devices, to provide for codification in the Florida Statutes of the expiration of specified provisions and extension of the expiration date; providing an effective date.

On motion by Senator Hays, the Conference Committee Report on **HB 5501** was adopted. **HB 5501** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Altman	Benacquisto
Abruzzo	Bean	Bradley

Brandes	Gibson	Ring
Braynon	Grimsley	Sachs
Bullard	Hays	Simmons
Clemens	Hukill	Simpson
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lee	Soto
Evers	Legg	Stargel
Flores	Margolis	Thompson
Galvano	Montford	Thrasher
Garcia	Negron	
Gardiner	Richter	

Nays—None

## SPECIAL GUESTS

Senator Sachs introduced her husband, Peter Sachs, who was present in the gallery.

## REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Don Gaetz  
President, The Florida Senate  
May 3, 2013

Dear President Gaetz:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

### Office and Appointment

Florida Elections Commission, Chair  
Appointee: Holladay, Tim H. 01/05/2015

Florida Elections Commission  
Appointees: Faraj-Johnson, Alia 12/31/2015  
Hall, Sean S. 12/31/2015  
Jean-Bart, Leslie Scott 12/31/2015  
Stern, Barbra A. 12/31/2015

Board of Governors of the State University System  
Appointees: Link, Wendy S. 01/06/2020  
Tripp, Norman D. 01/06/2020

Board of Trustees, University of Florida  
Appointee: Thomas, David M. 01/06/2018

The following executive appointment was referred to the Senate Committee on Banking and Insurance and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

### Office and Appointment

Executive Director, Citizens Property Insurance Corporation  
Appointee: Gilway, Barry J. Pleasure of the Board

The following executive appointments were referred to the Senate Committee on Children, Families, and Elder Affairs and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

### Office and Appointment

Director, Agency for Persons with Disabilities  
Appointee: Palmer, Barbara Jo Pleasure of Governor

Secretary of Elderly Affairs

*For Term Ending*  
*Office and Appointment*  
Appointee: Corley, Charles Thomas Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Commerce and Tourism and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

### Office and Appointment

Board of Directors, Enterprise Florida, Inc.  
Appointees: Davis, Julius D. 09/30/2016  
Dempsey, Hayden R. 09/30/2015  
Keiser, Belinda 09/30/2015  
Kise, Christopher M. 09/30/2015  
Rodriguez, Henry 09/30/2014

The following executive appointments were referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

### Office and Appointment

State Board of Education  
Appointee: Feingold, Barbara S. 12/31/2013

Board of Governors of the State University System  
Appointees: Huizenga, H. Wayne, Jr. 01/06/2020  
Kuntz, Thomas G. 01/06/2019  
Lautenbach, Ned C. 01/06/2019  
Levine, Alan M. 01/06/2020  
Morton, Edward Allen 01/06/2020  
Webster, Elizabeth 01/06/2019

Board of Trustees, University of Florida  
Appointees: Cameron, Susan M. 01/06/2016  
Corr, Christopher T. 01/06/2016  
Edwards, Charles B. 01/06/2016  
Roulhac, Juliet M. 01/06/2015

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

### Office and Appointment

Fish and Wildlife Conservation Commission  
Appointees: Bergeron, Ronald M. 08/01/2017  
Corbett, Richard A. 01/06/2018

The following executive appointments were referred to the Senate Committee on Governmental Oversight and Accountability and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

### Office and Appointment

Secretary of Management Services  
Appointee: Nichols, Craig J. Pleasure of Governor

Secretary of State  
Appointee: Detzner, Kenneth W. Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Military Affairs, Space, and Domestic Security and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

### Office and Appointment

Executive Director of Department of Veterans' Affairs  
Appointee: Prendergast, Kenneth Lee Michael "Mike," Jr. Pleasure of Governor and Cabinet

The following executive appointment was referred to the Senate Committee on Transportation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Transportation did not consider the appointment. The Senate Committee on Ethics and Elections conducted an inquiry concerning the qualifications of the appointee; however, the Senate Committee on Ethics and Elections did not hold a public hearing for the following appointee during the 2013 Regular Session of the Florida Legislature.

*Office and Appointment*

Florida Transportation Commission  
Appointee: Ferre, Maurice A.

*For Term  
Ending*

09/30/2014

Except as specifically noted above, the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:

(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointments be taken prior to the adjournment of the 2013 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,  
*Jack Latvala, Chairman*

On motion by Senator Latvala, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee:

The vote was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

# VOTE PREFERENCE

President Gaetz was recorded as voting “nay” on the appointment of Barbara Stern for the Florida Elections Commission.

# MOTION

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 7:00 p.m.

The Honorable Don Gaetz  
President, The Florida Senate

May 3, 2013

Dear President Gaetz:

The following executive appointment was referred to the Senate Committee on Communications, Energy, and Public Utilities and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

*Office and Appointment*

Florida Public Service Commission  
Appointee: Edgar, Lisa B.

*For Term  
Ending*

01/01/2017

As required by Rule 12.7, the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointee for appointment to the office indicated. In aid of such inquiry, the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointee. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee on Ethics and Elections and the other referenced committee respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:

(1) the executive appointment of the above-named appointee, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointment be taken prior to the adjournment of the 2013 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointment to be held in executive session.

Respectfully submitted,  
*Jack Latvala, Chairman*

On motion by Senator Latvala, the report was adopted and the Senate confirmed the appointment identified in the foregoing report of the committee to the office and for the term indicated in accordance with the recommendation of the committee:

The vote was:

Yeas—26

Mr. President	Garcia	Negron
Abruzzo	Gardiner	Richter
Bean	Gibson	Sachs
Bradley	Grimsley	Simmons
Braynon	Hays	Smith
Bullard	Hukill	Stargel
Diaz de la Portilla	Joyner	Thompson
Evers	Lee	Thrasher
Flores	Montford	

Nays—13

Altman	Galvano	Simpson
Brandes	Latvala	Sobel
Clemens	Legg	Soto
Dean	Margolis	
Detert	Ring	

By direction of the President the following Conference Committee Report was read:

# CONFERENCE COMMITTEE REPORT ON SB 1512

The Honorable Don Gaetz  
President of the Senate

May 1, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:



Your Conference Committee on the disagreeing votes of the two houses on SB 1512, same being:

An act relating to Clerks of the Court.

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

1. That the House of Representatives recede from its Amendment 1 (022347).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/ Joe Negron,  
Chair  
s/ Joseph Abruzzo  
s/ Aaron Bean  
s/ Jeff Brandes  
s/ Dwight Bullard  
s/ Charles S. "Charlie" Dean, Sr.  
s/ Miguel Diaz de la Portilla  
s/ Anitere Flores  
s/ Bill Galvano  
s/ Andy Gardiner  
s/ Denise Grimsley  
s/ Dorothy L. Hukill  
s/ Jack Latvala  
s/ John Legg  
s/ Bill Montford  
s/ Jeremy Ring  
s/ David Simmons  
s/ Christopher L. Smith, At Large  
s/ Darren Soto  
s/ Geraldine F. "Geri" Thompson

s/ Lizbeth Benacquisto,  
Vice Chair  
s/ Thad Altman  
s/ Rob Bradley  
s/ Oscar Braynon II  
s/ Jeff Clemens  
s/ Nancy C. Detert  
s/ Greg Evers  
s/ Don Gaetz  
s/ Rene Garcia  
s/ Audrey Gibson  
s/ Alan Hays  
s/ Arthenia L. Joyner  
s/ Tom Lee  
s/ Gwen Margolis  
s/ Garrett Richter, At Large  
s/ Maria Lorts Sachs  
s/ Wilton Simpson  
s/ Eleanor Sobel  
s/ Kelli Stargel  
s/ John Thrasher

Managers on the part of the Senate

s/ Seth McKeel,  
Committee Chair  
s/ Charles McBurney,  
Chair  
Mark Danish  
s/ Eddy Gonzalez, At Large  
Mia L. Jones, At Large  
Debbie Mayfield  
s/ H. Marlene O'Toole, At Large  
s/ Ray Pilon  
s/ Darryl Ervin Rouson, At Large  
s/ Ross Spano  
Perry E. Thurston, Jr.,  
At Large  
s/ Ritch Workman, At Large

s/ Steve Crisafulli,  
Committee Vice Chair  
Daphne D. Campbell  
s/ Marti Coley, At Large  
Joseph A. "Joe" Gibbons, At Large  
s/ Doug Holder, At Large  
s/ Mike LaRosa  
s/ Larry Metz  
s/ Kathleen C. Passidomo  
s/ Stephen L. Precourt, At Large  
s/ Robert C. "Rob" Schenck,  
At Large  
James W. "Jim" Waldman,  
At Large  
s/ Dana D. Young, At Large

Managers on the part of the House

The Conference Committee Amendment for SB 1512, relating to clerks of court, provides for the following:

- Increases revenues to allow the clerks to be fully funded and out of the GAA. Similar to status prior to 2009.
- Requires the clerks to submit their proposed budgets to the Clerk of Court Operations Corporation by June 1 beginning in 2014.
- Requires the Corporation to review, certify, and approve the clerks' budgets and requires the Corporation to submit the budgets to the Legislative Budget Commission (LBC) by August 1 beginning in 2014.
- Authorizes the LBC to review, approve, disapprove or amend and approve the clerks of court budgets by October 1 of each year beginning in 2014.
- Defines workload measures and workload performance standards.

- Requires the Corporation to contract with DFS for audits of court-related budgets of individual clerks.
- Requires the Corporation to base its revenue estimates on the official Revenue Estimating Conference estimate.
- Provides a specific amount of collected revenues for the clerks to spend for the period beginning July 1, 2013 and ending September 30, 2014.

**Conference Committee Amendment (363208)(with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. *The Clerks of the Court Trust Fund within the Justice Administrative Commission, FLAIR number 21-2-588, is transferred together with all balances in the fund to the Department of Revenue.*

Section 2. Subsection (6) of section 11.90, Florida Statutes, is amended to read:

11.90 Legislative Budget Commission.—

(6) The commission shall have the power and duty to:

(a) Review and approve or disapprove budget amendments recommended by the Governor or the Chief Justice of the Supreme Court as provided in chapter 216.

(b) Develop the long-range financial outlook described in s. 19, Art. III of the State Constitution.

(c) Review and approve, disapprove, or amend and approve the budget of the Florida Clerks of Court Operations Corporation.

(d) Review and approve, disapprove, or amend and approve the total combined budgets of the clerks of the court or the budget of any individual clerk of the court for court-related functions. As part of this review the commission shall consider the workload and expense data submitted pursuant to s. 28.35.

(e) ~~In addition to the powers and duties specified in this subsection, the commission shall~~ Exercise all other powers and perform any other duties prescribed by the Legislature.

Section 3. Paragraph (a) of subsection (1) of section 28.241, Florida Statutes, is amended to read:

28.241 Filing fees for trial and appellate proceedings.—

(1) Filing fees are due at the time a party files a pleading to initiate a proceeding or files a pleading for relief. Reopen fees are due at the time a party files a pleading to reopen a proceeding if at least 90 days have elapsed since the filing of a final order or final judgment with the clerk. If a fee is not paid upon the filing of the pleading as required under this section, the clerk shall pursue collection of the fee pursuant to s. 28.246.

(a)1.a. Except as provided in sub-subparagraph b. and subparagraph 2., the party instituting any civil action, suit, or proceeding in the circuit court shall pay to the clerk of that court a filing fee of up to \$395 in all cases in which there are not more than five defendants and an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$200 \$280 in filing fees, \$80 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$195 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 \$3.50 must be remitted to the Department of Revenue for deposit into the Administrative Clerks of the Court Trust Fund within the Department of Financial Services Justice Administrative Commission and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 \$1.50 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures clerk budget reviews conducted by the Department of Financial Services. By the 10th of each month, the clerk shall submit that portion of the filing fees collected in the previous month which is in excess of one-twelfth of the clerk's total budget One third of any filing fees collected by the clerk of the circuit court in excess of \$100 must be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission.

b. The party instituting any civil action, suit, or proceeding in the circuit court under chapter 39, chapter 61, chapter 741, chapter 742, chapter 747, chapter 752, or chapter 753 shall pay to the clerk of that court a filing fee of up to \$295 in all cases in which there are not more than five defendants and an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$100 ~~\$180~~ in filing fees, ~~\$80 must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$95 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, \$4 \$3.50 must be remitted to the Department of Revenue for deposit into the Administrative Clerks of the Court Trust Fund within the Department of Financial Services Justice Administrative Commission and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and \$1 \$1.50 must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures clerk budget reviews~~ conducted by the Department of Financial Services.

c. An additional filing fee of \$4 shall be paid to the clerk. The clerk shall remit \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall remit 50 cents to the Department of Revenue for deposit into the ~~Administrative Clerks of the Court Trust Fund within the Department of Financial Services Justice Administrative Commission~~ to fund clerk education provided by the Florida Clerks of Court Operations Corporation. An additional filing fee of up to \$18 shall be paid by the party seeking each severance that is granted. The clerk may impose an additional filing fee of up to \$85 for all proceedings of garnishment, attachment, replevin, and distress. Postal charges incurred by the clerk of the circuit court in making service by certified or registered mail on defendants or other parties shall be paid by the party at whose instance service is made. Additional fees, charges, or costs may not be added to the filing fees imposed under this section, except as authorized in this section or by general law.

2.a. Notwithstanding the fees prescribed in subparagraph 1., a party instituting a civil action in circuit court relating to real property or mortgage foreclosure shall pay a graduated filing fee based on the value of the claim.

b. A party shall estimate in writing the amount in controversy of the claim upon filing the action. For purposes of this subparagraph, the value of a mortgage foreclosure action is based upon the principal due on the note secured by the mortgage, plus interest owed on the note and any moneys advanced by the lender for property taxes, insurance, and other advances secured by the mortgage, at the time of filing the foreclosure. The value shall also include the value of any tax certificates related to the property. In stating the value of a mortgage foreclosure claim, a party shall declare in writing the total value of the claim, as well as the individual elements of the value as prescribed in this sub-subparagraph.

c. In its order providing for the final disposition of the matter, the court shall identify the actual value of the claim. The clerk shall adjust the filing fee if there is a difference between the estimated amount in controversy and the actual value of the claim and collect any additional filing fee owed or provide a refund of excess filing fee paid.

d. The party shall pay a filing fee of:

(I) Three hundred and ninety-five dollars in all cases in which the value of the claim is \$50,000 or less and in which there are not more than five defendants. The party shall pay an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$200 ~~\$280~~ in filing fees, ~~\$195 \$275~~ must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, ~~\$4 \$3.50~~ must be remitted to the Department of Revenue for deposit into the ~~Administrative Clerks of the Court Trust Fund within the Department of Financial Services Justice Administrative Commission~~ and used to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and ~~\$1 \$1.50~~ must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures ~~clerk budget reviews~~ conducted by the Department of Financial Services;

(II) Nine hundred dollars in all cases in which the value of the claim is more than \$50,000 but less than \$250,000 and in which there are not more than five defendants. The party shall pay an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first \$705 ~~\$785~~ in

filing fees, ~~\$700 \$780~~ must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, ~~\$4 \$3.50~~ must be remitted to the Department of Revenue for deposit into the ~~Administrative Clerks of the Court Trust Fund within the Department of Financial Services Justice Administrative Commission~~ and used to fund the contract with the Florida Clerks of Court Operations Corporation created described in s. 28.35, and ~~\$1 \$1.50~~ must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures ~~clerk budget reviews~~ conducted by the Department of Financial Services; or

(III) One thousand nine hundred dollars in all cases in which the value of the claim is \$250,000 or more and in which there are not more than five defendants. The party shall pay an additional filing fee of up to \$2.50 for each defendant in excess of five. Of the first ~~\$1,705 \$1,785~~ in filing fees, ~~\$930 \$1,010~~ must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, \$770 must be remitted to the Department of Revenue for deposit into the State Courts Revenue Trust Fund, ~~\$4 \$3.50~~ must be remitted to the Department of Revenue for deposit into the ~~Administrative Clerks of the Court Trust Fund within the Department of Financial Services Justice Administrative Commission~~ to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35, and ~~\$1 \$1.50~~ must be remitted to the Department of Revenue for deposit into the Administrative Trust Fund within the Department of Financial Services to fund audits of individual clerks' court-related expenditures ~~clerk budget reviews~~ conducted by the Department of Financial Services.

e. An additional filing fee of \$4 shall be paid to the clerk. The clerk shall remit \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall remit 50 cents to the Department of Revenue for deposit into the ~~Administrative Clerks of the Court Trust Fund within the Department of Financial Services Justice Administrative Commission~~ to fund clerk education provided by the Florida Clerks of Court Operations Corporation. An additional filing fee of up to \$18 shall be paid by the party seeking each severance that is granted. The clerk may impose an additional filing fee of up to \$85 for all proceedings of garnishment, attachment, replevin, and distress. Postal charges incurred by the clerk of the circuit court in making service by certified or registered mail on defendants or other parties shall be paid by the party at whose instance service is made. Additional fees, charges, or costs may not be added to the filing fees imposed under this section, except as authorized in this section or by general law.

Section 4. *Effective upon this act becoming a law, s. 28.2455, Florida Statutes, is repealed.*

Section 5. Paragraph (b) of subsection (5) of section 28.246, Florida Statutes, is amended to read:

28.246 Payment of court-related fines or other monetary penalties, fees, charges, and costs; partial payments; distribution of funds.—

(5) When receiving partial payment of fees, service charges, court costs, and fines, clerks shall distribute funds according to the following order of priority:

(b) That portion of fees, service charges, court costs, and fines required to be retained by the clerk of the court or deposited into the Clerks of the Court Trust Fund within the ~~Department of Revenue Justice Administrative Commission~~.

To offset processing costs, clerks may impose either a per-month service charge pursuant to s. 28.24(26)(b) or a one-time administrative processing service charge at the inception of the payment plan pursuant to s. 28.24(26)(c).

Section 6. Section 28.35, Florida Statutes, is amended to read:

28.35 Florida Clerks of Court Operations Corporation.—

(1)(a) The Florida Clerks of Court Operations Corporation is created as a public corporation organized to perform the functions specified in this section and s. 28.36 and ~~shall be administratively housed within the Justice Administrative Commission. The corporation shall be a budget entity within the Justice Administrative Commission, and its employees shall be considered state employees. The corporation is not subject to~~

~~control, supervision, or direction by the Justice Administrative Commission in the performance of its duties, but the employees of the corporation shall be governed by the classification plan and salary and benefits plan of the Justice Administrative Commission. The classification plan must have a separate chapter for the corporation.~~ All clerks of the circuit court shall be members of the corporation and hold their position and authority in an ex officio capacity. The functions assigned to the corporation shall be performed by an executive council pursuant to the plan of operation approved by the members.

(b) The executive council shall be composed of eight clerks of the court elected by the clerks of the courts for a term of 2 years, with two clerks from counties with a population of fewer than 100,000, two clerks from counties with a population of at least 100,000 but fewer than 500,000, two clerks from counties with a population of at least 500,000 but fewer than 1 million, and two clerks from counties with a population of more than 1 million. The executive council shall also include, as ex officio members, a designee of the President of the Senate and a designee of the Speaker of the House of Representatives. The Chief Justice of the Supreme Court shall designate one additional member to represent the state courts system.

(c) The corporation shall be considered a political subdivision of the state and shall be exempt from the corporate income tax. The corporation is not subject to ~~the provisions of~~ chapter 120.

(d) The functions assigned to the corporation under this section and ss. 28.36 and 28.37 are considered to be for a valid public purpose.

(2) The duties of the corporation shall include the following:

(a) Adopting a plan of operation.

(b) Conducting the election of ~~an executive council directors~~ as required in paragraph (1)(b) ~~(1)(a)~~.

(c) Recommending to the Legislature changes in the ~~amounts of the various court-related fines, fees, service charges, and court costs established by law to ensure reasonable and adequate funding of the clerks of the court in the performance of their court-related functions.~~

(d) Developing and certifying a uniform system of ~~workload performance~~ measures and applicable ~~workload performance~~ standards for court-related functions ~~as developed by the corporation the functions specified in paragraph (3)(a) and the service unit costs required in s. 28.36 and measures for clerk workload performance in meeting the workload performance standards.~~ These ~~workload~~ measures and ~~workload performance~~ standards shall be designed to facilitate an objective determination of the performance of each clerk in accordance with minimum standards for fiscal management, operational efficiency, and effective collection of fines, fees, service charges, and court costs. The corporation shall develop the ~~workload performance~~ measures and ~~workload performance~~ standards in consultation with the Legislature ~~and the Supreme Court. The Legislature may modify the clerk performance measures and performance standards in legislation implementing the General Appropriations Act or other law.~~ When the corporation finds a clerk has not met the ~~workload performance~~ standards, the corporation shall identify the nature of each deficiency and any corrective action recommended and taken by the affected clerk of the court. The corporation shall notify the Legislature ~~and the Supreme Court~~ of any clerk not meeting ~~workload performance~~ standards and provide a copy of any corrective action plans. *As used in this subsection, the term:*

1. "Workload measures" means the measurement of the activities and frequency of the work required for the clerk to adequately perform the court-related duties of the office as defined by the membership of the Florida Clerks of Court Operations Corporation.

2. "Workload performance standards" means the standards developed to measure the timeliness and effectiveness of the activities that are accomplished by the clerk in the performance of the court-related duties of the office as defined by the membership of the Florida Clerks of Court Operations Corporation.

(e) Entering into a contract with the Department of Financial Services for the department to audit the court-related expenditures of individual clerks pursuant to s. 17.03.

(f)(e) Reviewing, certifying, and recommending proposed budgets submitted by clerks of the court pursuant to s. 28.36. *As part of this process, the corporation shall:*

1. Calculate the minimum amount of revenue necessary for each clerk of the court to efficiently perform the list of court-related functions specified in paragraph (3)(a). The corporation shall apply the workload measures appropriate for determining the individual level of review required to fund the clerk's budget.

2. Prepare a cost comparison of similarly situated clerks of the court, based on county population and numbers of filings, using the standard list of court-related functions specified in paragraph (3)(a).

3. Conduct an annual base budget review and an annual budget exercise examining the total budget of each clerk of the court. The review shall examine revenues from all sources, expenses of court-related functions, and expenses of noncourt-related functions as necessary to determine that court-related revenues are not being used for noncourt-related purposes. The review and exercise shall identify potential targeted budget reductions in the percentage amount provided in Schedule VIII-B of the state's previous year's legislative budget instructions, as referenced in s. 216.023(3), or an equivalent schedule or instruction as may be adopted by the Legislature.

4. Identify those proposed budgets containing funding for items not included on the standard list of court-related functions specified in paragraph (3)(a).

5. Identify those clerks projected to have court-related revenues insufficient to fund their anticipated court-related expenditures.

6. Use revenue estimates based on the official estimate for funds accruing to the clerks of the court made by the Revenue Estimating Conference.

7. Identify and report pay and benefit increases in any proposed clerk budget, including, but not limited to, cost of living increases, merit increases, and bonuses.

8. Provide detailed explanation for increases in anticipated expenditures in any clerk budget that exceeds the current year budget by more than 3 percent.

9. Identify and report the budget of any clerk which exceeds the average budget of similarly situated clerks by more than ten percent.

(g)(f) Developing and conducting clerk education programs.

~~(g) Publishing a uniform schedule of actual fees, service charges, and costs charged by a clerk of the court pursuant to general law.~~

(h) Beginning August 1, 2014, and each August 1 thereafter, submitting to the Legislative Budget Commission, as provided in s. 11.90, its proposed budget and the information described in paragraph (f), as well as the proposed budgets for each clerk of the court. Before October 1 of each year beginning in 2014, the Legislative Budget Commission shall consider the submitted budgets and shall approve, disapprove, or amend and approve the corporation's budget and shall approve, disapprove, or amend and approve the total of the clerks' combined budgets or any individual clerk's budget. If the Legislative Budget Commission fails to approve or amend and approve the corporation's budget or the clerks' combined budgets before October 1, the clerk shall continue to perform the court-related functions based upon the clerk's budget for the previous county fiscal year.

(3)(a) The list of court-related functions that clerks may fund from filing fees, service charges, costs, and fines is ~~perform~~ are limited to those functions expressly authorized by law or court rule. Those functions include the following: case maintenance; records management; court preparation and attendance; processing the assignment, reopening, and reassignment of cases; processing of appeals; collection and distribution of fines, fees, service charges, and court costs; processing of bond forfeiture payments; payment of jurors and witnesses; payment of expenses for meals or lodging provided to jurors; data collection and reporting; processing of jurors; determinations of indigent status; and paying reasonable administrative support costs to enable the clerk of the court to carry out these court-related functions.

(b) The list of court-related functions that clerks may not fund from filing fees, service charges, costs, and fines includes ~~state appropriations include:~~

1. Those functions not specified within paragraph (a).
2. Functions assigned by administrative orders which are not required for the clerk to perform the functions in paragraph (a).
3. Enhanced levels of service which are not required for the clerk to perform the functions in paragraph (a).
4. Functions identified as local requirements in law or local optional programs.

(4) The corporation shall ~~prepare a legislative budget request for the resources necessary to perform its duties, submit the request pursuant to chapter 216, and be funded pursuant to a contract with the Chief Financial Officer. Funds shall be provided to the Chief Financial Officer for such purpose as appropriated by general law. Such funds shall be available to the corporation for the performance of the duties and responsibilities set forth in this section as a budget entity in the General Appropriations Act. The corporation shall participate in the Florida Retirement System for its eligible employees as provided in chapter 121. The corporation may hire staff and pay other expenses from such funds state appropriations as necessary to perform the official duties and responsibilities of the corporation as described in this section by law.~~

(5) Certified public accountants conducting audits of counties pursuant to s. 218.39 shall report, as part of the audit, whether ~~or not~~ the clerks of the courts have complied with the requirements of this section and s. 28.36. In addition, each clerk of court shall forward a copy of the ~~portion of the financial audit relating to the court-related duties of the clerk of court to the Florida Clerks of Court Operations Corporation Supreme Court.~~ The Auditor General shall develop a compliance supplement for the audit of compliance with the budgets and applicable workload performance standards certified by the corporation.

Section 7. Section 28.36, Florida Statutes, is amended to read:

28.36 Budget procedure.—There is established a budget procedure ~~for preparing budget requests for funding for the court-related functions of the clerks of the court.~~

(1) ~~Only those functions listed in s. 28.35(3)(a) may be funded from fees, service charges, costs, and fines retained by the clerks of the court. Each clerk of court shall prepare a budget request for the last quarter of the county fiscal year and the first three quarters of the next county fiscal year. The proposed budget shall be prepared, summarized, and submitted by the clerk in each county to the Florida Clerks of Court Operations Corporation in the manner and form prescribed by the corporation to meet the requirements of law. Each clerk shall forward a copy of his or her budget request to the Supreme Court. The budget requests must be provided to the corporation by October 1 of each year.~~

(2) ~~Each clerk shall include in his or her budget request a projection of the amount of court-related fees, service charges, and any other court-related clerk fees which will be collected during the proposed budget period. If the corporation determines that the proposed budget is limited to the standard list of court-related functions in s. 28.35(3)(a) and the projected court-related revenues are less than the proposed budget, the clerk shall increase all fees, service charges, and any other court-related clerk fees and charges to the maximum amounts specified by law or the amount necessary to resolve the deficit, whichever is less.~~

(2)(3) ~~Each proposed budget shall further conform to the following requirements: clerk shall include in his or her budget request the number of personnel and the proposed budget for each of the following core services:~~

(a) On or before June 1 of each year beginning in 2014, the proposed budget shall be prepared, summarized, and submitted by the clerk in each county to the Florida Clerks of Court Operations Corporation in the manner and form prescribed by the corporation. The proposed budget must provide detailed information on the anticipated revenues available and expenditures necessary for the performance of the court-related functions listed in s. 28.35(3)(a) of the clerk's office for the county fiscal year beginning October 1.

(b) ~~The proposed budget must be balanced such that the total of the estimated revenues available equals or exceeds the total of the anticipated expenditures. Such revenues include revenue projected to be received from fees, service charges, costs, and fines for court-related functions during the fiscal period covered by the budget. The anticipated expenditures must be itemized as required by the corporation.~~

- ~~(a) Circuit criminal.~~
- ~~(b) County criminal.~~
- ~~(c) Juvenile delinquency.~~
- ~~(d) Criminal traffic.~~
- ~~(e) Circuit civil.~~
- ~~(f) County civil.~~
- ~~(g) Civil traffic.~~
- ~~(h) Probate.~~
- ~~(i) Family.~~
- ~~(j) Juvenile dependency.~~

~~Central administrative costs shall be allocated among the core services categories.~~

(3) ~~If a clerk of the court estimates that available funds plus projected revenues from fines, fees, service charges, and costs for court-related services are insufficient to meet the anticipated expenditures for the standard list of court-related functions in s. 28.35(3)(a) performed by his or her office, the clerk must report the revenue deficit to the corporation in the manner and form prescribed by the corporation. The corporation shall verify that the proposed budget is limited to the standard list of court-related functions in s. 28.35(3)(a). If the corporation verifies that a revenue deficit is projected, the corporation shall certify a revenue deficit and notify the Department of Revenue that the clerk is authorized to retain revenues, in an amount necessary to fully fund the projected revenue deficit, which he or she would otherwise be required to remit to the Department of Revenue for deposit into the department's Clerks of the Court Trust Fund pursuant to s. 28.37. If a revenue deficit is projected for that clerk after retaining all of the projected collections from the court-related fines, fees, service charges, and costs, the corporation shall certify the amount of the revenue deficit to the Executive Office of the Governor and request release authority for funds from the department's Clerks of the Court Trust Fund. Notwithstanding s. 216.192 relating to the release of funds, the Executive Office of the Governor may approve the release of funds in accordance with the notice, review, and objection procedures set forth in s. 216.177 and shall provide notice to the Department of Revenue and the Chief Financial Officer. The Department of Revenue shall request monthly distributions from the Chief Financial Officer in equal amounts to each clerk certified to have a revenue deficit, in accordance with the releases approved by the Governor.~~

(4) ~~The Legislative Budget Commission may approve increases or decreases to the previously authorized budgets approved for individual clerks of the court pursuant to s. 28.35 for court-related functions, if:~~

- ~~(a) The additional budget authority is necessary to pay the cost of performing new or additional functions required by changes in law or court rule; or~~
- ~~(b) The additional budget authority is necessary to pay the cost of supporting increases in the number of judges or magistrates authorized by the Legislature.~~

~~(4) The budget request must identify the service units to be provided within each core service. The service units shall be developed by the corporation, in consultation with the Supreme Court, the Chief Financial Officer, and the appropriations committees of the Senate and the House of Representatives.~~

~~(5) The budget request must propose a unit cost for each service unit. The corporation shall provide a copy of each clerk's budget request to the Supreme Court.~~

(6) The corporation shall review each individual clerk's prior year expenditures, projected revenue, proposed unit costs, and the proposed budget for each of the core services categories. The corporation shall compare each clerk's prior year expenditures and unit costs for core services with a peer group of clerks' offices having a population of a similar size and a similar number of case filings. If the corporation finds that the expenditures, unit costs, or proposed budget of a clerk is significantly higher than those of clerks in that clerk's peer group, the corporation shall require the clerk to submit documentation justifying the difference in each core services category. Justification for higher expenditures may include, but is not limited to, collective bargaining agreements, county civil service agreements, and the number and distribution of courthouses served by the clerk. If the expenditures and unit costs are not justified, the corporation shall recommend a reduction in the funding for that core services category in the budget request to an amount similar to the peer group of clerks or to an amount that the corporation determines is justified.

(7) The corporation shall complete its review and adjustments to the clerks' budget requests and make its recommendations to the Legislature and the Supreme Court by December 1 each year.

(8) The Chief Financial Officer shall review the proposed unit costs associated with each clerk of court's budget request and make recommendations to the Legislature. The Chief Financial Officer may conduct any audit of the corporation or a clerk of court as authorized by law. The Chief Justice of the Supreme Court may request an audit of the corporation or any clerk of court by the Chief Financial Officer.

(9) The Legislature shall appropriate the total amount for the budgets of the clerks in the General Appropriations Act. The Legislature may reject or modify any or all of the unit costs recommended by the corporation. If the Legislature does not specify the unit costs in the General Appropriations Act or other law, the unit costs recommended by the corporation shall be the official unit costs for that budget period.

(10)(a) Beginning in the 2010-2011 fiscal year, the corporation shall release appropriations to each clerk quarterly. If funds in the Clerks of Court Trust Fund are insufficient to provide a release in a quarter in a single release, the corporation may release partial amounts for that quarter so long as the total of those partial amounts does not exceed that quarter's release. If funds in the Clerks of Court Trust Fund are insufficient for the first quarter release, the corporation may make a request to the Governor for a trust fund loan pursuant to chapter 215. The amount of the first three releases shall be based on one quarter of the estimated budget for each clerk as identified in the General Appropriations Act.

(b) The corporation shall estimate the fourth quarter's number of units to be performed by each clerk. The amount of the fourth quarter release shall be based on the approved unit cost times the estimated number of units of the fourth quarter with the following adjustment: the fourth quarter release shall be adjusted based on the first three quarters' actual number of service units provided as reported to the corporation by each clerk. If the clerk has performed fewer service units in the first three quarters of the year compared to three quarters of the estimated number of service units in the General Appropriations Act, the corporation shall decrease the fourth quarter release. The amount of the decrease shall equal the amount of the difference between the estimated number of service units for the first three quarters and the actual number of service units provided in the first three quarters times the approved unit cost.

(c) No adjustment for the fourth quarter release shall be made if the clerk has performed more units than the estimate for the first three quarters.

(d) If the clerk performs fewer units in the fourth quarter than estimated by the corporation, the corporation shall decrease the first quarter release for the clerk in the next fiscal year by the amount of the difference between the estimated number of service units for the fourth quarter and the actual number of service units performed in that quarter times the approved unit cost.

(e) The total of all releases to the clerks of court may not exceed the amount appropriated in the General Appropriations Act. If, during the year, the corporation determines that the projected releases of appropriations for service units will exceed the estimate used in the General

Appropriations Act and result in statewide expenditures greater than the amount appropriated by law, the corporation shall reduce all service unit costs of all clerks by the amount necessary to ensure that service units are funded within the total amount appropriated to the clerks of court. If such action is necessary, the corporation shall notify the Legislative Budget Commission. If the Legislative Budget Commission objects to the adjustments, the Legislative Budget Commission shall adjust all service unit costs by the amount necessary to ensure that projected units of service are funded within the total amount appropriated to the clerks of court at its next scheduled meeting.

(11) The corporation may submit proposed legislation to the Governor, the President of the Senate, and the Speaker of the House of Representatives relating to the preparation of budget requests of the clerks of court.

Section 8. Section 28.37, Florida Statutes, is amended to read:

28.37 Fines, fees, service charges, and costs remitted to the state.—

(1) Pursuant to s. 14(b), Art. V of the State Constitution, selected salaries, costs, and expenses of the state courts system and court-related functions shall be funded from a portion of the revenues derived from statutory fines, fees, service charges, and costs collected by the clerks of the court.

(2) Beginning November 1, 2013, that portion of all fines, fees, service charges, and costs collected by the clerks of the court for the previous month which is in excess of one-twelfth of the clerks' total budget for the performance of court-related functions shall be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund. Such collections do not include funding received for the operation of the Title IV-D child support collections and disbursement program. The clerk of the court shall remit the revenues collected during the previous month due to the state on or before the 10th day of each month.

(3) No later than January 25, 2015, and each January 25 thereafter for the previous county fiscal year, the clerks of court, in consultation with the Florida Clerks of Court Operations Corporation, shall remit to the Department of Revenue for deposit in the General Revenue Fund the cumulative excess of all fines, fees, service charges, and costs retained by the clerks of the court, plus any funds received by the clerks of the court from the Clerks of the Court Trust Fund under s. 28.36(3), which exceed the amount needed to meet their authorized budget amounts established under s. 28.35. The Department of Revenue shall transfer from the Clerks of Court Trust Fund to the General Revenue Fund the cumulative excess of all fines, fees, service charges, and costs submitted by the clerks of court pursuant to subsection (2). However, if the official estimate for funds accruing to the clerks of court made by the Revenue Estimating Conference for the current fiscal year or the next fiscal year is less than the cumulative amount of authorized budgets for the clerks of court for the current fiscal year, the Department of Revenue shall retain in the Clerks of the Court Trust Fund the estimated amount needed to fully fund the clerks of court for the current and next fiscal year based upon the current budget established under s. 28.35.

(4) The Department of Revenue shall collect any funds that the Florida Clerks of Court Operations Corporation determines upon investigation were due but not remitted to the Department of Revenue. The corporation shall notify the clerk of the court and the Department of Revenue of the amount due to the Department of Revenue. The clerk of the court shall remit the amount due no later than the 10th day of the month following the month in which notice is provided by the corporation to the clerk of the court.

(5)(2) ~~Except as otherwise provided in ss. 28.241 and 34.041, all court-related fines, fees, service charges, and costs are considered state funds and shall be remitted by the clerk to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission. However, 10 percent of all court-related fines collected by the clerk, except for penalties or fines distributed to counties or municipalities under s. 316.0083(1)(b)3. or s. 318.18(15)(a), shall be deposited into the clerk's Public Records Modernization Trust Fund to be used exclusively for additional clerk court-related operational needs and program enhancements.~~

Section 9. Paragraph (b) of subsection (1) of section 34.041, Florida Statutes, is amended, and paragraph (a) of that subsection is republished, to read:

**34.041 Filing fees.—**

(1)(a) Filing fees are due at the time a party files a pleading to initiate a proceeding or files a pleading for relief. Reopen fees are due at the time a party files a pleading to reopen a proceeding if at least 90 days have elapsed since the filing of a final order or final judgment with the clerk. If a fee is not paid upon the filing of the pleading as required under this section, the clerk shall pursue collection of the fee pursuant to s. 28.246. Upon the institution of any civil action, suit, or proceeding in county court, the party shall pay the following filing fee, not to exceed:

1. For all claims less than \$100 . . . . . \$50.
2. For all claims of \$100 or more but not more than \$500. . . . \$75.
3. For all claims of more than \$500 but not more than \$2,500 . . . . . \$170.
4. For all claims of more than \$2,500 . . . . . \$295.
5. In addition, for all proceedings of garnishment, attachment, replevin, and distress . . . . . \$85.
6. Notwithstanding subparagraphs 3. and 5., for all claims of not more than \$1,000 filed simultaneously with an action for replevin of property that is the subject of the claim . . . . . \$125.
7. For removal of tenant action. . . . . \$180.

The filing fee in subparagraph 6. is the total fee due under this paragraph for that type of filing, and no other filing fee under this paragraph may be assessed against such a filing.

(b) ~~The first \$80 of the filing fee collected under subparagraph (a)4. shall be remitted to the Department of Revenue for deposit into the General Revenue Fund. The next \$15 of the filing fee collected under subparagraph (a)4.; and the first \$10 of the filing fee collected under subparagraph (a)7.; shall be deposited in the State Courts Revenue Trust Fund. By the 10th day of each month, the clerk shall submit that portion of the fees collected in the previous month which is in excess of one-twelfth of the clerk's total budget for the performance of court-related functions to the Department of Revenue for deposit into the Clerks of the Court Trust Fund. An additional filing fee of \$4 shall be paid to the clerk. The clerk shall transfer \$3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall transfer 50 cents to the Department of Revenue for deposit into the Administrative Clerks of the Court Trust Fund within the Department of Financial Services Justice Administrative Commission to fund clerk education provided by the Florida Clerks of Court Operations Corporation. Postal charges incurred by the clerk of the county court in making service by mail on defendants or other parties shall be paid by the party at whose instance service is made. Except as provided in this section herein, filing fees and service charges for performing duties of the clerk relating to the county court shall be as provided in ss. 28.24 and 28.241. Except as otherwise provided in this section herein, all filing fees shall be retained as fee income of the office of the clerk of the circuit court remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission. Filing fees imposed by this section may not be added to any penalty imposed by chapter 316 or chapter 318.~~

Section 10. Subsection (5) of section 43.16, Florida Statutes, is amended to read:

**43.16 Justice Administrative Commission; membership, powers and duties.—**

(5) The duties of the commission shall include, but not be limited to, the following:

(a) The maintenance of a central state office for administrative services and assistance when possible to and on behalf of the state attorneys and public defenders of Florida, the capital collateral regional counsel of Florida, the criminal conflict and civil regional counsel, and the Guardian Ad Litem Program, ~~and the Florida Clerks of Court Operations Corporation.~~

(b) Each state attorney, public defender, ~~and~~ criminal conflict and civil regional counsel ~~and~~ the Guardian Ad Litem Program, ~~and the Florida Clerks of Court Operations Corporation~~ shall continue to prepare necessary budgets, vouchers that represent valid claims for reimbursement by the state for authorized expenses, and other things incidental to the proper administrative operation of the office, such as revenue transmittals to the Chief Financial Officer and automated systems plans, but will forward ~~such items same~~ to the commission for recording and submission to the proper state officer. However, when requested by a state attorney, a public defender, a criminal conflict and civil regional counsel, or the Guardian Ad Litem Program, the commission will either assist in the preparation of budget requests, voucher schedules, and other forms and reports or accomplish the entire project involved.

Section 11. Paragraph (x) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

**110.205 Career service; exemptions.—**

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(x) All officers and employees of the Justice Administrative Commission, Office of the State Attorney, Office of the Public Defender, regional offices of capital collateral counsel, offices of criminal conflict and civil regional counsel, and Statewide Guardian Ad Litem Office, including the circuit guardian ad litem programs ~~and the Florida Clerks of Court Operations Corporation.~~

Section 12. Section 142.01, Florida Statutes, is amended to read:

**142.01 Fine and forfeiture fund; disposition of revenue; clerk of the circuit court.—**

(1) There shall be established by the clerk of the circuit court in each county of this state a separate fund to be known as the fine and forfeiture fund for use by the clerk of the circuit court in performing court-related functions. The fund shall consist of the following:

(a) Fines and penalties pursuant to ss. 28.2402(2), 34.045(2), 316.193, 327.35, 327.72, 379.2203(1), and 775.083(1).

(b) That portion of civil penalties directed to this fund pursuant to s. 318.21.

(c) Court costs pursuant to ss. 28.2402(1)(b), 34.045(1)(b), 318.14(10)(b), 318.18(11)(a), 327.73(9)(a) and (11)(a), and 938.05(3).

(d) Proceeds from forfeited bail bonds, unclaimed bonds, unclaimed moneys, or recognizances pursuant to ss. 321.05(4)(a), 379.2203(1), and 903.26(3)(a).

(e) Fines and forfeitures pursuant to s. 34.191.

(f) *Filing fees received pursuant to ss. 28.241 and 34.041, unless the disposition of such fees is otherwise required by law.*

(g) ~~(f)~~ All other revenues received by the clerk as revenue authorized by law to be retained by the clerk.

~~(2) All revenues received by the clerk in the fine and forfeiture fund from court related fees, fines, costs, and service charges are considered state funds and shall be remitted monthly to the Department of Revenue for deposit into the Clerks of the Court Trust Fund within the Justice Administrative Commission.~~

~~(2)(3) Notwithstanding the provisions of this section, all fines and forfeitures arising from operation of the provisions of s. 318.1215 shall be disbursed in accordance with that section.~~

Section 13. Section 213.131, Florida Statutes, is amended to read:

**213.131 Clerks of the Court Trust Fund within the Department of Revenue Justice Administrative Commission.—**The Clerks of the Court Trust Fund is created within the Department of Revenue ~~Justice Administrative Commission.~~

Section 14. Subsection (2) of section 215.22, Florida Statutes, is amended to read:

**215.22 Certain income and certain trust funds exempt.—**

(2) Moneys and income of a revenue nature shared with political subdivisions or received from taxes or fees authorized to be levied by any political subdivision, *including moneys from service charges, fees, costs, and fines deposited into the Clerks of the Court Trust Fund within the Department of Revenue*, shall be exempt from the deduction required by s. 215.20(1).

Section 15. Paragraph (qq) of subsection (1) of section 216.011, Florida Statutes, is amended to read:

**216.011 Definitions.—**

(1) For the purpose of fiscal affairs of the state, appropriations acts, legislative budgets, and approved budgets, each of the following terms has the meaning indicated:

(qq) “State agency” or “agency” means any official, officer, commission, board, authority, council, committee, or department of the executive branch of state government. For purposes of this chapter and chapter 215, “state agency” or “agency” includes, but is not limited to, state attorneys, public defenders, criminal conflict and civil regional counsel, capital collateral regional counsel, ~~the Florida Clerks of Court Operations Corporation~~, the Justice Administrative Commission, the Florida Housing Finance Corporation, and the Florida Public Service Commission. Solely for the purposes of implementing s. 19(h), Art. III of the State Constitution, the terms “state agency” or “agency” include the judicial branch.

Section 16. *For the period of July 1, 2013, through September 30, 2013, the clerks of the court are permitted to spend \$110,845,078 of their total collected revenues and the Florida Clerks of Court Operations Corporation is permitted to spend \$405,412 of the revenues collected to fund the corporation's contract with the Department of Financial Services pursuant to s. 27.35(4), Florida Statutes. The Florida Clerks of Court Operations Corporation shall determine budget amounts for the individual clerks for that period. For the county fiscal year beginning October 1, 2013, and ending September 30, 2014, the clerks of the court are permitted to spend \$443,380,312 of their total collected revenues and the Florida Clerks of Court Operations Corporation is permitted to spend \$1,621,648 of the revenues collected to fund the corporation's contract with the Department of Financial Services pursuant to s. 27.35(4), Florida Statutes. The Florida Clerks of Court Operations Corporation shall determine budget amounts for the individual clerks for that period.*

Section 17. *Notwithstanding the requirement in s. 28.245, Florida Statutes, that all moneys collected by the clerks of court be distributed pursuant to the law in effect at the time of collection, the modifications in the distribution of moneys made in sections 3, 9, and 12 of this act shall be applied to moneys collected during June 2013. This section shall take effect upon becoming law.*

Section 18. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to clerks of court; transferring the Clerks of the Court Trust Fund from the Justice Administrative Commission to the Department of Revenue; amending s. 11.90, F.S.; providing additional duties of the Legislative Budget Commission relating to clerks of court; amending s. 28.241, F.S.; revising distribution of filing fees; revising references to trust funds; repealing s. 28.2455, F.S., relating to transfer of trust funds in excess of amount needed for clerk budgets; amending s. 28.246, F.S.; conforming provisions to changes made by the act; amending s. 28.35, F.S.; deleting provisions providing for the housing of the Florida Clerks of Court Operations Corporation; revising duties of the corporation; defining terms; providing requirements for annual submission of a proposed budget and related information; revising provisions concerning functions that may and may not be funded from specified sources; revising distribution of the corporation's audit report; amending s. 28.36, F.S.; specifying that only certain functions may be

funded from fees, service charges, costs, and fines retained by the clerks of the court; revising provisions relating to preparation of budget requests by clerks; providing for reporting and certification of revenue deficits; providing procedures for retention of additional revenues by clerks in the event of a deficit; providing for the release of funds from a specified trust fund to relieve such a deficit in certain circumstances; providing for increases in previously authorized budgets in certain circumstances; deleting provisions relating to review of budgets and related information; amending s. 28.37, F.S.; providing that a portion of all fines, fees, service charges, and costs collected by the clerks of the court which exceeds a specified portion of the clerk's annual budget be remitted to a specified trust fund; providing for remission of certain excess collections to the department for deposit into the General Revenue Fund on specified dates; providing for deposit of such funds in a specified trust fund in certain circumstances; providing for collection of certain funds due by the department; amending s. 34.041, F.S.; conforming provisions to changes made by the act; revising distribution of certain fees; amending ss. 43.16 and 110.205, F.S.; conforming provisions to changes made by the act; amending s. 142.01, F.S.; revising the funds deposited in each county's fine and forfeiture fund; deleting provisions specifying that certain moneys are considered state funds; amending s. 213.131, F.S.; conforming provisions to changes made by the act; amending s. 215.22, F.S.; exempting certain moneys deposited in the Clerks of the Court Trust Fund from a specified deduction; amending s. 216.011, F.S.; conforming provisions to changes made by the act; specifying the authorized budget for the clerks of the circuit court and the corporation for specified periods; requiring the corporation to determine budget amounts for the individual clerks for those periods; providing an effective date.

On motion by Senator Bradley, the Conference Committee Report on **SB 1512** was adopted. **SB 1512** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

**Yeas—39**

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

**Nays—None**

Vote after roll call:

**Yea—Benacquisto**

By direction of the President the following Conference Committee Report was read:

**CONFERENCE COMMITTEE REPORT ON SB 1502**

The Honorable Don Gaetz  
President of the Senate

May 3, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1502, same being:

An act relating to Implementing the General Appropriations Act.

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



1. That the House of Representatives recede from its Amendment 1 (502333).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

*s/ Joe Negron,*  
Chair  
*s/ Joseph Abruzzo*  
*s/ Aaron Bean*  
*s/ Jeff Brandes*  
*s/ Dwight Bullard*  
*s/ Charles S. "Charlie" Dean, Sr.*  
*s/ Miguel Diaz de la Portilla*  
*s/ Anitere Flores*  
*s/ Rene Garcia*  
*s/ Audrey Gibson*  
*s/ Alan Hays*  
*s/ Arthenia L. Joyner*  
*s/ Tom Lee*  
*s/ Gwen Margolis*  
*s/ Garrett Richter, At Large*  
*s/ Maria Lorts Sachs*  
*s/ Wilton Simpson*  
*s/ Eleanor Sobel*  
*s/ Kelli Stargel*  
*s/ John Thrasher, At Large*

Managers on the part of the Senate

*s/ Seth McKeel,*  
Chair  
*s/ Janet H. Adkins*  
*s/ Ben Albritton*  
*s/ Frank Artiles*  
*s/ Jason T. Brodeur*  
*s/ Matthew H. "Matt" Caldwell*  
Daphne D. Campbell  
Gwyndolen "Gwyn" Clarke-Reed  
Janet Cruz  
Mark Danish  
*s/ Jose Felix Diaz*  
*s/ Eric Fresen*  
*s/ Eddy Gonzalez, At Large*  
*s/ Bill Hager*  
*s/ Doug Holder, At Large*  
*s/ Ed Hooper*  
*s/ Clay Ingram*  
Shevrin D. Jones  
Debbie Mayfield  
Kionne L. McGhee  
*s/ Jeanette M. Nunez*  
*s/ H. Marlene O'Toole, At Large*  
*s/ Kathleen C. Passidomo*  
*s/ Keith Perry*  
*s/ Cary Pigman*  
*s/ Elizabeth W. Porter*  
*s/ Stephen L. Precourt, At Large*  
*s/ Holly Merrill Raschein*  
*s/ Lake Ray*  
David Richardson  
Jose Javier Rodriguez  
*s/ Darryl Ervin Rouson, At Large*  
*s/ Robert C. "Rob" Schenck,*  
At Large  
Richard "Rick" Stark  
*s/ Charlie Stone*  
Perry E. Thurston, Jr.,  
At Large  
Clovis Watson, Jr.  
*s/ John Wood*  
*s/ Dana D. Young, At Large*

Managers on the part of the House

The Conference Committee Amendment for SB 1502, relating to implementing the General Appropriations Act, provides for the following:

*s/ Lizbeth Benacquisto,*  
Vice Chair  
*s/ Thad Altman*  
*s/ Rob Bradley*  
*s/ Oscar Braynon II*  
*s/ Jeff Clemens*  
*s/ Nancy C. Detert*  
*s/ Greg Evers*  
*s/ Bill Galvano*  
*s/ Andy Gardiner*  
*s/ Denise Grimsley*  
*s/ Dorothy L. Hukill*  
*s/ Jack Latvala*  
*s/ John Legg*  
*s/ Bill Montford*  
*s/ Jeremy Ring*  
*s/ David Simmons*  
*s/ Christopher L. Smith, At Large*  
*s/ Darren Soto*  
*s/ Geraldine F. "Geri" Thompson*

*s/ Steve Crisafulli,*  
Committee Vice Chair  
*s/ Larry Ahern*  
Bruce Antone  
*s/ Michael Bileca*  
*s/ Douglas Vaughn "Doug" Broxson*  
Karen Castor Dentel  
*s/ Marti Coley, At Large*  
*s/ Travis Cummings*  
*s/ Daniel Davis*  
*s/ Heather Fitzenhagen*  
Joseph A. "Joe" Gibbons, At Large  
*s/ Tom Goodson*  
*s/ Gayle B. Harrell*  
*s/ Dave Hood*  
*s/ Matt Hudson*  
Mia L. Jones, At Large  
*s/ Mike LaRosa*  
*s/ Charles McBurney*  
*s/ Larry Metz*  
*s/ Jose R. Oliva*  
Mark S. Pafford  
*s/ Jimmy Patronis*  
*s/ Kathleen Peters*  
*s/ Ray Pilon*  
*s/ Bobby Powell*  
*s/ Jake Raburn*  
*s/ Dan Raulerson*  
Betty Reed  
*s/ Ray Rodrigues*  
Hazelle P. "Hazel" Rogers  
David Santiago  
*s/ Jimmie T. Smith*  
*s/ Ross Spano*  
Linda Stewart  
Dwayne L. Taylor  
Victor M. Torres, Jr.  
James W. "Jim" Waldman,  
At Large  
*s/ Ritch Workman, At Large*

**Section 1** provides legislative intent that the implementing and administering provisions of this act apply to the General Appropriations Act for Fiscal Year 2013-2014.

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

**Section 3** provides that funds provided for instructional materials shall be released and expended as required in the proviso language attached to Specific Appropriation 87.

**Section 4** incorporates by reference the document containing the calculations used for district bandwidth support.

**Section 5** amends 1002.32 F.S. to provide that funds appropriated for capital improvement purposes for lab schools will be divided equally between the schools.

**Section 6** incorporates by reference document entitled "Medicaid Hospital Funding Programs" for the purpose of displaying the calculations used by the legislature in making appropriations for the Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs.

**Section 7** requires the Department of Children and Families to amend its contracts with each managing entity, as necessary, to remove any contractual provisions that have the effect of requiring a managing entity to conduct a provider network procurement during the 2013-2014 fiscal year.

**Section 8** provides requirements to govern the completion of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study. Prohibits state agencies from implementing regulations with higher standards than those currently in place until the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study is completed.

**Section 9** provides the order with which the Agency for Persons with Disabilities will transition individuals from the Wait List to the Home and Community Based Services Waiver.

**Section 10** amends s. 216.262, F.S. to allow the Executive Office of the Governor (EOG) to request additional positions and appropriations from unallocated general revenue during the 2013-2014 fiscal year for the Department of Corrections (DOC) if the actual inmate population of the DOC exceeds certain Criminal Justice Estimating Conference forecasts. The additional positions and appropriations may be used for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population, and are subject to Legislative Budget Commission (LBC) review and approval.

**Section 11** authorizes Department of Legal Affairs to expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in prior years. (continued) Page 2 April 29, 2013 SB 1502

**Section 12** amends s. 932.7055, F.S. relating to the disbursement of proceeds from the sale of forfeited property to extend for another year the authorization for a municipality to expend funds in a special law enforcement trust fund to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund prior to October 1, 2001.

**Section 13** provides a limitation on the Department of Juvenile Justice's reimbursements for health care services to be 110 percent of Medicare allowable rates.

**Section 14** amends s. 29.008, F.S., to notwithstanding provision requiring counties to spend 1.5% more on county funded court system obligations.

**Section 15** requires the Department of Management Services (DMS) and agencies to utilize a tenant broker to renegotiate private lease agreements, in excess of 2,000 square feet, expiring before June 30, 2016.

**Section 16** provides that notwithstanding the provisions of s. 215.199(2), funds available in the Audit and Warrant Clearing TF for subsequent distribution to the General Revenue Fund shall be available to the tax collection provider, as defined in s. 443.036(42), F.S. who shall make the interest payment required by s. 443.131(5), F.S., to the Federal Government in the amount directed by the Governor or the Governor's designee.

**Sections 17 and 18** require that fee for service of process against the Department of Financial Services or Office of Insurance Regulation be deposited to the Administrative TF rather than the Insurance Regulatory TF.

**Section 19** provides that, notwithstanding s. 161.143, F.S., which requires the Department of Environmental Protection (DEP) to make available at least 10 percent of the total amount appropriated in each fiscal year for statewide beach management for the three highest-ranked projects on the current year's inlet management project list, for the 2013-2014 fiscal year, the amount allocated for inlet management funding is provided in the GAA.

**Section 20** amends s. 253.01 to authorize funds to be transferred from the Internal Improvement TF to the Save Our Everglades TF to be used to support Everglades restoration pursuant to section 216.181(12) F.S..

**Section 21** amends s. 375.041, F.S. to provide for allocation from the Land Acquisition TF to be used for Total Maximum Daily Loads program, and authorizes the transfer of funds to the Save Our Everglades TF for Everglades restoration pursuant to section 216.181(12) F.S.

**Section 22** provides that in order to implement Specific Appropriation 1626 of the 2013-2014 General Appropriations Act and notwithstanding sections 161.041, 161.055 and 373.427, F.S., and any rules implementing those sections, existing joint coastal permits for projects identified in the proviso following Specific Appropriation 1626 which expire during the 2013-2014 fiscal year are extended until the completion of said projects, to take advantage of time-sensitive full federal emergency funding for sand losses and to address 2012 storm damages to the state's beaches. No fees shall be charged for the extension of those existing joint coastal permits and no application is required for any such extension.

**Section 23** amends s. 373.472(1), F.S., relating to Save our Everglades TF to authorize funds to be used for the Long-Term Plan defined in s. 373.4592(2)(j), F.S. (Refers to "Everglades Protection Area Tributary Basins Conceptual Plan for Achieving Long-Term Water Quality Goals Final Report").

**Section 24** amends s. 373.59, F.S. to provide for allocation of moneys from the Water Management Lands TF for an amount necessary to pay debt service on bonds issued before 2/1/09, by the South Water Management District and the St. Johns Water Management District; to provide that \$8m be transferred to GR; and to transfer \$3m to the Suwannee River Water Management District for springs protection, \$3m to the Northwest Florida Water Management District for the Apalachicola Bay Water Quality Improvement Projects, \$4m to the South Florida Water Management District for J.W. Corbett Levee System Improvements, \$1m to the Southwest Florida Water Management District for Duck Slough / Thousand Oaks flood mitigation, and specify that remaining funds be distributed to Suwannee River Water Management District. Authorizes the transfer of funds from the Water Management Lands TF to the Save Our Everglades TF for Everglades Restoration pursuant to section 216.181(12) F.S.

**Section 25** clarifies that the \$32 million appropriated to DEP in HB 7065 is transferred to the Save Our Everglades TF.

**Section 26** amends s. 403.709, F.S., to authorize funds to be transferred from the Solid Waste Management TF to the Save Our Everglades TF to be used to support Everglades restoration pursuant to section 216.181(12) F.S.

**Section 27** amends s. 403.7095, F.S., relating to the solid waste management grant program to require DEP to award \$3,000,000 of grant funds equally to counties having populations of fewer than 100,000 for waste tire, litter prevention, recycling and education, and general solid waste programs.

**Section 28** amends s. 259.105, F.S. to provide that the funds appropriated from the Florida Forever TF be distributed to the Division of State Lands of the DEP for less-than-fee interest acquisitions and that \$10m to be used for conservation lands to protect military installations against encroachment.

**Section 29** amends ss. 376.30711, F.S., to require: (1) all contracts for providers under the Petroleum Restoration Program be procured through competitive bidding; (2) a statement under oath from all owners, responsible parties, and cleanup contractors and subcontractors, that no compensation, remuneration, or gift, of any kind, directly or indirectly, has been solicited, offered accepted, paid or received in exchange for designation or employment in connection with the cleanup of an eligible site, except for the compensation paid by the department to the contractor for the cleanup; (3) a statement under oath from all cleanup contractors and subcontractors receiving compensation for cleanup of eligible sites that they have never paid, offered or provided any compensation in exchange for being designated or hired to do cleanup work, except for the compensation for the cleanup work; and (4) any owner, responsible party or cleanup contractor or subcontractor who falsely executes either of those statements be prohibited from participating in the Petroleum Restoration Program.

**Section 30** provides that, notwithstanding s. 287.057, F.S. (governing procurement of commodities or contractual services), the Department of Agriculture and Consumer Services (DACS), at its discretion, is authorized to extend, revise, and renew current contracts or agreements created or entered into, pursuant to chapter 2006-25, Laws of Florida (the 2006-2007 GAA), in order to provide consistency and continuity in agriculture promotion throughout the state.

**Section 31** notwithstands 339.135(4)(a) and (5)(a) F.S., relating to geographic equity requirements for funding transportation projects, to permit funding for multi-use trails and related facilities.

**Section 32** amends 335.065, F.S., authorizing Department of Transportation (DOT) to fund the acquisition and development of multi-use trails intended to establish a statewide integrated connected system of trails.

**Section 33** amends s. 339.08(1)(n), F.S. Allows a portion of the State Transportation TF to be spent on a financial analysis of the cost savings to be achieved by the consolidation of services between the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority. HB 599 (2012) required the study but limited the expenditure for the study to \$100,000. The additional funds in the GAA (\$200,000) would provide enough for a full "desk audit" and a greater depth of analysis.

**Section 34** requires the Department of Highway Safety and Motor Vehicles to continue to utilize the current contract with PRIDE for manufacturing license plates. Requires PRIDE to rebid reflectorization sheeting used on the license plates and return 70% of savings to the department.

**Section 35** provides that no state agency may initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would:

(1) Require a change in law; or

(2) 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.

**Section 36** 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 37** authorizes the EOG to transfer funds in the appropriation category "Special Categories-Transfer to DMS-Human Resources Services Purchased Per Statewide Contract" of the 2013-2014 General Appropriations Act 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 38** amends s. 110.123(12), F.S. to extend for another year the provision that, for health savings accounts for full-time and part-time state employees in association with a health insurance plan option authorized by the Legislature, the state's monthly contribution for employees having individual coverage shall be \$41.66 and the monthly contribution for employees having family coverage shall be \$83.33. Rates have remained the same since 2005.

**Section 39** amends s. 112.24, F.S. to provide that the reassignment of an employee of a state agency may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the Senate and House budget committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after 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.

**Section 40** maintains legislative salaries at July 1, 2012 level (2010 salary levels).

**Sections 41 and 42** amend 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 2013-2014 General Appropriations Act.

**Sections 43 and 44** reenact s. 215.5601, F.S. relating to investment objectives of the Lawton Chiles Endowment Fund. In 2008 session, language was added to indicate that the investment objective shall be long-term preservation of the real value of the net contributed principal and a specified regular annual cash outflow for appropriation, as non-recurring revenue. The following sentence was also added: "Withdrawals other than specified regular cash outflow shall be considered reductions in contributed principal for the purposes of this subsection."

**Section 45** provides that, in order to implement the issuance of new debt authorized in the 2013-2014 General Appropriations Act, and pursuant to the requirements of s. 215.98, F.S., the Legislature determines that the authorization and issuance of debt for the 2013-2014 fiscal year should be implemented and is in the best interest of the state and necessary to address a critical state emergency.

**Section 46** provides that funds appropriated for travel by state employees be limited to travel for activities that are critical to each state agency's mission. Prohibits funds from being used to travel to foreign countries, other states, conferences, staff-training or other administrative functions unless agency head approves in writing. Requires agency head to consider use of teleconferencing and electronic communication to meet needs of activity before approving travel.

**Sections 47 and 48** amend s. 282.401(4), F.S. to align data center consolidation schedule in statute to funding in GAA. Requires Fish and Wildlife Conservation Commission to consolidate into Northwood Shared Resource Center (NSRC) rather than Southwood Shared Resource Center (SSRC). Removes requirement that the Attorney General, DACS and Department of Veterans Affairs consolidate into NSRC during 2013-2014 fiscal year.

**Section 49** provides that, in order to implement the appropriations authorized in the 2013-2014 General Appropriations Act and notwithstanding s. 216.181(1)(c), F.S., an agency may transfer funds between the data processing appropriation categories and another appropriation category for the purpose of supporting and managing its computer resources until such time as the agency's data processing function is transferred to the SSRC, the NSRC, or the Northwest Regional Data Center. (continued) Page 6 April 29, 2013 *SB 1502*

**Section 50** provides that the Governor is authorized to transfer funds appropriated in any appropriation category used to pay for data processing in the GAA between agencies in order to align the budget authority granted with the utilization rate of each department.

**Section 51** notwithstanding s. 216.292(2)(a), F.S. which authorizes transfers of up to 5 percent of approved budget between categories. Agencies are prohibited from transferring funds from a data center appropriation category to a category other than a data center appropriation category.

**Section 52** provides that the Governor is authorized to transfer funds appropriated in the appropriations category "expenses" between agencies in order to allocate a reduction relating to SUNCOM Services.

**Sections 53 and 54** amend s. 110.12315, F.S., to modify copayments consistent with decisions that have been made in the GAA. Authorize DMS to implement a 90-day supply limit program for certain maintenance drugs as determined by the department at retail pharmacies participating in the program if the department determines it to be in the best financial interest of the state.

**Section 55** specifies that no section shall take effect if the appropriations and proviso to which it relates are vetoed.

**Section 56** provides for a permanent change made by another law to any of the same statutes amended by this bill will take precedence over the provision in this bill.

**Section 57** provides a severability clause.

**Section 58** provides an effective date.

**Conference Committee Amendment (944582)(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 2013-2014 fiscal year.*

*Section 2. In order to implement Specific Appropriations 7, 8, 9, 87, and 88 of the 2013-2014 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2013-2014 fiscal year in the document entitled "Public School Funding-The Florida Education Finance Program," dated April 29, 2013, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Florida Education Finance Program. This section expires July 1, 2014.*

*Section 3. In order to implement Specific Appropriations 7 and 87 of the 2013-2014 General Appropriations Act and notwithstanding the provisions of ss. 1006.28 through 1006.42, 1002.20, 1003.02, 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the expenditure of funds provided for instructional materials, for the 2013-2014 fiscal year, funds provided for instructional materials shall be released and expended as required in the proviso language attached to Specific Appropriation 87. This section expires July 1, 2014.*

*Section 4. In order to implement Specific Appropriation 102A of the 2013-2014 General Appropriations Act, the calculations for district bandwidth support for the 2013-2014 fiscal year in the document entitled "Public School Funding District Bandwidth Support," dated April 29, 2013, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature in appropriating funds for district bandwidth support. This section expires July 1, 2014.*

*Section 5. In order to implement Specific Appropriation 19 of the 2013-2014 General Appropriations Act, paragraph (e) of subsection (9) of section 1002.32, Florida Statutes, is amended to read:*

*1002.32 Developmental research (laboratory) schools.—*

*(9) FUNDING.—Funding for a lab school, including a charter lab school, shall be provided as follows:*

*(e)1. Each lab school shall receive funds for capital improvement purposes in an amount determined as follows: multiply the maximum allowable nonvoted discretionary millage for capital improvements pursuant to s. 1011.71(2) by the value of 96 percent of the current year's taxable value for school purposes for the district in which each lab school is located; divide the result by the total full-time equivalent membership of the district; and multiply the result by the full-time equivalent membership of the lab school. The amount thus obtained shall be discretionary capital improvement funds and shall be appropriated from state funds in the General Appropriations Act to the Lab School Educational Facility Trust Fund.*

2. Notwithstanding the provisions of subparagraph 1., for the 2013-2014 fiscal year, funds appropriated for capital improvement purposes shall be divided between lab schools based on full-time equivalent student membership. This subparagraph expires July 1, 2014.

Section 6. In order to implement Specific Appropriations 202, 208 through 210, and 213 of the 2013-2014 General Appropriations Act, the calculations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs, and the parameters and calculations for the diagnosis-related group (DRG) methodology for hospital reimbursement, for the 2013-2014 fiscal year contained in the document entitled "Medicaid Hospital Funding Programs," dated April 29, 2013, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs, and the parameters and calculations for the diagnosis-related group methodology for hospital reimbursement. This section expires July 1, 2014.

Section 7. In order to implement Specific Appropriations 353 through 369A and 374 through 377 of the 2013-2014 General Appropriations Act and, notwithstanding any other law, in order to provide consistency and continuity in the provision of mental health and substance abuse treatment services to individuals throughout the state, the Department of Children and Families may not require managing entities contracting with the department under s. 394.9082, Florida Statutes, to conduct provider network procurements during the 2013-2014 fiscal year. The department shall amend its contracts with each managing entity, if necessary, to remove contractual provisions that have the effect of requiring a managing entity to conduct a provider network procurement during the 2013-2014 fiscal year. This section expires July 1, 2014.

Section 8. (1) In order to implement Specific Appropriation 493 of the 2013-2014 General Appropriations Act, the following requirements govern the continuation of Phase 3 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study:

(a) The Department of Health's underlying contract for the study remains in full force and effect and funding for continuation of Phase 3 is provided through the department.

(b) The Department of Health's Research Review and Advisory Committee and the Department of Environmental Protection shall work together to provide the necessary technical oversight of the continuation of Phase 3.

(c) Management and oversight of the continuation of Phase 3 must be consistent with the terms of the existing contract. However, the main focus and priority to be completed during Phase 3 is testing and recommending cost-effective passive technology design criteria for nitrogen reduction. Notwithstanding any other law, before Phase 3 is completed, a state agency may not adopt or implement a rule or policy that:

1. Mandates, establishes, or implements more restrictive nitrogen reduction standards to existing or new onsite sewage treatment systems or modification of such systems; or

2. Directly or indirectly, such as through an administrative order developed by the Department of Environmental Protection as part of a basin management action plan adopted pursuant to s. 403.067, Florida Statutes, requires the use of performance-based treatment systems or similar technology. However, more restrictive nitrogen reduction standards for onsite systems may be required through a basin management action plan if such plan is phased in after completion of Phase 3.

(2) This section expires July 1, 2014.

Section 9. (1) In order to implement Specific Appropriation 267 of the 2013-2014 General Appropriations Act, and notwithstanding s. 393.065(5), Florida Statutes, individuals from the Medicaid home and community-based waiver programs wait list shall be offered a slot on the waiver as follows:

(a) Individuals in category 1, which includes clients deemed to be in crisis as described in rule, shall be given top priority in moving from the wait list to the waiver.

(b) Individuals in category 2, at the time of finalization of an adoption with placement in the family home, reunification with family members with placement in a family home, or permanent placement with a relative in a family home, shall be moved to the waiver.

(c) In selecting individuals in category 3 or category 4, the Agency for Persons with Disabilities shall use the Agency for Persons with Disabilities Wait List Prioritization Tool, dated March 15, 2013. Those individuals whose needs score highest on the Wait List Prioritization Tool shall be moved to the waiver during the 2013-2014 fiscal year, to the extent funds are available.

(2) Upon the placement of individuals on the waiver pursuant to subsection (1), individuals remaining on the wait list are deemed not to have been substantially affected by agency action and are, therefore, not entitled to a hearing under s. 393.125, Florida Statutes, or administrative proceeding under chapter 120, Florida Statutes. This section expires July 1, 2014.

Section 10. In order to implement Specific Appropriations 602 through 678 and 701 through 736 of the 2013-2014 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter relating to increasing the number of authorized positions, and for the 2013-2014 ~~2012-2013~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the February 19, 2013 ~~December 14, 2011~~, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide 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. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2014 ~~2013~~.

Section 11. In order to implement Specific Appropriations 1273 and 1274 of the 2013-2014 General Appropriations Act, the Department of Legal Affairs may expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in previous years. This section expires July 1, 2014.

Section 12. In order to implement Specific Appropriations 1211 and 1216 of the 2013-2014 General Appropriations Act, paragraph (d) of subsection (4) of section 932.7055, Florida Statutes, is amended to read:

932.7055 Disposition of liens and forfeited property.—

(4) The proceeds from the sale of forfeited property shall be disbursed in the following priority:

(d) Notwithstanding any other provision of this subsection, and for the 2013-2014 ~~2012-2013~~ fiscal year only, the funds in a special law enforcement trust fund established by the governing body of a municipality may be expended to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund before October 1, 2001. This paragraph expires July 1, 2014 ~~2013~~.

Section 13. (1) In order to implement Specific Appropriations 1075, 1076, 1081, 1082, 1129, 1130, 1134, 1135, 1137, 1141, 1142, 1145, 1146, 1147, 1158, and 1163 of the 2013-2014 General Appropriations Act, the Department of Juvenile Justice must comply with the following reimbursement limitations:

(a) Payments to a hospital or a health care provider may not exceed 110 percent of the Medicare allowable rate for any health care services

*provided if there is no contract between the department and the hospital or the health care provider providing services at a hospital;*

(b) *The department may continue to make payments for health care services at the currently contracted rates through the current term of the contract if a contract has been executed between the department and a hospital or a health care provider providing services at a hospital; however, payments may not exceed 110 percent of the Medicare allowable rate after the current term of the contract expires or after the contract is renewed during the 2013-2014 fiscal year;*

(c) *Payments may not exceed 110 percent of the Medicare allowable rate under a contract executed on or after July 1, 2013, between the department and a hospital or a health care provider providing services at a hospital;*

(d) *Notwithstanding paragraphs (a)-(c), the department may pay up to 125 percent of the Medicare allowable rate for health care services at a hospital that reports or has reported a negative operating margin for the previous fiscal year to the Agency for Health Care Administration through hospital-audited financial data; and*

(e) *The department may not execute a contract for health care services at a hospital for rates other than rates based on a percentage of the Medicare allowable rate.*

(2) *As used in this section, the term "hospital" means a hospital licensed under chapter 395, Florida Statutes.*

(3) *This section expires July 1, 2014.*

Section 14. In order to implement section 7 of the 2013-2014 General Appropriations Act, paragraph (c) of subsection (4) of section 29.008, Florida Statutes, is amended to read:

29.008 County funding of court-related functions.—

(4)

(c) Counties are exempt from all requirements and provisions of paragraph (a) for the 2013-2014 ~~2012-2013~~ fiscal year. Accordingly, for the 2013-2014 ~~2012-2013~~ fiscal year, counties shall maintain, but are not required to increase, their expenditures for the items specified in paragraphs (1)(a)-(h) and subsection (3). The requirements described in paragraph (a) shall be reinstated beginning with the 2014-2015 ~~2013-2014~~ fiscal year. This paragraph expires July 1, 2014 ~~2013~~.

Section 15. *In order to implement appropriations used for the payments of existing lease contracts for private lease space in excess of 2,000 square feet in the 2013-2014 General Appropriations Act, the Department of Management Services, with the cooperation of the agencies having the existing lease contracts for office or storage space, shall use tenant broker services to renegotiate or repurchase all private lease agreements for office or storage space expiring between July 1, 2014, and June 30, 2016, in order to reduce costs in future years. The department shall incorporate this initiative into its 2013 Master Leasing Report and may use tenant broker services to explore the possibilities of colocating office or storage space, to review the space needs of each agency, and to review the length and terms of potential renewals or renegotiations. The department shall provide a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2013, which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2014.*

Section 16. *In order to implement Specific Appropriations 3073A through 3073L of the 2013-2014 General Appropriations Act, and notwithstanding s. 215.199(2), Florida Statutes, funds available in the Audit and Warrant Clearing Trust Fund for subsequent distribution to the General Revenue Fund shall be available to the tax collection service provider, as defined in s. 443.036, Florida Statutes, who shall make the interest payment required under s. 443.131(5), Florida Statutes, to the Federal Government in the amount directed by the Governor or the Governor's designee. This section expires July 1, 2014.*

Section 17. In order to implement Specific Appropriations 2245 through 2254 of the 2013-2014 General Appropriations Act, section 624.502, Florida Statutes, is amended to read:

624.502 Service of process fee.—In all instances as provided in any section of the insurance code and s. 48.151(3) in which service of process is authorized to be made upon the Chief Financial Officer or the director of the office, the plaintiff shall pay to the department or office a fee of \$15 for such service of process, which fee shall be deposited into the ~~Administrative Trust Fund Insurance Regulatory Trust Fund~~.

Section 18. *The amendment made by this act to s. 624.502, Florida Statutes, expires July 1, 2014, and the text of that section shall revert to that in existence on June 30, 2013, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text that expire pursuant to this section.*

Section 19. In order to implement Specific Appropriation 1626 of the 2013-2014 General Appropriations Act, paragraph (e) is added to subsection (5) of section 161.143, Florida Statutes, to read:

161.143 Inlet management; planning, prioritizing, funding, approving, and implementing projects.—

(5) The department shall annually provide an inlet management project list, in priority order, to the Legislature as part of the department's budget request. The list must include studies, projects, or other activities that address the management of at least 10 separate inlets and that are ranked according to the criteria established under subsection (2).

(e) *Notwithstanding paragraphs (a) and (b), and for the 2013-2014 fiscal year only, the amount allocated for inlet management funding is provided in the General Appropriations Act. This paragraph expires July 1, 2014.*

Section 20. In order to implement Specific Appropriation 1600 and section 52 of the 2013-2014 General Appropriations Act, subsection (2) of section 253.01, Florida Statutes, is amended to read:

253.01 Internal Improvement Trust Fund established.—

(2)(a) All revenues accruing from sources designated by law for deposit in the Internal Improvement Trust Fund shall be used for the acquisition, management, administration, protection, and conservation of state-owned lands.

(b) *For the 2013-2014 fiscal year only, moneys in the Internal Improvement Trust Fund may be transferred to the Save Our Everglades Trust Fund for Everglades restoration pursuant to s. 216.181(12). This paragraph expires July 1, 2014.*

Section 21. In order to implement Specific Appropriations 1600 and 1619 and sections 52 and 53 of the 2013-2014 General Appropriations Act, paragraph (b) of subsection (3) of section 375.041, Florida Statutes, is amended, and paragraph (c) is added to that subsection, to read:

375.041 Land Acquisition Trust Fund.—

(3)

(b) In addition to the uses allowed under paragraph (a), for the 2013-2014 ~~2012-2013~~ fiscal year, moneys in the Land Acquisition Trust Fund may be transferred ~~are authorized for transfer~~ to support the Total Maximum Daily Loads Program, ~~Drinking Water Revolving Loan Trust Fund, and Wastewater Treatment and Stormwater Management Revolving Loan Trust Fund~~ as provided in the General Appropriations Act. This paragraph expires July 1, 2014 ~~2013~~.

(c) *For the 2013-2014 fiscal year only, moneys in the Land Acquisition Trust Fund may be transferred to the Save Our Everglades Trust Fund for Everglades restoration pursuant to s. 216.181(12). This paragraph expires July 1, 2014.*

Section 22. *In order to implement Specific Appropriation 1626 of the 2013-2014 General Appropriations Act and notwithstanding ss. 161.041, 161.055, and 373.427, Florida Statutes, and any rules implementing those sections, existing joint coastal permits for projects identified in the proviso following Specific Appropriation 1626 which expire during the 2013-2014 fiscal year are extended until the completion of the projects in order to take advantage of time-sensitive full federal emergency funding for sand losses and to address 2012 storm damages to the state's beaches.*

*Fees may not be charged for the extension of the permits and applications are not required for such extension. This section expires July 1, 2014.*

Section 23. In order to implement Specific Appropriation 1600 of the 2013-2014 General Appropriation Act, subsection (1) of section 373.472, Florida Statutes, is amended to read:

**373.472 Save Our Everglades Trust Fund.—**

(1) There is created within the Department of Environmental Protection the Save Our Everglades Trust Fund. Funds in the trust fund shall be expended to implement the comprehensive plan *as defined in s. 373.470(2)(b); the Lake Okeechobee Watershed Protection Plan as defined in s. 373.4595(2); the Caloosahatchee River Watershed Protection Plan as defined in s. 373.4595(2); the St. Lucie River Watershed Protection Plan as defined in s. 373.4595(2); the Long-Term Plan as defined in s. 373.4592(2); and the Florida Keys Area of Critical State Concern protection program under ss. 380.05 and 380.0552 to restore and conserve natural systems through the implementation of water management projects, including wastewater management projects identified in the “Keys Wastewater Plan” dated November 2007 and submitted to the Florida House of Representatives on December 4, 2007; and to pay debt service for Everglades restoration bonds issued pursuant to s. 215.619. The trust fund shall serve as the repository for state, local, and federal project contributions in accordance with s. 373.470(4).*

Section 24. In order to implement Specific Appropriations 1599 and 1600 and section 52 of the 2013-2014 General Appropriations Act, subsection (12) of section 373.59, Florida Statutes, is amended to read:

**373.59 Water Management Lands Trust Fund.—**

(12) Notwithstanding subsection (8), and for the *2013-2014 2012-2013* fiscal year only, the moneys from the Water Management Lands Trust Fund are allocated as follows:

(a) An amount necessary to pay debt service on bonds issued before February 1, 2009, by the South Florida Water Management District and the St. Johns River Water Management District, which are secured by revenues provided pursuant to this section, or to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to such bonds.;

(b) Eight million dollars to be transferred to the General Revenue Fund. ~~and~~

(c) *Three million dollars to be distributed to the Suwannee River Water Management District for springs restoration and protection projects.*

(d) *Three million dollars to be distributed to the Northwest Florida Water Management District for Apalachicola Bay water quality improvement projects.*

(e) *Four million dollars to be distributed to the South Florida Water Management District for J.W. Corbett Levee system improvements.*

(f) *One million dollars to be distributed to the Southwest Florida Water Management District for Duck Slough /Thousand Oaks flood mitigation.*

(g) ~~(e)~~ The remaining appropriation to be distributed to the Suwannee River Water Management District.

This subsection expires July 1, 2014 ~~2013~~.

Section 25. *In order to implement Specific Appropriation 1600 of the 2013-2014 General Appropriations Act, the recurring \$12 million appropriated from the General Revenue Fund and the recurring \$20 million appropriated from the Water Management Lands Trust Fund to the Department of Environmental Protection for the Restoration Strategies Regional Water Quality Plan contained in Committee Substitute for House Bill 7065, or similar legislation enacted during the 2013 Regular Session of the Legislature, shall be deposited into the Save Our Everglades Trust Fund within the department to be spent for the Restoration Strategies Regional Water Quality Plan, pursuant to Specific Appropriation 1600. This section expires July 1, 2014.*

Section 26. In order to implement Specific Appropriation 1600 and section 52 of the 2013-2014 General Appropriations Act, paragraph (f) is added to subsection (1) of section 403.709, Florida Statutes, to read:

403.709 Solid Waste Management Trust Fund; use of waste tire fees.—There is created the Solid Waste Management Trust Fund, to be administered by the department.

(1) From the annual revenues deposited in the trust fund, unless otherwise specified in the General Appropriations Act:

(f) *For the 2013-2014 fiscal year only, moneys in the Solid Waste Management Trust Fund may be transferred to the Save Our Everglades Trust Fund for Everglades restoration pursuant to s. 216.181(12). This paragraph expires July 1, 2014.*

Section 27. In order to implement Specific Appropriation 1671 of the 2013-2014 General Appropriations Act, subsection (5) of section 403.7095, Florida Statutes, is amended to read:

**403.7095 Solid waste management grant program.—**

(5) Notwithstanding any other provision of this section, and for the *2013-2014 2012-2013* fiscal year only, the Department of Environmental Protection shall award the sum of \$3 million ~~\$2,400,000~~ in grants equally to counties having populations of fewer than 100,000 for waste tire and litter prevention, recycling education, and general solid waste programs. This subsection expires July 1, 2014 ~~2013~~.

Section 28. In order to implement Specific Appropriation 1544 and section 53 of the 2013-2014 General Appropriations Act, paragraph (m) of subsection (3) of section 259.105, Florida Statutes, is amended to read:

**259.105 The Florida Forever Act.—**

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

(m) Notwithstanding paragraphs (a)-(j) and for the *2013-2014 2012-2013* fiscal year only.;

1. *Ten million dollars the moneys* appropriated from the Florida Forever Trust Fund shall be distributed only to the Division of State Lands within the Department of Environmental Protection for *Board of Trustees Florida Forever Priority List land acquisition projects that provide conservation lands to protect the state's military installations against encroachment.*

2. *The remaining moneys appropriated from the Florida Forever Trust Fund shall be distributed only to the Division of State Lands within the Department of Environmental Protection for land acquisitions that are less-than-fee interest, or for partnerships in which the state's portion of the acquisition cost is no more than 50 percent, or for conservation lands needed for military buffering or springs or water resources protection.*

This paragraph expires July 1, 2014 ~~2013~~.

Section 29. In order to implement Specific Appropriation 1668 of the 2013-2014 General Appropriations Act, paragraphs (d) and (e) are added to subsection (2) of section 376.30711, Florida Statutes, to read:

376.30711 Preapproved site rehabilitation, effective March 29, 1995.—

(2)

(d) *All task assignments, work orders, and contracts for providers under the Petroleum Restoration Program entered by the department on or after July 1, 2013, pursuant to this section and ss. 376.3071 and 376.30713 must:*

1. *Be procured through competitive bidding pursuant to s. 287.056, s. 287.057, or s. 287.0595.*

2. *Require that a statement under oath be executed and provided to the department concurrently with the execution of the task assignments, work orders, or contracts by:*

a. *All owners, responsible parties, and cleanup contractors and subcontractors, that no compensation, remuneration, or gift of any kind, directly or indirectly, has been solicited, offered, accepted, paid, or received in exchange for designation or employment in connection with the cleanup of an eligible site, except for the compensation paid by the department to the contractor for the cleanup.*

b. *All cleanup contractors and subcontractors receiving compensation for cleanup of eligible sites, that they have never paid, offered, or provided any compensation in exchange for being designated or hired to do cleanup work, except for compensation for the cleanup work.*

*This paragraph expires June 30, 2014.*

(e) *Any owner, responsible party, or cleanup contractor or subcontractor who falsely executes a statement required pursuant to subparagraph (d)2. is prohibited from participating in the Petroleum Restoration Program. This paragraph expires June 30, 2014.*

Section 30. *In order to implement Specific Appropriation 1439 of the 2013-2014 General Appropriations Act and to provide consistency and continuity in the promotion of agriculture throughout the state, notwithstanding s. 287.057, Florida Statutes, the Department of Agriculture and Consumer Services may extend, revise, and renew current contracts or agreements created or entered into pursuant to chapter 2006-25, Laws of Florida. This section expires July 1, 2014.*

Section 31. *In order to implement Specific Appropriation 1835A of the 2013-2014 General Appropriations Act, paragraph (i) is added to subsection (4) of section 339.135, Florida Statutes, and paragraph (d) is added to subsection (5) of that section, to read:*

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

(4) **FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—**

(i) *Notwithstanding paragraph (a), and for the 2013-2014 fiscal year only, the Department of Transportation may use appropriated funds for the purpose of funding the costs of land acquisition, design, and construction of multiuse trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2013, in the Department of Transportation 5-year work program. This paragraph expires July 1, 2014.*

(5) **ADOPTION OF THE WORK PROGRAM.—**

(d) *Notwithstanding paragraph (a), and for the 2013-2014 fiscal year only, the Department of Transportation may use appropriated funds for the purpose of funding the costs of land acquisition, design, and construction of multiuse trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2013, in the Department of Transportation 5-year work program. This paragraph expires July 1, 2014.*

Section 32. *In order to implement Specific Appropriation 1835A of the 2013-2014 General Appropriations Act, subsection (4) is added to section 335.065, Florida Statutes, to read:*

335.065 *Bicycle and pedestrian ways along state roads and transportation facilities.—*

(4) *Notwithstanding any other provision of law, the department may use funds specifically appropriated for the purpose of the acquisition and development of an integrated system of interconnected multiuse trails of statewide significance and to pay the costs of land acquisition, design, and construction of trails and related facilities. When selecting projects for funding under this section, the department shall give priority to trail projects that have been identified by the Florida Greenways and Trails Council as a priority within the Florida Greenways and Trails System pursuant to chapter 260 and shall provide trail connectivity by eliminating gaps between existing trails. All projects funded under this section shall be included in the department's work program developed pursuant to s. 339.135. This subsection expires July 1, 2014.*

Section 33. *In order to implement Specific Appropriation 1830A of the 2013-2014 General Appropriations Act, present paragraph (n) of subsection (1) of section 339.08, Florida Statutes, is redesignated as paragraph (o), and a new paragraph (n) is added to that subsection, to read:*

339.08 *Use of moneys in State Transportation Trust Fund.—*

(1) *The department shall expend moneys in the State Transportation Trust Fund accruing to the department, in accordance with its annual budget. The use of such moneys shall be restricted to the following purposes:*

(n) *To pay administrative expenses incurred in accordance with applicable laws by the multicounty transportation authority created under chapter 343 where the jurisdiction for the authority includes a portion of the State Highway System and the expenses are in furtherance of the provisions of chapter 2012-174, Laws of Florida, to provide a financial analysis of the cost savings to be achieved by the consolidation of transit authorities within the region. This paragraph expires July 1, 2014.*

Section 34. *In order to implement Specific Appropriation 2633 of the 2013-2014 General Appropriations Act, the Department of Highway Safety and Motor Vehicles shall contract with the corporation organized under part II of chapter 946, Florida Statutes, to manufacture the current or newly redesigned license tags, such contract being in the same manner and for the same price as paid during the 2012-2013 fiscal year. The corporation shall seek sealed bids for the reflectorized sheeting used in the manufacture of such license tags, and in the event the sealed bids result in any savings in sheeting costs, the corporation shall credit 70 percent of such savings to the department. The county name shall not appear on the redesigned license tag. This section expires July 1, 2014.*

Section 35. *In order to implement the appropriation of funds in the contracted services and expense categories of the 2013-2014 General Appropriations Act, no state agency may initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would:*

(1) *Require a change in law; or*

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

*This section does not apply to a competitive solicitation for which the agency head certifies that a valid emergency exists. This section expires July 1, 2014.*

Section 36. *In order to implement the appropriation of funds in the appropriation category "Special Categories-Risk Management Insurance" in the 2013-2014 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2014.*

Section 37. *In order to implement the appropriation of funds in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased per Statewide Contract" in the 2013-2014 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2014.*

Section 38. *In order to implement appropriations for salaries and benefits in the 2013-2014 General Appropriations Act, paragraph (a) of subsection (12) of section 110.123, Florida Statutes, is amended to read:*

110.123 *State group insurance program.—*

(12) **HEALTH SAVINGS ACCOUNTS.—***The department is authorized to establish health savings accounts for full-time and part-time state employees in association with a health insurance plan option au-*



thorized by the Legislature and conforming to the requirements and limitations of federal provisions relating to the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

(a)1. A member participating in this health insurance plan option is eligible to receive an employer contribution into the employee's health savings account from the State Employees Health Insurance Trust Fund in an amount to be determined by the Legislature. A member is not eligible for an employer contribution upon termination of employment. For the 2013-2014 ~~2012-2013~~ fiscal year, the state's monthly contribution for employees having individual coverage shall be \$41.66 and the monthly contribution for employees having family coverage shall be \$83.33.

2. A member participating in this health insurance plan option is eligible to deposit the member's own funds into a health savings account.

Section 39. In order to implement appropriations for salaries and benefits in the 2013-2014 General Appropriations Act, subsection (6) of section 112.24, Florida Statutes, is amended to read:

112.24 Intergovernmental interchange of public employees.—To encourage economical and effective utilization of public employees in this state, the temporary assignment of employees among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of interchange employees shall be limited to the mission and goals of the agencies of government.

(6) For the 2013-2014 ~~2012-2013~~ fiscal year only, the assignment of an employee of a state agency as provided in this section may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations 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. This subsection expires July 1, 2014 ~~2013~~.

Section 40. *In order to implement Specific Appropriations 2550 and 2551 of the 2013-2014 General Appropriations Act and notwithstanding s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2013-2014 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2014.*

Section 41. In order to implement the transfer of funds to the General Revenue Fund from trust funds in the 2013-2014 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

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

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys is responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established, the Chief Financial Officer may authorize

payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

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

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

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

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

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

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

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

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

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

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

4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the Budget Stabilization Fund and General Revenue Fund in the General Appropriations Act.

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

Section 42. *The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, expires July 1, 2014, and the text of that paragraph shall revert to that in existence on June 30, 2011, except that any amendments to such text*

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

Section 43. In order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2013-2014 General Appropriations Act, paragraph (b) of subsection (4) of section 215.5601, Florida Statutes, is reenacted to read:

215.5601 Lawton Chiles Endowment Fund.—

(4) ADMINISTRATION.—

(b) The endowment shall be managed as an annuity. The investment objective is the long-term preservation of the real value of the net contributed principal and a specified regular annual cash outflow for appropriation, as nonrecurring revenue. From the annual cash outflow, a pro rata share shall be used solely for biomedical research activities as provided in paragraph (3)(d), until such time as cures are found for tobacco-related cancer and heart and lung disease. Five percent of the annual cash outflow dedicated to the biomedical research portion of the endowment shall be reinvested and applied to that portion of the endowment's principal, with the remainder to be spent on biomedical research activities consistent with this section. The schedule of annual cash outflow must be included within the investment plan adopted under paragraph (a). Withdrawals other than specified regular cash outflow are considered reductions in contributed principal for the purposes of this subsection.

Section 44. *The amendment to s. 215.5601(4)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, expires July 1, 2014, and the text of that paragraph shall revert to that in existence on June 30, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 45. *In order to implement the issuance of new debt authorized in the 2013-2014 General Appropriations Act, and pursuant to s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2013-2014 fiscal year should be implemented, is in the best interest of the state, and is necessary to address a critical state emergency. This section expires July 1, 2014.*

Section 46. *In order to implement appropriations in the 2013-2014 General Appropriations Act for state employee travel, the funds appropriated to each state agency, which may be used for travel by state employees, shall be limited during the 2013-2014 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used for travel by state employees to foreign countries, other states, conferences, staff-training activities, or other administrative functions unless the agency head has approved, in writing, that such activities are critical to the agency's mission. The agency head shall consider using teleconferencing and other forms of electronic communication to meet the needs of the proposed activity before approving mission-critical travel. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities. This section expires July 1, 2014.*

Section 47. In order to implement appropriations authorized in the 2013-2014 General Appropriations Act for data center services in the 2013-2014 fiscal year, paragraphs (g) and (h) of subsection (4) of section 282.201, Florida Statutes, are amended to read:

282.201 State data center system; agency duties and limitations.—A state data center system that includes all primary data centers, other nonprimary data centers, and computing facilities, and that provides an enterprise information technology service as defined in s. 282.0041, is established.

(4) SCHEDULE FOR CONSOLIDATIONS OF AGENCY DATA CENTERS.—

(g) During the 2013-2014 fiscal year, the following shall be consolidated into the Southwood Shared Resource Center:

~~1. By July 1, 2013, the Fish and Wildlife Conservation Commission, except for the commission's Fish and Wildlife Research Institute in St. Petersburg;~~

~~1.2. By October 31, 2013, the Department of Economic Opportunity.~~

~~2.2. By December 31, 2013, the Executive Office of the Governor, to include the Division of Emergency Management except for the Emergency Operation Center's management system in Tallahassee and the Camp Blanding Emergency Operations Center in Starke.~~

~~3.4. By March 31, 2014, the Department of Elderly Affairs.~~

~~(h) By October 30, 2013, During the 2013-2014 fiscal year, the Fish and Wildlife Conservation Commission, except for the commission's Fish and Wildlife Research Institute in St. Petersburg, following shall be consolidated into the Northwood Shared Resource Center:~~

~~1. By July 1, 2013, the Department of Veterans' Affairs.~~

~~2. By December 31, 2013, the Department of Legal Affairs.~~

~~3. By March 31, 2014, the Department of Agriculture and Consumer Services' Agriculture Management Information Center in the Mayo Building and the Division of Licensing.~~

Section 48. *The amendment made by this act to s. 282.201(4), Florida Statutes, expires July 1, 2014, and the text of that subsection shall revert to that in existence on June 30, 2013, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text that expire pursuant to this section.*

Section 49. *In order to implement appropriations authorized in the 2013-2014 General Appropriations Act for data center services scheduled for consolidation in the 2013-2014 fiscal year, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the consolidating agencies may request the transfer of resources between Data Processing Services appropriation categories and the appropriation categories for operations based upon changes to the consolidation schedule. This section expires July 1, 2014.*

Section 50. *In order to implement appropriations authorized in the 2013-2014 General Appropriations Act for each of the state's designated primary data centers funded from the data processing appropriation category for computing services of user agencies, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated for data processing in the 2013-2014 General Appropriations Act between agencies in order to align the budget authority granted with the utilization rate of each department. This section expires July 1, 2014.*

Section 51. *In order to implement appropriations authorized in the 2013-2014 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, except as authorized in sections 49 and 50 of this act, no agency may transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2014.*

Section 52. *In order to implement Specific Appropriation 2825 of the 2013-2014 General Appropriations Act, the Executive Office of the Governor may transfer funds appropriated in the appropriation category "Expenses" of the 2013-2014 General Appropriations Act between agencies in order to allocate a reduction relating to SUNCOM services. This section expires July 1, 2014.*

Section 53. In order to implement section 8 of the 2013-2014 General Appropriations Act, paragraph (b) of subsection (2) of section 110.12315, Florida Statutes, is reenacted, and paragraph (a) of subsection (7) of that section is reenacted and amended, to read:

110.12315 Prescription drug program.—The state employees' prescription drug program is established. This program shall be administered by the Department of Management Services, according to the terms and conditions of the plan as established by the relevant provisions of the annual General Appropriations Act and implementing legislation, subject to the following conditions:

(2) In providing for reimbursement of pharmacies for prescription medicines dispensed to members of the state group health insurance plan and their dependents under the state employees' prescription drug program:

(b) There shall be a 30-day supply limit for prescription card purchases and 90-day supply limit for mail order or mail order prescription drug purchases. The Department of Management Services may implement a 90-day supply limit program for certain maintenance drugs as determined by the department at retail pharmacies participating in the program if the department determines it to be in the best financial interest of the state.

(7) Under the state employees' prescription drug program copayments must be made as follows:

(a) Effective January 1, 2013 ~~2012~~, for the State Group Health Insurance Standard Plan:

1. For generic drug with card . . . . . \$7.
2. For preferred brand name drug with card . . . . . \$30.
3. For nonpreferred brand name drug with card . . . . . \$50.
4. For generic mail order drug . . . . . \$14.
5. For preferred brand name mail order drug . . . . . \$60.
6. For nonpreferred brand name mail order drug . . . . . \$100.

Section 54. *(1) The amendment to s. 110.12315(2)(b), Florida Statutes, as carried forward by this act from chapter 2012-119, Laws of Florida, expires July 1, 2014, and the text of that paragraph shall revert to that in existence on June 30, 2012, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

*(2) The amendment to s. 110.12315(7)(a), Florida Statutes, as carried forward by this act from chapter 2012-119, Laws of Florida, expires July 1, 2014, and the text of that paragraph shall revert to that in existence on December 31, 2010, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.*

Section 55. *Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2013-2014 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2013-2014 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.*

Section 56. *If any other act passed during the 2013 Regular Session contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act takes precedence and continues to operate, notwithstanding the future repeal provided by this act.*

Section 57. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 58. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2013; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and operate retroactively to July 1, 2013.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to implementing the General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2013-2014 fiscal year; providing that funds for instructional materials shall be released and expended as required in specified proviso language, notwithstanding other provisions of law; incorporating by reference the

calculations for district bandwidth support; amending s. 1002.32, F.S.; providing for the distribution of capital improvement funding for lab schools; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2013-2014 fiscal year; prohibiting the Department of Children and Families from requiring managing entities to conduct provider network procurement during the next fiscal year; providing requirements governing the continuation of Phase 3 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; specifying certain prohibitions before completion of the study; prioritizing which categories of individuals on the Agency for Persons with Disabilities wait list will be offered a slot on the Medicaid home and community-based waiver programs; providing that individuals remaining on the wait list are not entitled to an administrative proceeding; amending s. 216.262, F.S.; authorizing the Department of Corrections to submit a budget amendment for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; requiring the Department of Juvenile Justice to comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 29.008, F.S., relating to county funding of court-related functions; providing counties with an exemption from the requirement to annually increase certain expenditures by a specified percentage; directing the Department of Management Services to use a tenant broker to renegotiate or repurchase leases for office or storage space and provide a report to the Legislature; authorizing funds available in the Audit and Warrant Clearing Trust Fund to be available for certain interest payments to the Federal Government; amending s. 624.502, F.S.; requiring that fees for service of process upon the Chief Financial Officer or Office of Insurance Regulation be deposited into the Administrative Trust Fund rather than the Insurance Regulatory Trust Fund; amending s. 161.143, F.S.; providing an allocation in the General Appropriations Act for inlet management funding; amending s. 253.01, F.S.; authorizing the transfer of funds from the Internal Improvement Trust Fund to the Save Our Everglades Trust Fund for Everglades restoration; amending s. 375.041, F.S.; providing for the transfer of moneys from the Land Acquisition Trust Fund to support the Total Maximum Daily Loads Program; providing for the transfer of moneys in the Land Acquisition Trust Fund to the Save Our Everglades Trust Fund for Everglades restoration; providing for the extension of certain joint coastal permits for certain projects until the completion of such projects; amending s. 373.472, F.S.; providing that funds in the Save Our Everglades Trust Fund also be used to implement the Everglades Protection Area Tributary Basins Conceptual Plan for Achieving Long-Term Water Quality Goals Final Report; amending s. 373.59, F.S.; authorizing the transfer of moneys from the Water Management Lands Trust Fund to the Save Our Everglades Trust Fund for Everglades restoration; revising the allocation of moneys from the Water Management Lands Trust Fund; amending s. 403.709, F.S.; authorizing the transfer of funds from the Solid Waste Management Trust Fund to the Save Our Everglades Trust Fund for Everglades restoration amending s. 403.7095, F.S.; requiring the Department of Environmental Protection to award a specified amount in grants to certain counties for solid waste programs; amending s. 259.105, F.S.; providing that certain funds in the Florida Forever Trust Fund be distributed to the Division of State Lands for certain Board of Trustees Florida Forever Priority List land acquisition projects and certain land acquisitions including conservation lands needed for military buffering or springs or water resources protection; amending s. 376.30711, F.S.; providing that all task assignments, work orders, and contracts for providers under the Petroleum Restoration Program meet certain requirements; authorizing the Department of Agriculture and Consumer Services to extend, revise, and renew current contracts or agreements created or entered into for the purpose of promotion of agriculture; amending s. 339.135, F.S.; authorizing the Department of Transportation to use appropriated funds for land acquisition, design, and construction of multiuse trails and related facilities; amending s. 335.065, F.S.; authorizing the Department of Transportation to use certain funds for the acquisition and development of a system of interconnected multiuse trails; amending s. 339.08, F.S.; authorizing the Department of Transportation to expend funds to pay certain ad-

ministrative costs of the multicounty transportation authority established under ch. 343, F.S.; directing the Department of Highway Safety and Motor Vehicles to contract with the corporation organized under pt. II of ch. 946, F.S., to manufacture license tags; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S., relating to the state group insurance program; providing the amounts of the state's monthly contribution; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency; providing that the annual salary of the members of the Legislature be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; reenacting s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; providing a legislative determination that the issuance of new debt is in the best interests of the state and necessary to address a critical state emergency; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; amending s. 282.201, F.S.; revising the schedule for consolidating certain agency data centers; authorizing certain agencies to request the transfer of resources between Data Processing Services appropriation categories and appropriation categories for operation based upon changes to the data center services consolidation schedule; authorizing the Executive Office of the Governor to transfer funds for use by the state's designated primary data centers; prohibiting an agency from transferring funds from a data processing category to another category; authorizing the Executive Office of the Governor to transfer funds between agencies in order to allocate a reduction relating to SUNCOM; reenacting and amending s. 110.12315(2)(b) and (7)(a), F.S., relating to the state employee prescription drug program; updating provisions specifying copayment amounts; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by this act; providing for severability; providing effective dates.

On motion by Senator Negron, the Conference Committee Report on **SB 1502** was adopted. **SB 1502** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Benacquisto

By direction of the President the following Conference Committee Report was read:

#### CONFERENCE COMMITTEE REPORT ON SB 1500

The Honorable Don Gaetz  
President of the Senate

April 29, 2013

The Honorable Will Weatherford  
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 1500, same being:

An act making Appropriations.

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

1. That the House of Representatives recede from its Amendment (281375).
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

<i>s/ Joe Negron,</i> Chair	<i>s/ Lizbeth Benacquisto,</i> Vice Chair
<i>s/ Joseph Abruzzo</i>	<i>s/ Thad Altman</i>
<i>s/ Aaron Bean</i>	<i>s/ Rob Bradley</i>
<i>s/ Jeff Brandes</i>	<i>s/ Oscar Braynon II</i>
<i>s/ Dwight Bullard</i>	<i>s/ Jeff Clemens</i>
<i>s/ Charles S. "Charlie" Dean, Sr.</i>	<i>s/ Nancy C. Detert</i>
<i>s/ Miguel Diaz de la Portilla</i>	<i>s/ Greg Evers</i>
<i>s/ Anitere Flores</i>	<i>s/ Bill Galvano</i>
<i>s/ Rene Garcia</i>	<i>s/ Andy Gardiner</i>
<i>s/ Audrey Gibson</i>	<i>s/ Denise Grimsley</i>
<i>s/ Alan Hays</i>	<i>s/ Dorothy L. Hukill</i>
<i>s/ Arthenia L. Joyner</i>	<i>s/ Jack Latvala</i>
<i>s/ Tom Lee</i>	<i>s/ John Legg</i>
<i>s/ Gwen Margolis</i>	<i>s/ Bill Montford</i>
<i>s/ Garrett Richter, At Large</i>	<i>s/ Jeremy Ring</i>
<i>s/ Maria Lorts Sachs</i>	<i>s/ David Simmons</i>
<i>s/ Wilton Simpson</i>	<i>s/ Christopher L. Smith, At Large</i>
<i>s/ Eleanor Sobel</i>	<i>s/ Darren Soto</i>
<i>s/ Kelli Stargel</i>	<i>s/ Geraldine F. "Geri" Thompson</i>
<i>s/ John Thrasher, At Large</i>	

Managers on the part of the Senate

<i>s/ Seth McKeel,</i> Chair	<i>s/ Steve Crisafulli,</i> Committee Vice Chair
<i>s/ Janet H. Adkins</i>	<i>s/ Larry Ahern</i>
<i>s/ Ben Albritton</i>	Bruce Antone
<i>s/ Frank Artiles</i>	<i>s/ Michael Bileca</i>
<i>s/ Jason T. Brodeur</i>	<i>s/ Douglas Vaughn "Doug" Broxson</i>
<i>s/ Matthew H. "Matt" Caldwell</i>	Karen Castor Dentel
Daphne D. Campbell	<i>s/ Marti Coley, At Large</i>
Gwyndolen "Gwyn" Clarke-Reed	<i>s/ Travis Cummings</i>
Janet Cruz	<i>s/ Daniel Davis</i>
Mark Danish	<i>s/ Heather Fitzenhagen</i>
<i>s/ Jose Felix Diaz</i>	Joseph A. "Joe" Gibbons, At Large
<i>s/ Eric Fresen</i>	<i>s/ Tom Goodson</i>
<i>s/ Eddy Gonzalez, At Large</i>	<i>s/ Gayle B. Harrell</i>
<i>s/ Bill Hager</i>	<i>s/ Dave Hood</i>
<i>s/ Doug Holder, At Large</i>	<i>s/ Matt Hudson</i>
<i>s/ Ed Hooper</i>	Mia L. Jones, At Large
<i>s/ Clay Ingram</i>	<i>s/ Mike LaRosa</i>
Shevrin D. Jones	<i>s/ Charles McBurney</i>
Debbie Mayfield	<i>s/ Larry Metz</i>
Kionne L. McGhee	<i>s/ Jose R. Oliva</i>
<i>s/ Jeanette M. Nunez</i>	Mark S. Pafford
<i>s/ H. Marlene O'Toole, At Large</i>	<i>s/ Jimmy Patronis</i>
<i>s/ Kathleen C. Passidomo</i>	<i>s/ Kathleen Peters</i>
<i>s/ Keith Perry</i>	<i>s/ Ray Pilon</i>
<i>s/ Cary Pigman</i>	<i>s/ Bobby Powell</i>
<i>s/ Elizabeth W. Porter</i>	<i>s/ Jake Raburn</i>
<i>s/ Stephen L. Precourt, At Large</i>	<i>s/ Dan Raulerson</i>
<i>s/ Holly Merrill Raschein</i>	Betty Reed
<i>s/ Lake Ray</i>	<i>s/ Ray Rodrigues</i>
David Richardson	Hazelle P. "Hazel" Rogers
Jose Javier Rodriguez	<i>s/ David Santiago</i>
<i>s/ Darryl Ervin Rouson, At Large</i>	<i>s/ Jimmie T. Smith</i>
<i>s/ Robert C. "Rob" Schenck,</i> At Large	<i>s/ Ross Spano</i>
Richard "Rick" Stark	Linda Stewart
<i>s/ Charlie Stone</i>	Dwayne L. Taylor
Perry E. Thurston, Jr.,	Victor M. Torres, Jr.

At Large  
 Clovis Watson, Jr.  
*s/ John Wood*  
*s/ Dana D. Young*, At Large

James W. "Jim" Waldman,  
 At Large  
*s/ Ritch Workman*, At Large

Managers on the part of the House

**Conference Committee Amendment (590582)(with title amendment)**—Delete everything after the enacting clause and insert: The moneys contained herein are appropriated from the named funds for the 2013-2014 fiscal year to the state agency indicated, as the amounts to be used to pay the salaries and other operational expenditures of the named agencies, and are in lieu of all moneys appropriated for these purposes in other sections of the Florida Statutes.

A bill to be entitled

An act making appropriations; providing moneys for the annual period beginning July 1, 2013, and ending June 30, 2014, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

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

The moneys contained herein are appropriated from the named funds for Fiscal Year 2013-2014 to the state agency indicated, as the amounts to be used to pay the salaries, other operational expenditures, and fixed capital outlay of the named agencies, and are in lieu of all moneys appropriated for these purposes in other sections of the Florida Statutes.

#### SECTION 1 - EDUCATION ENHANCEMENT "LOTTERY" TRUST FUND

The moneys contained herein are appropriated from the Education Enhancement "Lottery" Trust Fund to the state agencies indicated.

#### EDUCATION, DEPARTMENT OF

Funds provided in sections 1 and 2 of this act as Grants and Aids-Special Categories or as Grants and Aids-Aid to Local Governments may be advanced quarterly throughout the fiscal year based on projects, grants, contracts, and allocation conference documents. Of the funds provided in Specific Appropriations 4, 5, 6, 59, 61, 62 through 70, and 151, 60 percent shall be released at the beginning of the first quarter and the balance at the beginning of the third quarter.

#### PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

1 FIXED CAPITAL OUTLAY  
 CLASSROOMS FIRST AND 1997 SCHOOL CAPITAL  
 OUTLAY BOND PROGRAMS - OPERATING FUNDS AND  
 DEBT SERVICE  
 FROM EDUCATIONAL ENHANCEMENT TRUST  
 FUND . . . . . 156,011,746

Funds in Specific Appropriation 1 are for the cash and debt service requirements of the Classrooms First and 1997 School Capital Outlay Bond programs established in chapter 97-384, Laws of Florida.

Funds in Specific Appropriation 1 shall be transferred using nonoperating budget authority into the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service and projects. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service and projects resulting from these transfers.

2 FIXED CAPITAL OUTLAY  
 DEBT SERVICE - CLASS SIZE REDUCTION  
 LOTTERY CAPITAL OUTLAY PROGRAM  
 FROM EDUCATIONAL ENHANCEMENT TRUST  
 FUND . . . . . 153,806,836

Funds in Specific Appropriation 2 shall be transferred using nonoperating budget authority into the Lottery Capital Outlay and Debt

#### SECTION 1 - EDUCATION ENHANCEMENT SPECIFIC APPROPRIATION

Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service resulting from these transfers.

Funds in Specific Appropriation 2 are for Fiscal Year 2013-2014 debt service on all bonds authorized pursuant to section 1013.737, Florida Statutes, for class size reduction, including any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all bond series if it is in the best interest of the state as determined by the Division of Bond Finance.

3 FIXED CAPITAL OUTLAY  
 EDUCATIONAL FACILITIES  
 FROM EDUCATIONAL ENHANCEMENT TRUST  
 FUND . . . . . 6,650,113

Funds in Specific Appropriation 3 for educational facilities are provided for debt service requirements associated with bond proceeds from the Lottery Capital Outlay and Debt Service Trust Fund included in Specific Appropriations 17 and 17A of chapter 2012-118, Laws of Florida, authorized pursuant to section 1013.737, Florida Statutes. Funds in Specific Appropriation 3 shall be transferred, using nonoperating budget authority, to the Lottery Capital Outlay and Debt Service Trust Fund. There is hereby appropriated from the Lottery Capital Outlay and Debt Service Trust Fund an amount sufficient to enable the payment of debt service resulting from these transfers.

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY  
 FROM TRUST FUNDS . . . . . 316,468,695  
 TOTAL ALL FUNDS . . . . . 316,468,695

#### OFFICE OF STUDENT FINANCIAL ASSISTANCE

#### PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

4 SPECIAL CATEGORIES  
 GRANTS AND AIDS - FLORIDA'S BRIGHT FUTURES  
 SCHOLARSHIP PROGRAM  
 FROM EDUCATIONAL ENHANCEMENT TRUST  
 FUND . . . . . 309,413,826

From the funds in Specific Appropriation 4, the Bright Futures award per credit hour or credit hour equivalent for the 2013-2014 academic year shall be as follows:

Academic Scholars  
 4-Year Institutions.....\$103  
 2-Year Institutions.....\$ 63  
 Upper-Division Programs at Florida Colleges....\$ 71  
 Career/Technical Centers.....\$ 52

Medallion Scholars  
 4-Year Institutions.....\$ 77  
 2-Year Institutions.....\$ 63  
 Upper-Division Programs at Florida Colleges....\$ 53  
 Career/Technical Centers.....\$ 39

Gold Seal Vocational Scholars  
 Career Certificate Program.....\$ 39  
 Applied Technology Diploma Program.....\$ 39  
 Technical Degree Education Program.....\$ 48

The additional stipend for Top Scholars shall be \$44 per credit hour.

5 SPECIAL CATEGORIES  
 FIRST GENERATION IN COLLEGE MATCHING GRANT  
 PROGRAM  
 FROM EDUCATIONAL ENHANCEMENT TRUST  
 FUND . . . . . 5,308,663

From the funds provided in Specific Appropriation 5, \$1,327,166

## SECTION 1 - EDUCATION ENHANCEMENT

## SPECIFIC

## APPROPRIATION

shall be allocated to First Generation in College Matching Grant Programs at Florida colleges for need-based financial assistance as provided in section 1009.701, Florida Statutes. If required matching funds are not raised by participating Florida colleges or state universities by December 1, 2013, the remaining funds shall be reallocated to First Generation in College Matching Grant Programs at Florida colleges or state universities that have remaining unmatched private contributions.

## 6 FINANCIAL ASSISTANCE PAYMENTS

## STUDENT FINANCIAL AID

FROM EDUCATIONAL ENHANCEMENT TRUST

FUND . . . . . 45,100,892

Funds in Specific Appropriation 6 are allocated in Specific Appropriation 66. These funds are provided for Florida Student

Assistance Grant (FSAG) public full-time and part-time programs.

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

FROM TRUST FUNDS . . . . . 359,823,381

TOTAL ALL FUNDS . . . . . 359,823,381

## PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

## 7 AID TO LOCAL GOVERNMENTS

GRANTS AND AIDS - FLORIDA EDUCATIONAL

FINANCE PROGRAM

FROM EDUCATIONAL ENHANCEMENT TRUST

FUND . . . . . 197,752,820

Funds provided in Specific Appropriation 7 are allocated in Specific Appropriation 87.

## 8 AID TO LOCAL GOVERNMENTS

GRANTS AND AIDS - CLASS SIZE REDUCTION

FROM EDUCATIONAL ENHANCEMENT TRUST

FUND . . . . . 103,776,356

Funds in Specific Appropriations 8 and 88 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be \$1,320.15, for grades 4 to 8 shall be \$900.48, and for grades 9 to 12 shall be \$902.65. The class size reduction allocation shall be recalculated based on enrollment through the October 2013 FTE survey except as provided in section 1003.03(4), Florida Statutes. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 8 and 88, funds shall be prorated to the level of the appropriation based on each district's calculated amount. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

## 9 AID TO LOCAL GOVERNMENTS

GRANTS AND AIDS - DISTRICT LOTTERY AND

SCHOOL RECOGNITION PROGRAM

FROM EDUCATIONAL ENHANCEMENT TRUST

FUND . . . . . 134,582,877

Funds in Specific Appropriation 9 are provided for the Florida School Recognition Program to be allocated as awards of up to \$100 per student to qualified schools pursuant to section 1008.36, Florida Statutes.

If there are funds remaining after payment to qualified schools, the balance shall be allocated to all school districts based on each district's K-12 base funding. From these funds, school districts shall allocate up to \$5 per unweighted student to be used at the discretion of the school advisory council pursuant to section 24.121(5), Florida Statutes. If funds are insufficient to provide \$5 per student, the available funds shall be prorated.

## SECTION 1 - EDUCATION ENHANCEMENT

## SPECIFIC

## APPROPRIATION

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

FROM TRUST FUNDS . . . . . 436,112,053

TOTAL ALL FUNDS . . . . . 436,112,053

PROGRAM: WORKFORCE EDUCATION

## 10 AID TO LOCAL GOVERNMENTS

WORKFORCE DEVELOPMENT

FROM EDUCATIONAL ENHANCEMENT TRUST

FUND . . . . . 57,356,785

Funds in Specific Appropriation 10 are allocated in Specific Appropriation 117. These funds are provided for school district workforce education programs as defined in section 1004.02(26), Florida Statutes.

FLORIDA COLLEGES, DIVISION OF

PROGRAM: FLORIDA COLLEGES

## 11 AID TO LOCAL GOVERNMENTS

GRANTS AND AIDS - FLORIDA COLLEGE SYSTEM

PROGRAM FUND

FROM EDUCATIONAL ENHANCEMENT TRUST

FUND . . . . . 204,938,935

The funds in Specific Appropriation 11 shall be allocated as follows:

Eastern Florida State College.....	7,647,003
Broward College.....	15,182,347
College of Central Florida.....	3,908,821
Chipola College.....	2,093,930
Daytona State College.....	9,428,781
Edison State College.....	5,649,565
Florida State College at Jacksonville.....	14,241,575
Florida Keys Community College.....	1,193,719
Gulf Coast State College.....	4,048,027
Hillsborough Community College.....	9,803,923
Indian River State College.....	8,678,199
Florida Gateway College.....	2,362,634
Lake-Sumter State College.....	2,533,469
State College of Florida, Manatee-Sarasota.....	4,155,222
Miami Dade College.....	32,260,404
North Florida Community College.....	1,293,803
Northwest Florida State College.....	3,459,542
Palm Beach State College.....	10,001,436
Pasco-Hernando Community College.....	5,074,824
Pensacola State College.....	6,380,041
Polk State College.....	4,949,027
Saint Johns River State College.....	3,569,851
Saint Petersburg College.....	12,517,061
Santa Fe College.....	6,582,010
Seminole State College of Florida.....	6,936,462
South Florida State College.....	2,930,825
Tallahassee Community College.....	5,538,057
Valencia College.....	12,518,377

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 12 through 16 shall be expended in accordance with operating budgets which must be approved by each university's board of trustees.

## 12 AID TO LOCAL GOVERNMENTS

GRANTS AND AIDS - EDUCATION AND GENERAL

ACTIVITIES

FROM EDUCATIONAL ENHANCEMENT TRUST

FUND . . . . . 206,483,766

## SECTION 1 - EDUCATION ENHANCEMENT

## SPECIFIC

## APPROPRIATION

Funds in Specific Appropriation 12 shall be allocated as follows:

University of Florida.....	37,944,630
Florida State University.....	31,803,754
Florida A&M University.....	11,940,834
University of South Florida.....	28,114,470
University of South Florida, St. Petersburg.....	1,306,600
University of South Florida, Sarasota/Manatee.....	1,082,399
Florida Atlantic University.....	16,731,350
University of West Florida.....	6,551,477
University of Central Florida.....	28,987,712
Florida International University.....	24,683,892
University of North Florida.....	10,290,161
Florida Gulf Coast University.....	5,790,116
New College of Florida.....	888,862
Florida Polytechnic University.....	367,509

13 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD  
AND AGRICULTURAL SCIENCE)  
FROM EDUCATIONAL ENHANCEMENT TRUST  
FUND . . . . . 12,533,877

14 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - UNIVERSITY OF SOUTH  
FLORIDA MEDICAL CENTER  
FROM EDUCATIONAL ENHANCEMENT TRUST  
FUND . . . . . 9,349,672

15 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - UNIVERSITY OF FLORIDA  
HEALTH CENTER  
FROM EDUCATIONAL ENHANCEMENT TRUST  
FUND . . . . . 5,796,416

16 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY  
MEDICAL SCHOOL  
FROM EDUCATIONAL ENHANCEMENT TRUST  
FUND . . . . . 605,115

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES  
FROM TRUST FUNDS . . . . . 234,768,846  
  
TOTAL ALL FUNDS . . . . . 234,768,846

## TOTAL OF SECTION 1

FROM TRUST FUNDS . . . . . 1,609,468,695  
  
TOTAL ALL FUNDS . . . . . 1,609,468,695

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

The moneys contained herein are appropriated from the named funds to the Department of Education as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay.

## EDUCATION, DEPARTMENT OF

Funds in Specific Appropriations 61A, 61B, and 145 through 150 for medical schools may be used as certified public expenditures for matching Medical Care Trust Fund sources through the Agency for Health Care Administration for contracting with the Florida Medical Schools Quality Network.

## PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

The Legislature hereby finds and determines that the items and sums designated in Specific Appropriations 18, 19, 19A, 20, 21, 24, 24A, and 24B from the Public Education Capital Outlay and Debt Service Trust Fund constitute authorized capital outlay projects within the meaning and as required by section 9(a)(2), Article XII of the State Constitution, as amended, and any other law. In accordance therewith, the moneys in the

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## SPECIFIC

## APPROPRIATION

following items are authorized to be expended for the enumerated authorized capital outlay projects.

The sum designated for each project is the maximum sum to be expended for each specified phase of the project from funds accruing under section 9(a)(2), Article XII of the State Constitution. The scope of each project shall be planned so that the amounts specified shall not be exceeded, or any excess in costs shall be funded by sources other than this appropriation. Such excess costs may be funded from the Public Education Capital Outlay and Debt Service Trust Fund only as a result of fund transfers pursuant to section 216.292 (4)(c), Florida Statutes. Each project shall be constructed on the site specified. If existing facilities and acquisition of new sites are a part of these projects, each such building and site must be certified to be free of contamination, asbestos, and other hazardous materials before the facility or site may be acquired. The provisions of section 216.301 (2), Florida Statutes, shall apply to all capital outlay funds appropriated to the Public Education Capital Outlay and Debt Service Trust Fund for the Fiscal Year 2013-2014 appropriation, and shall also apply to the funds appropriated in Specific Appropriations 18, 19, 19A, 20, 21, 24, 24A, and 24B.

The Governor's Office of Policy and Budget shall establish Fixed Capital Outlay budget authority within appropriate accounts to enable expenditure of funds appropriated for the state universities, the Florida School for the Deaf and the Blind, public school districts and Florida colleges.

17 FIXED CAPITAL OUTLAY  
STATE UNIVERSITY SYSTEM CAPITAL  
IMPROVEMENT FEE PROJECTS  
FROM CAPITAL IMPROVEMENTS FEE  
TRUST FUND . . . . . 70,000,000

Funds in Specific Appropriation 17 shall be allocated by the Board of Governors to the universities on a pro rata distribution basis in accordance with the Board of Governors Legislative Budget Request for funding from the Capital Improvements Fee Trust Fund, as approved November 8, 2012. Each board of trustees shall report to the Board of Governors the funding it allocates to each specific project.

18 FIXED CAPITAL OUTLAY  
MAINTENANCE, REPAIR, RENOVATION, AND  
REMODELING  
FROM PUBLIC EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICE TRUST FUND . . . . . 182,706,597

Funds in Specific Appropriation 18 for universities and colleges, shall be allocated in accordance with section 1013.64(1), Florida Statutes, as follows:

Charter Schools.....	90,604,553
University System.....	44,436,897
Florida College System.....	41,665,147
Public Schools.....	6,000,000

Funds in Specific Appropriation 18 for charter schools shall be distributed pursuant to section 1013.62(1)(b), Florida Statutes.

Funds in Specific Appropriation 18 for Public Schools are for school districts in which the average annual percent increase in the district's capital outlay full-time equivalent student membership over the previous 5 years is 2.5 percent or greater.

19 FIXED CAPITAL OUTLAY  
SURVEY RECOMMENDED NEEDS - PUBLIC SCHOOLS  
FROM PUBLIC EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICE TRUST FUND . . . . . 2,715,022

Funds in Specific Appropriation 19 shall be distributed among the lab schools approved pursuant to section 1002.32, Florida Statutes, based upon full-time equivalent student membership.

## 19A FIXED CAPITAL OUTLAY



SECTION 2 - EDUCATION (ALL OTHER FUNDS)  
SPECIFIC  
APPROPRIATION

FLORIDA COLLEGE SYSTEM PROJECTS  
FROM PUBLIC EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICE TRUST FUND 73,760,867

Funds in Specific Appropriation 19A shall be allocated as follows:

Chipola College - Ren/Chiller Underground Utilities -  
Main part..... 5,106,813  
College of Central Florida - Construct Levy Center (pc) part 4,250,000  
Daytona State College - Rem/Add Bldg 220 - Stu Svc/Clstrm /  
Office - Daytona part..... 3,000,000  
Edison State College - Rem/Ren Bldgs.  
1,2,3,4,6,7,9,10,29,30,32,34 - Lee part..... 3,000,000  
Gulf Coast State College - Construct STEM Bldg - Main (pc)  
part..... 14,000,000  
Indian River State College - Ren/Ren Bldgs 4,20-24 -  
St. Lucie West..... 2,000,000  
Miami Dade College - Rem/Ren/New/Clstrms/Labs/Sup Services -  
West part..... 8,000,000  
Palm Beach State College - Multipurpose Clstrm/Admin Bldg,  
site - West Central (pc)..... 6,500,000  
Pasco-Hernando Community College - Clstrms/Labs/Sup Svcs -  
Wesley Chapel Center (ce) comp..... 6,935,170  
Polk State College - Rem/Ren Learning Resource Center -  
Main part..... 4,000,000  
Seminole State College - Site/Facilities Acquisition -  
Alt Springs comp..... 7,250,000  
St. Johns River State College - Rem/Ren/Add Instructional &  
Support - Orange Park part..... 2,500,000  
Valencia College - Maj Rem/Ren Emg repl - Chill  
w/loop,infrastr -East comp..... 2,718,884  
Polk State College - Institute for Public Safety  
Winter Haven (pc) part..... 4,500,000

20 FIXED CAPITAL OUTLAY  
STATE UNIVERSITY SYSTEM PROJECTS  
FROM PUBLIC EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICE TRUST FUND 69,995,391

Funds in Specific Appropriation 20 shall be allocated as follows:

University of Florida - Chemistry/Chemical Biology Bldg..... 15,000,000  
Florida Gulf Coast University - Renewable  
Energy Institute (Innovation Hub Research)..... 7,500,000  
Florida International University - Student Support Center... 5,678,129  
Florida State University - Critical Maintenance..... 5,000,000  
University of Central Florida - Classroom Building II..... 1,317,262  
University of North Florida - Renovation of Bio Bldg  
(Natural Sciences) (Bldg 4)..... 4,000,000  
University of South Florida - Interdisciplinary Science  
Teaching & Research Facility..... 3,500,000  
University of South Florida - Heart Health Institute..... 12,500,000  
University of South Florida - College of Business -  
St. Petersburg Campus..... 5,000,000  
New College of Florida - Cook Library Mechanical Renovation/  
Remodeling Phase II..... 2,100,000  
University of West Florida - College of Business Education  
Center Phase III of III..... 8,400,000

21 FIXED CAPITAL OUTLAY  
SPECIAL FACILITY CONSTRUCTION ACCOUNT  
FROM PUBLIC EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICE TRUST FUND 7,870,913

Funds in Specific Appropriation 21 shall be allocated in accordance  
with section 1013.64 (2), Florida Statutes, to the Moore Haven  
Middle-High School in Glades County.

Funding represents the first year of a three year plan.

22 FIXED CAPITAL OUTLAY  
DEBT SERVICE  
FROM CAPITAL IMPROVEMENTS FEE  
TRUST FUND . . . . . 21,648,962

SECTION 2 - EDUCATION (ALL OTHER FUNDS)  
SPECIFIC  
APPROPRIATION

FROM PUBLIC EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICE TRUST FUND 924,280,372  
FROM SCHOOL DISTRICT AND COMMUNITY  
COLLEGE DISTRICT CAPITAL OUTLAY  
AND DEBT SERVICE TRUST FUND . . . . 106,663,946

Funds in Specific Appropriation 22 from the School District and  
Community College District Capital Outlay and Debt Service Trust Fund  
are for Fiscal Year 2013-2014 debt service on bonds authorized pursuant  
to the School Capital Outlay Amendment, subsection (d), section 9,  
Article XII of the State Constitution, and any other continuing payments  
necessary or incidental to the repayment of the bonds. These funds may  
be used to refinance any or all series if it is in the best interest of  
the state as determined by the Division of Bond Finance. If the debt  
service appropriated for this program in Specific Appropriation  
22 is insufficient due to interest rate changes, issuance timing, or  
other circumstances, the amount of the insufficiency is appropriated  
from the School District and Community College District Capital Outlay  
and Debt Service Trust Fund.

23 FIXED CAPITAL OUTLAY  
GRANTS AND AIDS - SCHOOL DISTRICT AND  
COMMUNITY COLLEGE  
FROM SCHOOL DISTRICT AND COMMUNITY  
COLLEGE DISTRICT CAPITAL OUTLAY  
AND DEBT SERVICE TRUST FUND . . . . 28,000,000

24 FIXED CAPITAL OUTLAY  
FLORIDA SCHOOL FOR THE DEAF AND BLIND -  
CAPITAL PROJECTS  
FROM PUBLIC EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICE TRUST FUND 1,222,123

Funds in Specific Appropriation 24 are provided for building  
maintenance.

24A FIXED CAPITAL OUTLAY  
OLD JACKSON COUNTY (MARIANNA) HIGH SCHOOL  
FROM PUBLIC EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICE TRUST FUND 6,000,000

24B FIXED CAPITAL OUTLAY  
CALHOUN COUNTY SCHOOL BOARD - ENERGY  
CONSERVATION AND SAFETY ENHANCEMENT  
FROM PUBLIC EDUCATION CAPITAL  
OUTLAY AND DEBT SERVICE TRUST FUND 500,000

24C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
GRANTS AND AIDS - NON-PUBLIC HIGHER  
EDUCATION PROJECT  
FROM GENERAL REVENUE FUND . . . . . 9,000,000

Funds in Specific Appropriation 24C are provided for the Embry-Riddle  
Aeronautical University to construct new lab space.

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND . . . . . 9,000,000  
FROM TRUST FUNDS . . . . . 1,495,364,193

TOTAL ALL FUNDS . . . . . 1,504,364,193

VOCATIONAL REHABILITATION

For funds in Specific Appropriations 25 through 39 for the Vocational  
Rehabilitation Program, the Department of Education is the designated  
state agency for purposes of compliance with the Federal Rehabilitation  
Act of 1973, as amended.

If the department identifies additional resources that may be used to  
maximize federal matching funds for the Vocational Rehabilitation  
Program, the department shall submit a budget amendment prior to the  
expenditure of the funds, in accordance with the provisions of chapter  
216, Florida Statutes.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)  
SPECIFIC  
APPROPRIATION

	APPROVED SALARY RATE	35,045,701	
25	SALARIES AND BENEFITS	POSITIONS	931.00
	FROM GENERAL REVENUE FUND . . . . .		9,397,984
	FROM ADMINISTRATIVE TRUST FUND . . .		195,865
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		35,838,944
26	OTHER PERSONAL SERVICES		
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		819,103
27	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	6,686	
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		9,972,710
28	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - ADULTS WITH DISABILITIES FUNDS		
	FROM GENERAL REVENUE FUND . . . . .	10,693,484	

Funds provided in Specific Appropriation 28 shall be distributed as follows to Florida colleges and school districts for programs serving adults with disabilities. Programs that were funded in Fiscal Year 2012-2013 will be eligible for continuation funding if the program has made satisfactory progress and the application reflects effective use of resources as defined by the Department of Education. The department has the authority to redistribute any funds due to unsatisfactory progress, ineffective use of resources, or discontinued programs.

From the funds in Specific Appropriation 28, provided that satisfactory progress was made during the 2012-2013 fiscal year, \$9,117,278 is provided for school district programs and shall be allocated as follows:

Alachua.....	42,500
Baker.....	137,099
Bay.....	122,532
Bradford.....	44,485
Brevard.....	302,802
Broward.....	921,413
Charlotte.....	44,182
Citrus.....	95,393
Collier.....	42,500
Columbia.....	42,500
De Soto.....	170,000
Escambia.....	170,000
Flagler.....	535,892
Gadsden.....	272,048
Gulf.....	42,500
Hardee.....	42,500
Hernando.....	63,866
Hillsborough.....	286,884
Jackson.....	1,019,247
Jefferson.....	48,536
Lake.....	42,500
Leon.....	575,512
Martin.....	206,377
Miami-Dade.....	1,125,208
Monroe.....	65,858
Orange.....	279,548
Osceola.....	42,500
Palm Beach.....	760,481
Pasco.....	42,500
Pinellas.....	374,337
Polk.....	170,000
St. Johns.....	86,000
Santa Rosa.....	42,500
Sarasota.....	437,887
Sumter.....	42,500
Suwannee.....	60,211
Taylor.....	59,528

SECTION 2 - EDUCATION (ALL OTHER FUNDS)  
SPECIFIC  
APPROPRIATION

Union.....	65,571
Wakulla.....	42,500
Washington.....	148,881

From the funds provided in Specific Appropriation 28, provided that satisfactory progress was made during the 2012-2013 fiscal year, \$876,206 is provided for Florida college programs and shall be allocated as follows:

College of Central Florida.....	42,500
Daytona State College.....	170,000
Florida State College at Jacksonville.....	170,000
Indian River State College.....	96,936
Pensacola State College.....	42,500
Saint Johns River State College.....	42,500
Santa Fe College.....	52,765
Seminole State College of Florida.....	46,505
South Florida State College.....	170,000
Tallahassee Community College.....	42,500

From the funds in Specific Appropriation 28, \$700,000 in nonrecurring general revenue is provided for the Inclusive Transition and Employment Management Program (ITEM). The funds shall be used to provide young adults with disabilities who are between the ages of 16 and 25 with transitional skills, education, and on-the-job experience to allow them to acquire and retain permanent employment.

29	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - FLORIDA ENDOWMENT		
	FOUNDATION FOR VOCATIONAL REHABILITATION		
	FROM GENERAL REVENUE FUND . . . . .	500,000	
30	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		480,986
31	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	444,415	
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		11,506,246
32	SPECIAL CATEGORIES		
	GRANTS AND AIDS - INDEPENDENT LIVING SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,582,004	
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		4,949,789

Funds provided in Specific Appropriation 32 shall be allocated to the Centers for Independent Living and shall be distributed according to the formula in the 2005-2007 State Plan for Independent Living. From the Federal Rehabilitation Trust Fund allocation, \$3,472,193 shall be funded from Social Security reimbursements (program income) provided that the Social Security reimbursements are available.

The State Plan for Independent Living may include provisions related to financial needs testing and financial participation of consumers, as agreed upon by all signatories to the plan.

33	SPECIAL CATEGORIES		
	PURCHASED CLIENT SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	20,861,275	
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		94,090,741
34	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		398,063
35	SPECIAL CATEGORIES		
	TENANT BROKER COMMISSIONS		

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	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		97,655
36	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	71,409	
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		257,923
37	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND . . . . .	154,316	
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		515,762
38	DATA PROCESSING SERVICES EDUCATION TECHNOLOGY AND INFORMATION SERVICES FROM FEDERAL REHABILITATION TRUST FUND . . . . .		68,761
39	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM FEDERAL REHABILITATION TRUST FUND . . . . .		196,503

The funds provided in Specific Appropriation 39 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: VOCATIONAL REHABILITATION			
FROM GENERAL REVENUE FUND . . . . .	43,711,573		
FROM TRUST FUNDS . . . . .		159,389,051	
TOTAL POSITIONS . . . . .	931.00		
TOTAL ALL FUNDS . . . . .		203,100,624	

## BLIND SERVICES, DIVISION OF

	APPROVED SALARY RATE	9,987,280	
40	SALARIES AND BENEFITS POSITIONS	299.75	
	FROM GENERAL REVENUE FUND . . . . .	3,986,959	
	FROM ADMINISTRATIVE TRUST FUND . . .		355,415
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		9,046,769
41	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	145,801	
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		290,354
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		10,047
42	EXPENSES FROM GENERAL REVENUE FUND . . . . .	415,191	
	FROM ADMINISTRATIVE TRUST FUND . . .		25,774
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		2,488,307
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		44,395
43	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - COMMUNITY REHABILITATION FACILITIES FROM GENERAL REVENUE FUND . . . . .	847,347	
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		4,522,207
44	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .	54,294	

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	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		235,198
45	FOOD PRODUCTS FROM FEDERAL REHABILITATION TRUST FUND . . . . .		200,000
46	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FEDERAL REHABILITATION TRUST FUND . . . . .		100,000
47	SPECIAL CATEGORIES GRANTS AND AIDS - CLIENT SERVICES FROM GENERAL REVENUE FUND . . . . .	9,062,902	
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		14,763,496
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		252,746
48	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	56,140	
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		425,000
49	SPECIAL CATEGORIES GRANTS AND AIDS - INDEPENDENT LIVING SERVICES FROM FEDERAL REHABILITATION TRUST FUND . . . . .		35,000
50	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	8,326	
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		177,350
51	SPECIAL CATEGORIES LIBRARY SERVICES FROM GENERAL REVENUE FUND . . . . .	89,735	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		100,000
52	SPECIAL CATEGORIES VENDING STANDS - EQUIPMENT AND SUPPLIES FROM FEDERAL REHABILITATION TRUST FUND . . . . .		2,208,000
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		595,000
53	SPECIAL CATEGORIES TENANT BROKER COMMISSIONS FROM FEDERAL REHABILITATION TRUST FUND . . . . .		18,158
54	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	4,056	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,026
	FROM FEDERAL REHABILITATION TRUST FUND . . . . .		98,952
55	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM FEDERAL REHABILITATION TRUST FUND . . . . .		686,842
56	DATA PROCESSING SERVICES EDUCATION TECHNOLOGY AND INFORMATION SERVICES FROM FEDERAL REHABILITATION TRUST		

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

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## APPROPRIATION

FUND . . . . .	87,024
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57 DATA PROCESSING SERVICES	
SOUTHWOOD SHARED RESOURCE CENTER	
FROM FEDERAL REHABILITATION TRUST	
FUND . . . . .	419

58 DATA PROCESSING SERVICES	
NORTHWEST REGIONAL DATA CENTER (NWRDC)	
FROM FEDERAL REHABILITATION TRUST	
FUND . . . . .	210,755

The funds provided in Specific Appropriation 58 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: BLIND SERVICES, DIVISION OF	
FROM GENERAL REVENUE FUND . . . . .	14,670,751
FROM TRUST FUNDS . . . . .	36,980,234
TOTAL POSITIONS . . . . .	299.75
TOTAL ALL FUNDS . . . . .	51,650,985

## PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES

Institutions funded in Specific Appropriations 59, 60, and 61 must submit an annual report to the Department of Education detailing the following metrics for Florida resident students: entrance requirements for the year; percentage of students receiving Pell Grants, Bright Futures, and other academic aid; graduation rates; job placement rates, and job placement rates in-field up to 120 days past graduation. The report shall also include information for each institution on the total federal loan amounts disbursed and the total number of students who received federal loans. The report must be submitted by September 1, 2013 and reflect prior academic year statistics.

Prior to the disbursement of funds in Specific Appropriations 58A, 60, 60A, 60B, 61A, and 61B, each institution shall submit a proposed expenditure plan to the Department of Education pursuant to the requirements of section 1011.521, Florida Statutes.

58A SPECIAL CATEGORIES	
GRANTS AND AIDS - MEDICAL TRAINING AND	
SIMULATION LABORATORY	
FROM GENERAL REVENUE FUND . . . . .	3,500,000

59 SPECIAL CATEGORIES	
ABLE GRANTS (ACCESS TO BETTER LEARNING AND	
EDUCATION)	
FROM GENERAL REVENUE FUND . . . . .	3,239,567

Funds in Specific Appropriation 59 are provided to support 2,789 students at \$1,161 per student and shall be administered pursuant to section 1009.891, Florida Statutes. The Office of Student Financial Assistance may prorate the award and provide a lesser amount in the second term if the funds appropriated are insufficient to provide a full award to all eligible students. The Office of Student Financial Assistance may also reallocate funds between institutions if an eligible institution fails to reach its 2013-2014 enrollment.

60 SPECIAL CATEGORIES	
GRANTS AND AIDS - HISTORICALLY BLACK	
PRIVATE COLLEGES	
FROM GENERAL REVENUE FUND . . . . .	10,941,543

Funds in Specific Appropriation 60 shall be allocated as follows:

Bethune-Cookman University.....	3,960,111
Edward Waters College.....	2,929,526
Florida Memorial University.....	3,532,048
Library Resources.....	519,858

Funds provided in Specific Appropriation 60 shall only be expended for student access and retention or direct instruction purposes.

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

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Funds in Specific Appropriation 60 for Library Resources shall be used for the purchase of books, electronic library resources, and other related library materials pursuant to section 1006.59, Florida Statutes. Funds shall be allocated equally to Bethune-Cookman University, Edward Waters College, and Florida Memorial University.

60A SPECIAL CATEGORIES	
GRANTS AND AIDS - ACADEMIC PROGRAM	
CONTRACTS	
FROM GENERAL REVENUE FUND . . . . .	1,244,214

Funds in Specific Appropriation 60A shall be allocated as follows:

Barry University - BS Nursing and MSW Social Work.....	105,000
Barry University - Juvenile Justice Programs.....	300,000
Barry University - School of Podiatry.....	300,000
Florida Institute of Technology - Enhanced Programs.....	500,000
Nova Southeastern University - MS Speech Pathology.....	39,214

60B SPECIAL CATEGORIES	
GRANTS AND AIDS - PRIVATE COLLEGES AND	
UNIVERSITIES	
FROM GENERAL REVENUE FUND . . . . .	1,900,000

Funds in Specific Appropriation 60B shall be allocated as follows:

Barry University - School of Social Work.....	150,000
Embry Riddle - Aerospace Academy.....	1,000,000
University of Miami - Institute for Cuban and Cuban-American	
Studies.....	250,000
University of Miami - Launchpad.....	500,000

61 SPECIAL CATEGORIES	
FLORIDA RESIDENT ACCESS GRANT	
FROM GENERAL REVENUE FUND . . . . .	89,664,961

From the funds provided in Specific Appropriation 61, \$81,192,500 shall be used for tuition assistance for qualified Florida residents at 2010-2011 eligible institutions. These funds are provided to support 32,477 students at \$2,500 per student.

From the funds provided in Specific Appropriation 61, \$8,472,461 shall be used for tuition assistance for qualified Florida residents at institutions who earned eligibility after 2010-2011. These funds are provided to support 4,091 students at \$2,071 per student.

The Office of Student Financial Assistance may prorate the award in the second term and provide a lesser amount if the funds appropriated are insufficient to provide a full award to all eligible students. The Office of Student Financial Assistance may also reallocate funds between institutions if an eligible institution fails to reach its 2013-2014 enrollment.

61A SPECIAL CATEGORIES	
GRANTS AND AIDS - NOVA SOUTHEASTERN	
UNIVERSITY - HEALTH PROGRAMS	
FROM GENERAL REVENUE FUND . . . . .	4,234,749

Funds are provided in Specific Appropriation 61A to support Florida residents enrolled in the Osteopathic Medicine, Optometry, Pharmacy, and Nursing programs. The university shall submit student enrollment information, by program, to the Department of Education prior to January 1, 2014.

61B SPECIAL CATEGORIES	
GRANTS AND AIDS - LECOM / FLORIDA - HEALTH	
PROGRAMS	
FROM GENERAL REVENUE FUND . . . . .	1,691,010

Funds in Specific Appropriation 61B shall be used to support Florida residents who are enrolled in the Osteopathic Medicine or the Pharmacy Program at the Lake Erie College of Osteopathic Medicine/Bradenton. The college shall submit enrollment information for Florida residents to the

SECTION 2 - EDUCATION (ALL OTHER FUNDS)  
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Department of Education prior to January 1, 2014.

TOTAL: PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES  
FROM GENERAL REVENUE FUND . . . . . 116,416,044  
  
TOTAL ALL FUNDS . . . . . 116,416,044

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

62 SPECIAL CATEGORIES  
PREPAID TUITION SCHOLARSHIPS  
FROM GENERAL REVENUE FUND . . . . . 7,000,000  
  
63 SPECIAL CATEGORIES  
GRANTS AND AIDS - MINORITY TEACHER  
SCHOLARSHIP PROGRAM  
FROM GENERAL REVENUE FUND . . . . . 885,468  
  
64 SPECIAL CATEGORIES  
GRANTS AND AID - NURSING STUDENT LOAN  
REIMBURSEMENT/ SCHOLARSHIPS  
FROM NURSING STUDENT LOAN  
FORGIVENESS TRUST FUND . . . . . 929,006  
  
65 FINANCIAL ASSISTANCE PAYMENTS  
MARY MCLEOD BETHUNE SCHOLARSHIP  
FROM GENERAL REVENUE FUND . . . . . 160,500  
FROM STATE STUDENT FINANCIAL  
ASSISTANCE TRUST FUND . . . . . 160,500  
  
66 FINANCIAL ASSISTANCE PAYMENTS  
STUDENT FINANCIAL AID  
FROM GENERAL REVENUE FUND . . . . . 91,771,914  
FROM STUDENT LOAN OPERATING TRUST  
FUND . . . . . 3,250,000

From the funds in Specific Appropriations 6 and 66, \$138,122,806 is provided pursuant to the following guidelines:

Florida Student Assistance Grant - Public Full & Part Time.. 102,964,587  
Florida Student Assistance Grant - Private..... 16,578,164  
Florida Student Assistance Grant - Postsecondary..... 11,806,087  
Florida Student Assistance Grant - Career Education..... 2,248,139  
Children/Spouses of Deceased/Disabled Veterans..... 2,895,907  
Florida Work Experience..... 1,569,922  
Rosewood Family Scholarships..... 60,000

From the funds in Specific Appropriation 66, \$2,000,000 is provided for supplemental need-based veteran educational benefits. The funding is provided to pay living expenses during holiday and semester breaks for active duty and honorably discharged members of the Armed Forces who served on or after September 11, 2001. Funds are provided for 2,700 students at a maximum of \$37 per day for 20 days.

From the funds provided in Specific Appropriations 6 and 66, the maximum grant to any student from the Florida Public, Private, Career Education, and Postsecondary Assistance Grant Programs shall be \$2,610.

Institutions that received state funds in Fiscal Year 2012-2013 for student scholarships or grants administered by the Office of Student Financial Assistance shall report federal loan information to the Department of Education (DOE) prior to September 1, 2013, in a format prescribed by DOE. This information shall include, by institution, the total federal loan amounts disbursed and total number of students who received federal loans.

67 FINANCIAL ASSISTANCE PAYMENTS  
JOSE MARTI SCHOLARSHIP CHALLENGE GRANT  
FROM GENERAL REVENUE FUND . . . . . 50,000  
FROM STATE STUDENT FINANCIAL  
ASSISTANCE TRUST FUND . . . . . 50,000

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68 FINANCIAL ASSISTANCE PAYMENTS  
TRANSFER TO THE FLORIDA EDUCATION FUND  
FROM GENERAL REVENUE FUND . . . . . 3,000,000

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE  
FROM GENERAL REVENUE FUND . . . . . 102,867,882  
FROM TRUST FUNDS . . . . . 4,389,506  
  
TOTAL ALL FUNDS . . . . . 107,257,388

PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL

69 SPECIAL CATEGORIES  
GRANT AND AIDS - COLLEGE ACCESS CHALLENGE  
GRANT PROGRAM  
FROM FEDERAL GRANTS TRUST FUND . . . . . 8,049,190  
  
70 FINANCIAL ASSISTANCE PAYMENTS  
STUDENT FINANCIAL AID  
FROM FEDERAL GRANTS TRUST FUND . . . . . 250,000  
  
71 FINANCIAL ASSISTANCE PAYMENTS  
TRANSFER DEFAULT FEES TO THE STUDENT LOAN  
GUARANTY RESERVE TRUST FUND  
FROM STUDENT LOAN OPERATING TRUST  
FUND . . . . . 15,000

From the funds provided in Specific Appropriation 71, the Department of Education shall issue an Invitation to Negotiate (ITN) for default or delinquency management services by September 30, 2013, and may use a private provider to perform these services.

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL  
FROM TRUST FUNDS . . . . . 8,314,190  
  
TOTAL ALL FUNDS . . . . . 8,314,190

EARLY LEARNING

PREKINDERGARTEN EDUCATION

72 SPECIAL CATEGORIES  
GRANTS AND AIDS- EARLY LEARNING STANDARDS  
AND ACCOUNTABILITY  
FROM GENERAL REVENUE FUND . . . . . 4,458,892

From the funds in Specific Appropriation 72, \$4,266,892 is provided to implement the Florida Voluntary Prekindergarten Assessment developed by the Department of Education in collaboration with the Florida Center for Reading Research to be used to conduct pre- and post-assessments as required in section 1002.67, Florida Statutes.

PROGRAM: EARLY LEARNING SERVICES

From the funds in Specific Appropriations 73 through 86, any expenditure from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Families, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The agency head or a designee shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

APPROVED SALARY RATE . . . . . 5,405,535

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73	SALARIES AND BENEFITS	POSITIONS	97.00
	FROM GENERAL REVENUE FUND . . . . .		3,549,457
	FROM CHILD CARE AND DEVELOPMENT		
	BLOCK GRANT TRUST FUND . . . . .		3,513,621

From the funds in Specific Appropriation 73, the Office of Early Learning is authorized to have no more than six regional positions headquartered outside of Tallahassee. These six positions may be geographically located around the state at the discretion of the office. These positions will work directly with the coalitions in professional development of both the Voluntary Prekindergarten program and the School Readiness program and have any other duties as directed by the office. These positions may share office space, and be housed with one or more coalitions, as agreed to by the coalition and the office, all at the discretion of the office. Other than these six regional positions, all Office of Early Learning employees will be headquartered in Tallahassee, and employees currently headquartered outside of Tallahassee will have their headquarters changed to Tallahassee effective July 15, 2013.

74	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	2,000	
	FROM CHILD CARE AND DEVELOPMENT		
	BLOCK GRANT TRUST FUND . . . . .		87,000
75	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	827,657	
	FROM CHILD CARE AND DEVELOPMENT		
	BLOCK GRANT TRUST FUND . . . . .		1,035,669
	FROM WELFARE TRANSITION TRUST FUND .		265,163
76	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - PROJECTS, CONTRACTS AND GRANTS		
	FROM FEDERAL GRANTS TRUST FUND . . .		500,000
77	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	5,785	
	FROM CHILD CARE AND DEVELOPMENT		
	BLOCK GRANT TRUST FUND . . . . .		15,000
78	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,238,399	
	FROM CHILD CARE AND DEVELOPMENT		
	BLOCK GRANT TRUST FUND . . . . .		1,252,885
78A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - PARTNERSHIP FOR SCHOOL READINESS		
	FROM GENERAL REVENUE FUND . . . . .	7,902,026	
	FROM CHILD CARE AND DEVELOPMENT		
	BLOCK GRANT TRUST FUND . . . . .		22,075,357
	FROM FEDERAL GRANTS TRUST FUND . . .		10,714
	FROM WELFARE TRANSITION TRUST FUND .		1,400,000

From the funds in Specific Appropriation 78A in the Child Care and Development Block Grant Trust Fund, \$3,000,000 is provided for the Teacher Education and Compensation Helps Program (T.E.A.C.H.).

From the funds in Specific Appropriation 78A in the Welfare Transition Trust Fund, \$1,400,000 is provided for the Home Instruction Program for Pre-School Youngsters (HIPPY).

From the funds in Specific Appropriation 78A, \$15,000,000 shall be used for the Child Care Executive Partnership Program, as defined in section 411.0102, Florida Statutes, as match to expand the provision of services to low income families at or below 200 percent of the federal poverty level. Funds for this program shall be used to match funds for statewide contracts.

From the funds in Specific Appropriation 78A, \$11,988,097 is provided for the Redlands Christian Migrant Association (RCMA) to provide direct services to children eligible for the School Readiness program.

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79	SPECIAL CATEGORIES		
	GRANTS AND AIDS - SCHOOL READINESS SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	136,967,679	
	FROM CHILD CARE AND DEVELOPMENT		
	BLOCK GRANT TRUST FUND . . . . .		318,457,836
	FROM FEDERAL GRANTS TRUST FUND . . .		489,286
	FROM WELFARE TRANSITION TRUST FUND .		96,612,427

Funds in Specific Appropriation 79 require a match from local sources for working poor eligible participants of six percent on child care slots. In-kind match is allowable provided there is not a reduction in the number of slots or level of services from the provision of in-kind match. The Office of Early Learning may adopt a policy to grant a waiver of the six percent match requirement to a rural county that demonstrates a significant hardship in meeting the match requirement. Progress towards meeting this requirement shall be monitored by the Office of Early Learning, and shall be considered satisfactorily attained if the six percent requirement is met on a statewide basis.

For the funds in Specific Appropriation 79, expenditures for Gold Seal Quality Expenditure payments shall be reported as Direct Services. The Office of Early Learning shall have the authority to reclassify Gold Seal Quality Expenditure payments by the Early Learning coalitions and Statewide contractors to meet targeted federal requirements for improving the quality of infant and toddler child care to the extent allowable in the State's approved Child Care and Development Fund Plan.

Funds in Specific Appropriation 79 are provided for the School Readiness Program. The additional \$5,045,542 from General Revenue is provided to the coalitions that received a reduction in funds based on the equity adjustment made by the Office of Early Learning for the 2012-2013 fiscal year and are in addition to the October 1, 2012 allocation to coalitions by the Office of Early Learning. The funds in Specific Appropriation 79, including these adjustments, are allocated to early learning coalitions as follows:

Alachua.....	9,436,622
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson...	11,313,095
Brevard.....	16,920,162
Broward.....	41,087,660
Charlotte, DeSoto, Highlands, Hardee.....	8,313,576
Clay, Nassau, Baker, Bradford.....	7,416,413
Columbia, Hamilton, Lafayette, Union, Suwannee.....	6,791,086
Dade, Monroe.....	106,229,421
Dixie, Gilchrist, Levy, Citrus, Sumter.....	7,537,330
Duval.....	27,868,557
Escambia.....	13,237,814
Hendry, Glades, Collier, Lee.....	19,256,148
Hillsborough.....	41,549,828
Lake.....	6,633,257
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor.	15,840,647
Manatee.....	8,649,922
Marion.....	9,044,457
Martin, Okeechobee, Indian River.....	7,358,815
Okaloosa, Walton.....	7,359,668
Orange.....	35,397,684
Osceola.....	6,157,868
Palm Beach.....	33,375,747
Pasco, Hernando.....	13,536,997
Pinellas.....	28,273,665
Polk.....	18,465,803
Putnam, St. Johns.....	7,108,178
St. Lucie.....	8,182,923
Santa Rosa.....	3,589,249
Sarasota.....	4,980,353
Seminole.....	8,160,813
Volusia, Flagler.....	13,453,470

From the funds in Specific Appropriation 79, the Office of Early Learning shall have the ability to reallocate funds for school readiness services as funds are available or in the instance that a coalition does not have eligible children on its waiting list and has met its expenditure cap pursuant to House Bill 7165.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)  
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80	SPECIAL CATEGORIES		
	GRANTS AND AIDS - DATA SYSTEMS FOR SCHOOL READINESS		
	FROM GENERAL REVENUE FUND . . . . .	240,595	
	FROM CHILD CARE AND DEVELOPMENT		
	BLOCK GRANT TRUST FUND . . . . .		656,242
81	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	8,276	
	FROM CHILD CARE AND DEVELOPMENT		
	BLOCK GRANT TRUST FUND . . . . .		9,165
82	SPECIAL CATEGORIES		
	GRANTS AND AIDS - VOLUNTARY		
	PREKINDERGARTEN PROGRAM		
	FROM GENERAL REVENUE FUND . . . . .	404,927,801	

Funds in Specific Appropriation 82 are provided for the Voluntary Prekindergarten Education Program as provided in sections 1002.51 through 1002.79, Florida Statutes, and shall be initially allocated to Early Learning Coalitions as indicated below. Pursuant to the provisions of section 1002.71(3)(a), Florida Statutes, for Fiscal Year 2013-2014, the base student allocation per full-time equivalent student for the school year program shall be \$2,383 and the base student allocation for the summer program shall be \$2,026. The allocation includes four percent in addition to the base student allocation to fund administrative and other program costs of the early learning coalitions related to the Voluntary Prekindergarten Education Program.

The funds in Specific Appropriation 82 shall be allocated as follows:

Alachua.....	4,433,038
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson...	5,205,380
Brevard.....	12,003,295
Broward.....	40,011,253
Charlotte, DeSoto, Highlands, Hardee.....	5,737,865
Clay, Nassau, Baker, Bradford.....	6,993,358
Columbia, Hamilton, Lafayette, Union, Suwannee.....	2,579,314
Dade, Monroe.....	60,794,000
Dixie, Gilchrist, Levy, Citrus, Sumter.....	4,324,070
Duval.....	25,241,531
Escambia.....	5,758,741
Hendry, Glades, Collier, Lee.....	21,085,964
Hillsborough.....	28,843,524
Lake.....	5,751,155
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor.	7,227,295
Manatee.....	7,526,903
Marion.....	5,488,079
Martin, Okeechobee, Indian River.....	5,605,129
Okaloosa, Walton.....	5,549,986
Orange.....	29,260,925
Osceola.....	7,718,965
Palm Beach.....	28,465,358
Pasco, Hernando.....	12,681,461
Pinellas.....	14,776,383
Polk.....	10,974,537
Putnam, St. Johns.....	5,874,205
St. Lucie.....	6,563,862
Santa Rosa.....	2,586,407
Sarasota.....	5,130,061
Seminole.....	9,820,654
Volusia, Flagler.....	10,915,103

83	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	22,921	
	FROM CHILD CARE AND DEVELOPMENT		
	BLOCK GRANT TRUST FUND . . . . .		11,392

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84	DATA PROCESSING SERVICES		
	EDUCATION TECHNOLOGY AND INFORMATION SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,321,918	
	FROM CHILD CARE AND DEVELOPMENT		
	BLOCK GRANT TRUST FUND . . . . .		1,650,000
85	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM CHILD CARE AND DEVELOPMENT		
	BLOCK GRANT TRUST FUND . . . . .		72,282
86	DATA PROCESSING SERVICES		
	NORTHWEST REGIONAL DATA CENTER (NWRDC)		
	FROM GENERAL REVENUE FUND . . . . .	50,116	
	FROM CHILD CARE AND DEVELOPMENT		
	BLOCK GRANT TRUST FUND . . . . .		72,562

The funds provided in Specific Appropriation 86 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: PROGRAM: EARLY LEARNING SERVICES			
FROM GENERAL REVENUE FUND . . . . .	557,064,630		
FROM TRUST FUNDS . . . . .			448,186,601
TOTAL POSITIONS . . . . .	97.00		
TOTAL ALL FUNDS . . . . .			1,005,251,231

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

The calculations of the Florida Education Finance Program (FEFP) for the 2013-2014 fiscal year are incorporated by reference in Senate Bill 1502. The calculations are the basis for the appropriations made in the General Appropriations Act.

87	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - FLORIDA EDUCATIONAL FINANCE PROGRAM		
	FROM GENERAL REVENUE FUND . . . . .	7,037,328,810	
	FROM STATE SCHOOL TRUST FUND . . . . .		118,538,902

Funds provided in Specific Appropriations 7 and 87 shall be allocated using a base student allocation of \$3,752.30 for the FEFP.

Funds provided in Specific Appropriations 7 and 87 for the supplemental allocation for juvenile justice education programs shall be allocated pursuant to the formula provided in section 1011.62(10), Florida Statutes. The allocation factor shall be \$902.03.

From the funds provided in Specific Appropriations 7 and 87, juvenile justice education programs shall receive funds as provided in section 1003.52(12), Florida Statutes.

The district cost differential (DCD) for each district shall be calculated pursuant to the provisions of section 1011.62(2), Florida Statutes.

From the funds provided in Specific Appropriations 7 and 87, \$45,754,378 is provided for the Sparsity Supplement as defined in section 1011.62(7), Florida Statutes, for school districts of 20,000 and fewer FTE in the 2013-2014 fiscal year.

Total Required Local Effort for Fiscal Year 2013-2014 shall be \$6,841,187,244. The total amount shall include adjustments made for the calculation required in section 1011.62(4)(a) through (c), Florida Statutes.

The maximum nonvoted discretionary millage which may be levied pursuant to the provisions of section 1011.71(1), Florida Statutes, by district school boards in Fiscal Year 2013-2014 shall be 0.748 mills.



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If any school district levies the full 0.748 mill and it generates an amount of funds per unweighted FTE that is less than the state average amount per unweighted FTE, the school district shall receive from the funds provided in Specific Appropriations 7 and 87, a discretionary millage compression supplement that, when added to the funds generated by the district's 0.748 mill levy, shall be equal to the state average as provided in section 1011.62(5), Florida Statutes.

If any school district chooses to levy an amount not less than 0.498 mill and less than 0.748 mill, a compression supplement shall be calculated on a levy of 0.498. If a 0.498 mill levy generates an amount of funds per unweighted FTE that is less than the state average amount per unweighted FTE for 0.498 mill, the school district shall receive from the funds provided in Specific Appropriations 7 and 87, a discretionary millage compression supplement that, when added to the funds generated by a 0.498 mill levy, would be equal to the state average as provided in section 1011.62(5), Florida Statutes.

Funds provided in Specific Appropriations 7 and 87 are based upon program cost factors for Fiscal Year 2013-2014 as follows:

1. Basic Programs
  - A. K-3 Basic.....1.125
  - B. 4-8 Basic.....1.000
  - C. 9-12 Basic.....1.011
2. Programs for Exceptional Students
  - A. Support Level 4.....3.558
  - B. Support Level 5.....5.089
3. English for Speakers of Other Languages .....1.145
4. Programs for Grades 9-12 Career Education.....1.011

From the funds in Specific Appropriation 87, \$480,000,000 is provided for salary increases, including related benefits for FICA and FRS, for school district and charter school classroom teachers, guidance counselors, social workers, psychologists, librarians, principals, and assistant principals, to be distributed in June of 2014 based on 2013-2014 performance evaluations as required under the provisions of Senate Bill 1664, or similar legislation, as verified by the Department of Education. The salary increases shall be at least \$2,500 for personnel evaluated as "effective" and up to \$3,500 for personnel evaluated as "highly effective". Factors identified in the district-determined, state-approved evaluation system plans shall include scholastic achievement and academic performance indicators (e.g., results of juried competitions; results on Advanced Placement, International Baccalaureate, and Advanced International Certificate of Education assessments; results on state-approved industry certification assessments; and results on SAT, ACT, and state-approved end-of-course and FCAT assessments).

Each district school board or charter school board must develop a plan and affirm that it is based on student performance. At the discretion of the district school board or charter school board, the plan may take into account the relative difficulty of the teaching assignment, including but not limited to whether a teacher is assigned to special needs students, students achieving below grade level, or to a D or F school.

Each board shall vote on the plan and affirm that it is based on student performance. A copy of the plan must be provided to the Commissioner of Education to confirm that the plan is based on student performance. The district shall submit its plan as early as possible.

From the funds in Specific Appropriations 7 and 87, \$947,987,428 is provided to school districts as an Exceptional Student Education (ESE) Guaranteed Allocation as authorized by law to provide educational programs and services for exceptional students. Funds provided for gifted educational programs and services must primarily be focused on advanced mathematics and science curriculum and enrichment with instruction provided by an in-field teacher. The ESE Guaranteed Allocation funds are provided in addition to the funds for each exceptional student in the per FTE student calculation. Each district's

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ESE Guaranteed Allocation for the 2013-2014 appropriation shall not be recalculated during the school year. School districts that provided educational services in 2012-2013 for exceptional students who are residents of other districts shall not discontinue providing such services without the prior approval of the Department of Education. Expenditure requirements for the ESE Guaranteed Allocation shall be as prescribed in section 1010.20(3), Florida Statutes, for programs for exceptional students.

From the funds provided in Specific Appropriations 7 and 87, the value of 43.35 weighted FTE students is provided to supplement the funding for severely handicapped students served in ESE programs 254 and 255 when a school district has less than 10,000 FTE student enrollment and less than three FTE eligible students per program. The Commissioner of Education shall allocate the value of the supplemental FTE based on documented evidence of the difference in the cost of the service and the amount of funds received in the district's FBFP allocations for the students being served. The supplemental value shall not exceed three FTE.

A student in cooperative education or other types of programs incorporating on-the-job training shall not be counted for more than twenty-five (25) hours per week of membership in all programs when calculating full-time student membership, as provided in section 1011.61, Florida Statutes, for funding pursuant to section 1011.62, Florida Statutes.

The Declining Enrollment Supplement shall be calculated based on 25 percent of the decline between the prior year and current year unweighted FTE students.

From the funds in Specific Appropriations 7 and 87, \$64,456,019 is provided for Safe Schools activities and shall be allocated as follows: \$62,660 shall be distributed to each district, and the remaining balance shall be allocated as follows: two-thirds based on the latest official Florida Crime Index provided by the Department of Law Enforcement and one-third based on each district's share of the state's total unweighted student enrollment. Safe Schools activities include: (1) after school programs for middle school students; (2) middle and high school programs for correction of specific discipline problems; (3) other improvements to enhance the learning environment, including implementation of conflict resolution strategies; (4) behavior driven intervention programs that include anger and aggression management strategies; (5) alternative school programs for adjudicated youth that may include a web-based virtual system that results in mastery and certification, competency or credentials in the following inter-related counseling disciplines necessary for success in education and the work environment, including adjustment, educational, employment and optimal mental health areas that will include, but are not limited to, anger and impulse control, depression and anxiety, self-esteem, respect for authority, personal behavior, goal setting, time and stress management, social and workplace adjustment, substance use and abuse, workplace soft skills, communication skills, work ethic, the importance of timeliness, attendance and the self-marketing skills for future educational and/or employment opportunities; (6) suicide prevention programs; (7) bullying prevention and intervention; and (8) school resource officers. Each district shall determine, based on a review of its existing programs and priorities, how much of its total allocation to use for each authorized Safe Schools activity. The Department of Education shall monitor compliance with reporting procedures contained in section 1006.147, Florida Statutes. If a district does not comply with these procedures, the district's funds from the Safe Schools allocation shall be withheld and reallocated to the other school districts. Each school district shall report to the Department of Education the amount of funds expended for each of the eight activities.

From the funds in Specific Appropriations 7 and 87, \$639,296,226 is for Supplemental Academic Instruction to be provided throughout the school year pursuant to section 1011.62 (1)(f), Florida Statutes. From these funds, at least \$15,000,000, together with funds provided in the district's research-based reading instruction allocation and other available funds, shall be used by districts with one or more of the 100 lowest performing elementary schools based on the state reading assessment to provide an additional hour of instruction beyond the

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normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 reading assessment scores may choose to participate in the additional hour of instruction on an optional basis. ESE centers shall not be included in the 100 schools.

The Department of Education shall provide guidance to school districts for documentation of the expenditures for the additional hour of instruction to ensure that all local, state, and federal funds are maximized for the total instructional program and that the funds used for the additional hour of instruction in these 100 schools do not supplant federal funds. School districts shall submit a report to the Department of Education in a format prepared by the department that includes summary information, including funding sources, expenditures and student outcomes for each of the participating schools that shall be submitted to the Speaker of the House of Representatives, President of the Senate, and Governor by September 30, 2014. Pursuant to section 1008.32, Florida Statutes, the State Board of Education shall withhold funds from a school district that fails to comply with this requirement.

From the funds in Specific Appropriations 7 and 87, \$130,000,000 is provided for a K-12 comprehensive, district-wide system of research-based reading instruction. The amount of \$115,000 shall be allocated to each district and the remaining balance shall be allocated based on each district's proportion of the total K-12 base funding. From these funds, at least \$15,000,000 shall be used to provide an additional hour of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in the 100 lowest performing elementary schools based on the state reading assessment pursuant to sections 1008.22(3) and 1011.62(9), Florida Statutes. This additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 reading assessment scores may choose to participate in the additional hour of instruction on an optional basis. ESE centers shall not be included in the 100 schools. Pursuant to section 1008.32, Florida Statutes, the State Board of Education shall withhold funds from a school district that fails to comply with this requirement.

From the funds provided in Specific Appropriations 7 and 87, \$217,277,372 is provided for Instructional Materials including \$11,734,710 for Library Media Materials, \$3,207,487 for the purchase of science lab materials and supplies, \$5,000,000 for dual enrollment instructional materials, and \$3,000,000 for the purchase of digital instructional materials for students with disabilities. The growth allocation per FTE shall be \$292.48 for the 2013-2014 fiscal year. School districts shall pay for instructional materials used for the instruction of public high school students who are earning credit toward high school graduation under the dual enrollment program as provided in section 1011.62(1)(i), Florida Statutes.

From the funds provided for Instructional Materials, \$165,000,000 shall be available to school districts to purchase instructional content as well as electronic devices and technology equipment and infrastructure. The purchases made in the 2013-2014 fiscal year must comply with the minimum or recommended requirements for instructional content, hardware, software, networking, security and bandwidth and the number of students per device as developed and published by the department. Prior to release of the funds by the department to the school districts, each school district shall certify to the Commissioner of Education an expenditure plan for the purchase of instructional content and technology. If the district intends to use any portion of the funds for technology, the district must certify that it has the instructional content necessary to provide instruction aligned to the adopted statewide benchmarks and standards. If the district intends to use the funds for technology the district must include an expenditure plan for the purchase of electronic devices and technology equipment and infrastructure that demonstrates the alignment of devices and equipment with the minimum or recommended requirements. The department shall provide a report to the Legislature on or before March 1, 2014 that summarizes the district expenditures for these funds.

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From funds provided in Specific Appropriations 7 and 87, \$45,286,750 is provided for the Teachers Lead Program and shall be given to teachers pursuant to section 1012.71, Florida Statutes. The allocation shall not be recalculated during the school year.

Funds provided in Specific Appropriations 7 and 87 for the virtual education contribution shall be allocated pursuant to the formula provided in Section 1011.62(11), Florida Statutes. The contribution shall be based on \$5,200 per FTE.

Districts may charge a fee for grades K-12 voluntary, non-credit summer school enrollment in basic program courses. The amount of any student's fee shall be based on the student's ability to pay and the student's financial need as determined by district school board policy.

From the funds in Specific Appropriations 7 and 87, school districts may execute an appropriate contract for full-time virtual instruction through K-8 virtual schools that received funds from Specific Appropriation 93 of chapter 2008-152, Laws of Florida. School districts may expend a negotiated amount per student for each student who was enrolled and served during the 2012-2013 fiscal year and who is re-enrolled and eligible to be served during the 2013-2014 fiscal year. Each of the K-8 virtual schools shall provide to the Department of Education the name and address of each student who was enrolled and served during the 2012-2013 fiscal year and who is re-enrolled and is eligible to be served during the 2013-2014 fiscal year. The department shall verify the eligibility of the students, assist with placement of each student in a school district virtual instruction program regardless of the student's district of residence, and assist the school district with executing an appropriate contract with an approved K-8 virtual school for payment for virtual instruction for each student. The maximum number of students to be funded pursuant to this provision is the number of students served in the 2012-2013 fiscal year.

88	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - CLASS SIZE REDUCTION		
	FROM GENERAL REVENUE FUND . . . . .	2,784,828,710	
	FROM STATE SCHOOL TRUST FUND . . . .		86,161,098

Funds in Specific Appropriations 8 and 88 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be \$1,320.15, for grades 4 to 8 shall be \$900.48, and for grades 9 to 12 shall be \$902.65. The class size reduction allocation shall be recalculated based on enrollment through the October 2013 FTE survey except as provided in section 1003.03(4), Florida Statutes. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 8 and 88, funds shall be prorated to the level of the appropriation based on each district's calculated amount. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

TOTAL:	PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP		
	FROM GENERAL REVENUE FUND . . . . .	9,822,157,520	
	FROM TRUST FUNDS . . . . .		204,700,000
	TOTAL ALL FUNDS . . . . .		10,026,857,520

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP

Of the funds provided for regional education consortium programs and school district matching grants in Specific Appropriations 90, 97, and 101, 60 percent shall be released to the Department of Education at the beginning of the first quarter and the balance at the beginning of the third quarter. The Department of Education shall disburse the funds to eligible entities within 30 days of release.

Funds provided in Specific Appropriations 90 through 105, excluding 98 and 99, shall only be used to serve Florida students.

90	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - INSTRUCTIONAL MATERIALS		
	FROM GENERAL REVENUE FUND . . . . .	1,160,000	

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Funds provided in Specific Appropriation 90 shall be allocated as follows:

Learning Through Listening.....	860,000
Panhandle Area Education Consortium (PAEC).....	300,000

91 SPECIAL CATEGORIES  
GRANTS AND AIDS - ASSISTANCE TO LOW  
PERFORMING SCHOOLS  
FROM GENERAL REVENUE FUND . . . . . 4,000,000

Funds in Specific Appropriation 91 may be used to contract for the operation of the Florida Partnership for Minority and Underrepresented Student Achievement and to achieve the partnership's mission as provided in section 1007.35, Florida Statutes. The funds shall be expended for professional development for Advanced Placement classroom teachers.

92 SPECIAL CATEGORIES  
GRANTS AND AIDS - MENTORING/STUDENT  
ASSISTANCE INITIATIVES  
FROM GENERAL REVENUE FUND . . . . . 15,847,897

Funds provided in Specific Appropriation 92 shall be allocated as follows:

Best Buddies.....	750,000
Big Brothers Big Sisters.....	4,030,248
Boys and Girls Clubs.....	4,002,677
Take Stock in Children.....	6,000,000
Teen Trendsetters.....	300,000
YMCA State Alliance/YMCA Reads.....	764,972

93 SPECIAL CATEGORIES  
GRANTS AND AIDS - COLLEGE REACH OUT  
PROGRAM  
FROM GENERAL REVENUE FUND . . . . . 1,000,000

95 SPECIAL CATEGORIES  
GRANTS AND AIDS - FLORIDA DIAGNOSTIC AND  
LEARNING RESOURCES CENTERS  
FROM GENERAL REVENUE FUND . . . . . 1,982,626

Funds provided in Specific Appropriation 95 shall be allocated to the Multidisciplinary Educational Services Centers as follows:

University of Florida.....	396,525
University of Miami.....	396,525
Florida State University.....	396,525
University of South Florida.....	396,525
University of Florida Health Science Center at Jacksonville.....	396,526

Each center shall provide a report to the Department of Education by September 1, 2013, for the 2012-2013 fiscal year that shall include the following: (1) the number of children served, (2) the number of parents served, (3) the number of persons participating in in-service education activities, (4) the number of districts served, and (5) specific services provided.

96 SPECIAL CATEGORIES  
GRANTS AND AIDS - NEW WORLD SCHOOL OF THE  
ARTS  
FROM GENERAL REVENUE FUND . . . . . 500,000

97 SPECIAL CATEGORIES  
GRANTS AND AIDS - SCHOOL DISTRICT MATCHING  
GRANTS PROGRAM  
FROM GENERAL REVENUE FUND . . . . . 4,000,000

Funds in Specific Appropriation 97 are provided as challenge grants to public school district education foundations for programs that serve low-performing students, technical career education, literacy initiatives, Science, Technology, Engineering, Math (STEM) Education initiatives, increased teacher quality and/or increased graduation

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rates. The amount of each grant shall be equal to the private contribution made to a qualifying public school district education foundation. In-kind contributions shall not be considered for matching purposes. Administrative costs for the program shall not exceed five percent.

Before any funds provided in Specific Appropriation 97 may be disbursed to any public school district education foundation, the public school district foundation must certify to the Commissioner of Education that the private cash has actually been received by the public school education foundation seeking matching funds. The Consortium of Florida Education Foundations shall be the fiscal agent for this program.

98 SPECIAL CATEGORIES  
TEACHER AND SCHOOL ADMINISTRATOR DEATH  
BENEFITS  
FROM GENERAL REVENUE FUND . . . . . 18,000

99 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 813,773  
FROM FEDERAL GRANTS TRUST FUND . . . . . 53,419  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 14,628

100 SPECIAL CATEGORIES  
GRANTS AND AIDS - AUTISM PROGRAM  
FROM GENERAL REVENUE FUND . . . . . 7,500,000

Funds provided in Specific Appropriation 100 shall be allocated as follows:

University of South Florida/Florida Mental Health Institute.....	1,315,410
University of Florida (College of Medicine).....	912,177
University of Central Florida.....	1,126,462
University of Miami (Department of Psychology) including \$296,544 for activities in Broward County through Nova Southeastern University.....	1,425,747
Florida Atlantic University.....	713,387
University of Florida (Jacksonville).....	950,586
Florida State University (College of Medicine).....	1,056,231

Autism Centers shall provide appropriate nutritional information to parents of children served through funds provided in Specific Appropriation 100. Summaries of outcomes for the prior fiscal year shall be submitted to the Department of Education by September 1, 2013.

101 SPECIAL CATEGORIES  
GRANTS AND AIDS - REGIONAL EDUCATION  
CONSORTIUM SERVICES  
FROM GENERAL REVENUE FUND . . . . . 1,445,390

102 SPECIAL CATEGORIES  
TEACHER PROFESSIONAL DEVELOPMENT  
FROM GENERAL REVENUE FUND . . . . . 417,338  
FROM FEDERAL GRANTS TRUST FUND . . . . . 134,580,906

Funds provided from General Revenue in Specific Appropriation 102 shall be allocated as follows:

Florida Association of District School Superintendents Training.....	363,000
Principal of the Year.....	29,426
Teacher of the Year.....	18,730
School Related Personnel of the Year.....	6,182

Funds provided in Specific Appropriation 102 for Principal, Teacher, or School Related Personnel of the Year may be disbursed to districts, schools, or individuals.

102A SPECIAL CATEGORIES  
GRANTS AND AIDS - STRATEGIC STATEWIDE  
INITIATIVES  
FROM GENERAL REVENUE FUND . . . . . 29,106,040

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Funds in Specific Appropriation 102A shall be allocated as follows:

Instructional Technology Program Site Licenses.....	2,277,572
Digital Competency Development and Deployment.....	5,500,000
Safe Schools Security Assessments.....	1,000,000
Career and Education Planning System.....	3,000,000
District Bandwidth Support.....	11,328,468
Technology Transformation Grants for Rural School Districts.	6,000,000

Funds provided in Specific Appropriation 102A for Instructional Technology Program Site Licenses shall be allocated as follows:

(1) \$1,777,572 shall be provided to the Department of Education (DOE) for software licenses in all middle schools to support the Digital Tools Certificate. The licenses shall include teacher training and support and one certification exam for a spreadsheet or word processing application for each middle school student.

(2) \$300,000 shall be provided to the DOE for a second software license for either a spreadsheet or word processing application and assessment for a limited number of middle schools to be selected by the department.

(3) \$150,000 shall be provided for an international digital driver's license examination available from a cloud-based format serving multiple types of devices.

(4) \$50,000 shall be allocated by the DOE for appropriate exceptional student applications for these projects.

Funds not allocated for any one of the first three initiatives by February 15, 2014, may be expended for either or both of the other two initiatives.

From the funds in Specific Appropriation 102A for Digital Competency Development and Deployment, up to \$1,475,000 shall be provided to the Department of Education (DOE) to contract for the development and field testing at a maximum of 60 elementary schools a curriculum and assessment for the Cyber Security Recognition. The curriculum and assessment shall be cloud-based to enable students to continually access it 24 hours a day using multiple devices, except for scheduled maintenance and upgrade. Twenty-five percent of the cyber security curriculum and assessment shall address coding/programming skills. The Cyber Security Recognition shall be made available to all elementary schools on or before June 30, 2014.

From the funds in Specific Appropriation 102A for Digital Competency Development and Deployment, up to \$1,475,000 shall be provided to the DOE to contract for the development and field testing at a maximum of 60 elementary and middle schools a curriculum and assessment for the Digital Arts Recognition. The curriculum and assessment shall be cloud-based to enable students to continually access it 24 hours a day using multiple devices, except for scheduled maintenance and upgrade. Twenty-five percent of the digital arts curriculum and assessment shall address coding/programming skills. The Digital Arts Recognition shall be made available to all elementary schools on or before June 30, 2014. The Digital Arts Recognition program shall have sufficient rigor to challenge creativity in elementary school students. The elementary digital arts program shall consider, in its design, a second level of curriculum that may be added in future years as the skills of elementary students surpass this initial project and middle school is added.

From the funds in Specific Appropriation 102A for Digital Competency Development and Deployment, \$1,950,000 shall be provided to the Department of Education to deploy as pilots at a maximum of 60 elementary schools, the Cyber Security Recognition and Digital Arts Recognition as cloud-based programs through portals accessible to all elementary students and teachers in the pilot program, 24 hours a day, 12 months a year. The digital arts and cyber security programs shall be administered by the Department of Education or contracted, all or in part, to school districts, colleges, or universities.

From the funds in Specific Appropriation 102A for Digital Competency Development and Deployment, up to \$500,000 shall be provided to the

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Department of Education to contract for the management and administration of the Digital Tools Certificate for middle school students. The digital tools program shall be cloud-based to enable students to access it 24 hours a day using multiple devices. The Digital Tool Certificate shall be made available to all middle schools on or before June 30, 2014.

From the funds in Specific Appropriation 102A for Digital Competency Development and Deployment, \$100,000 shall be provided by the Department of Education to develop appropriate applications to allow students with disabilities to access the Cyber Security Recognition, Digital Arts Recognition, and Digital Tools Certificate program.

Funds in Specific Appropriation 102A for the Career and Education Planning System shall be provided for a K-20 statewide student career and education planning and endorsement system that accesses information from multiple Florida sources and information systems, including but not limited to information from the Economic Security Report.

Funds in Specific Appropriation 102A for Safe Schools Security Assessments shall be provided to the Department of Education (DOE) to contract with a security consulting firm to provide a risk assessment tool for conducting security assessments for use by school officials at each public school site in the state. Such a tool should be able to help school officials to identify threats, vulnerabilities and appropriate safety controls for the schools that they supervise. The department shall issue a request for proposals (RFP) to procure the assessment tool from a consulting firm that specializes in development of risk assessment software solutions with experience in conducting security assessments of public facilities. At a minimum, the assessments must address the following issues: (1) school emergency and crisis preparedness planning; (2) security, crime and violence prevention policies and procedures; (3) physical security measures; (4) professional development training needs; (5) an examination of support service roles in school safety, security, and emergency planning; (6) school security and school police staffing, operational practices, and related services; (7) school-community collaboration on school safety; and (8) return on investment analysis (ROI) of the recommended physical security controls. The selected software solution must be able to generate written automated reports on assessment findings for review by the DOE and school and district officials. The final report must identify the positive school safety measures in place at the time of the assessment, as well as the areas for continued school safety planning and improvement. Additionally, the selected firm should be able to provide training to the DOE and school officials in the use of the assessment tool.

Funds in Specific Appropriation 102A are provided for the acquisition of additional bandwidth capacity as determined from the results of the 2012-2013 Department of Education Technology Resources Survey and needed to ensure that, in conjunction with their Federal e-rate funding, schools have adequate bandwidth capacity for the implementation and usage of instructional technology and the administration of online assessments. The additional bandwidth capacity may be procured from the Department of Management Services contract number DMS 08-09-061 or through any other e-rate compliant competitive procurement or service substitution process. The calculation of funds provided for the additional bandwidth capacity for the 2013-2014 fiscal year are incorporated by reference in Senate Bill 1502. The calculations are the basis for the funds provided in Specific Appropriation 102A.

If the Department of Education, in collaboration with the Department of Management Services when appropriate, confirms that a school's or district's network is unable to support the additional bandwidth capacity for the 2013-2014 fiscal year, the school is authorized to use its portion of the funds provided for in Specific Appropriation 102A to purchase the network infrastructure necessary to ensure its compliance with the standard used to complete the calculations incorporated by reference in Senate Bill 1502. If the district is a member of one of the statutorily-established regional consortium service organizations, the school should work with the appropriate regional consortium service organization in the identification and acquisition of the required network infrastructure.

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## APPROPRIATION

The Department of Education shall submit a report on the status of each school's allocation no later than January 31, 2014, to the chairs of the Senate Committee on Appropriations and the House of Representatives Appropriations Committee.

Funds in Specific Appropriation 102A for Technology Transformation Grants for Rural School Districts shall be provided to the following school districts for purposes of establishing a wireless network or enhancing an existing wireless network. No later than August 1, 2013, the Department of Education shall publish any required wireless specifications necessary to ensure that districts can implement and use instructional technology and administer online assessments. Each school district must work with the appropriate regional consortium service organization established pursuant to s. 1001.451, Florida Statutes, in the design of its wireless network and the acquisition of the associated infrastructure to include access points, switches, cabling, controllers and installation costs. If a school district has funds remaining after establishing or enhancing its wireless network, it is authorized to use such funds to purchase the network infrastructure necessary to ensure its compliance with the standard used to complete the calculations for the additional bandwidth funded in Specific Appropriation 102A for the District Bandwidth Support. The Department of Education shall submit a report on the status of each school district's allocation no later than January 31, 2014, to the chairs of the Senate Committee on Appropriations and the House of Representatives Appropriations Committee.

Baker.....	202,713
Bradford.....	129,903
Calhoun.....	89,879
Columbia.....	397,015
DeSoto.....	189,353
Dixie.....	81,514
Flagler.....	520,785
Franklin.....	52,592
Gadsden.....	229,434
Gilchrist.....	104,850
Glades.....	50,272
Gulf.....	78,779
Hamilton.....	65,299
Hardee.....	210,838
Highlands.....	496,594
Holmes.....	132,457
Jackson.....	277,547
Jefferson.....	42,128
Lafayette.....	47,900
Levy.....	231,291
Liberty.....	58,992
Madison.....	101,432
Nassau.....	459,524
Okeechobee.....	258,512
Putnam.....	447,128
Suwannee.....	245,429
Taylor.....	112,282
Union.....	90,471
Walton.....	312,111
Washington.....	142,190
FSU Leon.....	70,920
FAMU Lab School.....	21,930
UF Lab School.....	47,936

## 103 SPECIAL CATEGORIES

## GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL

## ENHANCEMENTS

FROM GENERAL REVENUE FUND . . . . . 23,054,988

To extend the unique means for better educating students, funds in Specific Appropriation 103 shall be allocated as follows:

Academic Tourney.....	200,000
African American Task Force.....	100,000
Arts for a Complete Education.....	110,952
Avon Park Youth Academy.....	12,000
Back 2 Hope Summer Program.....	35,000

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## SPECIFIC

## APPROPRIATION

Black Male Explorers.....	314,701
Children's Home Society Community Schools Pilot.....	300,000
Children's Initiative - New Town Success Zone.....	500,000
Communities in Schools.....	1,200,000
Corporation to Develop Communities of Tampa.....	100,000
Culinary Training/Professional Training Kitchen.....	100,000
Evans Wellness College/Community School Health Center.....	400,000
Florida Endowment Foundation.....	2,000,000
Florida Holocaust Museum.....	200,000
Florida Venture Foundation.....	100,000
Florida's Technology Assistance Program.....	75,000
GCACC Summer Internship and Job Fair.....	100,000
GCR Neighborhood Initiative Summer Job Program.....	100,000
Girl Scouts.....	367,635
Hialeah Junior Fire Academy.....	20,000
Holocaust Task Force.....	100,000
I am a Leader Foundation.....	153,872
Juvenile Justice Education Programs.....	1,600,000
Knowledge is Power (KIPP).....	660,000
Lauren's Kids.....	500,000
Learn2Earn.....	500,000
Learning for Life.....	1,419,813
Literacy Jump Start Pilot Project.....	110,000
Medley Children's Program Transportation.....	170,000
Men of Vision, Inc Brotherhood Service Organization.....	50,000
Mourning Family Foundation.....	1,000,000
National Center for Sports Safety Training.....	500,000
Northwest Florida Ballet Academie.....	200,000
Pasco K-20 STEM Education Magnet Academy.....	1,500,000
Project to Advance School Success.....	608,983
Recovery Day High School.....	125,000
Safer, Smarter Families.....	3,025,000
Sandra DeLuca Development Center in Miami.....	150,000
Space Day Project.....	250,000
State Science Fair.....	72,032
SunBay Math Program.....	3,000,000
The SEED School of Miami.....	375,000
Tune into Reading.....	500,000
YMCA Youth in Government.....	150,000

The funds in Specific Appropriation 103 for the Sandra DeLuca Developmental Center in Miami are provided to fund the Project SEARCH education program for job training for developmentally disabled students transitioning from the school system.

Funds in Specific Appropriation 103 for Safer, Smarter Families are for all school districts to provide and teach a standard kindergarten through grade 5 abuse prevention and education curriculum known as "Safer, Smarter Families," beginning with the 2013-2014 school year.

Funds provided in Specific Appropriation 103 for the Learning for Life program are eligible to be used in any public school.

From the funds in Specific Appropriation 103 for Juvenile Justice Education Programs, \$112,000 is provided for high school equivalency examination fees for juvenile justice students who pass the high school equivalency exam in full, or in part, while in a Juvenile Justice education program. The reimbursement amount to school districts or educational providers shall not exceed the amount charged to the school for administering the high school equivalency exam.

From the funds in Specific Appropriation 103 for Juvenile Justice Education Programs, \$512,000 is provided for students entering residential juvenile justice education programs who have already graduated high school or received a high school equivalency diploma. This funding shall be made available for youth who enter juvenile justice residential programs having already received their high school diploma or its equivalent. Residential juvenile justice education programs shall receive \$2,375 for each eligible student. Funds shall be used to support postsecondary instruction in accredited state colleges in Florida, college preparation instruction and testing, or instruction in career and technical education that leads to industry certification. Instruction may be provided directly by the juvenile justice education program or online through a virtual education program.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)  
SPECIFIC  
APPROPRIATION

From the funds in Specific Appropriation 103 for Juvenile Justice Education Programs, \$976,000 is provided for students in residential juvenile justice education programs to support equipment, specially designed curricula, and industry credentialing testing fees, for students enrolled in career and technical education (CTE) courses that lead to occupational completion points and/or industry recognized certifications. Residential juvenile justice education programs shall receive \$350 for each student enrolled in a CTE course.

From the funds in Specific Appropriation 103 for the Space Day Project, the Kennedy Space Center Education Foundation (KSCEF), in partnership with the Florida Department of Education, will administer the Space Day program to competitively select from all Florida counties, five or more districts to participate in Space Day. KSCEF and FDOE will train district science teachers on implementing the Brevard County Space Day model, provide funding to offset costs of participation by school districts, and encourage Florida students to develop the skills and interest to pursue Science, Technology, Engineering, and Mathematics (STEM).

104 SPECIAL CATEGORIES  
GRANTS AND AIDS - EXCEPTIONAL EDUCATION  
FROM GENERAL REVENUE FUND . . . . . 2,713,726  
FROM FEDERAL GRANTS TRUST FUND . . . . . 2,333,354

Funds in Specific Appropriation 104 from General Revenue are provided for:

Family Cafe..... 200,000  
Communication\Autism Navigator..... 1,000,000  
Auditory-Oral Education Grants..... 500,000

Funds in Specific Appropriation 104 for Family Cafe are supplemental and shall not be used to replace or supplant current funds awarded for the Family Cafe Project.

Funds provided in Specific Appropriation 104 for Communication\Autism Navigator shall be awarded to the Florida State University College of Medicine for statewide implementation of an exceptional student education communication/autism navigator that includes core strategies and interventions through the Early Steps Program to increase the number of full integration placements of exceptional students into the standard classroom.

Funds provided in Specific Appropriation 104 for Auditory-Oral Education Grants shall only be awarded to Florida public or private nonprofit school programs serving deaf children in multiple counties, from birth to age seven, including rural and underserved areas. These schools must solely offer auditory-oral education programs, as defined in section 1002.391, Florida Statutes, and have a supervisor and faculty members who are credentialed as Certified Listening and Spoken Language Specialists.

The amount of the grants shall be based on the specific needs of each eligible student. Each eligible school that has insufficient public funds to provide the educational and related services specified in the Individual Education Plan (IEP) or Individual Family Service Plan (IFSP) of eligible students aged birth to seven years may submit grant applications to the Department of Education. Applications must include an itemized list of total costs, the amount of public funds available for those students without the grant, and the additional amount needed for the services identified in each students' respective IEP or IFSP. The department shall develop an appropriate application, provide instructions and administer this grant program to ensure minimum delay in providing the IEP or IFSP services for all eligible students. Each school shall be accountable for assuring that the public funds received are expended only for services for the eligible student as described in the application and shall provide a report documenting expenditures for the 2013-14 fiscal year to the Department of Education by June 1, 2014.

Funds in Specific Appropriation 104, shall include, but not be limited to, allocations for the Florida Diagnostic and Learning Resource System (FDLRS) Associate Centers and the Florida Instructional Materials

SECTION 2 - EDUCATION (ALL OTHER FUNDS)  
SPECIFIC  
APPROPRIATION  
Center for the Visually Impaired.

105 SPECIAL CATEGORIES  
FLORIDA SCHOOL FOR THE DEAF AND THE BLIND  
FROM GENERAL REVENUE FUND . . . . . 41,289,040  
FROM FEDERAL GRANTS TRUST FUND . . . . . 2,627,152  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 1,739,754

From the funds in Specific Appropriation 105, the school shall contract for health, medical, pharmaceutical and dental screening services for students. The school shall develop a collaborative service agreement for medical services and shall maximize the recovery of all legally available funds from Medicaid and private insurance coverage. The school shall report to the Legislature by June 30, 2014, information describing the agreement, services provided, budget and expenditures, including the amounts and sources of all funding used for the collaborative medical program and any other student health services during the 2013-2014 fiscal year.

The Florida School for the Deaf and the Blind shall report student membership and staff survey data consistent with the programs enumerated in section 1011.62(1)(c), Florida Statutes.

106 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM GENERAL REVENUE FUND . . . . . 223,832  
FROM FEDERAL GRANTS TRUST FUND . . . . . 23,758  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 16,375

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP  
FROM GENERAL REVENUE FUND . . . . . 135,072,650  
FROM TRUST FUNDS . . . . . 141,389,346  
  
TOTAL ALL FUNDS . . . . . 276,461,996

PROGRAM: FEDERAL GRANTS K/12 PROGRAM

108 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - PROJECTS, CONTRACTS AND  
GRANTS  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 3,999,420

109 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - FEDERAL GRANTS AND AIDS  
FROM ADMINISTRATIVE TRUST FUND . . . . . 353,962  
FROM FEDERAL GRANTS TRUST FUND . . . . . 1,512,358,793

110 SPECIAL CATEGORIES  
DOMESTIC SECURITY  
FROM FEDERAL GRANTS TRUST FUND . . . . . 5,409,971

111 SPECIAL CATEGORIES  
GRANTS AND AIDS - STRATEGIC EDUCATION  
INITIATIVES  
FROM FEDERAL GRANTS TRUST FUND . . . . . 168,619,271

112 SPECIAL CATEGORIES  
GRANTS AND AIDS - PARTNERSHIP FOR  
ASSESSMENT OF READINESS FOR COLLEGES AND  
CAREERS  
FROM FEDERAL GRANTS TRUST FUND . . . . . 81,206,849

TOTAL: PROGRAM: FEDERAL GRANTS K/12 PROGRAM  
FROM TRUST FUNDS . . . . . 1,771,948,266  
  
TOTAL ALL FUNDS . . . . . 1,771,948,266

PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## SPECIFIC

## APPROPRIATION

## 113 SPECIAL CATEGORIES

## CAPITOL TECHNICAL CENTER

FROM GENERAL REVENUE FUND . . . . . 1,995,104

From the funds in Specific Appropriation 113, \$1,845,780 is provided for equipment and infrastructure costs associated with the migration to a tapeless environment and expansion to 15 channels and 17 streams.

## 113A SPECIAL CATEGORIES

## FEDERAL EQUIPMENT MATCHING GRANT

FROM GENERAL REVENUE FUND . . . . . 307,093

The funds provided in Specific Appropriation 113A are for WPBT-TV Miami.

## 114 SPECIAL CATEGORIES

## GRANTS AND AIDS - PUBLIC BROADCASTING

FROM GENERAL REVENUE FUND . . . . . 11,137,905

The funds provided in Specific Appropriation 114 shall be allocated as follows:

Statewide Governmental and Cultural Affairs Programming.....	497,522
Florida Channel Closed Captioning.....	340,862
Florida Channel Year Round Coverage.....	2,072,554
Public Television Stations.....	3,996,811
Public Radio Stations.....	3,430,156
Satellite Transponder.....	800,000

From the funds provided in Specific Appropriation 114, "Governmental Affairs for Public Television" shall be produced by the same contractor selected by the Legislature to produce "The Florida Channel."

Funds provided in Specific Appropriation 114 for Public Television Stations shall be allocated in the amount of \$307,447 for each public television station as recommended by the Commissioner of Education.

From the funds in Specific Appropriation 114 for the Florida Channel Year Round Coverage, \$265,878 is provided for the expansion of services to 15 channels and 17 streams.

From the funds provided in Specific Appropriation 114 for Public Radio Stations, \$2,130,156 shall be allocated by the Department of Education in collaboration with the Division of Emergency Management and the Florida Public Broadcasting Service for the purchase of equipment for the stations to achieve compliance with emergency operations requirements. The balance of funds for Public Radio Stations shall be allocated in the amount of \$100,000 per station.

From the funds provided in Specific Appropriation 114 for the Florida Channel Satellite Transponder Operations, the Florida Channel shall contract for the leasing, management and operation of the state transponder with the same public broadcasting station that produces the Florida Channel.

## TOTAL: PROGRAM: EDUCATIONAL MEDIA &amp; TECHNOLOGY SERVICES

FROM GENERAL REVENUE FUND . . . . . 13,440,102

TOTAL ALL FUNDS . . . . . 13,440,102

## PROGRAM: WORKFORCE EDUCATION

## 115 AID TO LOCAL GOVERNMENTS

## PERFORMANCE BASED INCENTIVES

FROM GENERAL REVENUE FUND . . . . . 4,982,722

Funds in Specific Appropriation 115 shall be provided by the Department of Education to district workforce education programs for students who earn industry certifications during the 2013-2014 fiscal year. Funding shall be based on students who earn industry certifications in the following occupational areas: automotive service technology, cyber security, cloud virtualization, advanced manufacturing, and welding; or, industry certifications for Federal Aviation Administration airframe mechanics and power plant mechanics;

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## SPECIFIC

## APPROPRIATION

pharmacy technicians; and heating, ventilation and air conditioning technicians. On June 1, 2014, if any funds remain, the balance shall be allocated based on each district's share of the targeted career and technical education funding provided in Specific Appropriation 117A and shall be spent for the purpose of that appropriation.

## 116 AID TO LOCAL GOVERNMENTS

## GRANTS AND AIDS - ADULT BASIC EDUCATION

## FEDERAL FLOW-THROUGH FUNDS

FROM FEDERAL GRANTS TRUST FUND . . . 41,552,472

## 117 AID TO LOCAL GOVERNMENTS

## WORKFORCE DEVELOPMENT

FROM GENERAL REVENUE FUND . . . . . 291,639,843

From the funds in Specific Appropriation 10 from the Educational Enhancement Trust Fund and Specific Appropriation 117 from the General Revenue Fund, \$348,996,628 is provided for school district workforce education programs as defined in section 1004.02(26), Florida Statutes, and is allocated as follows:

Alachua.....	540,232
Baker.....	132,833
Bay.....	2,778,771
Bradford.....	893,138
Brevard.....	3,255,150
Broward.....	69,087,756
Calhoun.....	88,261
Charlotte.....	2,337,487
Citrus.....	2,396,826
Clay.....	850,966
Collier.....	7,660,617
Columbia.....	265,278
Miami-Dade.....	76,483,857
DeSoto.....	640,880
Dixie.....	61,267
Escambia.....	4,524,939
Flagler.....	1,685,211
Franklin.....	56,631
Gadsden.....	661,780
Glades.....	49,860
Gulf.....	141,731
Hamilton.....	66,645
Hardee.....	251,944
Hendry.....	298,457
Hernando.....	283,177
Hillsborough.....	27,092,740
Indian River.....	988,455
Jackson.....	326,522
Jefferson.....	103,206
Lafayette.....	54,496
Lake.....	3,949,722
Lee.....	8,906,805
Leon.....	5,502,485
Liberty.....	118,917
Madison.....	60,936
Manatee.....	8,237,871
Marion.....	3,558,263
Martin.....	1,646,686
Monroe.....	711,711
Nassau.....	366,523
Okaloosa.....	1,732,003
Orange.....	31,275,872
Osceola.....	5,672,466
Palm Beach.....	18,633,199
Pasco.....	2,351,739
Pinellas.....	24,900,254
Polk.....	8,886,094
Saint Johns.....	4,049,444
Santa Rosa.....	1,221,243
Sarasota.....	7,718,749
Sumter.....	130,550
Suwannee.....	793,897
Taylor.....	1,062,544



## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## SPECIFIC

## APPROPRIATION

Union.....	110,654
Wakulla.....	174,384
Walton.....	391,152
Washington.....	2,729,678
Washington Sp.....	43,674

Tuition and fee rates are established for the 2013-2014 fiscal year as follows:

For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be \$2.40 per contact hour for residents. For nonresidents, the out-of-state fee shall be \$7.20 per contact hour in addition to the standard tuition of \$2.40 per contact hour.

For adult general education programs, a block tuition shall be assessed in the amount of \$45 per half year or \$30 per term for residents. For nonresidents, the out-of-state fee shall be \$135 per half year or \$90 per term, in addition to the standard tuition.

Funds collected from standard tuition and out-of-state fees shall be used to support school district workforce education programs as defined in section 1004.02(26), Florida Statutes, and shall not be used to support K-12 programs or district K-12 administrative indirect costs.

The funds provided in Specific Appropriations 10, 115, 117 and 117A shall not be used to support K-12 programs or district K-12 administrative indirect costs. The Auditor General shall verify compliance with this requirement during scheduled audits of these institutions.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, school districts may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.

From the funds provided in Specific Appropriations 10 and 117, each school district shall report enrollment for adult general education programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the school districts.

District superintendents shall certify that workforce education enrollment and performance data used for funding allocations to districts is accurate and complete in accordance with reporting timelines established by the Department of Education. Upon certification, the district data shall be considered final for purposes of use in state funding formulas. After the final certification, the Department of Education may request a supplemental file in the event that a district has reported a higher level of enrollment or performance than was actually achieved by the district.

## 117A AID TO LOCAL GOVERNMENTS

## TARGETED CAREER/TECHNICAL EDUCATION

## INDUSTRY CERTIFICATION

FROM GENERAL REVENUE FUND . . . . . 22,484,521

Funds in Specific Appropriation 117A shall be provided to district workforce education programs to expand, enhance, or develop program offerings that will lead to industry certifications in the following occupational areas: automotive service technology, cyber security, cloud virtualization, advanced manufacturing, and welding; or, industry certifications for Federal Aviation Administration airframe mechanics and power plant mechanics; pharmacy technicians; and heating, ventilation and air conditioning technicians. By January 1, 2014, each district that receives funding shall submit a report to the Department of Education, in a format established by the department, documenting how the district expended the funds to expand, enhance, or develop the new programs.

The funds shall be allocated as follows:

Bay..... 399,783

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## SPECIFIC

## APPROPRIATION

Bradford.....	102,847
Broward.....	3,155,243
Charlotte.....	224,404
Citrus.....	309,023
Collier.....	654,277
Miami-Dade.....	3,118,049
Escambia.....	370,738
Flagler.....	126,114
Gadsden.....	43,431
Hernando.....	1,500,000
Hillsborough.....	1,324,273
Indian River.....	84,161
Lake.....	1,360,000
Lee.....	818,051
Leon.....	708,766
Manatee.....	861,353
Marion.....	362,790
Okaloosa.....	360,989
Orange.....	2,309,321
Osceola.....	532,969
Pasco.....	150,489
Pinellas.....	1,160,387
Polk.....	747,150
Saint Johns.....	417,930
Santa Rosa.....	132,993
Sarasota.....	511,101
Suwannee.....	99,962
Taylor.....	110,353
Walton.....	86,910
Washington.....	340,664

The funds in Specific Appropriation 117A for Hernando County School District are provided to create a new adult technical training program. Prior to the release of funds, the district must submit a program development and expenditure plan to the Department of Education.

## 117B AID TO LOCAL GOVERNMENTS

LOTUS HOUSE WOMEN'S EMPLOYMENT AND  
EDUCATION PROGRAM

FROM GENERAL REVENUE FUND . . . . . 75,000

## 118 AID TO LOCAL GOVERNMENTS

## GRANTS AND AIDS - VOCATIONAL FORMULA FUNDS

FROM FEDERAL GRANTS TRUST FUND . . . . . 72,144,852

## TOTAL: PROGRAM: WORKFORCE EDUCATION

FROM GENERAL REVENUE FUND . . . . . 319,182,086

FROM TRUST FUNDS . . . . . 113,697,324

TOTAL ALL FUNDS . . . . . 432,879,410

## FLORIDA COLLEGES, DIVISION OF

## PROGRAM: FLORIDA COLLEGES

## 119A AID TO LOCAL GOVERNMENTS

## PERFORMANCE BASED INCENTIVES

FROM GENERAL REVENUE FUND . . . . . 5,000,000

Funds in Specific Appropriation 119A shall be provided to colleges for students who earn industry certifications during the 2013-2014 academic year. Funding shall be based on students who earn industry certifications in the following occupational areas: automotive service technology, cyber security, cloud virtualization technology, advanced manufacturing, and welding; or, industry certifications for Federal Aviation Administration airframe mechanics and power plant mechanics; pharmacy technicians; and heating, ventilation and air conditioning technicians. The Department of Education shall distribute the awards by June 1, 2014 and establish procedures and timelines for colleges to report earned certifications for funding. By October 31, 2013, the Chancellor of the Florida College System shall identify the associated industry certifications and shall prepare a report for each certification to include cost, percent employed, and average salary of graduates.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)  
SPECIFIC  
APPROPRIATION

120 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - FLORIDA COLLEGE SYSTEM  
PROGRAM FUND  
FROM GENERAL REVENUE FUND . . . . . 895,449,775

Funds provided in Specific Appropriation 120 are provided for operating funds and approved baccalaureate programs, and shall be allocated as follows:

Eastern Florida State College.....	33,412,425
Broward College.....	66,336,974
College of Central Florida.....	17,079,005
Chipola College.....	9,149,112
Daytona State College.....	41,197,639
Edison State College.....	24,684,923
Florida State College at Jacksonville.....	62,226,417
Florida Keys Community College.....	5,215,777
Gulf Coast State College.....	17,687,246
Hillsborough Community College.....	42,836,763
Indian River State College.....	37,918,083
Florida Gateway College.....	10,323,173
Lake-Sumter State College.....	11,069,609
State College of Florida, Manatee-Sarasota.....	18,155,614
Miami Dade College.....	140,956,972
North Florida Community College.....	5,653,077
Northwest Florida State College.....	15,115,946
Palm Beach State College.....	43,699,765
Pasco-Hernando Community College.....	22,173,677
Pensacola State College.....	27,876,627
Polk State College.....	21,624,029
Saint Johns River State College.....	15,597,928
Saint Petersburg College.....	54,691,412
Santa Fe College.....	28,759,098
Seminole State College of Florida.....	30,307,824
South Florida State College.....	12,805,796
Tallahassee Community College.....	24,197,705
Valencia College.....	54,697,159

Prior to the disbursement of funds in Specific Appropriations 11 and 120, colleges shall submit an operating budget for the expenditure of these funds as provided in section 1011.30, Florida Statutes. The operating budget shall clearly identify planned expenditures for baccalaureate programs and shall include the sources of funds.

Beginning with the Fall 2013 semester, tuition and fee rates are established for the 2013-2014 fiscal year as follows:

For advanced and professional, postsecondary vocational, developmental education, and educator preparation institute programs, standard tuition shall be \$74.14 per credit hour for residents. For non-residents, the out-of-state fee shall be \$222.42 per credit hour in addition to the standard tuition of \$74.14 per credit hour.

For baccalaureate degree programs, the standard tuition shall be \$94.54 per credit hour for residents. Nonresident tuition shall be as provided in section 1009.23(3)(b), Florida Statutes.

For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be \$2.40 per contact hour for residents. For nonresidents, the out-of-state fee shall be \$7.20 per contact hour in addition to the standard tuition of \$2.40 per contact hour.

For adult general education programs, a block tuition shall be assessed in the amount of \$45 per half year or \$30 per term for residents. For nonresidents, the out-of-state fee shall be \$135 per half year or \$90 per term, in addition to the standard tuition.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, Florida colleges may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.

SECTION 2 - EDUCATION (ALL OTHER FUNDS)  
SPECIFIC  
APPROPRIATION

From the funds in Specific Appropriations 11 and 120, each Florida college shall report enrollment for adult general education programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the Florida colleges.

Each Florida college board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the Florida college by more than 10 percent during the 2013-2014 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Department of Education.

From the funds in Specific Appropriation 120, colleges shall disseminate the Economic Security Report. Each college shall determine the method and formats for disseminating the report, which shall occur no later than December 1, 2013. Colleges shall submit a copy of their plan for distributing the report to the Department of Education, and shall ensure that exceptional students have appropriate access to the report. The Chancellor of the Florida College System shall approve each distribution plan on or before October 1, 2013.

121 SPECIAL CATEGORIES  
COMMISSION ON COMMUNITY SERVICE  
FROM GENERAL REVENUE FUND . . . . . 433,182

122 SPECIAL CATEGORIES  
GRANTS AND AIDS - FLORIDA VIRTUAL CAMPUS  
FROM GENERAL REVENUE FUND . . . . . 12,329,843

Funds provided in Specific Appropriation 122 shall be distributed to the Florida Virtual Campus in the same manner as funds are distributed to the Florida College System institutions as provided in section 1011.81(1), Florida Statutes.

From the funds provided in Specific Appropriation 122 for the Florida Virtual Campus, administrative costs shall not exceed five percent.

From the funds in Specific Appropriation 122, \$499,700 in recurring general revenue and \$838,500 in nonrecurring general revenue shall be used by the Florida Virtual Campus to implement a common web infrastructure; modernize the statewide, internet-based catalog of distance learning courses and degree programs established pursuant to section 1006.73(5)(b), Florida Statutes; expand support services; consolidate and expand current support platforms into one unified help desk and advising support platform; and develop and implement a plan that describes the services and resources available at the Florida Virtual Campus. The Florida Virtual Campus shall submit quarterly project status reports to the chairs of the Senate Appropriations Subcommittee on Education and the House Education Appropriations Subcommittee. The report shall include a description of the progress made to date for each project milestone, planned and actual deliverable completion dates, actual costs incurred and current issues and risks being managed.

126 DATA PROCESSING SERVICES  
NORTHWEST REGIONAL DATA CENTER (NWRDC)  
FROM GENERAL REVENUE FUND . . . . . 50,400

The funds provided in Specific Appropriation 126 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: PROGRAM: FLORIDA COLLEGES  
FROM GENERAL REVENUE FUND . . . . . 913,263,200

TOTAL ALL FUNDS . . . . . 913,263,200

STATE BOARD OF EDUCATION

Funds provided in Specific Appropriations 127 through 140 for the Working Capital Trust Fund shall be cost-recovered from funds used to

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## SPECIFIC

## APPROPRIATION

pay data processing services provided in accordance with section 216.272, Florida Statutes.

From the funds provided in Specific Appropriations 127 through 140, the Commissioner of Education shall prepare and provide to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor on or before October 1, 2013, a report containing the following: the federal indirect cost rate(s) approved to be used for the 12 month period of the 2013-2014 fiscal year and the data on which the rate(s) was established; the estimated amount of funds the approved rate(s) will generate; the proposed expenditure plan for the amount generated; and the June 30, 2013, balance of all unexpended federal indirect cost funds.

From the funds provided in Specific Appropriations 138, 139, and 140, the Department of Education shall pay for data center services based on the actual direct and indirect costs to the Department of Education. These funds shall not be used to subsidize another entity's costs.

From the funds provided in Specific Appropriations 108 through 112 and 127 through 140, \$590,000 is provided for the maintenance and support of the FCAT Explorer program by the current software provider until the new standards tutorial is implemented. No more than \$160,000 of this amount shall be used for data center services provided by the Northwest Regional Data Center or other providers for software license, internet connection, and other costs.

From the funds provided in Specific Appropriations 127 through 140, the Commissioner of Education may contract with a third party, subject to the appropriate competitive bid process, to manage and conduct the annual charter school conference per department specifications.

APPROVED SALARY RATE		50,077,932	
127	SALARIES AND BENEFITS	POSITIONS	1,029.50
	FROM GENERAL REVENUE FUND . . . . .		19,039,853
	FROM ADMINISTRATIVE TRUST FUND . . . . .		6,900,035
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND . . . . .		4,293,969
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . . . . .		2,859,278
	FROM FEDERAL GRANTS TRUST FUND . . . . .		14,496,832
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND . . . . .		2,288,778
	FROM STUDENT LOAN OPERATING TRUST FUND . . . . .		7,464,314
	FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND . . . . .		66,269
	FROM OPERATING TRUST FUND . . . . .		261,386
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND . . . . .		310,003
	FROM WORKING CAPITAL TRUST FUND . . . . .		6,732,230
128	OTHER PERSONAL SERVICES		227,539
	FROM GENERAL REVENUE FUND . . . . .		135,012
	FROM ADMINISTRATIVE TRUST FUND . . . . .		89,999
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND . . . . .		40,000
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . . . . .		1,134,714
	FROM FEDERAL GRANTS TRUST FUND . . . . .		94,600
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND . . . . .		250,000
	FROM STUDENT LOAN OPERATING TRUST FUND . . . . .		35,101
	FROM OPERATING TRUST FUND . . . . .		55,480
129	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	3,494,688	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		1,502,031

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## SPECIFIC

## APPROPRIATION

FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND . . . . .	638,908
FROM EDUCATIONAL MEDIA AND TECHNOLOGY TRUST FUND . . . . .	133,426
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . . . . .	868,681
FROM FEDERAL GRANTS TRUST FUND . . . . .	2,946,509
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	50,000
FROM INSTITUTIONAL ASSESSMENT TRUST FUND . . . . .	864,278
FROM STUDENT LOAN OPERATING TRUST FUND . . . . .	2,021,981
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND . . . . .	39,050
FROM OPERATING TRUST FUND . . . . .	433,183
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND . . . . .	57,000
FROM WORKING CAPITAL TRUST FUND . . . . .	737,894

The Commissioner of Education shall monitor district compliance with the student choice and access provisions prescribed in section 1002.20(6), section 1001.43(23), and section 1003.02(1)(i), Florida Statutes, and provide a report of violations and efforts to restrict student choice to the State Board of Education and the Legislature no later than April 10, 2014.

From the funds provided in Specific Appropriation 129, \$42,813 in recurring general revenue is provided to the Department of Education to pay the state's dues to the Interstate Commission on Educational Opportunity for Military Children for the 2013-2014 fiscal year.

From the funds in Specific Appropriation 129, \$500,000 from the General Revenue Fund is provided for a K-20 Students with Disabilities Education Pathway Task Force. The Commissioner of Education shall appoint at least nine members to serve on the task force. The task force may include, but is not limited to, the following members: a representative from the Florida College System; a representative from the State University System; a representative from Independent Colleges and Universities; a representative from the disability advocacy community; a School District Superintendent; a parent of a student with disabilities who is seeking postsecondary options; a curriculum specialist; an assessment specialist; an ESE teacher; a Senate President designee; and a Speaker of the House of Representatives designee. A portion of the funds may be used by the Department of Education to provide staff and administrative support to the task force. All appointments must be made by July 15, 2013. The Commissioner shall preside over the organizational meeting of the task force.

The purpose of the task force is to make recommendations on a rigorous K-12 academic pathway that will enable students with disabilities to earn a diploma that will matriculate into postsecondary education college credit programs. In addition, the task force shall recommend options for expanding access of students with disabilities to a traditional postsecondary academic experience. The task force shall submit recommendations by December 1, 2013, to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor.

From the funds in Specific Appropriation 129, \$500,000 is provided for the department to contract with an outside entity to conduct a study on the accessibility and the awarding of credit for K-12 and postsecondary online courses.

130	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	45,970	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		144,428
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND . . . . .		31,440
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . . . . .		15,000
	FROM FEDERAL GRANTS TRUST FUND . . . . .		778,834

SECTION 2 - EDUCATION (ALL OTHER FUNDS)  
SPECIFIC  
APPROPRIATION

FROM INSTITUTIONAL ASSESSMENT TRUST FUND . . . . .	16,375	
FROM STUDENT LOAN OPERATING TRUST FUND . . . . .	518,200	
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND . . . . .	6,000	
FROM OPERATING TRUST FUND . . . . .	5,000	
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND . . . . .	1,000	
FROM WORKING CAPITAL TRUST FUND . . . . .	47,921	
131 SPECIAL CATEGORIES		
ASSESSMENT AND EVALUATION		
FROM GENERAL REVENUE FUND . . . . .	43,551,419	
FROM ADMINISTRATIVE TRUST FUND . . . . .	6,500,000	
FROM FEDERAL GRANTS TRUST FUND . . . . .	28,952,630	
FROM STUDENT LOAN OPERATING TRUST FUND . . . . .	750,000	
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND . . . . .	12,544,268	
132 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND . . . . .	411,928	
133 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND . . . . .	520,076	
FROM ADMINISTRATIVE TRUST FUND . . . . .	338,750	
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND . . . . .	2,474,688	
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . . . . .	238,200	
FROM FEDERAL GRANTS TRUST FUND . . . . .	1,699,970	
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	50,000	
FROM INSTITUTIONAL ASSESSMENT TRUST FUND . . . . .	219,134	
FROM STUDENT LOAN OPERATING TRUST FUND . . . . .	9,955,478	
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND . . . . .	41,188	
FROM OPERATING TRUST FUND . . . . .	64,193	
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND . . . . .	3,000	
FROM WORKING CAPITAL TRUST FUND . . . . .	149,249	
134 SPECIAL CATEGORIES		
EDUCATIONAL FACILITIES RESEARCH AND DEVELOPMENT PROJECTS		
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . . . . .	200,000	
135 SPECIAL CATEGORIES		
STUDENT FINANCIAL ASSISTANCE MANAGEMENT INFORMATION SYSTEM		
FROM STUDENT LOAN OPERATING TRUST FUND . . . . .	259,845	
136 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND . . . . .	140,470	
FROM ADMINISTRATIVE TRUST FUND . . . . .	62,908	
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND . . . . .	41,460	
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . . . . .	17,159	
FROM FEDERAL GRANTS TRUST FUND . . . . .	115,355	
FROM INSTITUTIONAL ASSESSMENT TRUST FUND . . . . .	8,440	

SECTION 2 - EDUCATION (ALL OTHER FUNDS)  
SPECIFIC  
APPROPRIATION

FROM STUDENT LOAN OPERATING TRUST FUND . . . . .	100,990	
FROM OPERATING TRUST FUND . . . . .	4,360	
FROM WORKING CAPITAL TRUST FUND . . . . .	37,453	
137 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND . . . . .	142,396	
FROM ADMINISTRATIVE TRUST FUND . . . . .	24,986	
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND . . . . .	20,752	
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . . . . .	13,668	
FROM FEDERAL GRANTS TRUST FUND . . . . .	85,997	
FROM INSTITUTIONAL ASSESSMENT TRUST FUND . . . . .	6,368	
FROM STUDENT LOAN OPERATING TRUST FUND . . . . .	51,544	
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND . . . . .	356	
FROM OPERATING TRUST FUND . . . . .	3,371	
FROM WORKING CAPITAL TRUST FUND . . . . .	30,976	
138 DATA PROCESSING SERVICES		
EDUCATION TECHNOLOGY AND INFORMATION SERVICES		
FROM GENERAL REVENUE FUND . . . . .	5,953,405	
FROM ADMINISTRATIVE TRUST FUND . . . . .	1,391,973	
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND . . . . .	724,429	
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . . . . .	419,206	
FROM FEDERAL GRANTS TRUST FUND . . . . .	2,398,499	
FROM INSTITUTIONAL ASSESSMENT TRUST FUND . . . . .	167,197	
FROM STUDENT LOAN OPERATING TRUST FUND . . . . .	2,838,589	
FROM OPERATING TRUST FUND . . . . .	126,183	
FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND . . . . .	15,000	
FROM WORKING CAPITAL TRUST FUND . . . . .	754,371	
From the funds provided in Specific Appropriation 138, \$400,000 is provided for the Office of Independent Education and Parental Choice within the department to develop or contract for the development of a statewide database of charter school waiting lists. The School Choice office may establish necessary criteria for implementation of the data base.		
139 DATA PROCESSING SERVICES		
SOUTHWOOD SHARED RESOURCE CENTER		
FROM GENERAL REVENUE FUND . . . . .	99,035	
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . . . . .	7,663	
FROM FEDERAL GRANTS TRUST FUND . . . . .	14,009	
FROM STUDENT LOAN OPERATING TRUST FUND . . . . .	93,306	
FROM WORKING CAPITAL TRUST FUND . . . . .	66,409	
140 DATA PROCESSING SERVICES		
NORTHWEST REGIONAL DATA CENTER (NWRDC)		
FROM GENERAL REVENUE FUND . . . . .	1,536,008	
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND . . . . .	541	
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND . . . . .	2,083	
FROM FEDERAL GRANTS TRUST FUND . . . . .	28,223	
FROM STUDENT LOAN OPERATING TRUST		

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## SPECIFIC

## APPROPRIATION

FUND . . . . .	705,650
FROM WORKING CAPITAL TRUST FUND . .	1,757,253

The funds provided in Specific Appropriation 140 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

## TOTAL: STATE BOARD OF EDUCATION

FROM GENERAL REVENUE FUND . . . . .	75,162,787	
FROM TRUST FUNDS . . . . .		135,942,459
TOTAL POSITIONS . . . . .	1,029.50	
TOTAL ALL FUNDS . . . . .		211,105,246

## UNIVERSITIES, DIVISION OF

## PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 12 through 16 and 142 through 150 are provided as grants and aids to support the operation of state universities. Funds provided to each university are contingent upon that university following the provisions of chapters 1000 through 1013, Florida Statutes, which relate to state universities. Any withholding of funds pursuant to this provision shall be subject to the approval of the Legislative Budget Commission.

## 141 AID TO LOCAL GOVERNMENTS

## GRANTS AND AIDS - MOFFITT CANCER CENTER

## AND RESEARCH INSTITUTE

FROM GENERAL REVENUE FUND . . . . .	10,576,930
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Funds in Specific Appropriation 141 may be transferred to the Agency for Health Care Administration and used as state matching funds for Moffitt's participation in the Low Income Pool or the application of Medicaid inpatient and outpatient rate adjustments applied to the H. Lee Moffitt Cancer Center and Research Institute and other Medicaid reductions to its rates up to the actual Medicaid inpatient and outpatient costs. In the event that enhanced Medicaid funding is not implemented by the Agency for Health Care Administration, these funds shall remain appropriated to the H. Lee Moffitt Cancer Center and Research Institute to continue the original purpose of providing research and education related to cancer.

## 142 AID TO LOCAL GOVERNMENTS

## GRANTS AND AIDS - EDUCATION AND GENERAL

## ACTIVITIES

FROM GENERAL REVENUE FUND . . . . .	1,578,375,596
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## FROM EDUCATION AND GENERAL STUDENT

AND OTHER FEES TRUST FUND . . . . .	1,668,345,287
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FROM PHOSPHATE RESEARCH TRUST FUND .	5,029,456
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The funds provided in Specific Appropriations 142 through 150 from the Education and General Student and Other Fees Trust Fund are the only budget authority provided in this act for the 2013-2014 fiscal year to the named universities to expend tuition and fees that are collected during the 2013-2014 fiscal year and carried forward from the prior fiscal year and that are appropriated into local accounts pursuant to section 1011.4106, Florida Statutes. The expenditure of tuition and fee revenues from local accounts by each university shall not exceed the authority provided by these specific appropriations, unless approved pursuant to the provisions of chapter 216, Florida Statutes.

General revenue funds provided in Specific Appropriations 142 through 150 to each of the named universities are contingent upon each university complying with the tuition and fee policies established in the proviso language attached to Specific Appropriation 142, and with the tuition and fee policies for state universities included in Part II of chapter 1009, Florida Statutes. However, the funds appropriated to a specific university shall not be affected by the failure of another university to comply with this provision.

Funds in Specific Appropriations 12 through 16 and 142 through 150 shall be expended in accordance with operating budgets that must be approved by each university's board of trustees.

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## SPECIFIC

## APPROPRIATION

Funds in Specific Appropriation 142 from the General Revenue Fund shall be allocated as follows:

University of Florida.....	291,204,312
Florida State University.....	251,794,510
Florida A&M University.....	82,770,293
University of South Florida.....	173,488,978
University of South Florida, St. Petersburg.....	21,020,955
University of South Florida, Sarasota/Manatee.....	11,992,945
Florida Atlantic University.....	117,802,916
University of West Florida.....	61,785,928
University of Central Florida.....	202,392,098
Florida International University.....	155,485,890
University of North Florida.....	65,105,217
Florida Gulf Coast University.....	49,400,947
New College of Florida.....	15,851,052
Florida Polytechnic University.....	28,279,555
State University Performance Based Incentives.....	50,000,000

Funds in Specific Appropriation 142 from the Education and General Student and Other Fees Trust Fund shall be allocated as follows:

University of Florida.....	325,965,294
Florida State University.....	223,017,225
Florida A&M University.....	73,003,785
University of South Florida.....	189,942,037
University of South Florida, St. Petersburg.....	17,223,111
University of South Florida, Sarasota/Manatee.....	8,098,325
Florida Atlantic University.....	126,613,340
University of West Florida.....	54,258,122
University of Central Florida.....	273,256,642
Florida International University.....	236,769,713
University of North Florida.....	71,103,881
Florida Gulf Coast University.....	62,803,389
New College of Florida.....	6,290,423

Beginning with the Fall 2013 semester, undergraduate tuition is established at \$106.42 per credit hour for the 2013-2014 fiscal year.

Tuition for graduate and professional programs and out-of-state fees for all programs shall be established pursuant to section 1009.24, Florida Statutes. No state university may receive general revenue funding associated with the enrollment of out-of-state students.

Each university board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the university by more than 10 percent during the 2013-2014 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Board of Governors.

Pursuant to section 1011.90, Florida Statutes, the development of these appropriations was based on the planned enrollment for each university as submitted by the Board of Governors on March 24, 2013.

Funds in Specific Appropriation 142 from the Phosphate Research Trust Fund are provided for the Florida Polytechnic University.

From the General Revenue Fund allocation for the Florida Polytechnic University, if the documented costs associated with allowing students enrolled in the University of South Florida Polytechnic to complete their degrees at the University of South Florida exceeds the funding provided in chapter 2012-129, Laws of Florida, for such purpose, the Florida Polytechnic University shall continue to provide additional funds for these educational services.

From the general revenue funds in Specific Appropriation 142, \$20,000,000 shall be allocated by the Board of Governors for performance funding by December 31, 2013, based on the percentage of graduates employed or enrolled in further education, the average wages of employed graduates, and the average cost per graduate.

From the general revenue funds in Specific Appropriation 142,

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## SPECIFIC

## APPROPRIATION

\$15,000,000 shall be awarded to three main or extension sites by September 1, 2013, pursuant to section 1011.905(1)(b), Florida Statutes as amended in chapter 2013-27, Laws of Florida. Of the three sites, two shall meet the requirements prescribed in section 1011.905(1)(b), Florida Statutes. One of the three sites shall meet the requirements prescribed in section 1011.905(1)(b), Florida Statutes, and the following:

(1) Supports the regional military base(s) Defense Base Closure and Realignment (BRAC) Commission's profile by serving as a distribution hub for LambdaRail connectivity to the regional military bases to support research and operational activity at the military.

(2) Offers continuing education programs including industry certifications that are associated with cloud/virtualization and big data.

(3) Have begun the process of discussions to establish a Master's degree in cloud/virtualization supported by documentation from the 2012-2013 fiscal year.

(4) Been actively involved in the 2012-2013 fiscal year with the National Science Foundation Grant to Florida State College at Jacksonville on the cloud/virtualization initiative.

(5) Intends to establish LambdaRail connectivity to the university site and regional military bases with formal plans to provide links to all regional educational entities.

(6) Have established working relations with major cloud/virtualization companies in the 2012-2013 fiscal year.

(7) Establishes a target of 90 percent job placement within 12 months after graduation.

From the general revenue funds in Specific Appropriation 142, \$2,000,000 shall be provided to the University of Florida Lastinger Center to upgrade assessments and data systems to the Algebra Nation online learning program. Each of the Grades 6 to 11 Algebra I modules will have the equivalent section of the State of Florida Algebra I designated end-of-course (EOC) exam. The student results shall be captured in a cloud format. Each student shall be issued a record of completion as evidence of meeting Florida's Algebra I EOC requirement for graduation from high school.

From the general revenue funds in Specific Appropriation 142, \$2,500,000 is provided to the Florida State University Center for Reading Research to coordinate with Istation to conduct a supplemental reading pilot project for at least five independent school districts and open-enrollment charters in the State of Florida not currently implementing such a program. This program shall provide academic support to students and teachers to help ensure grade level achievement in reading by providing an online, interactive reading assessment and research-based intervention program for grades PreK-5. This online program must automatically place students into an individualized on-line curriculum and instruction, provide teacher and administrators with immediate reporting, provide recommendations for interventions and teacher lessons, and provide small group instruction lessons. The program must provide computer-adaptive assessments at least eight times per year, and teacher, principles and districts must have immediate on-line reporting to identify those students who are not reading on grade-level and those that are at risk of failing the state reading assessment pursuant to sections 1008.22(3) and 1008.22(5), Florida Statutes. The program must make available to parents reporting and resources regarding student achievement via a home portal. Implementation of the program must begin no later than August 15, 2013. A comprehensive report detailing the results of the program shall be submitted to the Department of Education by July 1, 2014 for review and recommendation for statewide implementation.

From the funds in Specific Appropriation 142, \$1,000,000 from the General Revenue Fund is provided to the University of West Florida to continue to expand the components of the Economic Security Report under the direction of the Haas Center. From the \$1,000,000, \$380,000 is provided for the collegemeasures.org contract; \$142,500 for the Haas Center for administration and development of the project; and \$427,500 for the dissemination of the Economic Security Report in printed and other formats to expand coverage to interested parties including, but not limited to, Department of Juvenile Justice facilities, private schools, and home education students. The remaining \$50,000 shall be allocated to serve and support exceptional student participation in the

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## SPECIFIC

## APPROPRIATION

project.

From the funds in Specific Appropriation 142, the nonrecurring sum of \$2,500,000 from the General Revenue Fund shall be held in reserve. The funds shall be released to the University of South Florida contingent upon the demonstrated transfer of land ownership rights of the property located at 601 Fourth Street South in Pinellas County, Florida, parcels #19-31-17-59256-007-0040 and #19-31-17-59256-007-0061 to All Children's Hospital, Inc.

Pursuant to chapter 253, Florida Statutes, the Board of Trustees of the Internal Improvement Trust Fund may transfer to the Board of Trustees of the University of South Florida the land ownership rights for parcel #19-31-17-59256-007-0010, #19-31-17-59256-007-0040 and #19-31-17-59256-007-0061 which are currently leased to the University of South Florida and located at 601 Fourth Street South in Pinellas County, Florida, to include the property, any improvements thereon, and the paved parking lot for the purpose of the university entering into a partnership agreement with All Children's Hospital, Inc. The University of South Florida is authorized to transfer ownership of parcels #19-31-17-59256-007-0040 and #19-31-17-59256-007-0061 to All Children's Hospital, Inc.

144	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - IPAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE) FROM GENERAL REVENUE FUND . . . . .	128,333,473
145	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER FROM GENERAL REVENUE FUND . . . . . FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND . . . . .	62,145,925  55,024,463
146	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER FROM GENERAL REVENUE FUND . . . . . FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND . . . . .	100,720,936  38,463,434
147	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLORIDA STATE UNIVERSITY MEDICAL SCHOOL FROM GENERAL REVENUE FUND . . . . . FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND . . . . .	33,464,831  11,572,716
148	AID TO LOCAL GOVERNMENTS UNIVERSITY OF CENTRAL FLORIDA MEDICAL SCHOOL FROM GENERAL REVENUE FUND . . . . . FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND . . . . .	24,251,830  10,547,071
149	AID TO LOCAL GOVERNMENTS FLORIDA INTERNATIONAL UNIVERSITY MEDICAL SCHOOL FROM GENERAL REVENUE FUND . . . . . FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND . . . . .	30,117,725  12,532,971
150	AID TO LOCAL GOVERNMENTS FLORIDA ATLANTIC UNIVERSITY MEDICAL SCHOOL FROM GENERAL REVENUE FUND . . . . . FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND . . . . .	14,535,791  6,158,280
151	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - STUDENT FINANCIAL ASSISTANCE FROM GENERAL REVENUE FUND . . . . .	7,140,378

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

## SPECIFIC

## APPROPRIATION

A minimum of 75 percent of the funds provided in Specific Appropriation 151 shall be allocated for need-based financial aid.

Funds in Specific Appropriation 151 shall be allocated as follows:

University of Florida.....	1,737,381
Florida State University.....	1,467,667
Florida A&M University.....	624,417
University of South Florida .....	801,368
Florida Atlantic University.....	399,658
University of West Florida.....	157,766
University of Central Florida.....	858,405
Florida International University.....	540,666
University of North Florida.....	200,570
Florida Gulf Coast University.....	98,073
New College of Florida.....	204,407
Florida Polytechnic University.....	50,000

## 152 AID TO LOCAL GOVERNMENTS

GRANTS AND AIDS - INSTITUTE FOR HUMAN AND MACHINE COGNITION

FROM GENERAL REVENUE FUND . . . . . 2,739,184

## 154 SPECIAL CATEGORIES

RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND . . . . . 20,216,792

FROM PHOSPHATE RESEARCH TRUST FUND . . . . . 3,988

## 155 SPECIAL CATEGORIES

GRANTS AND AIDS - FLORIDA VIRTUAL CAMPUS

FROM GENERAL REVENUE FUND . . . . . 12,313,184

From the funds provided in Specific Appropriation 155 for the Florida Virtual Campus, administrative costs shall not exceed five percent.

From the funds in Specific Appropriation 155, \$332,700 in recurring general revenue and \$1,005,500 in nonrecurring general revenue shall be used by the Florida Virtual Campus to implement a common web infrastructure; modernize the statewide, internet-based catalog of distance learning courses and degree programs established pursuant to section 1006.73(5)(b), Florida Statutes; expand support services; consolidate and expand current support platforms into one unified help desk and advising support platform; and develop and implement a plan that describes the services and resources available at the Florida Virtual Campus. The Florida Virtual Campus shall submit quarterly project status reports to the chairs of the Senate Appropriations Subcommittee on Education and the House Education Appropriations Subcommittee. The report shall include a description of the progress made to date for each project milestone, planned and actual deliverable completion dates, actual costs incurred and current issues and risks being managed.

## TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

FROM GENERAL REVENUE FUND . . . . . 2,024,932,575

FROM TRUST FUNDS . . . . . 1,807,677,666

TOTAL ALL FUNDS . . . . . 3,832,610,241

## BOARD OF GOVERNORS

The Board of Governors shall submit a report no later than December 1, 2013, to the Legislature and the Governor that provides a plan for the creation of a Florida Center for Cybersecurity to be principally located at, and under the leadership of, the University of South Florida. The goals of the Florida Center for Cybersecurity shall be: to position Florida as the leading state in cybersecurity and its related workforce; to create new jobs in the cybersecurity industry in the state; to educate students to excel in cybersecurity professions in the state; to enhance the capabilities of the existing cybersecurity workforce in the state; to work with the business community statewide to identify and remedy any cybersecurity vulnerabilities; and to attract financial services, healthcare, defense industry and other companies to relocate to, or startup within, the state. The report shall include any proposed capital and operational startup costs as well as a budget to support the

## SECTION 2 - EDUCATION (ALL OTHER FUNDS)

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ongoing operations of the proposed Florida Center for Cybersecurity.

APPROVED SALARY RATE 4,200,391

156	SALARIES AND BENEFITS	POSITIONS	57.00
	FROM GENERAL REVENUE FUND . . . . .		4,716,349
	FROM DIVISION OF UNIVERSITIES		
	FACILITY CONSTRUCTION		
	ADMINISTRATIVE TRUST FUND . . . . .		660,753

From the funds provided in Specific Appropriation 156, the state funded portion of salaries for each employee of the Board of Governors shall not exceed \$200,000.

## 157 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND . . . . .	49,373
FROM DIVISION OF UNIVERSITIES	
FACILITY CONSTRUCTION	
ADMINISTRATIVE TRUST FUND . . . . .	15,000
FROM OPERATIONS AND MAINTENANCE	
TRUST FUND . . . . .	5,000

## 158 EXPENSES

FROM GENERAL REVENUE FUND . . . . .	588,869
FROM DIVISION OF UNIVERSITIES	
FACILITY CONSTRUCTION	
ADMINISTRATIVE TRUST FUND . . . . .	259,799
FROM OPERATIONS AND MAINTENANCE	
TRUST FUND . . . . .	12,000

## 159 OPERATING CAPITAL OUTLAY

FROM GENERAL REVENUE FUND . . . . .	11,782
FROM DIVISION OF UNIVERSITIES	
FACILITY CONSTRUCTION	
ADMINISTRATIVE TRUST FUND . . . . .	5,950

## 160 SPECIAL CATEGORIES

CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND . . . . .	160,127
FROM DIVISION OF UNIVERSITIES	
FACILITY CONSTRUCTION	
ADMINISTRATIVE TRUST FUND . . . . .	20,000
FROM OPERATIONS AND MAINTENANCE	
TRUST FUND . . . . .	3,000

## 161 SPECIAL CATEGORIES

TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM GENERAL REVENUE FUND . . . . .	16,271
FROM DIVISION OF UNIVERSITIES	
FACILITY CONSTRUCTION	
ADMINISTRATIVE TRUST FUND . . . . .	2,123

## 162 DATA PROCESSING SERVICES

NORTHWEST REGIONAL DATA CENTER (NWRDC)	
FROM GENERAL REVENUE FUND . . . . .	23,911

The funds provided in Specific Appropriation 162 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

## TOTAL: BOARD OF GOVERNORS

FROM GENERAL REVENUE FUND . . . . .	5,566,682
FROM TRUST FUNDS . . . . .	983,625

TOTAL POSITIONS . . . . . 57.00

TOTAL ALL FUNDS . . . . . 6,550,307

## TOTAL OF SECTION 2

FROM GENERAL REVENUE FUND . . . . . 14,156,967,374

FROM TRUST FUNDS . . . . . 6,328,962,461



SECTION 2 - EDUCATION (ALL OTHER FUNDS)  
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TOTAL POSITIONS . . . . .	2,414.25	
TOTAL ALL FUNDS . . . . .		20,485,929,835
TOTAL: EDUCATION, DEPARTMENT OF (SECTIONS 1 AND 2)		
EDUCATION/EARLY LEARNING		
FROM GENERAL REVENUE FUND . . . . .	561,523,522	
FROM TRUST FUNDS . . . . .		448,186,601
EDUCATION/PUBLIC SCHOOLS		
FROM GENERAL REVENUE FUND . . . . .	10,289,852,358	
FROM TRUST FUNDS . . . . .		2,725,203,774
EDUCATION/COMM COLLEGES		
FROM GENERAL REVENUE FUND . . . . .	913,263,200	
FROM TRUST FUNDS . . . . .		204,938,935
EDUCATION/UNIVERSITIES		
FROM GENERAL REVENUE FUND . . . . .	2,024,932,575	
FROM TRUST FUNDS . . . . .		2,042,446,512
EDUCATION/OTHER		
FROM GENERAL REVENUE FUND . . . . .	367,395,719	
FROM TRUST FUNDS . . . . .		2,517,655,334
EDUCATION RECAP		
FROM GENERAL REVENUE FUND . . . . .	14,156,967,374	
FROM TRUST FUNDS . . . . .		7,938,431,156
TOTAL POSITIONS . . . . .	2,414.25	
TOTAL ALL FUNDS . . . . .		22,095,398,530
TOTAL APPROVED SALARY RATE . . . .	104,716,839	

SECTION 3 - HUMAN SERVICES

The moneys contained herein are appropriated from the named funds to the Agency for Health Care Administration, Agency for Persons with Disabilities, Department of Children and Families, Department of Elder Affairs, Department of Health, and the Department of Veterans' Affairs as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGENCY FOR HEALTH CARE ADMINISTRATION

PROGRAM: ADMINISTRATION AND SUPPORT

APPROVED SALARY RATE	11,968,804	
163 SALARIES AND BENEFITS POSITIONS	249.00	
FROM GENERAL REVENUE FUND . . . . .	2,721,417	
FROM ADMINISTRATIVE TRUST FUND . . .		12,779,798
164 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	79,599	
FROM ADMINISTRATIVE TRUST FUND . . .		809,860
165 EXPENSES		
FROM GENERAL REVENUE FUND . . . . .	150,680	
FROM ADMINISTRATIVE TRUST FUND . . .		2,817,419
166 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND . . . . .	180,923	
FROM ADMINISTRATIVE TRUST FUND . . .		514,701
166A LUMP SUM		
LITIGATION EXPENSES		
FROM ADMINISTRATIVE TRUST FUND . . .		2,224,844
167 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND . . . . .	230,010	
FROM ADMINISTRATIVE TRUST FUND . . .		3,081,244
168 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND . . . . .	33,820	
FROM ADMINISTRATIVE TRUST FUND . . .		262,937

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169 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND . . . . .	18,346	
FROM ADMINISTRATIVE TRUST FUND . . .		193,114
170 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND . . . . .	23,437	
FROM ADMINISTRATIVE TRUST FUND . . .		73,728
171 DATA PROCESSING SERVICES		
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
FROM ADMINISTRATIVE TRUST FUND . . .		647,765
172 DATA PROCESSING SERVICES		
SOUTHWOOD SHARED RESOURCE CENTER		
FROM ADMINISTRATIVE TRUST FUND . . .		25,206
173 DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER		
FROM ADMINISTRATIVE TRUST FUND . . .		740,756
TOTAL: PROGRAM: ADMINISTRATION AND SUPPORT		
FROM GENERAL REVENUE FUND . . . . .	3,438,232	
FROM TRUST FUNDS . . . . .		24,171,372
TOTAL POSITIONS . . . . .	249.00	
TOTAL ALL FUNDS . . . . .		27,609,604

PROGRAM: HEALTH CARE SERVICES

CHILDREN'S SPECIAL HEALTH CARE

Funds in Specific Appropriations 174 through 179 are provided to operate the Florida KidCare Program. The Executive Office of the Governor may authorize transfer of these resources between programs or agencies pursuant to chapter 216, Florida Statutes, based on projections from the Social Services Estimating Conference.

From the funds in Specific Appropriations 174 through 179 the Agency for Health Care Administration shall seek federal approval to protect family choice and allow children under 138 percent of the Federal Poverty Level to enroll in either the Title XXI Children's Health Insurance Program (CHIP) or the Title XIX Medicaid Program. Upon federal approval, the agency may request to realign funding between the Title XIX and Title XXI programs and is authorized to submit a budget amendment pursuant to chapter 216, Florida Statutes to transfer funds as necessary to reflect actual enrollment choices.

The agency is authorized to seek any necessary state plan amendment to implement additional Title XXI administrative claiming for school health services.

174 SPECIAL CATEGORIES		
GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION		
FROM GENERAL REVENUE FUND . . . . .	4,115,718	
FROM TOBACCO SETTLEMENT TRUST FUND .		65,154,585
FROM MEDICAL CARE TRUST FUND . . . .		169,886,443

Funds in Specific Appropriations 174 and 177 are provided to contract with the Florida Healthy Kids Corporation to provide comprehensive health insurance coverage, including dental services, to Title XXI children eligible under the Florida KidCare Program and pursuant to section 624.91, Florida Statutes. The corporation shall use local funds to serve non-Title XXI children that are eligible for the program pursuant to section 624.91(3)(b), Florida Statutes. The corporation shall return unspent local funds collected in Fiscal Year 2012-2013 to provide premium assistance for non-Title XXI eligible children based on a formula developed by the corporation.

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Funds in Specific Appropriations 174, 177, 178, and 179 reflect a reduction of \$18,153,658 from the General Revenue Fund and \$44,504,580 from the Medical Care Trust Fund based on a transfer of children under 138 percent of the Federal Poverty Level that will transition from the Title XXI Children's Health Insurance Program (CHIP) to the Title XIX Medicaid Program, as authorized by the Federal Affordable Care Act.

175	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	565,852	
	FROM TOBACCO SETTLEMENT TRUST FUND . . . . .		704,548
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		391,572
	FROM MEDICAL CARE TRUST FUND . . . . .		3,154,539
176	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES - FLORIDA HEALTHY KIDS ADMINISTRATION		
	FROM GENERAL REVENUE FUND . . . . .	1,385,084	
	FROM TOBACCO SETTLEMENT TRUST FUND . . . . .		3,946,147
	FROM MEDICAL CARE TRUST FUND . . . . .		13,070,463
177	SPECIAL CATEGORIES GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION DENTAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	7,801,132	
	FROM MEDICAL CARE TRUST FUND . . . . .		19,126,107
	Funds in Specific Appropriation 177 are provided for Florida Healthy Kids dental services to be paid a monthly premium of no more than \$12.57 per member per month.		
178	SPECIAL CATEGORIES MEDIKIDS		
	FROM GENERAL REVENUE FUND . . . . .	2,970,185	
	FROM TOBACCO SETTLEMENT TRUST FUND . . . . .		9,571,956
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		12,638,710
	FROM MEDICAL CARE TRUST FUND . . . . .		30,752,524
179	SPECIAL CATEGORIES CHILDREN'S MEDICAL SERVICES NETWORK		
	FROM GENERAL REVENUE FUND . . . . .	21,248,228	
	FROM TOBACCO SETTLEMENT TRUST FUND . . . . .		15,619,174
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		2,337,513
	FROM MEDICAL CARE TRUST FUND . . . . .		90,384,527
TOTAL:	CHILDREN'S SPECIAL HEALTH CARE		
	FROM GENERAL REVENUE FUND . . . . .	38,086,199	
	FROM TRUST FUNDS . . . . .		436,738,808
	TOTAL ALL FUNDS . . . . .		474,825,007

## EXECUTIVE DIRECTION AND SUPPORT SERVICES

From the funds in Specific Appropriations 180 through 194, the agency is authorized to contract on a contingency fee basis for post-audit claims analyses to identify and recover overpayments for the Medicaid program. The state may pay the contractor a rate based on recoveries.

APPROVED SALARY RATE 31,425,047

180	SALARIES AND BENEFITS POSITIONS	744.00	
	FROM GENERAL REVENUE FUND . . . . .	2,656,324	
	FROM MEDICAL CARE TRUST FUND . . . . .		39,358,513
181	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,774,139	
	FROM MEDICAL CARE TRUST FUND . . . . .		23,694,586
182	EXPENSES		

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	FROM GENERAL REVENUE FUND . . . . .	899,820	
	FROM MEDICAL CARE TRUST FUND . . . . .		6,733,735
183	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	45,391	
	FROM MEDICAL CARE TRUST FUND . . . . .		221,266
184	LUMP SUM INTERNATIONAL CLASSIFICATION OF DISEASE- 10TH REVISION PROJECT		
	FROM MEDICAL CARE TRUST FUND . . . . .		6,963,251
185	LUMP SUM ENROLLMENT BROKER SERVICES		
	FROM MEDICAL CARE TRUST FUND . . . . .		19,574,560
	From the funds in Specific Appropriation 185, \$19,574,560 from the Medical Care Trust Fund, of which \$4,092,850 is nonrecurring, is provided for Enrollment Broker Services as part of the implementation of the Managed Medical Assistance component of the Statewide Medicaid Managed Care program.		
186	SPECIAL CATEGORIES PHARMACEUTICAL EXPENSE ASSISTANCE		
	FROM GENERAL REVENUE FUND . . . . .	50,000	
187	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND . . . . .	54,645	
	FROM MEDICAL CARE TRUST FUND . . . . .		54,645
188	SPECIAL CATEGORIES CONTRACT NURSING HOME AUDIT PROGRAM		
	FROM GENERAL REVENUE FUND . . . . .	827,653	
	FROM MEDICAL CARE TRUST FUND . . . . .		1,129,095
189	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	17,138,650	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		1,070,535
	FROM MEDICAL CARE TRUST FUND . . . . .		51,225,486

From the funds in Specific Appropriation 189, \$1,000,000 in nonrecurring funds from the Medical Care Trust Fund is provided for the development of Florida Diagnostic Related Groups (DRG) for Medicaid hospital inpatient services.

From the funds in Specific Appropriation 189, \$760,000 in nonrecurring funds from the Medical Care Trust Fund is provided to continue the Enhanced Detection Technology project.

From the funds in Specific Appropriation 189, \$3,000,000 in nonrecurring funds from the Medical Care Trust Fund is provided for the Public Benefits Integrity Data Analytics and Information Sharing Initiative which will detect and deter fraud, waste, and abuse in Medicaid and other public benefit programs within the state.

From the funds in Specific Appropriation 189, \$420,000 in nonrecurring funds from the Medical Care Trust Fund is provided to contract for consultant services for Statewide Medicaid Managed Care expansion.

189A	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM MEDICAL CARE TRUST FUND . . . . .		3,000,000
	From the funds in Specific Appropriation 189A, \$3,000,000 from the Medical Care Trust Fund may be used by the agency to contract with the Florida Medical Schools Quality Network created under section 409.975(2), Florida Statutes.		
190	SPECIAL CATEGORIES		

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MEDICAID FISCAL CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .	20,680,291	
	FROM MEDICAL CARE TRUST FUND . . . . .		55,115,954
	FROM REFUGEE ASSISTANCE TRUST FUND . . . . .		121,329
191	SPECIAL CATEGORIES		
	MEDICAID PEER REVIEW		
	FROM GENERAL REVENUE FUND . . . . .	1,093,903	
	FROM MEDICAL CARE TRUST FUND . . . . .		4,403,348
192	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	333,599	
	FROM MEDICAL CARE TRUST FUND . . . . .		556,670
193	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	26,165	
	FROM MEDICAL CARE TRUST FUND . . . . .		180,781
194	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	93,415	
	FROM MEDICAL CARE TRUST FUND . . . . .		178,211
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	45,673,995	
	FROM TRUST FUNDS . . . . .		213,581,965
	TOTAL POSITIONS . . . . .	744.00	
	TOTAL ALL FUNDS . . . . .		259,255,960

## MEDICAID SERVICES TO INDIVIDUALS

195	SPECIAL CATEGORIES		
	ADULT VISION AND HEARING SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	7,287,942	
	FROM MEDICAL CARE TRUST FUND . . . . .		15,992,069
	FROM REFUGEE ASSISTANCE TRUST FUND . . . . .		514,132

From the funds in Specific Appropriations 195, 197, 198, 201, 203, 215, 219, 222, and 223, \$667,722,971 from the Medical Care Trust Fund is provided for the increased reimbursement rates for primary care services provided to eligible Medicaid recipients.

196	SPECIAL CATEGORIES		
	CASE MANAGEMENT		
	FROM GENERAL REVENUE FUND . . . . .	50,722,366	
	FROM MEDICAL CARE TRUST FUND . . . . .		73,091,733
	FROM REFUGEE ASSISTANCE TRUST FUND . . . . .		88,124

From the funds in Specific Appropriation 196, \$1,088,797 from the Medical Care Trust Fund is provided for Medicaid reimbursable services that support children enrolled in contracted medical foster care programs under the Department of Health. This funding is contingent upon the availability of state matching funds in the Department of Health in Specific Appropriation 548.

197	SPECIAL CATEGORIES		
	THERAPEUTIC SERVICES FOR CHILDREN		
	FROM GENERAL REVENUE FUND . . . . .	93,771,239	
	FROM MEDICAL CARE TRUST FUND . . . . .		200,648,898
	FROM REFUGEE ASSISTANCE TRUST FUND . . . . .		2,024

198	SPECIAL CATEGORIES		
	COMMUNITY MENTAL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	30,859,080	
	FROM MEDICAL CARE TRUST FUND . . . . .		76,530,256

From the funds in Specific Appropriation 198, the Agency for Health Care Administration is authorized to work with the Department of Children and Families and Florida county governments to develop a local

## SECTION 3 - HUMAN SERVICES

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match program to fund Medicaid specialized substance abuse services using local county funds. The public funds required to match Medicaid funds for the specialized substance abuse services are limited to those funds that are local public tax revenues and are made available to the state for this purpose. As required by Medicaid policy, participating counties shall make these services available to any qualified Florida Medicaid beneficiary regardless of county of residence. Payment for these services is contingent upon the local matching funds being provided by participating counties.			
From the funds in Specific Appropriation 198, \$4,839,100 from the Medical Care Trust Fund is provided for Medicaid specialized mental health services. The agency is authorized to seek any necessary state plan amendment or federal waiver required to include mental health services for juveniles in the evidence based redirection program at the Department of Juvenile Justice. The agency is authorized to work with the department to develop a match program to fund Medicaid specialized mental health services using existing funding within the Department of Juvenile Justice. Payment for these services is contingent upon the availability of state matching funds in the Department of Juvenile Justice in Specific Appropriation 1091.			
199	SPECIAL CATEGORIES		
	ADULT DENTAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	14,161,905	
	FROM MEDICAL CARE TRUST FUND . . . . .		20,103,532
	FROM REFUGEE ASSISTANCE TRUST FUND . . . . .		386,197
200	SPECIAL CATEGORIES		
	DEVELOPMENTAL EVALUATION AND INTERVENTION/ PART C		
	FROM MEDICAL CARE TRUST FUND . . . . .		9,611,211
	FROM REFUGEE ASSISTANCE TRUST FUND . . . . .		598

Funds in Specific Appropriation 200 are contingent on the availability of state match being provided in Specific Appropriation 554.

201	SPECIAL CATEGORIES		
	EARLY AND PERIODIC SCREENING OF CHILDREN		
	FROM GENERAL REVENUE FUND . . . . .	133,788,069	
	FROM MEDICAL CARE TRUST FUND . . . . .		220,036,906
	FROM REFUGEE ASSISTANCE TRUST FUND . . . . .		341,347

202	SPECIAL CATEGORIES		
	GRANTS AND AIDS - RURAL HOSPITAL FINANCIAL ASSISTANCE PROGRAM		
	FROM GENERAL REVENUE FUND . . . . .	1,220,185	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		3,794,499
	FROM MEDICAL CARE TRUST FUND . . . . .		5,370,577

Funds in Specific Appropriation 202 are provided for a federally matched Rural Hospital Disproportionate Share program and a state funded Rural Hospital Financial Assistance program as provided in section 409.9116, Florida Statutes.

From the funds in Specific Appropriation 202, the calculations of the Medicaid Hospital Funding Programs for the 2013-2014 fiscal year are incorporated by reference in Senate Bill 1502. The calculations are the basis for the appropriations made in the General Appropriations Act.

203	SPECIAL CATEGORIES		
	FAMILY PLANNING		
	FROM GENERAL REVENUE FUND . . . . .	1,887,794	
	FROM MEDICAL CARE TRUST FUND . . . . .		22,941,992
	FROM REFUGEE ASSISTANCE TRUST FUND . . . . .		55,362

204	SPECIAL CATEGORIES		
	GRANTS AND AIDS - SHANDS TEACHING HOSPITAL		
	FROM GENERAL REVENUE FUND . . . . .	9,673,569	

The funds in Specific Appropriation 204, shall be primarily designated for transfer to the Agency for Health Care Administration's

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Grants and Donations Trust Fund for use in the Medicaid or Low Income Pool programs. Of these funds, up to \$3,820,670 may be used in the Low Income Pool program or to modify Medicaid inpatient and outpatient reimbursements applied to Shands Healthcare System. The transfer of the funds from the Low Income Pool program is contingent upon another local government or healthcare taxing district providing an equivalent amount of funds to be used in the Low Income Pool program. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining funds may be used secondarily for payments to Shands Teaching Hospital to continue the original purpose of providing health care services to indigent patients through Shands Healthcare System.

205	SPECIAL CATEGORIES		
	HEALTHY START SERVICES		
	FROM MEDICAL CARE TRUST FUND . . . .		23,641,947
206	SPECIAL CATEGORIES		
	HOME HEALTH SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	72,189,495	
	FROM MEDICAL CARE TRUST FUND . . . .		102,483,644
	FROM REFUGEE ASSISTANCE TRUST FUND .		252,413

From the funds in Specific Appropriation 206, \$88,138 from the General Revenue Fund, \$125,116 from the Medical Care Trust Fund, and \$308 from the Refugee Assistance Trust Fund are provided for a rate increase for Home Health Services provided by Licensed Practical Nurses and Registered Nurses.

207	SPECIAL CATEGORIES		
	HOSPICE SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	73,471,065	
	FROM HEALTH CARE TRUST FUND . . . .		42,000,000
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		17,871,223
	FROM MEDICAL CARE TRUST FUND . . . .		189,286,041

From the funds in Specific Appropriation 207, \$17,871,223 from the Grants and Donations Trust Fund and \$25,369,094 from the Medical Care Trust Fund are provided to buy back hospice rate reductions, effective on or after January 1, 2008, and are contingent on the nonfederal share being provided through nursing home quality assessments. Authority is granted to buy back rate reductions up to, but no higher than, the amounts available under the budgeted authority in this appropriation. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

207A	SPECIAL CATEGORIES		
	GRADUATE MEDICAL EDUCATION		
	FROM GENERAL REVENUE FUND . . . . .	33,056,000	
	FROM MEDICAL CARE TRUST FUND . . . .		46,924,644
208	SPECIAL CATEGORIES		
	HOSPITAL INPATIENT SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	353,154,126	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		647,646,325
	FROM MEDICAL CARE TRUST FUND . . . .		2,100,119,205
	FROM PUBLIC MEDICAL ASSISTANCE		
	TRUST FUND . . . . .		441,860,000
	FROM REFUGEE ASSISTANCE TRUST FUND .		4,404,914

From the funds in Specific Appropriation 208, \$192,702 in nonrecurring funds from the General Revenue Fund and \$273,549 in nonrecurring funds from the Medical Care Trust Fund are provided as a special Medicaid payment for Winter Haven Hospital.

From the funds in Specific Appropriation 208, \$1,500,000 in nonrecurring funds from the General Revenue Fund and \$2,129,325 in nonrecurring funds from the Medical Care Trust Fund are provided as a special Medicaid payment for Bethesda Hospital, Inc., located in Palm Beach County.

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From the funds in Specific Appropriation 208, \$46,772,264 from the Medical Care Trust Fund is provided to the Agency for Health Care Administration to fund services for children in the Statewide Inpatient Psychiatric Program. The program shall be designed to permit limits on services, prior authorization of services, and selective provider enrollment. The program must also include monitoring and quality assurance, as well as discharge planning and continuing stay reviews, of all children admitted to the program. The funding is contingent upon the availability of state matching funds in the Department of Children and Family Services in Specific Appropriations 340 and 363.

From the funds in Specific Appropriation 208, the calculations of the Medicaid Hospital Funding Programs for the 2013-2014 fiscal year are incorporated by reference in Senate Bill 1502. The calculations are the basis for the appropriations made in the General Appropriations Act.

Funds in Specific Appropriation 208, are contingent upon the state share being provided through grants and donations from state, county or other governmental funds. In the event the state share provided through grants and donations is not available the Agency for Health Care Administration shall submit a revised hospital reimbursement plan to the Legislative Budget Commission for approval.

From the funds in Specific Appropriation 208, the Agency for Health Care Administration may establish a global fee for bone marrow transplants and the global fee payment shall be paid to approved bone marrow transplant providers that provide bone marrow transplants to Medicaid beneficiaries.

From the funds in Specific Appropriation 208 and 213, the Agency for Health Care Administration shall implement a process to reconcile the difference between the amount of intergovernmental transfers used by or on behalf of individual hospitals' Medicaid inpatient and outpatient rate adjustments. Reconciliations may be incorporated in Letters of Agreement for intergovernmental transfers for the 2013-2014 state fiscal year.

From the funds in Specific Appropriation 208, \$1,116,749 in nonrecurring funds from the General Revenue Fund and \$1,585,280 in nonrecurring funds from the Medical Care Trust Fund are provided to allow for exemptions from inpatient reimbursement ceilings for any hospital that is classified as a sole community hospital under 42 C.F.R. section 412.92 but is not classified as a rural hospital under section 395.602, Florida Statutes. The Medicaid Hospital Funding Programs for Medicaid, Low Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2013-2014 fiscal year shall not be affected by this proviso.

Any hospital that was exempt from the inpatient reimbursement ceiling in the prior state fiscal year, due to their charity care and Medicaid days as a percentage to total adjusted hospital days equaling or exceeding 11 percent, but no longer meets the 11 percent threshold, because of updated audited DSH data, shall remain exempt from the inpatient reimbursement ceilings for a period of two years.

From the funds in Specific Appropriations 208 and 222, \$2,751,624 from the Grants and Donations Trust Fund and \$3,906,068 from the Medical Care Trust Fund are provided to make Medicaid payments for multi-visceral transplant and intestine transplants in Florida. The agency shall establish a global fee for these transplant procedures and the payments shall be used to pay approved multi-visceral transplant and intestine transplant facilities a global fee for providing transplant services to Medicaid beneficiaries. Payment of the global fee is contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds. The agency is authorized to seek any federal waiver or state plan amendment necessary to implement this provision.

From the funds in Specific Appropriation 208, \$149,045,656 from the Grants and Donations Trust Fund and \$211,577,755 from the Medical Care Trust Fund are provided for public hospitals, including any leased public hospital determined to be covered under the state's sovereign immunity; teaching hospitals, as defined in s. 408.07 or s. 395.805, Florida Statutes, which have 70 or more full-time equivalent resident

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physicians; hospitals that have graduate medical education positions that do not otherwise qualify; and designated trauma hospitals to adjust the prior Medicaid inpatient trend adjustment applied to their individual hospital reimbursements and other Medicaid reductions to their inpatient reimbursements. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county, or other governmental funds. This section of proviso does not include the adjustment of the Medicaid inpatient trend adjustment applied to the individual state mental health hospitals. In the event there is insufficient budget authority to fully implement this section of proviso, the Agency is authorized to submit a budget amendment in accordance with Chapter 216, Florida Statutes to obtain additional budget authority to fully implement this policy.

From the funds in Specific Appropriation 208, \$78,799,876 from the Grants and Donations Trust Fund and \$111,860,361 from the Medical Care Trust Fund are provided for hospitals to adjust the prior Medicaid inpatient trend adjustment applied to their individual hospital reimbursements and other Medicaid reductions to their inpatient reimbursements. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county, or other governmental funds. Ten percent of the federal matching funds earned through the use of intergovernmental transfers donated for hospital-specific rate adjustments under this paragraph of proviso shall be used by the Agency for Health Care Administration to fund an increase in the base rate for all hospitals. This section of proviso does not include the adjustment of the Medicaid inpatient trend adjustment applied to the individual state mental health hospitals. In the event there is insufficient budget authority to fully implement this section of proviso, the Agency is authorized to submit a budget amendment in accordance with chapter 216, Florida Statutes to obtain additional budget authority to fully implement this policy.

From the funds in Specific Appropriation 208, \$134,697,800 from the Grants and Donations Trust Fund and \$191,210,258 from the Medical Care Trust Fund are provided for hospitals to allow for adjustments for inpatient reimbursement limitations for any hospital that has local funds available for intergovernmental transfers. The payments under this proviso are contingent upon the state share being provided through grants and donations from state, county, or other governmental funds. Ten percent of the federal matching funds earned through the use of intergovernmental transfers donated for hospital-specific rate adjustments under this paragraph of proviso shall be used by the Agency for Health Care Administration to fund an increase in the base rate for all hospitals. In the event there is insufficient budget authority to fully implement this section of proviso, the Agency is authorized to submit a budget amendment in accordance with chapter 216, Florida Statutes to obtain additional budget authority to fully implement this policy.

From the funds in Specific Appropriation 208, the agency shall establish a Diagnosis Related Grouping reimbursement methodology for hospital inpatient services as directed in section 409.905 (5)(c), Florida Statutes. The calculations for the Diagnosis Related Grouping reimbursement methodology are contained in the Medicaid Hospital Funding Programs for the 2013-2014 fiscal year and are incorporated by reference in Senate Bill 1502. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriation 208, the agency shall, by June 30, 2014, perform a reconciliation and apply positive or negative adjustments to the transitional payments to any hospital that qualified for a transitional payment. The reconciliation shall compare actual payments to baseline payments to determine qualified hospitals and the applicable transition payment amount on an individual hospital basis. Any unearned transitional funds shall be redistributed to increase hospital inpatient base rates on a statewide basis. Adjustments applied must maintain budget neutrality. The agency shall also submit a report by March 1, 2014 providing preliminary numbers on actual payments compared to the baseline payments that delineates lump sum payments and claims based on payments by hospital. The report shall be submitted to the Governor, President of the Senate, and the Speaker of the House of Representatives.

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From the funds in Specific Appropriation 208, the agency shall apply a four percent adjustment for anticipated case mix increases from improved documentation and coding through the implementation of Diagnosis Related Grouping. The agency shall also apply a one percent adjustment for real case mix change. By February 28, 2014, the agency shall perform a reconciliation and apply positive or negative adjustments to the reimbursements. Effective March 1, 2014, adjustments will be performed prospectively from the recalculation of individual hospital base rates to be applied for the remainder of the fiscal year. Adjustments applied must maintain budget neutrality on an annual basis. The reconciliation shall not include the lump sum transitional payments.

209 SPECIAL CATEGORIES

REGULAR DISPROPORTIONATE SHARE

FROM GENERAL REVENUE FUND . . . . .	750,000
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	95,243,343
FROM MEDICAL CARE TRUST FUND . . . . .	132,998,411

Funds in Specific Appropriation 209 shall be used for a Disproportionate Share Hospital Program as provided in sections 409.911, 409.913, and 409.919, Florida Statutes, and are contingent on the state share being provided through grants and donations from state, county, or other government entities.

From the funds in Specific Appropriation 209, the calculations of the Medicaid Hospital Funding Programs for the 2013-2014 fiscal year are incorporated by reference in Senate Bill 1502. The calculations are the basis for the appropriations made in the General Appropriations Act.

210 SPECIAL CATEGORIES

LOW INCOME POOL

FROM GENERAL REVENUE FUND . . . . .	9,208,486
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	404,194,840
FROM MEDICAL CARE TRUST FUND . . . . .	586,846,674

From the funds in Specific Appropriation 210, the calculations of the Medicaid Hospital Funding Programs for the 2013-2014 fiscal year are incorporated by reference in Senate Bill 1502. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriation 210, the agency is authorized to transfer a hospital's low-income pool payments between the various low-income programs listed in this specific appropriation if it is required to obtain approval of the low-income pool payment methodology from the Centers for Medicare and Medicaid Services. Any transfer of funds, however, is contingent on the hospital's net low-income pool payments under the low-income pool plan remaining unchanged.

From the funds in Specific Appropriation 210, in the event that the amount of approved nonfederal share of matching funds is not provided by local governmental entities, the agency may re-allocate low-income pool funds between programs described within this specific appropriation as necessary to ensure sufficient nonfederal matching funds. No re-allocation, under this provision, of low-income pool funds may occur if the level of program increase for any provider access system exceeds the amount of the additional increases in the local nonfederal share match that their local governments transfer to the state Medicaid program, and for which the provider access system would have otherwise received.

From the funds in Specific Appropriation 210, the agency may make low-income pool Medicaid payments to hospitals in an accelerated manner that is more frequent than on a quarterly basis subject to the availability of state, local and federal funds.

Funds provided in Specific Appropriation 210, are contingent upon the nonfederal share being provided through grants and donations from state, county or other governmental funds. In the event the nonfederal share provided through grants and donations is not available to fund the Medicaid low-income payments for eligible Medicaid providers, known as provider access systems, the agency shall submit a revised low-income

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pool plan to the Legislative Budget Commission for approval. Distribution of such funds provided in Specific Appropriation 210 is contingent upon approval from the Centers for Medicare and Medicaid Services.

211	SPECIAL CATEGORIES		
	FREESTANDING DIALYSIS CENTERS		
	FROM GENERAL REVENUE FUND . . . . .	7,431,719	
	FROM MEDICAL CARE TRUST FUND . . . . .		10,549,697

Funds in Specific Appropriation 211 are for the inclusion of freestanding dialysis clinics in the Medicaid program. The agency shall limit payment to \$125.00 per visit for each dialysis treatment. Freestanding dialysis facilities may obtain, administer and submit claims directly to the Medicaid program for End-Stage Renal Disease pharmaceuticals subject to coverage and limitations policy. All pharmaceutical claims for this purpose must include National Drug Codes (NDC) to permit the invoicing for federal and/or state supplemental rebates from manufacturers. Claims for drug products that do not include National Drug Code information are not payable by Florida Medicaid unless the drug product is exempt from federal rebate requirements.

From the funds in Specific Appropriation 211, the Agency for Health Care Administration shall work with dialysis providers, managed care organizations, and physicians to ensure that all Medicaid patients with End Stage Renal Disease (ESRD) are educated and assessed by their physician and dialysis provider to determine their suitability for peritoneal dialysis (PD) as a modality choice. Further, the agency shall consult with the dialysis community concerning suitable voluntary reporting to the state Medicaid program on members' PD suitability.

212	SPECIAL CATEGORIES		
	HOSPITAL INSURANCE BENEFITS		
	FROM GENERAL REVENUE FUND . . . . .	75,584,600	
	FROM MEDICAL CARE TRUST FUND . . . . .		107,296,115
213	SPECIAL CATEGORIES		
	HOSPITAL OUTPATIENT SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	218,346,658	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		183,698,474
	FROM MEDICAL CARE TRUST FUND . . . . .		721,703,240
	FROM PUBLIC MEDICAL ASSISTANCE		
	TRUST FUND . . . . .		105,000,000
	FROM REFUGEE ASSISTANCE TRUST FUND . . . . .		2,725,366

From the funds in Specific Appropriation 213, \$394,685 in nonrecurring funds from the General Revenue Fund and \$560,274 in nonrecurring funds from the Medical Care Trust Fund are provided as a special Medicaid payment for Winter Haven Hospital.

From the funds in Specific Appropriation 213, \$4,380,183 from the General Revenue Fund, \$6,217,888 from the Medical Care Trust Fund, and \$58,167 from the Refugee Assistance Trust Fund are provided to restore the reduction in outpatient hospital reimbursement rates.

From the funds in Specific Appropriation 213, the calculations of the Medicaid Hospital Funding Programs for the 2013-2014 fiscal year are incorporated by reference in Senate Bill 1502. The calculations are the basis for the appropriations made in the General Appropriations Act.

From the funds in Specific Appropriation 213, \$26,673,305 from the Grants and Donations Trust Fund and \$37,864,089 from the Medical Care Trust Fund are provided so that the agency may amend its current facility fees and physician services to allow for payments to hospitals providing primary care to low-income individuals and participating in the Primary Care Disproportionate Share Hospital (DSH) program in Fiscal Year 2003-2004 provided such hospital implements an emergency room diversion program so that non-emergent patients are triaged to lesser acute settings; or a public hospital assumed the fiscal and operating responsibilities for one or more primary care centers previously operated by the Florida Department of Health or the local county government. Any payments made to qualifying hospitals because of this

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change shall be contingent on the state share being provided through grants and donations from counties, local governments, public entities, or taxing districts, and federal matching funds. This provision shall be contingent upon federal approval of a state plan amendment.

From the funds in Specific Appropriation 213, \$7,182,339 from the Grants and Donations Trust Fund and \$10,195,689 from the Medical Care Trust Fund program are provided to increase the outpatient cap for adults from \$1,000 to \$1,500 per year.

From the funds in Specific Appropriation 213, \$35,241,725 from the Grants and Donations Trust Fund and \$50,027,389 from the Medical Care Trust Fund are provided for public hospitals, including any leased public hospital found to have sovereign immunity, teaching hospitals as defined in section 408.07 (45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians, hospitals with graduate medical education positions that do not otherwise qualify, and designated trauma hospitals to buy back the Medicaid outpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their outpatient rates up to actual Medicaid outpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county or other governmental funds. This section of proviso does not include the buy back of the Medicaid outpatient trend adjustment applied to the individual state mental health hospitals. In the event there is insufficient budget authority to fully implement this section of proviso, the Agency is authorized to submit a budget amendment in accordance with Chapter 216, Florida Statutes to obtain additional budget authority to fully implement this policy.

From the funds in Specific Appropriation 213, \$472,119 in nonrecurring funds from the General Revenue Fund and \$670,197 in nonrecurring funds from the Medical Care Trust Fund are provided to allow for exemptions from outpatient reimbursement ceilings for any hospital that is classified as a sole community hospital under 42 C.F.R. section 412.92 but is not classified as a rural hospital under section 395.602, Florida Statutes. The Medicaid Hospital Funding Programs for Medicaid, Low Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2013-2014 fiscal year shall not be affected by this proviso.

From the funds in Specific Appropriation 213, \$20,028,632 from the Grants and Donations Trust Fund and \$28,431,644 from the Medical Care Trust Fund are provided for hospitals to buy back the Medicaid outpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their outpatient rates up to actual Medicaid outpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county, or other governmental funds. This section of proviso does not include the buy back of the Medicaid outpatient trend adjustment applied to the individual state mental health hospitals. In the event there is insufficient budget authority to fully implement this section of proviso, the Agency is authorized to submit a budget amendment in accordance with Chapter 216, Florida Statutes to obtain additional budget authority to fully implement this policy.

From the funds in Specific Appropriation 213, \$24,614,732 from the Grants and Donations Trust Fund and \$34,941,842 from the Medical Care Trust Fund are provided for hospitals to allow for exemptions from outpatient reimbursement limitations for any hospital that has local funds available for intergovernmental transfers. The payments under this proviso are contingent upon the state share being provided through grants and donations from state, county, or other governmental funds. This section of proviso does not include the buy back of the Medicaid inpatient trend adjustment applied to the individual state mental health hospitals. In the event there is insufficient budget authority to fully implement this section of proviso, the Agency is authorized to submit a budget amendment in accordance with Chapter 216, Florida Statutes to obtain additional budget authority to fully implement this proviso.

214	SPECIAL CATEGORIES		
	RESPIRATORY THERAPY SERVICES		
	FROM GENERAL REVENUE FUND . . . . .		7,752,707

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	FROM MEDICAL CARE TRUST FUND . . . .	11,006,669	
215	SPECIAL CATEGORIES		
	NURSE PRACTITIONER SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	2,728,881	
	FROM MEDICAL CARE TRUST FUND . . . .		5,837,168
216	SPECIAL CATEGORIES		
	BIRTHING CENTER SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	621,687	
	FROM MEDICAL CARE TRUST FUND . . . .		882,520
217	SPECIAL CATEGORIES		
	OTHER LAB AND X-RAY SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	52,165,659	
	FROM MEDICAL CARE TRUST FUND . . . .		74,053,551
	FROM REFUGEE ASSISTANCE TRUST FUND .		1,050,818
218	SPECIAL CATEGORIES		
	PATIENT TRANSPORTATION		
	FROM GENERAL REVENUE FUND . . . . .	57,168,780	
	FROM MEDICAL CARE TRUST FUND . . . .		81,153,938
	FROM REFUGEE ASSISTANCE TRUST FUND .		52,616
219	SPECIAL CATEGORIES		
	PHYSICIAN ASSISTANT SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	5,484,355	
	FROM MEDICAL CARE TRUST FUND . . . .		12,039,600
	FROM REFUGEE ASSISTANCE TRUST FUND .		22,846
220	SPECIAL CATEGORIES		
	PERSONAL CARE SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	19,954,274	
	FROM MEDICAL CARE TRUST FUND . . . .		28,326,090
221	SPECIAL CATEGORIES		
	PHYSICAL REHABILITATION THERAPY		
	FROM GENERAL REVENUE FUND . . . . .	4,381,243	
	FROM MEDICAL CARE TRUST FUND . . . .		6,220,364
222	SPECIAL CATEGORIES		
	PHYSICIAN SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	302,586,950	
	FROM HEALTH CARE TRUST FUND . . . .		19,200,000
	FROM TOBACCO SETTLEMENT TRUST FUND .		61,738,330
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .	271,824	
	FROM MEDICAL CARE TRUST FUND . . . .		1,090,020,926
	FROM PUBLIC MEDICAL ASSISTANCE		
	TRUST FUND . . . . .	60,800,000	
	FROM REFUGEE ASSISTANCE TRUST FUND .		4,162,793

From the funds in Specific Appropriation 222, the agency is authorized to continue the physician lock-in program for recipients who participate in the pharmacy lock-in program.

From the funds in Specific Appropriation 222, \$120,000,000 from the Medical Care Trust Fund is provided for special Medicaid payments for services provided by doctors of medicine and osteopathy as well as other licensed health care practitioners acting under the supervision of those doctors pursuant to existing statutes and written protocols employed by or under contract with a medical school in Florida. The expansion of existing programs to increase federal reimbursements through Upper Payment Limit (UPL) provisions, shall be contingent upon the availability of state match from existing state funds or local sources that do not increase the current requirement for state general revenue or tobacco settlement funds. The agency is authorized to seek a Florida Title XIX State Plan Amendment necessary to implement these payments.

From the funds in Specific Appropriation 222, the Agency for Health Care Administration shall seek federal approval to implement a supplemental payment program for medical school faculty who provide services to Medicaid beneficiaries enrolled in capitated managed care plans so that such payments may be made directly to physicians employed

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	by or under contract with the state's medical schools for costs associated with graduate medical education or their teaching mission. The agency shall amend its Medicaid policies as necessary to implement this program. Nothing herein shall be construed as requiring capitated managed care plans to fund the state share of the supplemental payments.		
	From the funds in Specific Appropriation 222, \$661,280 from the General Revenue Fund and \$938,720 from the Medical Care Trust Fund are provided to make Medicaid payments for vagus nerve stimulation devices, outside of the hospital inpatient reimbursements, for beneficiaries diagnosed with epilepsy, effective July 1, 2013. The cost of the device would thereafter be excluded from allowable costs for hospital reimbursements.		
223	SPECIAL CATEGORIES		
	PREPAID HEALTH PLANS		
	FROM GENERAL REVENUE FUND . . . . .	1,258,939,403	
	FROM HEALTH CARE TRUST FUND . . . .		485,600,000
	FROM MEDICAL CARE TRUST FUND . . . .		2,684,278,732
	FROM REFUGEE ASSISTANCE TRUST FUND .		22,863,755
	From the funds in Specific Appropriation 223, \$876,037 from the General Revenue Fund, \$1,232,053 from the Medical Care Trust Fund, and \$11,525 from the Refugee Assistance Trust Fund are provided to restore the reduction to Health Maintenance Organization and Provider Service Network capitation payments as a result of reducing the reimbursement of outpatient hospital rates, effective September 1, 2012.		
	From the funds in Specific Appropriation 223, \$9,563,931 from the General Revenue Fund, of which \$4,781,966 is nonrecurring, \$13,577,712 from the Medical Care Trust Fund, of which \$6,788,856 is nonrecurring, and \$127,008 from the Refugee Assistance Trust Fund, of which \$63,504 is nonrecurring, are provided to Health Maintenance Organization and Provider Service Network capitation payments as a result of increased hospital inpatient reimbursements related to the implementation of the Diagnosis Related Grouping reimbursement methodology.		
224	SPECIAL CATEGORIES		
	PRESCRIBED MEDICINE/DRUGS		
	FROM GENERAL REVENUE FUND . . . . .	259,620,949	
	FROM HEALTH CARE TRUST FUND . . . .		71,100,000
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		916,367,885
	FROM MEDICAL CARE TRUST FUND . . . .		263,737,720
	FROM REFUGEE ASSISTANCE TRUST FUND .		4,393,827
	From the funds in Specific Appropriation 224, the Agency for Health Care Administration may continue to contract with the existing provider for the Medicaid Prescribed Drug rebate program.		
225	SPECIAL CATEGORIES		
	MEDICARE PART D PAYMENT		
	FROM GENERAL REVENUE FUND . . . . .	501,171,138	
226	SPECIAL CATEGORIES		
	PRIVATE DUTY NURSING SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	60,883,168	
	FROM MEDICAL CARE TRUST FUND . . . .		86,432,856
	From the funds in Specific Appropriation 226, \$3,878,652 from the General Revenue Fund and \$5,506,332 from the Medical Care Trust Fund are provided for a rate increase for Private Duty Nursing services provided by Licensed Practical Nurses.		
227	SPECIAL CATEGORIES		
	RURAL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	59,665,133	
	FROM MEDICAL CARE TRUST FUND . . . .		84,705,132
	FROM REFUGEE ASSISTANCE TRUST FUND .		236,153

From the funds in Specific Appropriation 227, Federally Qualified Health Centers will be reimbursed an encounter rate per visit up to a maximum of one each, medical, dental, and behavioral health per day. Centers that provide dental and behavioral health services in addition

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to primary health care, shall make all reasonable efforts to accommodate the medical needs of their clients within one day.

228	SPECIAL CATEGORIES		
	SPEECH THERAPY SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	21,924,807	
	FROM MEDICAL CARE TRUST FUND . . . .		31,123,757
	FROM REFUGEE ASSISTANCE TRUST FUND .		2,584
229	SPECIAL CATEGORIES		
	MEDIPASS SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	9,010,433	
	FROM MEDICAL CARE TRUST FUND . . . .		12,792,174
	FROM REFUGEE ASSISTANCE TRUST FUND .		74,106
230	SPECIAL CATEGORIES		
	SUPPLEMENTAL MEDICAL INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	555,944,679	
	FROM MEDICAL CARE TRUST FUND . . . .		780,473,779
	FROM REFUGEE ASSISTANCE TRUST FUND .		155
231	SPECIAL CATEGORIES		
	OCCUPATIONAL THERAPY SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	14,404,157	
	FROM MEDICAL CARE TRUST FUND . . . .		20,448,060
	FROM REFUGEE ASSISTANCE TRUST FUND .		163
232	SPECIAL CATEGORIES		
	CLINIC SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	34,681,469	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		9,544,804
	FROM MEDICAL CARE TRUST FUND . . . .		62,781,404
	FROM REFUGEE ASSISTANCE TRUST FUND .		564,084

From the funds in Specific Appropriation 232, \$9,544,804 from the Grants and Donations Trust Fund and \$13,549,326 from the Medical Care Trust Fund are provided to buy back clinic services rate adjustments, effective on or after July 1, 2008, and are contingent on the nonfederal share being provided through grants and donations from state, county or other governmental funds. Authority is granted to buy back rate reductions up to, but not higher than the amounts available under the authority appropriated in this line. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

From the funds in Specific Appropriation 232, the Agency for Health Care Administration shall apply a recurring methodology to establish rates taking into consideration the reductions imposed on or after October 1, 2008 in the following manner: (1) the agency shall divide the total amount of each recurring reduction imposed by the number of visits originally used in the rate calculation for each rate setting period on or after October 1, 2008, which will yield a rate reduction per diem for each rate period; (2) the agency shall multiply the resulting rate reduction per diem for each rate setting period on or after October 1, 2008 by the projected number of visits used in establishing the current budget estimate which will yield the total current reduction amount to be applied to current rates; (3) in the event the total current reduction amount is greater than the historical reduction amount, the agency shall hold the rate reduction to the historical reduction amount.

233	SPECIAL CATEGORIES		
	MEDICAID SCHOOL REFINANCING		
	FROM MEDICAL CARE TRUST FUND . . . .		97,569,420

From the funds in Specific Appropriation 233, the Agency for Health Care Administration shall conduct a study to determine the fiscal impact of Medicaid school health cost settlement. The study shall be completed by December 31, 2013, and the agency is authorized to seek a Medicaid state plan amendment to allow a Medicaid cost settlement program to maximize federal Medicaid funds through Medicaid claiming for school districts.

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## TOTAL: MEDICAID SERVICES TO INDIVIDUALS

FROM GENERAL REVENUE FUND . . . . .	4,415,654,170	
FROM TRUST FUNDS . . . . .		13,708,186,576
TOTAL ALL FUNDS . . . . .		18,123,840,746

## MEDICAID LONG TERM CARE

The Agency for Health Care Administration shall submit a budget amendment in accordance with the provisions of chapter 216, Florida Statutes to realign funding based on the implementation of the Statewide Medicaid Managed Care Long Term Care Program as authorized in chapter 2011-134, Laws of Florida. The funding realignment shall reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to capitated managed care plans for long term care services.

234	SPECIAL CATEGORIES		
	ASSISTIVE CARE SERVICES		
	FROM MEDICAL CARE TRUST FUND . . . .		26,179,861

Funds in Specific Appropriation 234 are provided to implement Medicaid coverage for Assistive Care Services and are contingent on the availability of state match being provided in Specific Appropriation 397.

235	SPECIAL CATEGORIES		
	HOME AND COMMUNITY BASED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	85,539,818	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		2,463,268
	FROM MEDICAL CARE TRUST FUND . . . .		1,057,550,542

Funds in Specific Appropriations 235 and 244 for the Developmental Services Waiver, the Aged and Disabled Waiver, the Project AIDS Care Waiver, and the Nursing Home Diversion Waiver may be used for reimbursement for services provided through agencies licensed pursuant to section 400.506, Florida Statutes.

From the funds in Specific Appropriation 235, \$8,141,838 from the General Revenue Fund and \$11,557,746 from the Medical Care Trust Fund are provided to serve elders in the Aged and Disabled Adult Home and Community Based Services Waiver. Individuals from the waitlist who are assessed at a priority score of five or higher shall be enrolled first.

From the funds in Specific Appropriation 235, \$2,463,268 in nonrecurring funds from the Grants and Donations Trust Fund and \$3,496,733 in nonrecurring funds from the Medical Care Trust Fund are provided for the Channeling Waiver.

236	SPECIAL CATEGORIES		
	ASSISTED LIVING FACILITY WAIVER		
	FROM GENERAL REVENUE FUND . . . . .	15,398,443	
	FROM MEDICAL CARE TRUST FUND . . . .		21,858,860

237	SPECIAL CATEGORIES		
	INTERMEDIATE CARE FACILITIES/MENTALLY		
	RETARDED - SUNLAND CENTER		
	FROM MEDICAL CARE TRUST FUND . . . .		91,958,103

From the funds in Specific Appropriations 237, 238, and 239, the Agency for Health Care Administration, in consultation with the Agency for Persons with Disabilities, is authorized to transfer funds, in accordance with the provisions of chapter 216, Florida Statutes, to Specific Appropriation 267 for the Developmental Disabilities Home and Community based waiver, Tier 1 through 3; Family Supported Living Waiver (Tier 4); and the Developmental Disabilities Individual Budget Waiver. Priority for the use of these funds will be given to the planning and service areas with the greatest potential for transition success.

238	SPECIAL CATEGORIES		
	INTERMEDIATE CARE FACILITIES/		
	DEVELOPMENTALLY DISABLED COMMUNITY		
	FROM GENERAL REVENUE FUND . . . . .	85,477,736	



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FROM GRANTS AND DONATIONS TRUST	
FUND . . . . .	15,083,253
FROM MEDICAL CARE TRUST FUND . . . .	142,751,349

From the funds in Specific Appropriation 238, \$15,083,253 from the Grants and Donations Trust Fund and \$21,411,431 from the Medical Care Trust Fund are provided to buy back intermediate care facilities for the developmentally disabled rate reductions, effective on or after October 1, 2008 and are contingent on the nonfederal share being provided through intermediate care facilities for the developmentally disabled quality assessments. Authority is granted to buy back rate reductions up to, but not higher than, the amounts available under the budgeted authority in this line. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

The recurring methodology to be utilized by the agency to establish rates taking into consideration the cuts imposed on or after October 1, 2008, shall be to compare the average unit appropriation with actual average unit cost as follows: 1) the average unit appropriation shall be determined by dividing the total appropriation in Specific Appropriation 238 by the total bed days for the past fiscal year; 2) the total actual cost as generated based on the October 1 and April 1 rate settings shall be divided by the total bed days for the past fiscal year to determine the actual unit cost; 3) the actual unit cost shall be reduced to a Reduced Actual Unit Cost by the same percentage used to calculate the Legislative Appropriation to account for client participation contributions; 4) no negative adjustment to the rates paid to providers shall occur so long as the Reduced Actual Unit Cost is equal to or less than the average unit appropriation; 5) and in the event the Reduced Actual Unit Cost is greater than the average unit appropriation a prorated reduction shall be imposed on all rates after all Quality Assessment Fee funds have been exhausted to cover the rate reductions.

239 SPECIAL CATEGORIES	
NURSING HOME CARE	
FROM GENERAL REVENUE FUND . . . . .	539,897,130
FROM HEALTH CARE TRUST FUND . . . .	270,000,000
FROM GRANTS AND DONATIONS TRUST	
FUND . . . . .	418,691,778
FROM MEDICAL CARE TRUST FUND . . . .	1,776,707,264

From the funds in Specific Appropriation 239, \$4,547,201 from the Grants and Donations Trust Fund and \$6,454,979 from the Medical Care Trust Fund are provided for the purpose of maximizing federal revenues through the continuation of the Special Medicaid Payment Program for governmentally funded nursing homes. Any requests pursuant to chapter 216, Florida Statutes, by the Agency for Health Care Administration to increase budget authority to expand existing programs using increased federal reimbursement through these provisions, shall be contingent upon the availability of state match from existing state funds or local sources that do not increase the current requirement for state general revenue. The agency is authorized to seek federal Medicaid waivers as necessary to implement this provision.

From the funds in Specific Appropriation 239, the Agency for Health Care Administration, in consultation with the Department of Health, is authorized to transfer funds, in accordance with the provisions of chapter 216, Florida Statutes, to Specific Appropriation 235 specifically for slots under the Model Waiver, Specific Appropriation 235 Home and Community Based Services Waiver, Specific Appropriation 236 Assisted Living Facility Waiver, Specific Appropriation 244 Capitated Nursing Home Diversion Waiver, and Specific Appropriation 532 Brain and Spinal Cord Home and Community Based Services Waiver to transition the greatest number of appropriate eligible beneficiaries from skilled nursing facilities to community-based alternatives in order to maximize the reduction in Medicaid nursing home occupancy. Priority for the use of these funds will be given to the planning and service areas with the greatest potential for transition success.

From the funds in Specific Appropriation 239, \$412,362,977 from the Grants and Donations Trust Fund and \$585,369,849 from the Medical Care Trust Fund are provided to buy back nursing facility rate reductions, effective on or after January 1, 2008, and are contingent on the non

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federal share being provided through nursing home quality assessments. Authority is granted to buy back rate reductions up to, but not higher than the amounts available under the budgeted authority in this line. In the event that the funds are not available in the Grants and Donations Trust Fund, the State of Florida is not obligated to continue reimbursements at the higher amount.

Funds in Specific Appropriation 239 reflect a reduction of \$1,699,820 from the General Revenue Fund and \$2,412,979 from the Medical Care Trust Fund as a result of eliminating the AIDS Supplemental Payment to Nursing Homes.

From the funds in Specific Appropriation 239, \$1,038,000 from the General Revenue Fund and \$1,473,493 from the Medical Care Trust Fund are provided to create a supplemental payment for the care of medically complex, technologically dependent adults residing in Nursing Homes.

241 SPECIAL CATEGORIES	
STATE MENTAL HEALTH HOSPITAL PROGRAM	
FROM MEDICAL CARE TRUST FUND . . . .	9,034,830
242 SPECIAL CATEGORIES	
MENTAL HEALTH HOSPITAL DISPROPORTIONATE SHARE	
FROM MEDICAL CARE TRUST FUND . . . .	70,126,164
243 SPECIAL CATEGORIES	
T.B. HOSPITAL DISPROPORTIONATE SHARE	
FROM MEDICAL CARE TRUST FUND . . . .	2,382,533
244 SPECIAL CATEGORIES	
CAPITATED NURSING HOME DIVERSION WAIVER	
FROM GENERAL REVENUE FUND . . . . .	150,660,544
FROM MEDICAL CARE TRUST FUND . . . .	213,870,173

From the funds in Specific Appropriation 244, \$2,270,921 from the General Revenue Fund and \$3,223,687 from the Medical Care Trust Fund are provided to expand the current Nursing Home Diversion program by the greatest number of slots permissible under the additional funding. Individuals from the waitlist who are assessed at a priority score of four or higher shall be enrolled first.

245 SPECIAL CATEGORIES	
PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE)	
FROM MEDICAL CARE TRUST FUND . . . .	30,402,775
TOTAL: MEDICAID LONG TERM CARE	
FROM GENERAL REVENUE FUND . . . . .	876,973,671
FROM TRUST FUNDS . . . . .	4,149,060,753
TOTAL ALL FUNDS . . . . .	5,026,034,424

## PROGRAM: HEALTH CARE REGULATION

## HEALTH CARE REGULATION

APPROVED SALARY RATE	28,391,240
246 SALARIES AND BENEFITS POSITIONS	659.00
FROM GENERAL REVENUE FUND . . . . .	108,895
FROM HEALTH CARE TRUST FUND . . . .	37,654,989
247 OTHER PERSONAL SERVICES	
FROM HEALTH CARE TRUST FUND . . . .	555,144
248 EXPENSES	
FROM GENERAL REVENUE FUND . . . . .	22,440
FROM HEALTH CARE TRUST FUND . . . .	8,018,278
249 OPERATING CAPITAL OUTLAY	
FROM HEALTH CARE TRUST FUND . . . .	87,054
250 SPECIAL CATEGORIES	

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	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM HEALTH CARE TRUST FUND . . . .	350,130	
251	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM HEALTH CARE TRUST FUND . . . .	4,711,027	
	FROM QUALITY OF LONG-TERM CARE FACILITY IMPROVEMENT TRUST FUND . .	1,000,000	
252	SPECIAL CATEGORIES EMERGENCY ALTERNATIVE PLACEMENT		
	FROM HEALTH CARE TRUST FUND . . . .	806,629	
253	SPECIAL CATEGORIES MEDICAID SURVEILLANCE		
	FROM HEALTH CARE TRUST FUND . . . .	111,820	
254	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM HEALTH CARE TRUST FUND . . . .	785,392	
255	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM HEALTH CARE TRUST FUND . . . .	140,269	
256	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	789	
	FROM HEALTH CARE TRUST FUND . . . .	235,011	
257	SPECIAL CATEGORIES STATE OPERATIONS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
	FROM HEALTH CARE TRUST FUND . . . .	640,071	
258	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
	FROM HEALTH CARE TRUST FUND . . . .	86,721,009	

From the funds in Specific Appropriation 258, \$76,578,879 in nonrecurring funds from the Health Care Trust Fund is provided for incentive payments to eligible Medicaid providers and hospitals for the adoption and meaningful use of certified electronic health records technology.

TOTAL: HEALTH CARE REGULATION			
FROM GENERAL REVENUE FUND . . . . .	132,124		
FROM TRUST FUNDS . . . . .		141,816,823	
TOTAL POSITIONS . . . . .	659.00		
TOTAL ALL FUNDS . . . . .		141,948,947	
TOTAL: AGENCY FOR HEALTH CARE ADMINISTRATION			
FROM GENERAL REVENUE FUND . . . . .	5,379,958,391		
FROM TRUST FUNDS . . . . .		18,673,556,297	
TOTAL POSITIONS . . . . .	1,652.00		
TOTAL ALL FUNDS . . . . .		24,053,514,688	
TOTAL APPROVED SALARY RATE . . . .	71,785,091		

## AGENCY FOR PERSONS WITH DISABILITIES

## PROGRAM: SERVICES TO PERSONS WITH DISABILITIES

## HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE	9,715,998		
259 SALARIES AND BENEFITS	POSITIONS	280.50	

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	FROM GENERAL REVENUE FUND . . . . .	7,061,349	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		5,571,540
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		153,433
260	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,748,739	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		1,771,141
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		422,396
261	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	907,982	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		1,113,286
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		193,061
262	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	9,060	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		26,334
263	SPECIAL CATEGORIES GRANT AND AID INDIVIDUAL AND FAMILY SUPPORTS		
	FROM GENERAL REVENUE FUND . . . . .	3,080,000	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		12,106,771

Funds in Specific Appropriation 263 expended for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there are no reductions in the number of persons served or level of services provided.

From the funds in Specific Appropriation 263, \$500,000 from nonrecurring general revenue funds is provided for supported employment services for individuals on the waiting list for the Developmental Disabilities Medicaid Waiver programs in Specific Appropriation 267. The supported employment services shall be provided in a manner consistent with the same rules and regulations governing these services in the Developmental Disabilities Medicaid Waiver programs, and may additionally be used toward obtaining and maintaining paid or unpaid internships.

264	SPECIAL CATEGORIES ROOM AND BOARD PAYMENTS FOR DEVELOPMENTALLY DISABLED		
	FROM GENERAL REVENUE FUND . . . . .	2,839,201	
265	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	84,698	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		22,515
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		32,018
266	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	2,988,276	

From the funds in Specific Appropriation 266, \$650,000 in nonrecurring funds from the General Revenue Fund is provided for Quest Kids.

From the funds in Specific Appropriation 266, \$250,000 in nonrecurring funds from the General Revenue Fund is provided for the MACTown sprinkler system.

From the funds in Specific Appropriation 266, \$1,000,000 in nonrecurring funds from the General Revenue Fund is provided to the Dan

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Marino Jobs Program for Children with Disabilities.

267 SPECIAL CATEGORIES  
HOME AND COMMUNITY BASED SERVICES WAIVER  
FROM GENERAL REVENUE FUND . . . . . 378,272,973  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 536,977,383

From the funds in Specific Appropriation 267, \$15,000,000 from the General Revenue Fund and \$21,293,249 from the Operations and Maintenance Trust Fund are provided to expand the Individual Budget waiver (iBudget) by the greatest number of individuals permissible under the additional funding.

Funds in Specific Appropriation 267 shall not be used for administrative costs. Funds for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there are no reductions in the number of persons served or level of services provided.

From the funds in Specific Appropriation 267, the Agency for Persons with Disabilities shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives monthly surplus-deficit reports projecting the total Medicaid Waiver program expenditures for the fiscal year along with any corrective actions plans necessary to align program expenditures with annual appropriations in accordance with sections 393.0661(7) and (8), Florida Statutes.

From the funds in Specific Appropriation 267, \$783,516 from the General Revenue Fund and \$1,112,240 from the Operations and Maintenance Trust Fund are provided for a rate increase for Adult Day Training providers.

268 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 188,676

269 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM GENERAL REVENUE FUND . . . . . 57,836  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 40,866

TOTAL: HOME AND COMMUNITY SERVICES  
FROM GENERAL REVENUE FUND . . . . . 397,238,790  
FROM TRUST FUNDS . . . . . 558,430,744

TOTAL POSITIONS . . . . . 280.50  
TOTAL ALL FUNDS . . . . . 955,669,534

## PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 15,527,926

271 SALARIES AND BENEFITS POSITIONS 322.00  
FROM GENERAL REVENUE FUND . . . . . 10,976,768  
FROM ADMINISTRATIVE TRUST FUND . . . . . 181,715  
FROM FEDERAL GRANTS TRUST FUND . . . . . 63,823  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 8,621,839

272 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 137,931  
FROM FEDERAL GRANTS TRUST FUND . . . . . 447,000  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 89,924

273 EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 1,314,145  
FROM ADMINISTRATIVE TRUST FUND . . . . . 284  
FROM FEDERAL GRANTS TRUST FUND . . . . . 130,181  
FROM OPERATIONS AND MAINTENANCE

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TRUST FUND . . . . . 1,702,628

274 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND . . . . . 23,974  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 3,800

275 SPECIAL CATEGORIES  
TRANSFER TO DIVISION OF ADMINISTRATIVE  
HEARINGS  
FROM GENERAL REVENUE FUND . . . . . 150,285  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 4,188

276 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 238,939  
FROM ADMINISTRATIVE TRUST FUND . . . . . 812  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 141,824

277 SPECIAL CATEGORIES  
GRANTS AND AIDS - CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 899,797  
FROM FEDERAL GRANTS TRUST FUND . . . . . 429,000  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 684,492

278 SPECIAL CATEGORIES  
GRANTS AND AIDS - CONTRACTED PROFESSIONAL  
SERVICES  
FROM GENERAL REVENUE FUND . . . . . 3,874

279 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 270,104

280 SPECIAL CATEGORIES  
HOME AND COMMUNITY SERVICES ADMINISTRATION  
FROM GENERAL REVENUE FUND . . . . . 2,608,143  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 4,009,109

281 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM GENERAL REVENUE FUND . . . . . 67,421  
FROM ADMINISTRATIVE TRUST FUND . . . . . 1,313  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 56,933

281A QUALIFIED EXPENDITURE CATEGORY  
CLIENT DATA MANAGEMENT SYSTEM AND  
ELECTRONIC VISIT VERIFICATION  
FROM GENERAL REVENUE FUND . . . . . 750,000  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 750,000

Funds in Specific Appropriation 281A are provided on a nonrecurring basis to implement a statewide system for the management, reporting and trending of data for Agency for Persons with Disabilities Medicaid clients. The funds shall be awarded based upon a competitive procurement process pursuant to section 287.057, Florida Statutes. The system shall include electronic visit verification capabilities, and may include the potential to centralize client records, verify the utilization and delivery of developmental disabilities Home and Community Based Waiver services delivered in the home, and provide an electronic billing interface for waiver services. The Agency for Health Care Administration may seek any state plan amendment or federal waiver necessary to implement the system.

The Agency for Persons with Disabilities is authorized to submit budget amendments requesting the release of funds pursuant to the provisions of

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chapter 216, Florida Statutes. Requests for release of funds shall include a detailed operational work plan and spending plan.

282	DATA PROCESSING SERVICES CHILDREN AND FAMILIES DATA CENTER FROM GENERAL REVENUE FUND . . . . .	302,438	
283	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		132,305
284	DATA PROCESSING SERVICES NORTHWOOD SHARED RESOURCE CENTER FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . . . . FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	54,667	54,310 14,616
TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE			
	FROM GENERAL REVENUE FUND . . . . .	17,798,486	
	FROM TRUST FUNDS . . . . .		17,520,096
	TOTAL POSITIONS . . . . .	322.00	
	TOTAL ALL FUNDS . . . . .		35,318,582
DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES			
	APPROVED SALARY RATE	73,653,980	
286	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . . FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	2,305.50 49,398,247	44,360,339
287	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . . FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	871,135	962,071
288	EXPENSES FROM GENERAL REVENUE FUND . . . . . FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	3,125,210	3,157,618
289	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . . FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	164,698	96,322
290	FOOD PRODUCTS FROM GENERAL REVENUE FUND . . . . . FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	1,101,678	1,262,170
291	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . . FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	1,079,965	871,213
292	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES FROM GENERAL REVENUE FUND . . . . . FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	1,962,183	3,054,227
293	SPECIAL CATEGORIES PRESCRIBED MEDICINE/DRUGS FROM GENERAL REVENUE FUND . . . . .	1,145,923	
294	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		

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FROM GENERAL REVENUE FUND . . . . .	3,181,043		
FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		2,668,406	
SPECIAL CATEGORIES			
SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . .	18,751		
SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . . FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	457,029	438,425	
FIXED CAPITAL OUTLAY			
AGENCY FOR PERSONS WITH DISABILITIES FIXED CAPITAL OUTLAY NEEDS FOR CENTRALLY MANAGED FACILITIES FROM GENERAL REVENUE FUND . . . . .	1,400,000		
From the funds in Specific Appropriation 297, \$1,400,000 from recurring general revenue funds is provided for William "Billy Joe" Recreational Park.			
GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY THE ARC VILLAGE OF JACKSONVILLE FROM GENERAL REVENUE FUND . . . . .			2,000,000
Funds in Specific Appropriation 297A from nonrecurring general revenue funds are provided for the Arc Village of Jacksonville.			
DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES			
FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .	65,905,862	56,870,791	
TOTAL POSITIONS . . . . . TOTAL ALL FUNDS . . . . .	2,305.50	122,776,653	
AGENCY FOR PERSONS WITH DISABILITIES			
FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .	480,943,138	632,821,631	
TOTAL POSITIONS . . . . . TOTAL ALL FUNDS . . . . . TOTAL APPROVED SALARY RATE . . . . .	2,908.00	1,113,764,769	
CHILDREN AND FAMILIES, DEPARTMENT OF ADMINISTRATION			
PROGRAM: EXECUTIVE LEADERSHIP EXECUTIVE DIRECTION AND SUPPORT SERVICES			
APPROVED SALARY RATE	32,101,819		
SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . . . FROM WELFARE TRANSITION TRUST FUND . . . . . FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . . FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .	599.50 17,688,053	13,230,587 9,433,909 484,801 265,880 117,806	
OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . . . FROM WELFARE TRANSITION TRUST FUND . . . . .	271,059	50,784 28,261 154	

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300	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	4,181,648	
	FROM ADMINISTRATIVE TRUST FUND . . .		860,814
	FROM FEDERAL GRANTS TRUST FUND . . .		192,676
	FROM WELFARE TRANSITION TRUST FUND .		71,759
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		70,442
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		6,893
301	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	27,616	
	FROM ADMINISTRATIVE TRUST FUND . . .		106,950
302	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM ADMINISTRATIVE TRUST FUND . . .		20,000
303	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND . . . . .	507,911	
303A	SPECIAL CATEGORIES		
	COMPUTER RELATED EXPENSES		
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		1,800,000
304	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	562,413	
	FROM ADMINISTRATIVE TRUST FUND . . .		311,178
	FROM FEDERAL GRANTS TRUST FUND . . .		13,083
	FROM WELFARE TRANSITION TRUST FUND .		6,500
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		405,883
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		501
305	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	679,451	
	FROM ADMINISTRATIVE TRUST FUND . . .		96,291
306	SPECIAL CATEGORIES		
	STATE INSTITUTIONAL CLAIMS		
	FROM GENERAL REVENUE FUND . . . . .	40,498	
306A	SPECIAL CATEGORIES		
	TENANT BROKER COMMISSIONS		
	FROM ADMINISTRATIVE TRUST FUND . . .		132,912
307	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND . . . . .	6,520	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,272
308	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	157,010	
	FROM ADMINISTRATIVE TRUST FUND . . .		54,877
	FROM FEDERAL GRANTS TRUST FUND . . .		4,252
	FROM WELFARE TRANSITION TRUST FUND .		309
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		405
309	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	3,492,984	
	FROM FEDERAL GRANTS TRUST FUND . . .		627,298
312	DATA PROCESSING SERVICES		

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	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND . . . . .	57,197	
	FROM FEDERAL GRANTS TRUST FUND . . .		73,615
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		12,629
313	DATA PROCESSING SERVICES		
	NORTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND . . . . .	8,949,802	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,333,282
	FROM FEDERAL GRANTS TRUST FUND . . .		10,061,978
	FROM WELFARE TRANSITION TRUST FUND .		4,978
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		7,377
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		4,981
From the funds in Specific Appropriation 313, the Department of Children and Families and the Northwood Shared Resource Center (NSRC) shall submit a report providing options and recommendations for reducing the data center service costs of the FLORIDA System. The report shall be submitted to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by January 15, 2014.			
315	DATA PROCESSING SERVICES		
	NORTHWOOD SHARED RESOURCE CENTER (NSRC)		
	DEPRECIATION FEDERAL SHARE BILLINGS		
	FROM FEDERAL GRANTS TRUST FUND . . .		363,236
316	PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS		
	RELIEF/JORGE AND DEBBIE GARCIA-BENGOCHEA		
	FROM FEDERAL GRANTS TRUST FUND . . .		950,000
317	PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS		
	RELIEF - MARISSA AMORA		
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		1,700,000
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	36,622,162	
	FROM TRUST FUNDS . . . . .		42,909,553
	TOTAL POSITIONS . . . . .	599.50	
	TOTAL ALL FUNDS . . . . .		79,531,715
PROGRAM: SUPPORT SERVICES			
INFORMATION TECHNOLOGY			
	APPROVED SALARY RATE	13,628,803	
319	SALARIES AND BENEFITS		
	FROM GENERAL REVENUE FUND . . . . .	266.00	
	FROM ADMINISTRATIVE TRUST FUND . . .	5,955,576	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND . . . . .		19,385
	FROM FEDERAL GRANTS TRUST FUND . . .		5,384,339
	FROM WELFARE TRANSITION TRUST FUND .		215,772
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		121,316
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		155,864
320	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	126,105	
	FROM ADMINISTRATIVE TRUST FUND . . .		208,000
	FROM FEDERAL GRANTS TRUST FUND . . .		129,228
321	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	2,847,220	
	FROM ADMINISTRATIVE TRUST FUND . . .		258,989
	FROM FEDERAL GRANTS TRUST FUND . . .		1,615,278
	FROM WELFARE TRANSITION TRUST FUND .		67,269
	FROM OPERATIONS AND MAINTENANCE		

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	TRUST FUND . . . . .	176	
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND . . . . .	5,286	
322	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	40,599	
	FROM FEDERAL GRANTS TRUST FUND . . .	8,299	
323	SPECIAL CATEGORIES		
	COMPUTER RELATED EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	5,198,330	
	FROM ADMINISTRATIVE TRUST FUND . . .	118,466	
	FROM FEDERAL GRANTS TRUST FUND . . .	9,834,934	
	FROM WELFARE TRANSITION TRUST FUND .	43,163	
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND . . . . .	11,082	

From the funds in Specific Appropriation 323, \$450,000 in nonrecurring funds from the General Revenue Fund shall be used by the department to competitively procure a patient-centered, Internet-based personal health record system for foster children. The department-owned platform will include the requirements identified in the December 1, 2011, U.S. Government Accountability Office report on Foster Children.

From the funds in Specific Appropriation 323, \$7,514,710 in nonrecurring funds from the Federal Grants Trust Fund is provided for Florida's Public Assistance Eligibility (FLORIDA) system.

324	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	47,430	
	FROM FEDERAL GRANTS TRUST FUND . . .	1,199	
325	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	19,791	
	FROM FEDERAL GRANTS TRUST FUND . . .	500	
326	QUALIFIED EXPENDITURE CATEGORY		
	FLORIDA'S PUBLIC ASSISTANCE ELIGIBILITY SYSTEM		
	FROM FEDERAL GRANTS TRUST FUND . . .	22,544,128	

From the funds in Specific Appropriation 326, \$22,544,128 from the Federal Grants Trust Fund shall be used by the department to fund enhancements to Florida's Public Assistance Eligibility (FLORIDA) system. The department shall submit budget amendments to the Legislative Budget Commission requesting release of these funds. Requests for release of funds shall include detailed operational work and spending plans.

TOTAL: INFORMATION TECHNOLOGY			
	FROM GENERAL REVENUE FUND . . . . .	14,235,051	
	FROM TRUST FUNDS . . . . .	46,743,727	
	TOTAL POSITIONS . . . . .	266.00	
	TOTAL ALL FUNDS . . . . .	60,978,778	

## SERVICES

## PROGRAM: FAMILY SAFETY PROGRAM

## FAMILY SAFETY AND PRESERVATION SERVICES

	APPROVED SALARY RATE	130,979,678	
327	SALARIES AND BENEFITS	POSITIONS	3,234.00
	FROM GENERAL REVENUE FUND . . . . .	62,532,060	
	FROM DOMESTIC VIOLENCE TRUST FUND .	14,659	
	FROM FEDERAL GRANTS TRUST FUND . . .	26,991,100	
	FROM WELFARE TRANSITION TRUST FUND .	66,793,282	
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND . . . . .	25,517,518	

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328	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,061,295	
	FROM FEDERAL GRANTS TRUST FUND . . .	2,347,536	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	46,935	
	FROM WELFARE TRANSITION TRUST FUND .	2,782,090	
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND . . . . .	1,214,055	
329	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	11,124,021	
	FROM CHILD WELFARE TRAINING TRUST FUND . . . . .	8,394	
	FROM DOMESTIC VIOLENCE TRUST FUND .	11,645	
	FROM FEDERAL GRANTS TRUST FUND . . .	4,599,625	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	9,886	
	FROM WELFARE TRANSITION TRUST FUND .	10,595,343	
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND . . . . .	3,740,744	
330	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	22,457	
	FROM FEDERAL GRANTS TRUST FUND . . .	6,394	
	FROM WELFARE TRANSITION TRUST FUND .	11,215	
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND . . . . .	9,364	
331	SPECIAL CATEGORIES		
	HOME CARE FOR DISABLED ADULTS		
	FROM GENERAL REVENUE FUND . . . . .	1,987,544	
332	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY CARE FOR DISABLED ADULTS		
	FROM GENERAL REVENUE FUND . . . . .	2,041,955	
333	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	2,729,926	
	FROM CHILD WELFARE TRAINING TRUST FUND . . . . .	2,815	
	FROM TOBACCO SETTLEMENT TRUST FUND .	239,120	
	FROM DOMESTIC VIOLENCE TRUST FUND .	69	
	FROM FEDERAL GRANTS TRUST FUND . . .	1,287,328	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	13,180	
	FROM WELFARE TRANSITION TRUST FUND .	1,108,852	
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND . . . . .	735,388	

From the funds in Specific Appropriation 333, \$100,000 in nonrecurring funds from the General Revenue Fund is provided to Citrus Health Network for the Safe Haven for Homeless Youth Program.

From the funds in Specific Appropriation 333, \$300,000 in nonrecurring funds from the General Revenue Fund is provided for the Oasis Human Trafficking Initiative.

From the funds in Specific Appropriation 333, \$100,000 in nonrecurring funds from the General Revenue Fund is provided to the Myron Rolle Wellness and Leadership Academy.

From the funds in Specific Appropriation 333, \$500,000 from the General Revenue Fund is transferred to the Department of Education for Lauren's Kids.

334	SPECIAL CATEGORIES		
	GRANTS AND AIDS - GRANTS TO SHERIFFS FOR PROTECTIVE INVESTIGATIONS		
	FROM GENERAL REVENUE FUND . . . . .	23,644,666	
	FROM TOBACCO SETTLEMENT TRUST FUND .	7,348,586	
	FROM WELFARE TRANSITION TRUST FUND .	9,392,840	
	FROM SOCIAL SERVICES BLOCK GRANT		

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TRUST FUND . . . . . 9,589,500

The funds in Specific Appropriation 334 shall be used by the Department of Children and Families to award grants to the sheriffs of Manatee, Pasco, Pinellas, Broward, Hillsborough, and Seminole counties to conduct child protective investigations as mandated in section 39.3065, Florida Statutes. The funds shall be allocated as follows:

Manatee County Sheriff.....	3,560,532
Pasco County Sheriff.....	5,591,619
Pinellas County Sheriff.....	10,040,024
Broward County Sheriff.....	13,065,620
Hillsborough County Sheriff.....	12,054,683
Seminole County Sheriff.....	3,443,114

From the funds in Specific Appropriation 334, the following nonrecurring amounts from the General Revenue Fund are provided to sheriffs to conduct child protective investigations, pursuant to section 39.3065, Florida Statutes:

Broward County Sheriff.....	1,500,000
Manatee County Sheriff.....	200,000
Pinellas County Sheriff.....	200,000
Seminole County Sheriff.....	120,000
Hillsborough County Sheriff.....	200,000

335 SPECIAL CATEGORIES

GRANTS AND AIDS - DOMESTIC VIOLENCE  
PROGRAM

FROM GENERAL REVENUE FUND . . . . .	7,164,596
FROM DOMESTIC VIOLENCE TRUST FUND . . . . .	7,465,397
FROM FEDERAL GRANTS TRUST FUND . . . . .	11,675,334
FROM WELFARE TRANSITION TRUST FUND . . . . .	7,750,000

From the funds in Specific Appropriation 335, \$7,164,596 from the General Revenue Fund, \$7,465,397 from the Domestic Violence Trust Fund, \$10,395,627 from the Federal Grants Trust Fund and \$7,750,000 from the Welfare Transition Trust Fund shall be provided to the Florida Coalition Against Domestic Violence for implementation of programs and the management and delivery of services of the state's domestic violence program including implementation of statutory directives contained in chapter 39, Florida Statutes, implementation of special projects, training and technical assistance to certified domestic violence centers and allied professionals, and administration of contracts designated under this appropriation.

From the funds in Specific Appropriation 335, \$266,663 from the Federal Grants Trust Fund, Violence Against Women Act STOP Formula Grant shall be transferred to the Department of Health to contract with the Florida Council Against Sexual Violence for the provision of training and technical assistance to certified rate crisis programs and allied professionals.

From the funds in Specific Appropriation 335, \$347,986 from the Federal Grants Trust Fund is provided to fully utilize the Grants to Encourage Arrest Policies and Enforcement of Orders (GTEA) program.

From the funds in Specific Appropriation 335, \$500,000 in nonrecurring funds from the Federal Grants Trust Fund is provided to the Florida Coalition Against Domestic Violence for utilization of the STOP Violence Against Women Formula Grant Program.

336 SPECIAL CATEGORIES

GRANTS AND AIDS - CHILD ABUSE PREVENTION  
AND INTERVENTION

FROM GENERAL REVENUE FUND . . . . .	12,618,126
FROM TOBACCO SETTLEMENT TRUST FUND . . . . .	143,547
FROM FEDERAL GRANTS TRUST FUND . . . . .	2,574,189
FROM WELFARE TRANSITION TRUST FUND . . . . .	5,778,467

From the funds in Specific Appropriation 336, \$3,000,000 in nonrecurring funds from the General Revenue Fund and \$2,000,000 in nonrecurring funds from the Federal Grants Trust Fund are provided for the Healthy Families program.

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337 SPECIAL CATEGORIES

GRANTS AND AIDS - CHILD PROTECTION

FROM GENERAL REVENUE FUND . . . . .	6,643,386
FROM CHILD WELFARE TRAINING TRUST FUND . . . . .	285,993
FROM TOBACCO SETTLEMENT TRUST FUND . . . . .	3,375,782
FROM FEDERAL GRANTS TRUST FUND . . . . .	17,754,510
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	130,000
FROM WELFARE TRANSITION TRUST FUND . . . . .	1,909,191
FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	530,696
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .	2,333,286

From the funds in Specific Appropriations 337 and 345, \$5,000,000 in nonrecurring funds from the Federal Grants Trust Fund is provided for a pilot program to integrate substance abuse and mental health treatment services into the case management of families participating in the child welfare system. The Department Of Children and Families shall award up to eight grants to Community Based Care (CBC) lead agencies through a competitive process, and will procure an evaluation of the pilot programs' performance outcomes, cost effectiveness, and potential for successful replication.

From the funds in Specific Appropriation 337, \$250,000 in nonrecurring funds from the Federal Grants Trust Fund is provided for the purpose of funding campus coaches that provide mentoring services to foster care youth. This funding is contingent upon the passage of Senate Bill 1036, or similar legislation.

From the funds in Specific Appropriation 337, \$350,000 in nonrecurring funds from the General Revenue Fund is provided to Mary Lee's House in Hillsborough County for child protection and advocacy services.

338 SPECIAL CATEGORIES

RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND . . . . .	5,885,002
FROM FEDERAL GRANTS TRUST FUND . . . . .	1,324
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .	698

339 SPECIAL CATEGORIES

TEMPORARY EMERGENCY SHELTER SERVICES

FROM GENERAL REVENUE FUND . . . . .	435,843
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340 SPECIAL CATEGORIES

GRANTS AND AIDS - FAMILY FOSTER CARE

FROM GENERAL REVENUE FUND . . . . .	4,000,000
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From the funds in Specific Appropriation 340, the department shall transfer \$4,000,000 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children in the Statewide Inpatient Psychiatric Program (SIPP) and Residential Group Care beds.

341 SPECIAL CATEGORIES

GRANTS AND AIDS - RESIDENTIAL GROUP CARE

FROM GENERAL REVENUE FUND . . . . .	96,029
FROM TOBACCO SETTLEMENT TRUST FUND . . . . .	1,545,186
FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	115,836
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .	929,958

342 SPECIAL CATEGORIES

DEFERRED-PAYMENT COMMODITY CONTRACTS

FROM GENERAL REVENUE FUND . . . . .	5,477
FROM FEDERAL GRANTS TRUST FUND . . . . .	3,610
FROM WELFARE TRANSITION TRUST FUND . . . . .	1,242
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .	2,415

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343	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	319,231	
	FROM CHILD WELFARE TRAINING TRUST		
	FUND . . . . .		2
	FROM TOBACCO SETTLEMENT TRUST FUND . . . . .		6,375
	FROM FEDERAL GRANTS TRUST FUND . . . . .		196,288
	FROM WELFARE TRANSITION TRUST FUND . . . . .		248,364
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND . . . . .		144,015
344	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	2,935	
	FROM FEDERAL GRANTS TRUST FUND . . . . .		1,002
	FROM WELFARE TRANSITION TRUST FUND . . . . .		9,881
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND . . . . .		3,258
345	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY BASED CARE		
	FUNDS FOR PROVIDERS OF CHILD WELFARE		
	SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	258,740,802	
	FROM CHILD WELFARE TRAINING TRUST		
	FUND . . . . .		2,531,893
	FROM TOBACCO SETTLEMENT TRUST FUND . . . . .		116,374,401
	FROM FEDERAL GRANTS TRUST FUND . . . . .		292,743,049
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		400,000
	FROM WELFARE TRANSITION TRUST FUND . . . . .		61,037,060
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .		8,979,209
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND . . . . .		41,078,586

From the funds in Specific Appropriation 345, \$762,655 in nonrecurring funds from the Federal Grants Trust Fund is provided to the Community Based Care Lead Agency of Central Florida.

From the funds in Specific Appropriation 345, \$1,000,000 in nonrecurring funds from the General Revenue Fund and \$3,000,000 in nonrecurring funds from the Federal Grants Trust Fund is provided to Eckerd Community Alternatives, the Community Based Care lead agency serving Pasco and Pinellas counties.

From the funds in Specific Appropriation 345, \$1,350,000 in nonrecurring funds from the General Revenue Fund is provided to Our Kids of Miami-Dade/Monroe, Inc.

From the funds in Specific Appropriation 345, \$5,649,066 in nonrecurring funds from the Federal Grants Trust Fund shall be allocated to the community-based care lead agencies pursuant to section 409.16713(1)(b), Florida Statutes.

345A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND		
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	PLACE OF HOPE AT THE HAVEN CAMPUS		
	FROM GENERAL REVENUE FUND . . . . .	1,280,422	
	FROM TRUST FUNDS . . . . .		762,477,507
	TOTAL POSITIONS . . . . .	3,234.00	
	TOTAL ALL FUNDS . . . . .		1,164,813,280

PROGRAM: MENTAL HEALTH PROGRAM

## MENTAL HEALTH SERVICES

The funds in Specific Appropriations 346 through 380 represent a reduction of \$3,200,000 of recurring general revenue funds due to the contract savings from the Managing Entities. The department is authorized to submit a budget amendment to realign its budget in accordance with chapter 216, Florida Statutes, to move funds between budget entities and categories of appropriations. This reduction shall be absorbed within departmental resources and shall not result in reductions to provider contracts.

APPROVED SALARY RATE 116,518,630

346	SALARIES AND BENEFITS	POSITIONS	3,111.00
	FROM GENERAL REVENUE FUND . . . . .		88,601,939
	FROM ADMINISTRATIVE TRUST FUND . . . . .		9,642
	FROM ALCOHOL, DRUG ABUSE AND		
	MENTAL HEALTH TRUST FUND . . . . .		227,560
	FROM FEDERAL GRANTS TRUST FUND . . . . .		50,770,395
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .		5,854,789
347	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,376,493	
	FROM ALCOHOL, DRUG ABUSE AND		
	MENTAL HEALTH TRUST FUND . . . . .		16,000
	FROM FEDERAL GRANTS TRUST FUND . . . . .		841,973
	FROM WELFARE TRANSITION TRUST FUND . . . . .		116,979
348	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	12,992,887	
	FROM ALCOHOL, DRUG ABUSE AND		
	MENTAL HEALTH TRUST FUND . . . . .		410,033
	FROM FEDERAL GRANTS TRUST FUND . . . . .		912,220
	FROM WELFARE TRANSITION TRUST FUND . . . . .		67,213
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .		415,059
349	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	387,630	
	FROM FEDERAL GRANTS TRUST FUND . . . . .		377,471
350	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND . . . . .	3,386,854	
352	SPECIAL CATEGORIES		
	GRANTS AND AIDS - PUBLIC SAFETY, MENTAL		
	HEALTH, AND SUBSTANCE ABUSE LOCAL MATCHING		
	GRANT PROGRAM		
	FROM GENERAL REVENUE FUND . . . . .	3,000,000	

From the funds in Specific Appropriation 352, the nonrecurring sum of \$3,000,000 from the General Revenue Fund is provided for the Public Safety, Mental Health, and Substance Abuse Local Matching Grant Program.

352A	SPECIAL CATEGORIES		
	CHILDREN'S ACTION TEAMS FOR MENTAL HEALTH		
	AND SUBSTANCE ABUSE SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	4,675,000	
	FROM FEDERAL GRANTS TRUST FUND . . . . .		2,075,000

From the funds in Specific Appropriation 352A, \$675,000 in recurring funds and \$4,000,000 in nonrecurring funds from the General Revenue Fund and \$2,075,000 in nonrecurring funds from the Federal Grants Trust Fund are provided and shall be evenly distributed among the following mental health Community Action Teams (CATs). These teams are established as pilot projects providing comprehensive, community-based services to children ages 11 to 21 with a mental health diagnosis or co-occurring substance abuse diagnosis with accompanying characteristics such as: being at-risk for out-of-home placement as demonstrated by repeated failures at less intensive levels of care; having two or more hospitalization or repeated failures; involvement with the Department of Juvenile Justice or multiple episodes involving law enforcement; or,



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poor academic performance and/or suspensions. Children younger than age 11 may be candidates if they meet two or more of the aforementioned characteristics.

The department shall contract directly with the following providers to pilot Community Action Teams with nonrecurring funds:

Manatee Glens - Manatee, Sarasota, Desoto counties  
Circles of Care - Brevard County  
Life Management - Bay County  
David Lawrence Center - Collier County  
Child Guidance Center - Duval County  
Institute for Child & Family Health - Miami-Dade County  
Mental Health Care - Hillsborough County  
Personal Enrichment Mental Health Services - Pinellas County  
Peace River - Polk, Highlands, Hardee counties

The department shall contract directly with the following provider to pilot a Community Action Team with recurring funds:

Lee Mental Health, Inc. - Lee County

The department shall develop a report that evaluates the effectiveness of CATs in meeting the goal of offering parents and caregivers of this target population a safe option for raising their child at home rather than utilizing more costly institutional placement, foster home care, or juvenile justice services. The report shall be provided to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than February 1, 2014.

353	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILDREN'S MENTAL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	26,239,795	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND . . . . .		8,224,898
	FROM FEDERAL GRANTS TRUST FUND . . . . .		12,710,120
354	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY MENTAL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	177,595,885	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND . . . . .		20,755,959
	FROM TOBACCO SETTLEMENT TRUST FUND . . . . .		206,775
	FROM FEDERAL GRANTS TRUST FUND . . . . .		14,002,365
	FROM WELFARE TRANSITION TRUST FUND . . . . .		7,357,585
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		445,370

From the funds in Specific Appropriation 354, nonrecurring general revenue funds are provided for the following:

Clay Behavioral Health Center Community Crisis Prevention Team.....	300,000
Ft. Walton Beach Medical Center Crisis Stabilization Unit...	1,000,000
New Horizons of the Treasure Coast - Crisis Stabilization Center Equipment.....	227,354
Operation PAR Behavioral Health & Wellness.....	250,000
Seminole Behavioral Healthcare.....	466,667

From the funds in Specific Appropriation 354, \$800,000 from the General Revenue Fund is provided to contract with a not-for-profit mental health facility in the Second Judicial Circuit that is currently under contract with the department, and has the current capacity for placement of eight Level 1 residential beds into an integrated system of care to serve Medicaid/Medicare eligible individuals who are transitioning from state care into the community as an alternative to institutional placement.

From the funds in Specific Appropriation 354, \$547,500 from the General Revenue Fund is provided for the department to contract with a not-for-profit facility in the Fifth Judicial Circuit (Central Region of the State) currently under contract with the department to fund five

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additional crisis stabilization beds to serve the mentally ill in Lake and Sumter counties.

From the funds in Specific Appropriation 354, \$450,000 from the General Revenue Fund is provided for the Palm Beach County Sheriff's Mental Health Initiative.

355	SPECIAL CATEGORIES		
	GRANTS AND AIDS - BAKER ACT SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	62,333,949	
356	SPECIAL CATEGORIES		
	GRANTS AND AIDS - OUTPATIENT BAKER ACT PILOT PROGRAM		
	FROM GENERAL REVENUE FUND . . . . .	500,000	
357	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	6,560,370	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND . . . . .		237,371
	FROM FEDERAL GRANTS TRUST FUND . . . . .		1,332,212
	FROM WELFARE TRANSITION TRUST FUND . . . . .		2,000
358	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	31,962,551	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND . . . . .		34,349
	FROM FEDERAL GRANTS TRUST FUND . . . . .		1,591,487
	FROM WELFARE TRANSITION TRUST FUND . . . . .		86,286

From the funds in Specific Appropriation 358, the department may pay the contracted provider of operations at the Florida Civil Commitment Center (FCCC) a fixed-price unit rate of \$55.00 per bed day based on the midnight census to cover housing costs provided by the DeSoto County Sheriff. Eligible payments are for residents of FCCC that are in the DeSoto County Sheriff's custody after being arrested and charged for having committed a crime at the FCCC facility.

From the funds in Specific Appropriation 358 and 359, \$3,220,130 from the General Revenue Fund is provided for cost of living increases for the following providers:

South Florida State Hospital.....	1,043,089
South Florida Evaluation & Treatment Center.....	770,096
Florida Civil Commitment Center.....	733,760
Treasure Coast.....	673,185

359	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	97,469,762	
	FROM FEDERAL GRANTS TRUST FUND . . . . .		13,467,628
360	SPECIAL CATEGORIES		
	PURCHASE OF THERAPEUTIC SERVICES FOR CHILDREN		
	FROM GENERAL REVENUE FUND . . . . .	8,911,958	
361	SPECIAL CATEGORIES		
	GRANTS AND AIDS - INDIGENT PSYCHIATRIC MEDICATION PROGRAM		
	FROM GENERAL REVENUE FUND . . . . .	8,280,276	
362	SPECIAL CATEGORIES		
	PRESCRIBED MEDICINE/DRUGS		
	FROM GENERAL REVENUE FUND . . . . .	8,633,889	
	FROM FEDERAL GRANTS TRUST FUND . . . . .		1,900,961
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		876,992
363	SPECIAL CATEGORIES		
	GRANTS AND AIDS - PURCHASED RESIDENTIAL		

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TREATMENT SERVICES FOR EMOTIONALLY  
DISTURBED CHILDREN AND YOUTH  
FROM GENERAL REVENUE FUND . . . . . 19,618,052

From the funds in Specific Appropriation 363, the Department of Children and Families may transfer up to \$15,330,977 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children in the Statewide Inpatient Psychiatric Program (SIPP) and Residential Group Care beds. The department must transfer funds up to this amount to cover all services provided to Medicaid eligible children through the Statewide Inpatient Psychiatric Program and Residential Group Care beds. The remaining funds shall be used to provide residential services to non-Medicaid eligible children.

364 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 6,499,165  
FROM FEDERAL GRANTS TRUST FUND . . . . . 599,412

365 SPECIAL CATEGORIES  
SALARY INCENTIVE PAYMENTS  
FROM GENERAL REVENUE FUND . . . . . 90,969

366 SPECIAL CATEGORIES  
GRANTS AND AIDS - CHILDREN'S BAKER ACT  
SERVICES  
FROM GENERAL REVENUE FUND . . . . . 14,021,460

367 SPECIAL CATEGORIES  
DEFERRED-PAYMENT COMMODITY CONTRACTS  
FROM GENERAL REVENUE FUND . . . . . 716,733  
FROM ALCOHOL, DRUG ABUSE AND  
MENTAL HEALTH TRUST FUND . . . . . 1,129  
FROM WELFARE TRANSITION TRUST FUND . . . . . 849

368 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 283,373  
FROM ALCOHOL, DRUG ABUSE AND  
MENTAL HEALTH TRUST FUND . . . . . 17,982  
FROM FEDERAL GRANTS TRUST FUND . . . . . 17,099  
FROM WELFARE TRANSITION TRUST FUND . . . . . 4  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 5,210

369 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM GENERAL REVENUE FUND . . . . . 26,223  
FROM FEDERAL GRANTS TRUST FUND . . . . . 1,541  
FROM WELFARE TRANSITION TRUST FUND . . . . . 285

369A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
CRISIS STABILIZATION UNITS AND TRIAGE  
CENTERS FOR MENTAL HEALTH SERVICES  
FROM GENERAL REVENUE FUND . . . . . 2,400,000

From the funds in Specific Appropriation 369A, \$400,000 in nonrecurring funds from the General Revenue Fund is provided to the Osceola County Triage Center and Low Demand Shelter to accommodate mental health and substance abuse populations.

From the funds in Specific Appropriation 369A, \$2,000,000 in nonrecurring funds from the General Revenue Fund is provided to the Peace River Center to develop an inpatient crisis stabilization unit and Baker Act triage center.

TOTAL: MENTAL HEALTH SERVICES  
FROM GENERAL REVENUE FUND . . . . . 586,565,213  
FROM TRUST FUNDS . . . . . 145,970,203

TOTAL POSITIONS . . . . . 3,111.00

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TOTAL ALL FUNDS . . . . . 732,535,416

## PROGRAM: SUBSTANCE ABUSE PROGRAM

## SUBSTANCE ABUSE SERVICES

From the funds in Specific Appropriations 370 through 380, the department shall develop a plan to determine whether to establish a licensure/registration process relating to residential facilities that provide managed and peer-supported, alcohol-free and drug-free living environments for persons recovering from drug and alcohol addiction, commonly referred to as sober homes. This plan shall identify the number of sober homes operating in Florida, identified benefits and concerns in connection with the operation of sober homes, and the impact of sober homes on effective treatment of alcoholism and on sober house residents and surrounding neighborhoods. The department shall also examine the feasibility, cost, and consequences of licensing, regulating, registering, or certifying sober homes and their operators. The department shall consult with interested parties, including, but not limited to, the Florida Alcohol and Drug Abuse Association, local governments, stakeholders in the chemical abuse treatment community, and operators of sober houses. The plan shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 1, 2013.

APPROVED SALARY RATE . . . . . 2,144,643

370 SALARIES AND BENEFITS POSITIONS 40.00  
FROM GENERAL REVENUE FUND . . . . . 777,331  
FROM ALCOHOL, DRUG ABUSE AND  
MENTAL HEALTH TRUST FUND . . . . . 1,523,824  
FROM FEDERAL GRANTS TRUST FUND . . . . . 456,786

371 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 84,736  
FROM ALCOHOL, DRUG ABUSE AND  
MENTAL HEALTH TRUST FUND . . . . . 400,734  
FROM FEDERAL GRANTS TRUST FUND . . . . . 346,597  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 314

372 EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 224,324  
FROM ALCOHOL, DRUG ABUSE AND  
MENTAL HEALTH TRUST FUND . . . . . 280,493  
FROM FEDERAL GRANTS TRUST FUND . . . . . 154,664  
FROM WELFARE TRANSITION TRUST FUND . . . . . 28,420  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 1,925

373 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND . . . . . 318  
FROM ALCOHOL, DRUG ABUSE AND  
MENTAL HEALTH TRUST FUND . . . . . 334  
FROM FEDERAL GRANTS TRUST FUND . . . . . 333

374 SPECIAL CATEGORIES  
GRANTS AND AIDS - CHILDREN AND ADOLESCENT  
SUBSTANCE ABUSE SERVICES  
FROM GENERAL REVENUE FUND . . . . . 39,672,119  
FROM ALCOHOL, DRUG ABUSE AND  
MENTAL HEALTH TRUST FUND . . . . . 28,545,868  
FROM TOBACCO SETTLEMENT TRUST FUND . . . . . 2,860,907  
FROM WELFARE TRANSITION TRUST FUND . . . . . 640,000  
FROM OPERATIONS AND MAINTENANCE  
TRUST FUND . . . . . 84,918

From the funds in Specific Appropriation 374, \$750,000 from the General Revenue Fund is provided for Informed Families of Florida for the purpose of providing a statewide program for the prevention of child and adolescent substance abuse. The Department of Children and Families shall assess the effectiveness of these prevention efforts with the resources and services utilized throughout the state. The department shall provide this report to the chair of the Senate Appropriations

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Committee and the chair of the House Appropriations Committee by January 15, 2014.

375	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY SUBSTANCE ABUSE SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	51,592,696	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND . . . . .		63,178,155
	FROM FEDERAL GRANTS TRUST FUND . . . . .		5,653,354
	FROM WELFARE TRANSITION TRUST FUND . . . . .		5,571,170
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		1,907,777

From the funds in Specific Appropriation 375, \$8,967,700 of nonrecurring funds from the General Revenue fund is provided for the expansion of substance abuse services for pregnant women and their affected families. These services shall include the expansion of residential treatment, outpatient treatment with housing support, and post-partum case management supporting both the mother and child consistent with recommendations from the Statewide Task Force on Prescription Drug Abuse and Newborns. Priority for services shall be given to counties with greatest need and available treatment capacity.

From the funds in Specific Appropriation 375, \$1,000,000 from nonrecurring funds from the General Revenue Fund is provided for the Pasco County Drug Initiative, known as Pasco be SMART.

From the funds in Specific Appropriation 375, \$1,300,000 from recurring general revenue funds is provided for the St. Johns County Sheriff's Office substance abuse detoxification program.

376	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,762,942	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND . . . . .		607,017
	FROM FEDERAL GRANTS TRUST FUND . . . . .		115,593
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		37,599

377	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	67,863	
	FROM FEDERAL GRANTS TRUST FUND . . . . .		2,690,480

378	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	36,361	

379	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	7,896	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND . . . . .		6,930
	FROM FEDERAL GRANTS TRUST FUND . . . . .		6

380	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	2,910	
	FROM FEDERAL GRANTS TRUST FUND . . . . .		462

TOTAL:	SUBSTANCE ABUSE SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	94,229,496	
	FROM TRUST FUNDS . . . . .		115,094,660
	TOTAL POSITIONS . . . . .	40.00	
	TOTAL ALL FUNDS . . . . .		209,324,156

PROGRAM: ECONOMIC SELF SUFFICIENCY PROGRAM

ECONOMIC SELF SUFFICIENCY SERVICES

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	APPROVED SALARY RATE	154,873,566	
381	SALARIES AND BENEFITS	POSITIONS	4,353.00
	FROM GENERAL REVENUE FUND . . . . .		99,764,444
	FROM FEDERAL GRANTS TRUST FUND . . . . .		77,502,039
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		4,262,877
	FROM WELFARE TRANSITION TRUST FUND . . . . .		7,178,805
382	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,447,103	
	FROM FEDERAL GRANTS TRUST FUND . . . . .		1,533,441
	FROM WELFARE TRANSITION TRUST FUND . . . . .		224,298
383	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	15,319,346	
	FROM TOBACCO SETTLEMENT TRUST FUND . . . . .		132,851
	FROM FEDERAL GRANTS TRUST FUND . . . . .		15,697,612
	FROM WELFARE TRANSITION TRUST FUND . . . . .		1,426,930
384	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	1,393	
	FROM FEDERAL GRANTS TRUST FUND . . . . .		23,574
	FROM WELFARE TRANSITION TRUST FUND . . . . .		4,283
385	SPECIAL CATEGORIES		
	GRANTS AND AIDS - FEDERAL EMERGENCY SHELTER GRANT PROGRAM		
	FROM FEDERAL GRANTS TRUST FUND . . . . .		5,351,369
	FROM WELFARE TRANSITION TRUST FUND . . . . .		787,953

From the funds in Specific Appropriation 385, the Department of Children and Families may accept and administer funding allocated to the State of Florida by the U.S. Department of Urban Development (HUD) for the Emergency Solutions Grant (ESG) Program. The ESG Program will be administered by the Department of Children and Families in accordance with HUD rules and regulations. This funding may be granted by the state to local governments in the state, which may include cities and counties that are ESG grantees, or to private nonprofit organizations, if the local government where the project is located certifies its approval of the project. Initial preference will be given to local governments and nonprofit organizations in areas of the state where local governments do not receive funding directly from HUD. Grant applications will be ranked competitively based on grant application requirements and criteria published by the Department of Children and Families.

386	SPECIAL CATEGORIES		
	GRANTS AND AIDS - HOMELESS HOUSING ASSISTANCE GRANTS		
	FROM GENERAL REVENUE FUND . . . . .	4,750,000	

From the funds in Specific Appropriation 386, \$1,000,000 in nonrecurring general revenue funds is provided to the United Way of Brevard County for equal distribution among the homeless coalitions throughout the state.

From the funds in Specific Appropriation 386, \$2,000,000 in recurring general revenue funds is provided to the local homeless coalitions throughout the state.

From the funds in Specific Appropriation 386, \$250,000 in nonrecurring general revenue funds is provided for the Transition House Homeless Veterans Program in Osceola County.

From the funds in Specific Appropriation 386, \$500,000 in nonrecurring general revenue funds is provided to the Okaloosa Walton Homeless Continuum of Care/Opportunity, Inc.

From the funds in Specific Appropriation 386, \$500,000 in nonrecurring general revenue funds is provided to the National Veterans Support Group.

From the funds in Specific Appropriation 386, \$500,000 in

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nonrecurring general revenue funds is provided to the Manatee County One Stop Community Resource Center for the Turning Points Homeless Program.				TOTAL: ECONOMIC SELF SUFFICIENCY SERVICES			
				FROM GENERAL REVENUE FUND . . . . .		297,738,360	
				FROM TRUST FUNDS . . . . .			264,547,872
387	SPECIAL CATEGORIES			TOTAL POSITIONS . . . . .		4,353.00	
	CONTRACTED SERVICES			TOTAL ALL FUNDS . . . . .			562,286,232
	FROM GENERAL REVENUE FUND . . . . .	13,811,020	19,904,818				
	FROM FEDERAL GRANTS TRUST FUND . . . . .		1,111,323				
	FROM WELFARE TRANSITION TRUST FUND . . . . .		2,850,000				
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .						
388	SPECIAL CATEGORIES			TOTAL POSITIONS . . . . .		11,603.50	
	GRANTS AND AIDS - CONTRACTED SERVICES			TOTAL ALL FUNDS . . . . .			2,809,469,577
	FROM GENERAL REVENUE FUND . . . . .	744,184	5,759,934	TOTAL APPROVED SALARY RATE . . . . .		450,247,139	
	FROM FEDERAL GRANTS TRUST FUND . . . . .		342,856				
	FROM WELFARE TRANSITION TRUST FUND . . . . .						
389	SPECIAL CATEGORIES			ELDER AFFAIRS, DEPARTMENT OF			
	GRANTS AND AIDS - LOCAL SERVICES PROGRAM			PROGRAM: SERVICES TO ELDERS PROGRAM			
	FROM FEDERAL GRANTS TRUST FUND . . . . .		64,742,633	COMPREHENSIVE ELIGIBILITY SERVICES			
				APPROVED SALARY RATE		10,042,357	
390	SPECIAL CATEGORIES			400	SALARIES AND BENEFITS POSITIONS	275.00	
	PUBLIC ASSISTANCE FRAUD CONTRACT				FROM GENERAL REVENUE FUND . . . . .	3,445,165	
	FROM GENERAL REVENUE FUND . . . . .	264,804	3,119,093		FROM OPERATIONS AND MAINTENANCE		
	FROM FEDERAL GRANTS TRUST FUND . . . . .		1,103,903		TRUST FUND . . . . .		10,183,038
	FROM WELFARE TRANSITION TRUST FUND . . . . .						
391	SPECIAL CATEGORIES			401	OTHER PERSONAL SERVICES		
	RISK MANAGEMENT INSURANCE				FROM GENERAL REVENUE FUND . . . . .	135,250	
	FROM GENERAL REVENUE FUND . . . . .	1,986,345	1,012,797		FROM OPERATIONS AND MAINTENANCE		
	FROM FEDERAL GRANTS TRUST FUND . . . . .		65,873		TRUST FUND . . . . .		807,828
	FROM WELFARE TRANSITION TRUST FUND . . . . .						
392	SPECIAL CATEGORIES			402	EXPENSES		
	SERVICES TO REPATRIATED AMERICANS				FROM GENERAL REVENUE FUND . . . . .	383,632	
	FROM FEDERAL GRANTS TRUST FUND . . . . .		40,380		FROM OPERATIONS AND MAINTENANCE		
					TRUST FUND . . . . .		1,705,756
393	SPECIAL CATEGORIES			403	OPERATING CAPITAL OUTLAY		
	DEFERRED-PAYMENT COMMODITY CONTRACTS				FROM GENERAL REVENUE FUND . . . . .	8,405	
	FROM GENERAL REVENUE FUND . . . . .	7,273	7,074		FROM OPERATIONS AND MAINTENANCE		
	FROM FEDERAL GRANTS TRUST FUND . . . . .		455		TRUST FUND . . . . .		34,178
	FROM WELFARE TRANSITION TRUST FUND . . . . .						
394	SPECIAL CATEGORIES			404	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT				CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	510,282	527,137		FROM GENERAL REVENUE FUND . . . . .	91,999	
	FROM FEDERAL GRANTS TRUST FUND . . . . .		37,513		FROM OPERATIONS AND MAINTENANCE		
	FROM WELFARE TRANSITION TRUST FUND . . . . .				TRUST FUND . . . . .		121,818
395	SPECIAL CATEGORIES			405	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT				RISK MANAGEMENT INSURANCE		
	SERVICES - HUMAN RESOURCES SERVICES				FROM GENERAL REVENUE FUND . . . . .	97,357	
	PURCHASED PER STATEWIDE CONTRACT				FROM OPERATIONS AND MAINTENANCE		
	FROM FEDERAL GRANTS TRUST FUND . . . . .		29,100		TRUST FUND . . . . .		41,089
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		29,517				
396	FINANCIAL ASSISTANCE PAYMENTS			406	SPECIAL CATEGORIES		
	CASH ASSISTANCE				LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	140,843,642			FROM GENERAL REVENUE FUND . . . . .	54,828	
	FROM WELFARE TRANSITION TRUST FUND . . . . .		34,505,699		FROM OPERATIONS AND MAINTENANCE		
					TRUST FUND . . . . .		89,483
397	FINANCIAL ASSISTANCE PAYMENTS			407	SPECIAL CATEGORIES		
	OPTIONAL STATE SUPPLEMENTATION PROGRAM				TRANSFER TO DEPARTMENT OF MANAGEMENT		
	FROM GENERAL REVENUE FUND . . . . .	17,944,068			SERVICES - HUMAN RESOURCES SERVICES		
					PURCHASED PER STATEWIDE CONTRACT		
					FROM GENERAL REVENUE FUND . . . . .	25,908	
					FROM OPERATIONS AND MAINTENANCE		
					TRUST FUND . . . . .		74,846
398	FINANCIAL ASSISTANCE PAYMENTS			TOTAL: COMPREHENSIVE ELIGIBILITY SERVICES			
	PERSONAL CARE ALLOWANCE			FROM GENERAL REVENUE FUND . . . . .		4,242,544	
	FROM GENERAL REVENUE FUND . . . . .	344,456		FROM TRUST FUNDS . . . . .			13,058,036
399	FINANCIAL ASSISTANCE PAYMENTS						
	REFUGEE/ENTRANT ASSISTANCE			TOTAL POSITIONS . . . . .		275.00	
	FROM FEDERAL GRANTS TRUST FUND . . . . .		15,231,735	TOTAL ALL FUNDS . . . . .			17,300,580

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HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE		3,052,806	
408	SALARIES AND BENEFITS	POSITIONS	66.50
	FROM GENERAL REVENUE FUND . . . . .		1,505,114
	FROM FEDERAL GRANTS TRUST FUND . . .		1,982,117
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .		941,630
409	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	260,220	
	FROM ADMINISTRATIVE TRUST FUND . . .		35,000
	FROM FEDERAL GRANTS TRUST FUND . . .		774,434
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .		205,507
410	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	403,089	
	FROM ADMINISTRATIVE TRUST FUND . . .		5,958
	FROM FEDERAL GRANTS TRUST FUND . . .		1,085,024
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .		450,427
411	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	5,905	
	FROM FEDERAL GRANTS TRUST FUND . . .		5,000
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .		5,000
412	SPECIAL CATEGORIES		
	AGING AND ADULT SERVICES TRAINING AND		
	EDUCATION		
	FROM FEDERAL GRANTS TRUST FUND . . .		119,493
412A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - ALZHEIMER'S DISEASE		
	INITIATIVE		
	FROM GENERAL REVENUE FUND . . . . .	14,661,467	
From the funds in Specific Appropriation 412A, \$445,602 from the			
General Revenue Fund is provided for the following Memory Disorders			
Clinics:			
	Morton Plant.....	222,801	
	Florida Atlantic University.....	222,801	
From the funds in Specific Appropriation 412A, the following projects			
are funded from nonrecurring general revenue funds:			
	Alzheimer's Community Care Association.....	300,000	
	Mt. Sinai Community Center Brain Bank.....	183,000	
From the funds in Specific Appropriation 412A, \$1,242,987 from the			
General Revenue Fund is provided for Alzheimer's respite care services			
statewide.			
414	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY CARE FOR THE		
	ELDERLY		
	FROM GENERAL REVENUE FUND . . . . .	55,778,099	
	FROM FEDERAL GRANTS TRUST FUND . . .		277,928
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .		3,038,969
Funds in Specific Appropriation 414 appropriated for Aging Resource			
Centers shall be equally allocated to each Aging Resource Center at the			
beginning of the fiscal year. The department may re-allocate funds			
during the fiscal year based on negotiations with the Aging Resource			
Centers.			
From the funds in Specific Appropriation 414, \$650,000 in			

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nonrecurring funds from the General Revenue Fund and \$650,000 in nonrecurring funds from the Operations and Maintenance Trust Fund are provided to the Aging Resource Centers to assist seniors enrolling in the Statewide Medicaid Managed Care Long Term Care program.

From the funds in Specific Appropriation 414, \$3,750,000 from the General Revenue Fund, of which \$750,000 is nonrecurring, is provided to serve new elders on the waitlist who have been classified as a priority score of five or higher.

415	SPECIAL CATEGORIES		
	GRANTS AND AIDS - HOME ENERGY ASSISTANCE		
	FROM FEDERAL GRANTS TRUST FUND . . .		5,963,764
416	SPECIAL CATEGORIES		
	GRANTS AND AIDS - OLDER AMERICANS ACT		
	PROGRAM		
	FROM GENERAL REVENUE FUND . . . . .	10,312,809	
	FROM FEDERAL GRANTS TRUST FUND . . .		96,743,728
The Department of Elder Affairs shall work with the Area Agencies on			
Aging (AAA) and other stakeholders to convene a workgroup to evaluate			
and develop a plan related to future procurement for existing local			
services that expand long-term care alternatives enabling elders to			
maintain an acceptable quality of life in their own homes and avoid or			
delay nursing home placement. The Department of Elder Affairs shall			
submit the plan to the Governor, the President of the Senate, and the			
Speaker of the House of Representatives no later than November 1, 2013.			
From the funds in Specific Appropriation 416, nonrecurring general			
revenue funds are provided for the following:			
	Little Havana Activity Center Adult Day Care.....	500,000	
	City of Hialeah - Hot Meals.....	500,000	
	Hialeah Gardens - Hot Meals.....	200,000	
	Little Havana Activity Center - Local Services Program (LSP)	250,000	
	Northdale Civic Association - Senior Center.....	50,000	
	Southwest Social Services - Badia Senior Center.....	1,000,000	
417	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	115,400	
	FROM ADMINISTRATIVE TRUST FUND . . .		33,131
	FROM FEDERAL GRANTS TRUST FUND . . .		461,867
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		22,700
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .		53,564
418	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,753,545	
	FROM ADMINISTRATIVE TRUST FUND . . .		31,397
	FROM FEDERAL GRANTS TRUST FUND . . .		9,135,359
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .		796,511
420	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	73,619	
	FROM FEDERAL GRANTS TRUST FUND . . .		30,160
421	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	9,639	
	FROM ADMINISTRATIVE TRUST FUND . . .		91
	FROM FEDERAL GRANTS TRUST FUND . . .		6,635
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .		6,182
422	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		

## SECTION 3 - HUMAN SERVICES

## SPECIFIC

## APPROPRIATION

	FROM GENERAL REVENUE FUND . . . . .	9,364	
	FROM FEDERAL GRANTS TRUST FUND . . .		13,003
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		5,238
423	SPECIAL CATEGORIES		
	GRANTS AND AIDS - OLDER AMERICANS ACT - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
	FROM FEDERAL GRANTS TRUST FUND . . .		500,000
424	SPECIAL CATEGORIES		
	PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE)		
	FROM GENERAL REVENUE FUND . . . . .	13,508,294	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		19,175,696

From the funds in Specific Appropriation 424, \$907,632 from the General Revenue Fund and \$1,288,428 from the Operations and Maintenance Trust Fund are provided to increase the Program for All-Inclusive Care for the Elderly (PACE) by 100 slots in Lee County, effective July 1, 2013.

From the funds in Specific Appropriation 424, \$537,612 from the General Revenue Fund and \$763,167 from the Operations and Maintenance Trust Fund are provided to increase the Program for All-Inclusive Care for the Elderly (PACE) by 75 slots in Hillsborough County, effective July 1, 2013.

From the funds in Specific Appropriation 424, \$724,102 from the General Revenue Fund and \$1,027,898 from the Operations and Maintenance Trust Fund are provided to increase the Program for All-Inclusive Care for the Elderly (PACE) by 100 slots in Palm Beach County, effective July 1, 2013.

From the funds in Specific Appropriation 424, \$353,867 from the General Revenue Fund and \$502,333 from the Operations and Maintenance Trust Fund are provided to increase the Program for All-Inclusive Care for the Elderly (PACE) by 50 slots in Broward County, effective July 1, 2013.

Prior to approval of new Program of All-Inclusive Care for the Elderly (PACE) programs and prior to additional increases in funded slots for existing PACE programs, other than slots funded in Specific Appropriation 424, the Department of Elder Affairs and the Agency for Health Care Administration shall provide a comprehensive report describing the program's organizational structure, scope of services, utilization, and costs; comparing these findings with similar information for managed long term care implemented pursuant to s. 409.978, Florida Statutes; and evaluating alternative methods for integrating PACE with statewide managed long term care. The report shall be submitted to the Governor, President of the Senate, and the Speaker of the House of Representatives by January 15, 2014.

## TOTAL: HOME AND COMMUNITY SERVICES

	FROM GENERAL REVENUE FUND . . . . .	98,396,564	
	FROM TRUST FUNDS . . . . .		141,905,513
	TOTAL POSITIONS . . . . .	66.50	
	TOTAL ALL FUNDS . . . . .		240,302,077

## EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	3,801,339	
425	SALARIES AND BENEFITS POSITIONS	73.00	
	FROM GENERAL REVENUE FUND . . . . .	1,844,315	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,774,654
	FROM FEDERAL GRANTS TRUST FUND . . .		1,409,207
426	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	89,463	
	FROM ADMINISTRATIVE TRUST FUND . . .		456,484

## SECTION 3 - HUMAN SERVICES

## SPECIFIC

## APPROPRIATION

	FROM FEDERAL GRANTS TRUST FUND . . .		629,837
427	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	233,611	
	FROM ADMINISTRATIVE TRUST FUND . . .		384,307
	FROM FEDERAL GRANTS TRUST FUND . . .		801,228
428	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND . . .		2,000
429	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	5,485	
	FROM ADMINISTRATIVE TRUST FUND . . .		112,789
	FROM FEDERAL GRANTS TRUST FUND . . .		225,900
430	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	78,697	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,242
	FROM FEDERAL GRANTS TRUST FUND . . .		20,686
431	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	5,022	
	FROM ADMINISTRATIVE TRUST FUND . . .		4,068
	FROM FEDERAL GRANTS TRUST FUND . . .		7,016
432	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	11,431	
	FROM ADMINISTRATIVE TRUST FUND . . .		17,802
433	DATA PROCESSING SERVICES		
	TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		5,288
434	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND . . . . .	39,643	
	FROM ADMINISTRATIVE TRUST FUND . . .		342,093
	FROM FEDERAL GRANTS TRUST FUND . . .		152,828
	FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		27,097
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	2,307,667	
	FROM TRUST FUNDS . . . . .		6,376,526
	TOTAL POSITIONS . . . . .	73.00	
	TOTAL ALL FUNDS . . . . .		8,684,193

## CONSUMER ADVOCATE SERVICES

	APPROVED SALARY RATE	1,391,604	
435	SALARIES AND BENEFITS POSITIONS	33.50	
	FROM GENERAL REVENUE FUND . . . . .	418,315	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,445,478
436	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		153,825
	FROM FEDERAL GRANTS TRUST FUND . . .		405,633
437	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	126,361	
	FROM ADMINISTRATIVE TRUST FUND . . .		109,973
	FROM FEDERAL GRANTS TRUST FUND . . .		107,427
438	SPECIAL CATEGORIES		
	PUBLIC GUARDIANSHIP CONTRACTED SERVICES		

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	FROM GENERAL REVENUE FUND . . . . .	1,987,527	
	FROM ADMINISTRATIVE TRUST FUND . . .		154,816
From the funds in Specific Appropriation 438, \$50,000 in nonrecurring funds from the General Revenue Fund is provided to the Office of Public Guardian, Inc.			
439	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	6,760	
	FROM ADMINISTRATIVE TRUST FUND . . .		149,000
440	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	90,329	
	FROM FEDERAL GRANTS TRUST FUND . . .		7,023
441	SPECIAL CATEGORIES LONG TERM CARE OMBUDSMAN COUNCIL		
	FROM GENERAL REVENUE FUND . . . . .	872,350	
	FROM FEDERAL GRANTS TRUST FUND . . .		626,020
442	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	50,092	
443	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	5,004	
	FROM ADMINISTRATIVE TRUST FUND . . .		118
	FROM FEDERAL GRANTS TRUST FUND . . .		9,532
TOTAL:	CONSUMER ADVOCATE SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	3,556,738	
	FROM TRUST FUNDS . . . . .		3,168,845
	TOTAL POSITIONS . . . . .	33.50	
	TOTAL ALL FUNDS . . . . .		6,725,583
TOTAL:	ELDER AFFAIRS, DEPARTMENT OF		
	FROM GENERAL REVENUE FUND . . . . .	108,503,513	
	FROM TRUST FUNDS . . . . .		164,508,920
	TOTAL POSITIONS . . . . .	448.00	
	TOTAL ALL FUNDS . . . . .		273,012,433
	TOTAL APPROVED SALARY RATE . . . .	18,288,106	
HEALTH, DEPARTMENT OF			
PROGRAM: EXECUTIVE DIRECTION AND SUPPORT			
ADMINISTRATIVE SUPPORT			
	APPROVED SALARY RATE	19,301,762	
444	SALARIES AND BENEFITS POSITIONS	407.50	
	FROM GENERAL REVENUE FUND . . . . .	3,246,032	
	FROM ADMINISTRATIVE TRUST FUND . . .		20,718,880
445	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,319,963
	FROM FEDERAL GRANTS TRUST FUND . . .		75,000
446	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	1,735,516	
	FROM ADMINISTRATIVE TRUST FUND . . .		5,134,241
	FROM FEDERAL GRANTS TRUST FUND . . .		60,000
447	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - MINORITY HEALTH INITIATIVES		
	FROM GENERAL REVENUE FUND . . . . .	3,134,044	

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APPROPRIATION

448	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	63,408	
	FROM ADMINISTRATIVE TRUST FUND . . .		382,600
449	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM ADMINISTRATIVE TRUST FUND . . .		39,296
450	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,122,032	
	FROM ADMINISTRATIVE TRUST FUND . . .		4,090,408
	FROM FEDERAL GRANTS TRUST FUND . . .		74,019
451	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	166,579	
	FROM ADMINISTRATIVE TRUST FUND . . .		155,703
452	SPECIAL CATEGORIES TENANT BROKER COMMISSIONS		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,584,000
453	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	10,397	
	FROM ADMINISTRATIVE TRUST FUND . . .		11,439
454	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	45,235	
	FROM ADMINISTRATIVE TRUST FUND . . .		129,585
455	DATA PROCESSING SERVICES CHILDREN AND FAMILIES DATA CENTER		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,282,859
456	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND . . . . .	597,191	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,628,016
457	DATA PROCESSING SERVICES NORTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND . . . . .	336,022	
	FROM ADMINISTRATIVE TRUST FUND . . .		1,352,106
459	DATA PROCESSING SERVICES NORTHWOOD SHARED RESOURCE CENTER (NSRC) DEPRECIATION FEDERAL SHARE BILLINGS		
	FROM ADMINISTRATIVE TRUST FUND . . .		17,011
TOTAL:	ADMINISTRATIVE SUPPORT		
	FROM GENERAL REVENUE FUND . . . . .	10,456,456	
	FROM TRUST FUNDS . . . . .		40,055,126
	TOTAL POSITIONS . . . . .	407.50	
	TOTAL ALL FUNDS . . . . .		50,511,582
PROGRAM: COMMUNITY PUBLIC HEALTH			
COMMUNITY HEALTH PROMOTION			

The Florida Hospital/Sanford-Burnham Translational Research Institute is designated as a State of Florida resource for research in diabetes diagnosis, prevention and treatment. The Florida Sanford-Burnham Translational Research Institute may coordinate with the Department of Health on activities and grant opportunities in relation to research in diabetes diagnosis, prevention and treatment.

## SECTION 3 - HUMAN SERVICES

## SPECIFIC

## APPROPRIATION

	APPROVED SALARY RATE	10,652,414	
460	SALARIES AND BENEFITS	POSITIONS	230.50
	FROM GENERAL REVENUE FUND		1,921,862
	FROM ADMINISTRATIVE TRUST FUND		241,991
	FROM RAPE CRISIS PROGRAM TRUST FUND		87,010
	FROM TOBACCO SETTLEMENT TRUST FUND		300,036
	FROM EPILEPSY SERVICES TRUST FUND		63,262
	FROM FEDERAL GRANTS TRUST FUND		9,342,594
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		1,136,299
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		526,735

From the funds in Specific Appropriation 460, \$300,036 and four positions are provided to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with Section 27, Article X of the State Constitution.

461	OTHER PERSONAL SERVICES	
	FROM FEDERAL GRANTS TRUST FUND	762,340
	FROM GRANTS AND DONATIONS TRUST FUND	63,220
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND	132,326
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND	61,332

462	EXPENSES	
	FROM GENERAL REVENUE FUND	155,572
	FROM ADMINISTRATIVE TRUST FUND	36,074
	FROM RAPE CRISIS PROGRAM TRUST FUND	11,379
	FROM EPILEPSY SERVICES TRUST FUND	31,044
	FROM BIOMEDICAL RESEARCH TRUST FUND	2,047
	FROM FEDERAL GRANTS TRUST FUND	3,103,481
	FROM GRANTS AND DONATIONS TRUST FUND	21,410
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND	447,752
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND	292,504

463	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - FAMILY PLANNING SERVICES	
	FROM GENERAL REVENUE FUND	4,245,455
	FROM FEDERAL GRANTS TRUST FUND	1,067,783

463A	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - EPILEPSY SERVICES	
	FROM GENERAL REVENUE FUND	2,107,152
	FROM EPILEPSY SERVICES TRUST FUND	1,427,831

464	AID TO LOCAL GOVERNMENTS	
	CONTRIBUTION TO COUNTY HEALTH UNITS	
	FROM GENERAL REVENUE FUND	3,455,424

465	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - PRIMARY CARE PROGRAM	
	FROM GENERAL REVENUE FUND	19,721,512

From the funds in Specific Appropriation 465, \$500,000 in nonrecurring funds from the General Revenue Fund is provided for the following:

Gadsden County - Mobile Health Unit	200,000
Florida State University - College of Medicine - Immokalee	300,000

466	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - FLUORIDATION PROJECT	
	FROM PREVENTIVE HEALTH SERVICES	

## SECTION 3 - HUMAN SERVICES

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## APPROPRIATION

	BLOCK GRANT TRUST FUND	150,000
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466A	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - RURAL PRIMARY CARE RESIDENCY SLOTS	
	FROM GENERAL REVENUE FUND	5,200,000

Funds in Specific Appropriation 466A are provided to fund thirteen primary care residency slots at the University of Florida - College of

Medicine and thirteen primary care residency slots at the Florida State University - College of Medicine. Each residency slot shall be funded in the amount of \$200,000. Preference shall be given to underserved rural areas that are determined to have a shortage of primary care physicians by the Department of Health.

467	AID TO LOCAL GOVERNMENTS	
	SCHOOL HEALTH SERVICES	
	FROM GENERAL REVENUE FUND	1,006,487
	FROM TOBACCO SETTLEMENT TRUST FUND	9,902,925
	FROM FEDERAL GRANTS TRUST FUND	9,125,846

From the funds in Specific Appropriations 467 and 477, \$5,000,000 from the Federal Grants Trust Fund is provided for school health services using Title XXI administrative funding.

468	OPERATING CAPITAL OUTLAY	
	FROM FEDERAL GRANTS TRUST FUND	69,350
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND	25,000

469	SPECIAL CATEGORIES	
	GRANTS AND AIDS - OUNCE OF PREVENTION	
	FROM GENERAL REVENUE FUND	1,900,000

From the funds in Specific Appropriation 469, the Ounce of Prevention shall identify, fund and evaluate innovative prevention programs for at-risk children and families. The sum of \$250,000 shall be used for statewide public education campaigns on television and radio to educate the public on critical prevention issues facing Florida's at-risk children and families. The Ounce of Prevention shall contract with a non-profit corporation that provides matching funds in a three to one ratio.

470	SPECIAL CATEGORIES	
	GRANTS AND AIDS - CRISIS COUNSELING	
	FROM GENERAL REVENUE FUND	2,000,000

From the funds in Specific Appropriation 470, a minimum of 85 percent of the appropriated funds shall be spent on direct client services, direct service provider certification and Option Line.

The department shall award a contract to a current Florida Pregnancy Support Services Program (FPSSP) contract management provider that is a Florida non-profit corporation and recognized as tax exempt by the IRS under code section 501 (c)(3) for this Specific Appropriation. The contract shall provide for the development and implementation of certification standards and provide the required contract management of all sub-contracted direct service providers, Option Line and FPSSP website.

The department shall pay the non-profit contract management provider no less than \$380 per month per sub-contracted direct service provider for contract management and an FPSSP website. The department is authorized to spend no more than \$50,000 for agency program oversight activities.

471	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM GENERAL REVENUE FUND	109,642
	FROM ADMINISTRATIVE TRUST FUND	20,000
	FROM RAPE CRISIS PROGRAM TRUST FUND	500
	FROM FEDERAL GRANTS TRUST FUND	1,614,446
	FROM GRANTS AND DONATIONS TRUST	



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## SPECIFIC

## APPROPRIATION

FUND . . . . .	5,740
FROM MATERNAL AND CHILD HEALTH	
BLOCK GRANT TRUST FUND . . . . .	13,000
FROM PREVENTIVE HEALTH SERVICES	
BLOCK GRANT TRUST FUND . . . . .	305,500
472 SPECIAL CATEGORIES	
GRANTS AND AIDS - CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND . . . . .	14,304,228
FROM ADMINISTRATIVE TRUST FUND . . .	100,000
FROM RAPE CRISIS PROGRAM TRUST	
FUND . . . . .	1,505,421
FROM FEDERAL GRANTS TRUST FUND . . .	7,259,216
FROM MATERNAL AND CHILD HEALTH	
BLOCK GRANT TRUST FUND . . . . .	2,075,773
FROM PREVENTIVE HEALTH SERVICES	
BLOCK GRANT TRUST FUND . . . . .	119,630

From the funds in Specific Appropriation 472, the following projects are funded from nonrecurring funds in the General Revenue Fund:

Martin County Healthy Start Coalition.....	100,000
Lake Wales Dental Clinic.....	200,000
Citrus Health Network.....	350,000

From the funds in Specific Appropriation 472, \$2,500,000 from the General Revenue Fund is provided to the Florida Council Against Sexual Violence. At least 95 percent of the funds provided shall be distributed to certified rape crisis centers to provide services statewide for victims of sexual assault.

From the funds in Specific Appropriation 472, \$266,663 from the Federal Grants Trust Fund, Violence Against Women Act STOP Formula Grant, is provided to the Florida Council Against Sexual Violence for the provision of training and technical assistance to certified rape crisis programs and allied professionals.

From the funds in Specific Appropriation 472, \$750,000 from the General Revenue Fund is provided to the Florida Heiken Children's Vision Program to provide free comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no other source for vision care.

From the funds in Specific Appropriation 472, \$1,000,000 from the General Revenue Fund is provided to Vision Quest to provide free comprehensive eye examinations and eyeglasses to financially disadvantaged school children who have no other source for vision care.

From the funds in Specific Appropriation 472, \$4,453,632 from the General Revenue Fund, of which \$2,000,000 is nonrecurring, is provided to the Florida International University - Neighborhood HELP Program.

From the funds in Specific Appropriation 472, \$250,000 in nonrecurring funds from the General Revenue Fund is provided to the Florida Health Organization to address rural oral health disparities in Hendry, Palm Beach, Okeechobee, and Monroe counties.

From the funds in Specific Appropriation 472, \$1,536,473 from the General Revenue Fund, of which \$1,236,473 is nonrecurring, is provided to the Mary Brogan Breast and Cervical Cancer Early Detection Program.

From the funds in Specific Appropriation 472, \$100,000 in nonrecurring funds from the General Revenue Fund is provided to the Scripps Research Institute for the Nicotine Addiction Drug Treatment Evaluation Grant Program.

From the funds in Specific Appropriation 472, \$400,000 from the General Revenue Fund is provided to the Andrews Institute Foundation - Eagle Fund.

473 SPECIAL CATEGORIES	
GRANTS AND AIDS - HEALTHY START COALITIONS	
FROM GENERAL REVENUE FUND . . . . .	21,454,198

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FROM FEDERAL GRANTS TRUST FUND . . .	2,178,303
FROM MATERNAL AND CHILD HEALTH	
BLOCK GRANT TRUST FUND . . . . .	6,542,389
473A SPECIAL CATEGORIES	
JAMES AND ESTHER KING BIOMEDICAL RESEARCH	
PROGRAM	
FROM GENERAL REVENUE FUND . . . . .	2,850,000
FROM BIOMEDICAL RESEARCH TRUST	
FUND . . . . .	7,150,000
From the funds in Specific Appropriation 473A, \$2,850,000 from the General Revenue Fund is provided to the James and Esther King Biomedical Research Program.	
473B SPECIAL CATEGORIES	
WILLIAM G. "BILL" BANKHEAD, JR., AND DAVID	
COLEY CANCER RESEARCH PROGRAM	
FROM GENERAL REVENUE FUND . . . . .	5,000,000
FROM BIOMEDICAL RESEARCH TRUST	
FUND . . . . .	5,000,000

From the funds in Specific Appropriation 473B, \$500,000 from the Biomedical Research Trust Fund is provided to maintain the statewide Brain Tumor Registry Program at the McKnight Brain Institute.

From the funds in Specific Appropriation 473B, \$5,000,000 from the General Revenue Fund is provided to the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program.

473C SPECIAL CATEGORIES	
H. LEE MOFFITT CANCER CENTER AND RESEARCH	
INSTITUTE	
FROM GENERAL REVENUE FUND . . . . .	2,050,000
FROM BIOMEDICAL RESEARCH TRUST	
FUND . . . . .	5,000,000

From the funds in Specific Appropriation 473C, \$2,050,000 from the General Revenue Fund is provided to the H. Lee Moffitt Cancer Center and Research Institute.

474 SPECIAL CATEGORIES	
HEALTH EDUCATION RISK REDUCTION PROJECT	
FROM PREVENTIVE HEALTH SERVICES	
BLOCK GRANT TRUST FUND . . . . .	12,686

474A SPECIAL CATEGORIES	
BIOMEDICAL RESEARCH	
FROM GENERAL REVENUE FUND . . . . .	7,100,000
FROM BIOMEDICAL RESEARCH TRUST	
FUND . . . . .	15,600,000

From the funds in Specific Appropriation 474A, \$2,050,000 from the General Revenue Fund and \$5,000,000 from the Biomedical Research Trust Fund are provided to the Shands Cancer Hospital.

From the funds in Specific Appropriation 474A, \$2,050,000 from the General Revenue Fund and \$5,000,000 from the Biomedical Research Trust Fund are provided to the Sylvester Cancer Center at the University of Miami.

From the funds in Specific Appropriation 474A, \$3,000,000 from the General Revenue Fund and \$2,600,000 from the Biomedical Research Trust Fund are provided to the Sanford-Burnham Medical Research Institute.

From the funds in Specific Appropriation 474A, \$3,000,000 in nonrecurring funds from the Biomedical Research Trust Fund is provided to the Torrey Pines Institute for Molecular Studies.

474B SPECIAL CATEGORIES	
ENDOWED CANCER RESEARCH	
FROM GENERAL REVENUE FUND . . . . .	10,000,000

From the funds in Specific Appropriation 474B, \$10,000,000 in

## SECTION 3 - HUMAN SERVICES

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nonrecurring funds from the General Revenue Fund is provided to the following institutions for the establishment of an endowed cancer research chair. This funding is contingent upon the passage of Senate Bill 1660, or similar legislation, becoming law:

Shands Cancer Hospital at the University of Florida.....	3,333,333
H. Lee Moffitt Cancer Center and Research Institute.....	3,333,333
Sylvester Cancer Center at the University of Miami.....	3,333,334

## 475 SPECIAL CATEGORIES

HEALTHY START COORDINATED CARE SYSTEM  
WAIVER

FROM GENERAL REVENUE FUND . . . . .	15,171,241	
FROM FEDERAL GRANTS TRUST FUND . . .		22,932,070

## 476 SPECIAL CATEGORIES

GRANTS AND AIDS - FEDERAL NUTRITION  
PROGRAMS

FROM FEDERAL GRANTS TRUST FUND . . .		468,942,752
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## 477 SPECIAL CATEGORIES

FULL SERVICE SCHOOLS - INTERAGENCY  
COOPERATION

FROM GENERAL REVENUE FUND . . . . .	6,000,000	
FROM FEDERAL GRANTS TRUST FUND . . .		2,500,000

## 478 SPECIAL CATEGORIES

RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND . . . . .	53,504	
FROM FEDERAL GRANTS TRUST FUND . . .		43,305

## 480 SPECIAL CATEGORIES

LEASE OR LEASE-PURCHASE OF EQUIPMENT

FROM FEDERAL GRANTS TRUST FUND . . .		6,590
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FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND . . . . .		1,526
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## 481 SPECIAL CATEGORIES

COMPREHENSIVE STATEWIDE TOBACCO PREVENTION  
AND EDUCATION PROGRAM

FROM TOBACCO SETTLEMENT TRUST FUND .		65,640,769
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Funds in Specific Appropriation 481 shall be used to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with Section 27, Article X of the State Constitution as adjusted annually for inflation, using the Consumer Price Index as published by the United States Department of Labor. The appropriation shall be allocated as follows:

State & Community Interventions.....	10,853,646
State & Community Interventions - AHEC.....	5,432,534
Health Communications Interventions.....	21,858,376
Cessation Interventions.....	12,929,875
Cessation Interventions - AHEC.....	7,365,399
Surveillance & Evaluation.....	5,851,978
Administration & Management.....	1,348,961

From the funds in Specific Appropriation 481, the department may use nicotine replacements and other treatments approved by the federal Food and Drug Administration as part of smoking cessation interventions.

All contracts awarded through this appropriation shall include performance measures and measurable outcomes. The department shall establish specific performance and accountability criteria for all intervention and evaluation contracts. The criteria shall be based on best medical practices, past smoking cessation experience, the Centers for Disease Control and Prevention Best Practices for Comprehensive Tobacco Control Programs, and the ability to impact the broadest population.

## 482 SPECIAL CATEGORIES

TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT

## SECTION 3 - HUMAN SERVICES

## SPECIFIC

## APPROPRIATION

FROM GENERAL REVENUE FUND . . . . .	18,442	
FROM ADMINISTRATIVE TRUST FUND . . .		1,424
FROM RAPE CRISIS PROGRAM TRUST FUND . . . . .		712
FROM FEDERAL GRANTS TRUST FUND . . .		70,004
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND . . . . .		8,024
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND . . . . .		2,544

## 483 QUALIFIED EXPENDITURE CATEGORY

WOMEN, INFANTS AND CHILDREN DATA SYSTEM

FROM FEDERAL GRANTS TRUST FUND . . .		6,627,030
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## 483A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND

NONSTATE ENTITIES - FIXED CAPITAL OUTLAY

GRANTS AND AIDS TO LOCAL GOVERNMENTS AND

NONSTATE ENTITIES - FIXED CAPITAL OUTLAY

FROM GENERAL REVENUE FUND . . . . .	400,000
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From the funds in Specific Appropriation 483A, \$400,000 in nonrecurring funds from the General Revenue Fund is provided to the Liberty Hospital in Calhoun County for facility renovations and upgrades.

## 483B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND

NONSTATE ENTITIES - FIXED CAPITAL OUTLAY

GRANTS AND AIDS - HEALTH FACILITIES

FROM GENERAL REVENUE FUND . . . . .	250,000
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From the funds in Specific Appropriation 483B, \$250,000 in nonrecurring funds from the General Revenue Fund is provided to the Little Havana Community Health Center and Medical Complex.

## TOTAL: COMMUNITY HEALTH PROMOTION

FROM GENERAL REVENUE FUND . . . . .	126,474,719	
FROM TRUST FUNDS . . . . .		659,710,925

TOTAL POSITIONS . . . . .	230.50
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TOTAL ALL FUNDS . . . . .	786,185,644
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## DISEASE CONTROL AND HEALTH PROTECTION

APPROVED SALARY RATE	14,721,803
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## 484 SALARIES AND BENEFITS POSITIONS

FROM GENERAL REVENUE FUND . . . . .	334.50	
FROM ADMINISTRATIVE TRUST FUND . . .		3,216,732

FROM FEDERAL GRANTS TRUST FUND . . .		2,066,435
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FROM GRANTS AND DONATIONS TRUST FUND . . . . .		11,863,100
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FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		1,722,903
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FROM RADIATION PROTECTION TRUST FUND . . . . .		56,178
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FROM RADIATION PROTECTION TRUST FUND . . . . .		293,202
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## 485 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND . . . . .	52,386	
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FROM ADMINISTRATIVE TRUST FUND . . .		71,060
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FROM FEDERAL GRANTS TRUST FUND . . .		728,713
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FROM GRANTS AND DONATIONS TRUST FUND . . . . .		130,415
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FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		20,505
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## 486 EXPENSES

FROM GENERAL REVENUE FUND . . . . .	1,157,442	
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FROM ADMINISTRATIVE TRUST FUND . . .		964,928
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FROM FEDERAL GRANTS TRUST FUND . . .		8,032,724
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FROM GRANTS AND DONATIONS TRUST FUND . . . . .		344,592
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FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .		727,934
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FROM RADIATION PROTECTION TRUST		
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SECTION 3 - HUMAN SERVICES  
SPECIFIC  
APPROPRIATION

FUND . . . . .	60,615
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487 AID TO LOCAL GOVERNMENTS	
GRANTS AND AIDS - AIDS PATIENT CARE	
FROM GENERAL REVENUE FUND . . . . .	12,609,807
FROM FEDERAL GRANTS TRUST FUND . . .	7,560,522

488 AID TO LOCAL GOVERNMENTS	
GRANTS AND AIDS - RYAN WHITE CONSORTIA	
FROM FEDERAL GRANTS TRUST FUND . . .	20,754,358

Funds in Specific Appropriation 488 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of general revenue funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.

489 AID TO LOCAL GOVERNMENTS	
GRANTS AND AIDS - STATEWIDE ACQUIRED	
IMMUNE DEFICIENCY SYNDROME (AIDS) NETWORKS	
FROM GENERAL REVENUE FUND . . . . .	10,463,853

490 AID TO LOCAL GOVERNMENTS	
CONTRIBUTION TO COUNTY HEALTH UNITS	
FROM GENERAL REVENUE FUND . . . . .	14,662,823
FROM ADMINISTRATIVE TRUST FUND . . .	427,426
FROM GRANTS AND DONATIONS TRUST	
FUND . . . . .	2,194,571

491 OPERATING CAPITAL OUTLAY	
FROM GENERAL REVENUE FUND . . . . .	2,500
FROM ADMINISTRATIVE TRUST FUND . . .	15,000
FROM FEDERAL GRANTS TRUST FUND . . .	210,024

493 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND . . . . .	1,115,183
FROM ADMINISTRATIVE TRUST FUND . . .	335,165
FROM FEDERAL GRANTS TRUST FUND . . .	5,856,290
FROM GRANTS AND DONATIONS TRUST	
FUND . . . . .	1,538,038
FROM OPERATIONS AND MAINTENANCE	
TRUST FUND . . . . .	609,948
FROM RADIATION PROTECTION TRUST	
FUND . . . . .	1,500

From the funds in Specific Appropriation 493, \$700,000 in nonrecurring funds from the Grants and Donations Trust Fund is provided to the department to continue Phase III of the study authorized in Specific Appropriation 1682 of chapter 2008-152, Laws of Florida, which is scheduled to be completed January 16, 2015 based on the February 1, 2013 status report submitted by the department. The funds shall be spent for field monitoring of performance and cost of technologies at various sites, sampling the soil and groundwater at various sites to determine how nitrogen moves, refinement of various models to show how nitrogen is affected by treatment in Florida-specific soils and final reporting on all tasks with recommendations of nitrogen reduction strategies for onsite sewage treatment and disposal systems. The department shall submit a final report upon completion of Phase III to the Governor, the President of the Senate, and the Speaker of the House of Representatives prior to proceeding with any nitrogen reduction activities.

From the funds in Specific Appropriation 493, \$450,000 from the General Revenue Fund is provided to the Birth Defects Registry.

494 SPECIAL CATEGORIES	
GRANTS AND AIDS - CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND . . . . .	1,530,876
FROM FEDERAL GRANTS TRUST FUND . . .	11,896,717

495 SPECIAL CATEGORIES	
GRANTS AND AIDS - CONTRACTED PROFESSIONAL	

SECTION 3 - HUMAN SERVICES  
SPECIFIC  
APPROPRIATION

SERVICES	
FROM GENERAL REVENUE FUND . . . . .	1,995,141
FROM OPERATIONS AND MAINTENANCE	
TRUST FUND . . . . .	3,000,000

496 SPECIAL CATEGORIES	
GRANTS AND AIDS - ACQUIRED IMMUNE	
DEFICIENCY SYNDROME (AIDS) INSURANCE	
CONTINUATION PROGRAM	
FROM GENERAL REVENUE FUND . . . . .	6,454,951
FROM FEDERAL GRANTS TRUST FUND . . .	8,516,293

497 SPECIAL CATEGORIES	
PURCHASED CLIENT SERVICES	
FROM GENERAL REVENUE FUND . . . . .	498,687
FROM OPERATIONS AND MAINTENANCE	
TRUST FUND . . . . .	252,395

498 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM GENERAL REVENUE FUND . . . . .	162,599
FROM OPERATIONS AND MAINTENANCE	
TRUST FUND . . . . .	211,066

499 SPECIAL CATEGORIES	
LEASE OR LEASE-PURCHASE OF EQUIPMENT	
FROM GENERAL REVENUE FUND . . . . .	21,756
FROM ADMINISTRATIVE TRUST FUND . . .	1,748
FROM FEDERAL GRANTS TRUST FUND . . .	33,798

500 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM GENERAL REVENUE FUND . . . . .	35,398
FROM ADMINISTRATIVE TRUST FUND . . .	12,864
FROM FEDERAL GRANTS TRUST FUND . . .	102,968
FROM GRANTS AND DONATIONS TRUST	
FUND . . . . .	13,529
FROM RADIATION PROTECTION TRUST	
FUND . . . . .	1,780

501 SPECIAL CATEGORIES	
OUTREACH FOR PREGNANT WOMEN	
FROM GENERAL REVENUE FUND . . . . .	500,000

TOTAL: DISEASE CONTROL AND HEALTH PROTECTION	
FROM GENERAL REVENUE FUND . . . . .	54,480,134
FROM TRUST FUNDS . . . . .	90,629,304

TOTAL POSITIONS . . . . .	334.50
TOTAL ALL FUNDS . . . . .	145,109,438

## COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS

APPROVED SALARY RATE	439,652,187
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502 SALARIES AND BENEFITS	POSITIONS	11,319.75
FROM COUNTY HEALTH DEPARTMENT		
TRUST FUND . . . . .		579,806,419

503 OTHER PERSONAL SERVICES	
FROM COUNTY HEALTH DEPARTMENT	
TRUST FUND . . . . .	50,270,185

504 EXPENSES	
FROM COUNTY HEALTH DEPARTMENT	
TRUST FUND . . . . .	108,420,681

505 AID TO LOCAL GOVERNMENTS	
CONTRIBUTION TO COUNTY HEALTH UNITS	
FROM GENERAL REVENUE FUND . . . . .	110,386,139
FROM TOBACCO SETTLEMENT TRUST FUND .	1,651,522

SECTION 3 - HUMAN SERVICES  
SPECIFIC  
APPROPRIATION

From the funds in Specific Appropriation 505, \$15,000 in recurring funds from the General Revenue Fund and \$15,000 in nonrecurring funds from the General Revenue Fund are provided to the Martin County Health Department to continue weekly water testing of sites surrounding the St. Lucie River Estuary.

From the funds in Specific Appropriation 505, \$1,725,000 from the General Revenue Fund, of which \$1,200,000 is nonrecurring, is provided for the Okaloosa County Health Department to purchase two mobile dental units, one mobile medical unit, and associated operating expenses.

From the funds in Specific Appropriation 505, \$610,000 from the General Revenue Fund is provided to the Bay County Health Department for BayCare.

506 AID TO LOCAL GOVERNMENTS  
COMMUNITY HEALTH INITIATIVES  
FROM GENERAL REVENUE FUND . . . . . 2,105,274  
FROM COUNTY HEALTH DEPARTMENT  
TRUST FUND . . . . . 500,000

From the funds in Specific Appropriation 506, \$210,000 from the General Revenue Fund is provided to La Liga - League Against Cancer.

507 OPERATING CAPITAL OUTLAY  
FROM COUNTY HEALTH DEPARTMENT  
TRUST FUND . . . . . 11,235,802

508 LUMP SUM  
COUNTY HEALTH DEPARTMENTS  
POSITIONS 200.00

509 SPECIAL CATEGORIES  
ACQUISITION OF MOTOR VEHICLES  
FROM COUNTY HEALTH DEPARTMENT  
TRUST FUND . . . . . 2,809,253

510 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM COUNTY HEALTH DEPARTMENT  
TRUST FUND . . . . . 77,020,660

511 SPECIAL CATEGORIES  
GRANTS AND AIDS - CONTRACTED SERVICES  
FROM COUNTY HEALTH DEPARTMENT  
TRUST FUND . . . . . 27,500

512 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM COUNTY HEALTH DEPARTMENT  
TRUST FUND . . . . . 6,909,762

513 SPECIAL CATEGORIES  
DEFERRED-PAYMENT COMMODITY CONTRACTS  
FROM COUNTY HEALTH DEPARTMENT  
TRUST FUND . . . . . 288,347

514 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM COUNTY HEALTH DEPARTMENT  
TRUST FUND . . . . . 3,809,117

515 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM COUNTY HEALTH DEPARTMENT  
TRUST FUND . . . . . 3,222,053

516 FIXED CAPITAL OUTLAY  
CONSTRUCTION, RENOVATION, AND EQUIPMENT -  
COUNTY HEALTH DEPARTMENTS  
FROM GENERAL REVENUE FUND . . . . . 500,000  
FROM COUNTY HEALTH DEPARTMENT

SECTION 3 - HUMAN SERVICES  
SPECIFIC  
APPROPRIATION

TRUST FUND . . . . . 4,000,000

From the funds in Specific Appropriation 516, \$4,000,000 in nonrecurring funds from the County Health Department Trust Fund is provided for the completion of the Miami-Dade County Health Department parking structure and office tower.

From the funds in Specific Appropriation 516, \$500,000 in nonrecurring funds from the General Revenue Fund is provided to the Okaloosa County Health Department for the renovation of existing facilities in Fort Walton Beach and Crestview.

517 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
MAINTENANCE AND REPAIR OF COUNTY HEALTH  
DEPARTMENTS  
FROM COUNTY HEALTH DEPARTMENT  
TRUST FUND . . . . . 7,533,960

TOTAL: COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS  
FROM GENERAL REVENUE FUND . . . . . 112,991,413  
FROM TRUST FUNDS . . . . . 857,505,261

TOTAL POSITIONS . . . . . 11,519.75  
TOTAL ALL FUNDS . . . . . 970,496,674

STATEWIDE PUBLIC HEALTH SUPPORT SERVICES

APPROVED SALARY RATE 29,696,067

518 SALARIES AND BENEFITS POSITIONS 751.00  
FROM GENERAL REVENUE FUND . . . . . 6,860,119  
FROM ADMINISTRATIVE TRUST FUND . . . . . 768,116  
FROM EMERGENCY MEDICAL SERVICES  
TRUST FUND . . . . . 2,651,924  
FROM FEDERAL GRANTS TRUST FUND . . . . . 9,622,314  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 782,448  
FROM BRAIN AND SPINAL CORD INJURY  
REHABILITATION TRUST FUND . . . . . 2,330,277  
FROM PLANNING AND EVALUATION TRUST  
FUND . . . . . 10,713,522  
FROM RADIATION PROTECTION TRUST  
FUND . . . . . 5,677,903

519 OTHER PERSONAL SERVICES  
FROM ADMINISTRATIVE TRUST FUND . . . . . 10,000  
FROM EMERGENCY MEDICAL SERVICES  
TRUST FUND . . . . . 149,583  
FROM FEDERAL GRANTS TRUST FUND . . . . . 429,601  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 51,077  
FROM PLANNING AND EVALUATION TRUST  
FUND . . . . . 689,100  
FROM RADIATION PROTECTION TRUST  
FUND . . . . . 33,393

520 EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 556,047  
FROM ADMINISTRATIVE TRUST FUND . . . . . 185,224  
FROM EMERGENCY MEDICAL SERVICES  
TRUST FUND . . . . . 813,693  
FROM FEDERAL GRANTS TRUST FUND . . . . . 4,751,688  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 271,349  
FROM BRAIN AND SPINAL CORD INJURY  
REHABILITATION TRUST FUND . . . . . 647,947  
FROM PLANNING AND EVALUATION TRUST  
FUND . . . . . 11,480,615  
FROM RADIATION PROTECTION TRUST  
FUND . . . . . 1,659,875

521 AID TO LOCAL GOVERNMENTS  
GRANTS AND AIDS - LOCAL HEALTH COUNCILS

SECTION 3 - HUMAN SERVICES  
SPECIFIC  
APPROPRIATION

	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	1,006,000
522	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - EMERGENCY MEDICAL SERVICES COUNTY GRANTS FROM EMERGENCY MEDICAL SERVICES TRUST FUND . . . . .	2,696,675
523	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - EMERGENCY MEDICAL SERVICES MATCHING GRANTS FROM EMERGENCY MEDICAL SERVICES TRUST FUND . . . . .	3,181,461
524	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .	53,693
	FROM ADMINISTRATIVE TRUST FUND . . .	1,300
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND . . . . .	16,932
	FROM FEDERAL GRANTS TRUST FUND . . .	361,466
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND . . . . .	9,000
	FROM PLANNING AND EVALUATION TRUST FUND . . . . .	128,302
	FROM RADIATION PROTECTION TRUST FUND . . . . .	56,997
525	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM RADIATION PROTECTION TRUST FUND . . . . .	210,856
527	SPECIAL CATEGORIES GRANTS AND AIDS - STRENGTHENING DOMESTIC SECURITY - BIOTERRORISM ENHANCEMENTS - HEALTH AND HOSPITALS FROM FEDERAL GRANTS TRUST FUND . . .	28,146,674
528	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	237,564
	FROM ADMINISTRATIVE TRUST FUND . . .	240,623
	FROM EMERGENCY MEDICAL SERVICES TRUST FUND . . . . .	1,107,458
	FROM FEDERAL GRANTS TRUST FUND . . .	1,727,941
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	100,781
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND . . . . .	242,075
	FROM PLANNING AND EVALUATION TRUST FUND . . . . .	6,059,214
	FROM RADIATION PROTECTION TRUST FUND . . . . .	148,500

From the funds in Specific Appropriation 528, \$250,000 in nonrecurring funds from the Planning and Evaluation Trust Fund is provided to upgrade the Laboratory Information Management System Specimen Gate.

529	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	2,530,924
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND . . . . .	1,919,836

From the funds in Specific Appropriation 529, \$1,000,000 from the General Revenue Fund is provided for the department to contract with the Brain Injury Association of Florida (BIAF) to identify and link resources to traumatic brain injury patients.

From the funds in Specific Appropriation 529, \$1,000,000 in nonrecurring funds from the General Revenue Fund is provided to the Bitner/Plante Amyotrophic Lateral Sclerosis Initiative of Florida.

SECTION 3 - HUMAN SERVICES  
SPECIFIC  
APPROPRIATION

530	SPECIAL CATEGORIES DRUGS, VACCINES AND OTHER BIOLOGICALS FROM GENERAL REVENUE FUND . . . . .	24,477,280
	FROM FEDERAL GRANTS TRUST FUND . . .	105,210,058
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	18,140,807
Funds in Specific Appropriation 530 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of state general revenue funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.		
531	SPECIAL CATEGORIES GRANTS AND AIDS - RURAL HEALTH NETWORK GRANTS FROM GENERAL REVENUE FUND . . . . .	500,000
	FROM FEDERAL GRANTS TRUST FUND . . .	574,305
532	SPECIAL CATEGORIES BRAIN AND SPINAL CORD HOME AND COMMUNITY BASED SERVICES WAIVER FROM GENERAL REVENUE FUND . . . . .	3,372,385
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND . . . . .	11,194,158
From the funds in Specific Appropriation 532, \$574,000 from the General Revenue Fund and \$814,822 from the Brain and Spinal Cord Injury Program Trust Fund are provided to expand the current Traumatic Brain Injury/Spinal Cord Injury Medicaid waiver to serve an additional 40 individuals. The funding shall be used to reduce the current wait list for those individuals that are at the greatest risk for institutionalization or developing secondary complications requiring hospitalization.		
533	SPECIAL CATEGORIES CYSTIC FIBROSIS HOME AND COMMUNITY BASED SERVICES WAIVER FROM GENERAL REVENUE FUND . . . . .	1,021,311
	FROM FEDERAL GRANTS TRUST FUND . . .	1,449,803
534	SPECIAL CATEGORIES PURCHASED CLIENT SERVICES FROM GENERAL REVENUE FUND . . . . .	1,000,000
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND . . . . .	1,676,352
535	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	3,200,942
	FROM PLANNING AND EVALUATION TRUST FUND . . . . .	128,512
	FROM RADIATION PROTECTION TRUST FUND . . . . .	14,575
536	SPECIAL CATEGORIES GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS FROM FEDERAL GRANTS TRUST FUND . . .	1,000,000
537	SPECIAL CATEGORIES GRANTS AND AIDS - TRAUMA CARE FROM EMERGENCY MEDICAL SERVICES TRUST FUND . . . . .	12,093,747
538	SPECIAL CATEGORIES GRANTS AND AIDS - SPINAL CORD RESEARCH FROM GENERAL REVENUE FUND . . . . .	1,500,000
	FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND . . . . .	4,000,000

## SECTION 3 - HUMAN SERVICES

## SPECIFIC

## APPROPRIATION

From the funds in Specific Appropriation 538, \$1,500,000 in nonrecurring funds from the General Revenue Fund is provided to the Miami Project to Cure Paralysis for brain and spinal cord injury research.

539 SPECIAL CATEGORIES  
DEFERRED-PAYMENT COMMODITY CONTRACTS  
FROM PLANNING AND EVALUATION TRUST  
FUND . . . . . 98,943

540 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 13,755  
FROM ADMINISTRATIVE TRUST FUND . . . . . 1,639  
FROM EMERGENCY MEDICAL SERVICES  
TRUST FUND . . . . . 11,775  
FROM FEDERAL GRANTS TRUST FUND . . . . . 2,304  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 767  
FROM BRAIN AND SPINAL CORD INJURY  
REHABILITATION TRUST FUND . . . . . 47,576  
FROM PLANNING AND EVALUATION TRUST  
FUND . . . . . 97,561  
FROM RADIATION PROTECTION TRUST  
FUND . . . . . 1,052

541 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM GENERAL REVENUE FUND . . . . . 99,718  
FROM ADMINISTRATIVE TRUST FUND . . . . . 5,184  
FROM EMERGENCY MEDICAL SERVICES  
TRUST FUND . . . . . 23,184  
FROM FEDERAL GRANTS TRUST FUND . . . . . 67,208  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 6,455  
FROM BRAIN AND SPINAL CORD INJURY  
REHABILITATION TRUST FUND . . . . . 21,791  
FROM PLANNING AND EVALUATION TRUST  
FUND . . . . . 77,497  
FROM RADIATION PROTECTION TRUST  
FUND . . . . . 38,933

542 SPECIAL CATEGORIES  
MEDICALLY FRAGILE ENHANCEMENT PAYMENT  
FROM GENERAL REVENUE FUND . . . . . 610,020

543 FIXED CAPITAL OUTLAY  
HEALTH FACILITIES REPAIR AND MAINTENANCE -  
STATEWIDE  
FROM PLANNING AND EVALUATION TRUST  
FUND . . . . . 1,499,372

From the funds in Specific Appropriation 543, the following projects are funded from nonrecurring funds in the Planning and Evaluation Trust Fund:

Jacksonville Lab..... 148,600  
Miami Lab..... 818,202  
Tampa Lab..... 532,570

543A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND . . . . . 2,500,000

From the funds in Specific Appropriation 543A, \$2,500,000 in nonrecurring funds from the General Revenue Fund is provided to the Lakeland Regional Medical Center to initiate the planning, design, and construction of facilities that support graduate medical education in Polk County.

## SECTION 3 - HUMAN SERVICES

## SPECIFIC

## APPROPRIATION

## TOTAL: STATEWIDE PUBLIC HEALTH SUPPORT SERVICES

FROM GENERAL REVENUE FUND . . . . . 48,533,758  
FROM TRUST FUNDS . . . . . 258,565,298  
  
TOTAL POSITIONS . . . . . 751.00  
TOTAL ALL FUNDS . . . . . 307,099,056

## PROGRAM: CHILDREN'S MEDICAL SERVICES

## CHILDREN'S SPECIAL HEALTH CARE

APPROVED SALARY RATE 30,342,028

544 SALARIES AND BENEFITS POSITIONS 732.00  
FROM GENERAL REVENUE FUND . . . . . 16,430,905  
FROM DONATIONS TRUST FUND . . . . . 15,122,282  
FROM FEDERAL GRANTS TRUST FUND . . . . . 6,384,773

545 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 140,466  
FROM DONATIONS TRUST FUND . . . . . 89,063  
FROM FEDERAL GRANTS TRUST FUND . . . . . 388,687

546 EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 1,312,787  
FROM DONATIONS TRUST FUND . . . . . 3,590,549  
FROM FEDERAL GRANTS TRUST FUND . . . . . 2,815,502

547 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND . . . . . 29,319  
FROM DONATIONS TRUST FUND . . . . . 35,629  
FROM FEDERAL GRANTS TRUST FUND . . . . . 106,825  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 505,800

548 SPECIAL CATEGORIES  
GRANTS AND AIDS - CHILDREN'S MEDICAL  
SERVICES NETWORK  
FROM GENERAL REVENUE FUND . . . . . 16,093,225  
FROM TOBACCO SETTLEMENT TRUST FUND . . . . . 11,775,196  
FROM DONATIONS TRUST FUND . . . . . 159,087,270  
FROM FEDERAL GRANTS TRUST FUND . . . . . 553,738  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 316,900  
FROM MATERNAL AND CHILD HEALTH  
BLOCK GRANT TRUST FUND . . . . . 8,258,090  
FROM SOCIAL SERVICES BLOCK GRANT  
TRUST FUND . . . . . 1,613,263

Funds in Specific Appropriation 548 shall not be used to support continuing education courses or training for health professionals or staff employed by the Children's Medical Services (CMS) Network or under contract with the department. This limitation shall include but not be limited to: classroom instruction, train the trainer, or web-based continuing education courses that may be considered professional development, or that results in continuing education credits that may be applied towards the initial or subsequent renewal of a health professional's license. This does not preclude the CMS Network from providing information on treatment methodologies or best practices to appropriate CMS network health professionals, staff, or contractors.

From the funds in Specific Appropriation 548, the department shall transfer an amount not to exceed \$450,000 from the General Revenue Fund to the Agency for Health Care Administration for Medicaid reimbursable services that support children enrolled in contracted medical foster care programs.

From the funds in Specific Appropriation 548, \$98,000 in recurring funds and \$340,000 in nonrecurring funds from the General Revenue Fund are provided to St. Joseph's Children's Hospital for the Chronic Complex Clinic to address the special health care needs of children with complex medical conditions through comprehensive primary care.

From the funds in Specific Appropriation 548, \$380,000 in

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## APPROPRIATION

nonrecurring funds from the General Revenue Fund is provided for the  
Fetal Alcohol Clinic in Sarasota.

549 SPECIAL CATEGORIES  
GRANTS AND AIDS - MEDICAL SERVICES FOR  
ABUSED/NEGLECTED CHILDREN  
FROM GENERAL REVENUE FUND . . . . . 12,292,307  
FROM SOCIAL SERVICES BLOCK GRANT  
TRUST FUND . . . . . 5,763,295

550 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM DONATIONS TRUST FUND . . . . . 2,032,067  
FROM FEDERAL GRANTS TRUST FUND . . . . . 82,405  
FROM MATERNAL AND CHILD HEALTH  
BLOCK GRANT TRUST FUND . . . . . 281,710

From the funds in Specific Appropriation 550, \$155,992 in recurring  
funds and \$50,000 in nonrecurring funds from the Donations Trust Fund  
are provided for the inclusion of critical congenital heart disease  
testing within the Newborn Screening Program.

551 SPECIAL CATEGORIES  
GRANTS AND AIDS - CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 1,058,501

552 SPECIAL CATEGORIES  
POISON CONTROL CENTER  
FROM GENERAL REVENUE FUND . . . . . 1,591,693

553 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 162,816  
FROM DONATIONS TRUST FUND . . . . . 710,876

554 SPECIAL CATEGORIES  
GRANTS AND AIDS - DEVELOPMENTAL EVALUATION  
AND INTERVENTION SERVICES/PART C  
FROM GENERAL REVENUE FUND . . . . . 24,984,638  
FROM TOBACCO SETTLEMENT TRUST FUND . . . . . 3,817,556  
FROM DONATIONS TRUST FUND . . . . . 3,600,000  
FROM FEDERAL GRANTS TRUST FUND . . . . . 27,287,141

From the funds in Specific Appropriation 554, \$4,010,274 from the  
General Revenue Fund is provided as the state match for Medicaid  
reimbursable early intervention services in Specific Appropriation 200.

From the funds in Specific Appropriation 554, \$3,000,000 from the  
General Revenue Fund is provided to increase direct services for the  
Early Steps program. These funds may be used as state match for Medicaid  
reimbursable early intervention services in Specific Appropriation 200.  
These funds shall not be used for administrative purposes.

555 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 82,009  
FROM DONATIONS TRUST FUND . . . . . 121,245  
FROM FEDERAL GRANTS TRUST FUND . . . . . 75,871

556 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM GENERAL REVENUE FUND . . . . . 158,229  
FROM DONATIONS TRUST FUND . . . . . 116,469  
FROM FEDERAL GRANTS TRUST FUND . . . . . 48,162

556A FIXED CAPITAL OUTLAY  
CONSTRUCTION, RENOVATION, EQUIPMENT -  
CHILDREN'S MEDICAL SERVICES FACILITIES  
FROM GENERAL REVENUE FUND . . . . . 200,000

From the funds in Specific Appropriation 556A, \$200,000 in  
nonrecurring funds from the General Revenue Fund is provided for the

## SECTION 3 - HUMAN SERVICES

## SPECIFIC

## APPROPRIATION

construction of a new Children's Medical Services facility in Ocala.

TOTAL: CHILDREN'S SPECIAL HEALTH CARE  
FROM GENERAL REVENUE FUND . . . . . 74,536,895  
FROM TRUST FUNDS . . . . . 254,580,364

TOTAL POSITIONS . . . . . 732.00  
TOTAL ALL FUNDS . . . . . 329,117,259

## PROGRAM: HEALTH CARE PRACTITIONER AND ACCESS

## MEDICAL QUALITY ASSURANCE

APPROVED SALARY RATE . . . . . 21,899,176

557 SALARIES AND BENEFITS POSITIONS . . . . . 597.00  
FROM MEDICAL QUALITY ASSURANCE  
TRUST FUND . . . . . 30,074,760

558 OTHER PERSONAL SERVICES  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 238,222  
FROM MEDICAL QUALITY ASSURANCE  
TRUST FUND . . . . . 5,365,666

559 EXPENSES  
FROM FEDERAL GRANTS TRUST FUND . . . . . 17,775  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 60,373  
FROM MEDICAL QUALITY ASSURANCE  
TRUST FUND . . . . . 7,046,383

560 OPERATING CAPITAL OUTLAY  
FROM MEDICAL QUALITY ASSURANCE  
TRUST FUND . . . . . 57,604

561 SPECIAL CATEGORIES  
ACQUISITION OF MOTOR VEHICLES  
FROM MEDICAL QUALITY ASSURANCE  
TRUST FUND . . . . . 13,000

562 SPECIAL CATEGORIES  
UNLICENSED ACTIVITIES  
FROM MEDICAL QUALITY ASSURANCE  
TRUST FUND . . . . . 1,231,856

563 SPECIAL CATEGORIES  
TRANSFER TO DIVISION OF ADMINISTRATIVE  
HEARINGS  
FROM MEDICAL QUALITY ASSURANCE  
TRUST FUND . . . . . 328,640

564 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM FEDERAL GRANTS TRUST FUND . . . . . 213,944  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 107,908  
FROM MEDICAL QUALITY ASSURANCE  
TRUST FUND . . . . . 13,825,119

565 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM MEDICAL QUALITY ASSURANCE  
TRUST FUND . . . . . 471,042

566 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM MEDICAL QUALITY ASSURANCE  
TRUST FUND . . . . . 339,364

567 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT

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APPROPRIATION

FROM GRANTS AND DONATIONS TRUST FUND . . . . .	446
FROM MEDICAL QUALITY ASSURANCE TRUST FUND . . . . .	246,982

567A QUALIFIED EXPENDITURE CATEGORY MEDICAL QUALITY ASSURANCE LICENSURE SYSTEM FROM MEDICAL QUALITY ASSURANCE TRUST FUND . . . . .	4,500,000
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From the funds in Specific Appropriation 567A, \$4,500,000 in nonrecurring funds from the Medical Quality Assurance Trust Fund is provided to upgrade the existing functionality of the Medical Quality Assurance Licensure System. The department is authorized to submit budget amendments requesting release of funds pursuant to the provisions of chapter 216, Florida Statutes. Requests for release of funds shall include detailed operational work plans and spending plans.

TOTAL: MEDICAL QUALITY ASSURANCE FROM TRUST FUNDS . . . . .	64,139,084
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TOTAL POSITIONS . . . . .	597.00
TOTAL ALL FUNDS . . . . .	64,139,084

## PROGRAM: DISABILITY DETERMINATIONS

## DISABILITY BENEFITS DETERMINATION

APPROVED SALARY RATE	49,163,503
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568 SALARIES AND BENEFITS POSITIONS	1,196.00
FROM GENERAL REVENUE FUND . . . . .	576,092
FROM FEDERAL GRANTS TRUST FUND . . . . .	650,435
FROM U.S. TRUST FUND . . . . .	69,108,911

569 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	25,996
FROM FEDERAL GRANTS TRUST FUND . . . . .	27,001
FROM U.S. TRUST FUND . . . . .	19,092,547

570 EXPENSES FROM GENERAL REVENUE FUND . . . . .	118,839
FROM FEDERAL GRANTS TRUST FUND . . . . .	138,434
FROM U.S. TRUST FUND . . . . .	22,860,399

571 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .	4,000
FROM FEDERAL GRANTS TRUST FUND . . . . .	4,000
FROM U.S. TRUST FUND . . . . .	450,000

572 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	135,331
FROM FEDERAL GRANTS TRUST FUND . . . . .	139,818
FROM U.S. TRUST FUND . . . . .	36,244,419

573 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	1,784
FROM FEDERAL GRANTS TRUST FUND . . . . .	1,784
FROM U.S. TRUST FUND . . . . .	377,610

574 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM FEDERAL GRANTS TRUST FUND . . . . .	1,000
FROM U.S. TRUST FUND . . . . .	2,334

575 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	3,857
FROM FEDERAL GRANTS TRUST FUND . . . . .	3,914
FROM U.S. TRUST FUND . . . . .	423,718

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SPECIFIC  
APPROPRIATION

TOTAL: DISABILITY BENEFITS DETERMINATION FROM GENERAL REVENUE FUND . . . . .	865,899
FROM TRUST FUNDS . . . . .	149,526,324

TOTAL POSITIONS . . . . .	1,196.00
TOTAL ALL FUNDS . . . . .	150,392,223

TOTAL: HEALTH, DEPARTMENT OF FROM GENERAL REVENUE FUND . . . . .	428,339,274
FROM TRUST FUNDS . . . . .	2,374,711,686

TOTAL POSITIONS . . . . .	15,768.25
TOTAL ALL FUNDS . . . . .	2,803,050,960
TOTAL APPROVED SALARY RATE . . . . .	615,428,940

## VETERANS' AFFAIRS, DEPARTMENT OF

## PROGRAM: SERVICES TO VETERANS' PROGRAM

## VETERANS' HOMES

APPROVED SALARY RATE	30,327,168
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576 SALARIES AND BENEFITS POSITIONS	978.00
FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	43,699,649

577 OTHER PERSONAL SERVICES FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	2,986,987
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578 EXPENSES FROM GRANTS AND DONATIONS TRUST FUND . . . . .	40,200
FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	15,661,223

579 OPERATING CAPITAL OUTLAY FROM GRANTS AND DONATIONS TRUST FUND . . . . .	33,700
FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	366,994

580 FOOD PRODUCTS FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	3,226,561
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581 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	391,299
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582 SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	9,381,854
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583 SPECIAL CATEGORIES RECREATIONAL EQUIPMENT AND SUPPLIES FROM GRANTS AND DONATIONS TRUST FUND . . . . .	72,500
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584 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	2,304,607
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585 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATIONS AND MAINTENANCE TRUST FUND . . . . .	369,836
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SECTION 3 - HUMAN SERVICES  
SPECIFIC  
APPROPRIATION

586	FIXED CAPITAL OUTLAY		
	MAINTENANCE AND REPAIR OF STATE-OWNED		
	RESIDENTIAL FACILITIES FOR VETERANS		
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .	550,000	
	FROM STATE HOMES FOR VETERANS		
	TRUST FUND . . . . .	2,052,000	
TOTAL: VETERANS' HOMES			
	FROM TRUST FUNDS . . . . .	81,137,410	
	TOTAL POSITIONS . . . . .	978.00	
	TOTAL ALL FUNDS . . . . .	81,137,410	

## EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	1,595,858	
587	SALARIES AND BENEFITS POSITIONS	26.50	
	FROM GENERAL REVENUE FUND . . . . .	2,040,353	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .	84,975	
588	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	19,765	
589	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	658,996	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .	110,431	
590	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	120,512	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .	1,827	
591	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	110,882	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .	930,600	
592	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	13,507	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .	27	
593	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	9,480	
	FROM OPERATIONS AND MAINTENANCE		
	TRUST FUND . . . . .	354	
594	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND . . . . .	11,191	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	2,984,686	
	FROM TRUST FUNDS . . . . .	1,128,214	
	TOTAL POSITIONS . . . . .	26.50	
	TOTAL ALL FUNDS . . . . .	4,112,900	

## VETERANS' BENEFITS AND ASSISTANCE

	APPROVED SALARY RATE	4,350,521
595	SALARIES AND BENEFITS POSITIONS	99.00

SECTION 3 - HUMAN SERVICES  
SPECIFIC  
APPROPRIATION

	FROM GENERAL REVENUE FUND . . . . .	4,043,867
	FROM OPERATIONS AND MAINTENANCE	
	TRUST FUND . . . . .	1,547,290
596	OTHER PERSONAL SERVICES	
	FROM GENERAL REVENUE FUND . . . . .	12,000
	FROM OPERATIONS AND MAINTENANCE	
	TRUST FUND . . . . .	10,000
597	EXPENSES	
	FROM GENERAL REVENUE FUND . . . . .	208,653
	FROM OPERATIONS AND MAINTENANCE	
	TRUST FUND . . . . .	230,713
598	OPERATING CAPITAL OUTLAY	
	FROM OPERATIONS AND MAINTENANCE	
	TRUST FUND . . . . .	5,827
599	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM GENERAL REVENUE FUND . . . . .	2,569
	FROM OPERATIONS AND MAINTENANCE	
	TRUST FUND . . . . .	4,000
600	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM GENERAL REVENUE FUND . . . . .	7,036
	FROM OPERATIONS AND MAINTENANCE	
	TRUST FUND . . . . .	3,600
601	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT	
	SERVICES - HUMAN RESOURCES SERVICES	
	PURCHASED PER STATEWIDE CONTRACT	
	FROM GENERAL REVENUE FUND . . . . .	28,118
	FROM OPERATIONS AND MAINTENANCE	
	TRUST FUND . . . . .	7,549
TOTAL: VETERANS' BENEFITS AND ASSISTANCE		
	FROM GENERAL REVENUE FUND . . . . .	4,302,243
	FROM TRUST FUNDS . . . . .	1,808,979
	TOTAL POSITIONS . . . . .	99.00
	TOTAL ALL FUNDS . . . . .	6,111,222
TOTAL: VETERANS' AFFAIRS, DEPARTMENT OF		
	FROM GENERAL REVENUE FUND . . . . .	7,286,929
	FROM TRUST FUNDS . . . . .	84,074,603
	TOTAL POSITIONS . . . . .	1,103.50
	TOTAL ALL FUNDS . . . . .	91,361,532
	TOTAL APPROVED SALARY RATE . . . .	36,273,547

## TOTAL OF SECTION 3

	FROM GENERAL REVENUE FUND . . . . .	7,836,757,300
	FROM TRUST FUNDS . . . . .	23,307,416,659
	TOTAL POSITIONS . . . . .	33,483.25
	TOTAL ALL FUNDS . . . . .	31,144,173,959

## SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

The moneys contained herein are appropriated from the named funds to the Department of Corrections, Justice Administration, Department of Juvenile Justice, Florida Department of Law Enforcement, Department of Legal Affairs/Attorney General, and the Parole Commission as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

## CORRECTIONS, DEPARTMENT OF

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

From the funds in Specific Appropriations 602 through 736, each provider contracting with the Department of Corrections must provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents must include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department. Funds shall only be released to providers whose performance reports indicate successful compliance with the performance measures described in the contract.

The Department of Corrections shall develop and use a uniform format and uniform methodologies for the purpose of reporting annually to the Governor and to the Legislature on the state prison system. Such reports shall include a comprehensive plan for current facility use and any departures from planned facility use, including opening new facilities, renovating or closing existing facilities, and advancing or delaying the opening of new or renovated facilities. The report shall include the maximum capacity of currently operating facilities and the potential maximum capacity of facilities that the department could make operational within the fiscal year. The report shall also identify appropriate sites for future facilities and provide information to support specified locations, such as availability of personnel in local labor markets. Reports should include updated infrastructure needs for existing or future facilities. Each report should reconcile capacity figures to the immediately preceding report. For the purpose of this paragraph, maximum capacity shall be calculated and displayed pursuant to section 944.023(1)(b), Florida Statutes. The department may provide additional analysis of current and future bed needs based on such factors as deemed necessary by the Secretary. The next report shall be due January 1, 2014.

From the funds in Specific Appropriations 602 through 736, the Department of Corrections shall, before closing, substantially reducing the use of, or changing the purpose of any state correctional institution as defined in section 944.02, Florida Statutes, submit its proposal to the Governor's Office of Policy and Budget and the chairs of the Senate Appropriations Committee and the House Appropriations Committee for review.

Funds in Specific Appropriation 602 through 736 shall not be used to pay for unoccupied space currently being leased by the Department of Corrections in the event the leases are vacant on or after July 1, 2013, and for which it has been determined by the Secretary of the department that there is no longer a need.

PROGRAM: DEPARTMENT ADMINISTRATION

BUSINESS SERVICE CENTERS

	APPROVED SALARY RATE	9,038,192		
602	SALARIES AND BENEFITS	POSITIONS	239.00	
	FROM GENERAL REVENUE FUND . . . . .		11,484,419	
	FROM ADMINISTRATIVE TRUST FUND . . .			1,014,632
603	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .		79,817	
	FROM ADMINISTRATIVE TRUST FUND . . .			133,494
604	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .		46,507	
605	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .		138,653	
606	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND . . . . .		2,315	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

607	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .		2,698	
TOTAL:	BUSINESS SERVICE CENTERS			
	FROM GENERAL REVENUE FUND . . . . .		11,754,409	
	FROM TRUST FUNDS . . . . .			1,148,126
	TOTAL POSITIONS . . . . .	239.00		
	TOTAL ALL FUNDS . . . . .			12,902,535

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	12,688,626		
608	SALARIES AND BENEFITS	POSITIONS	263.00	
	FROM GENERAL REVENUE FUND . . . . .		8,864,109	
	FROM ADMINISTRATIVE TRUST FUND . . .			2,348,101
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .			79,133

From the funds in Specific Appropriation 608, \$1,000,000 of general revenue funds shall be placed in reserve. After the Department of Corrections' successful statewide implementation of the electronic time and attendance system identified in chapters 2010-152 and 2011-69, Laws of Florida, the department may submit a budget amendment in accordance with all applicable provisions of chapter 216, Florida Statutes, requesting release of the funds.

609	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND . . . . .		22,090	
	FROM ADMINISTRATIVE TRUST FUND . . .			292,906
610	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .		946,141	
	FROM ADMINISTRATIVE TRUST FUND . . .			491,826
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .			1,083,200
611	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND . . . . .		20,227	
	FROM ADMINISTRATIVE TRUST FUND . . .			30,160
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .			240,600
	FROM FEDERAL GRANTS TRUST FUND . . .			101,840

613	SPECIAL CATEGORIES			
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS			
	FROM GENERAL REVENUE FUND . . . . .		81,486	
614	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .		488,509	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .			200,000
	FROM FEDERAL GRANTS TRUST FUND . . .			347,650

615	SPECIAL CATEGORIES			
	TRANSFER TO GENERAL REVENUE FUND			
	FROM FEDERAL GRANTS TRUST FUND . . .			9,300,000

Funds in Specific Appropriation 615 are from reimbursements from the U. S. Government for incarcerating aliens in Florida's prisons. If total reimbursements exceed \$9,300,000, the department shall submit a budget amendment in accordance with all applicable provisions of chapter 216, Florida Statutes, requesting additional budget authority to transfer the balance to the General Revenue Fund.

616	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .		342,010	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

617	SPECIAL CATEGORIES TENANT BROKER COMMISSIONS FROM ADMINISTRATIVE TRUST FUND . . .	22,590	
618	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	36,220	
619	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . . FROM CORRECTIONAL WORK PROGRAM TRUST FUND . . . . .	8,264,514 57,092 117,744	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	19,065,306	
	FROM TRUST FUNDS . . . . .		14,712,842
	TOTAL POSITIONS . . . . .	263.00	
	TOTAL ALL FUNDS . . . . .		33,778,148
INFORMATION TECHNOLOGY			
	APPROVED SALARY RATE	7,856,445	
620	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . .	161.50 8,690,586	1,089,647
621	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	13,500	
622	EXPENSES FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . .	909,224	24,271
623	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .	127,720	
624	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . .	2,084,778	7,812
625	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	50,839	
626	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM GENERAL REVENUE FUND . . . . .	45,329	
627	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	1,270	
628	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	1,157	
629	DATA PROCESSING SERVICES TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES FROM GENERAL REVENUE FUND . . . . .	102,717	
631	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM GENERAL REVENUE FUND . . . . .	9,815,959	

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FROM ADMINISTRATIVE TRUST FUND . . .	7,074
TOTAL: INFORMATION TECHNOLOGY	
FROM GENERAL REVENUE FUND . . . . .	21,843,079
FROM TRUST FUNDS . . . . .	1,128,804
TOTAL POSITIONS . . . . .	161.50
TOTAL ALL FUNDS . . . . .	22,971,883

PROGRAM: SECURITY AND INSTITUTIONAL OPERATIONS

From the funds in Specific Appropriations 644K , 644X and 644AK, a total of \$1,074,362 is provided as payment in lieu of ad valorem taxation for distribution to local government taxing authorities. Funding is provided as follows: \$269,324 for the Bay Correctional Facility, \$339,242 for the Moore Haven Correctional Facility, \$275,560 for the South Bay Correctional Facility, \$100,000 for the Gadsden Correctional Facility and \$90,236 for the Lake City Correctional Facility. These funds may not be distributed if there are outstanding claims for ad valorem taxes due on the property at issue and may not be distributed until the property is reclassified on the real property and tangible personal property rolls as State Government property back to the date the finance corporation or other state entity acquired the title thereto. These distributions shall be adjusted, with respect to any facility, to reimburse the Department of Corrections for the total amounts expended by the state in resisting the imposition of such ad valorem tax claims, including all attorneys' fees and costs actually incurred by the state's agencies.

Funds and positions in Specific Appropriations 602 through 678 and 701 through 736 support the state's inmate population. These funds and positions are sufficient to provide housing and security for 100,359 inmates when fully annualized. Variable expenses, maintenance, and health services funds are provided for an average daily population of 100,028 inmates.

Funds and positions in Specific Appropriations 602 through 678 and 701 through 736 are provided to address security needs for the prison population expected in Fiscal Year 2013-2014, as projected by the Criminal Justice Estimating Conference.

From the funds in Specific Appropriations 602 through 678 and 701 through 736, the Department of Corrections shall open the 432-bed Gadsden Re-Entry Center as a substance abuse treatment and vocational training center serving inmates within three years of release from prison. The Department of Corrections will issue a competitive solicitation for program services for inmates at the Gadsden Re-Entry Center. The program will be performance-based to maximize the number of inmates receiving treatment. At least 70 percent of the inmate population shall be actively enrolled in treatment programs. In addition, an advisory group for the re-entry program will be established by the Department of Corrections to provide accountability through oversight in program planning, design and evaluation to ensure that the re-entry program provides the optimal performance.

ADULT MALE CUSTODY OPERATIONS

	APPROVED SALARY RATE	323,604,412	
644A	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . .	8,373.00 414,475,359	348,541
644B	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	4,404,673	91,000
644C	EXPENSES FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	23,823,898	216,949 240,389

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From the funds in Specific Appropriation 644C, \$142,900 from recurring general revenue funds is provided to the City of Pahokee as a payment in lieu of taxes for the Sago Palm facility.

644D	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	404,698	
	FROM FEDERAL GRANTS TRUST FUND . . .		750,000
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		250,000
644E	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND . . . . .	28,746,435	
	FROM FEDERAL GRANTS TRUST FUND . . .		83,421
644F	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	5,377,258	
	FROM FEDERAL GRANTS TRUST FUND . . .		273,617
644G	SPECIAL CATEGORIES		
	FOOD SERVICE AND PRODUCTION		
	FROM GENERAL REVENUE FUND . . . . .	2,994,823	
	FROM FEDERAL GRANTS TRUST FUND . . .		118,172
644H	SPECIAL CATEGORIES		
	OVERTIME		
	FROM GENERAL REVENUE FUND . . . . .	523,270	
644I	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	16,481,198	
	FROM SALE OF GOODS AND SERVICES		
	CLEARING TRUST FUND . . . . .		1,048,049
644J	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	6,711,717	
644K	SPECIAL CATEGORIES		
	PRIVATE PRISON OPERATIONS		
	FROM GENERAL REVENUE FUND . . . . .	119,888,952	
	FROM PRIVATELY OPERATED		
	INSTITUTIONS INMATE WELFARE TRUST FUND . . . . .		1,300,586
644L	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	511,746	
644M	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	249,056	
TOTAL: ADULT MALE CUSTODY OPERATIONS			
	FROM GENERAL REVENUE FUND . . . . .	624,593,083	
	FROM TRUST FUNDS . . . . .		4,720,724
	TOTAL POSITIONS . . . . .	8,373.00	
	TOTAL ALL FUNDS . . . . .		629,313,807
ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS			
	APPROVED SALARY RATE	34,144,807	
644N	SALARIES AND BENEFITS	POSITIONS	813.00
	FROM GENERAL REVENUE FUND . . . . .	34,869,243	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		122,330
644O	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	331,284	

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	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		32,884
644P	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	1,994,239	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		50,703
644Q	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND . . . . .	2,406,265	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		15,841
644R	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	625,305	
644S	SPECIAL CATEGORIES		
	LOCAL COMMUNITY CORRECTIONS PROJECT		
	FROM GENERAL REVENUE FUND . . . . .	100,000	
	The funds in Specific Appropriation 644S are provided for farming equipment at the Lowell Correctional Institution Thoroughbred Retirement Farm.		
644T	SPECIAL CATEGORIES		
	FOOD SERVICE AND PRODUCTION		
	FROM GENERAL REVENUE FUND . . . . .	180,841	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		22,509
644U	SPECIAL CATEGORIES		
	OVERTIME		
	FROM GENERAL REVENUE FUND . . . . .	469,295	
644V	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	3,822,196	
644W	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	341,923	
644X	SPECIAL CATEGORIES		
	PRIVATE PRISON OPERATIONS		
	FROM GENERAL REVENUE FUND . . . . .	24,325,790	
	FROM PRIVATELY OPERATED		
	INSTITUTIONS INMATE WELFARE TRUST FUND . . . . .		597,359
644Y	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	80,162	
644Z	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	9,520	
TOTAL: ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS			
	FROM GENERAL REVENUE FUND . . . . .	69,556,063	
	FROM TRUST FUNDS . . . . .		841,626
	TOTAL POSITIONS . . . . .	813.00	
	TOTAL ALL FUNDS . . . . .		70,397,689
MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS			
	APPROVED SALARY RATE	13,199,764	
644AA	SALARIES AND BENEFITS	POSITIONS	102.00
	FROM GENERAL REVENUE FUND . . . . .	14,051,403	

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FROM FEDERAL GRANTS TRUST FUND . . .	503,864	
644AB OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	247,841	
644AC EXPENSES		
FROM GENERAL REVENUE FUND . . . . .	77,143	
FROM FEDERAL GRANTS TRUST FUND . . .	24,336	
644AD OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND . . . . .	20,185	
FROM FEDERAL GRANTS TRUST FUND . . .	500,000	
644AE FOOD PRODUCTS		
FROM GENERAL REVENUE FUND . . . . .	1,334,376	
FROM FEDERAL GRANTS TRUST FUND . . .	483,667	
644AF SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND . . . . .	29,599	
644AG SPECIAL CATEGORIES		
FOOD SERVICE AND PRODUCTION		
FROM GENERAL REVENUE FUND . . . . .	197,340	
FROM FEDERAL GRANTS TRUST FUND . . .	191,046	
644AH SPECIAL CATEGORIES		
OVERTIME		
FROM GENERAL REVENUE FUND . . . . .	486,977	
644AI SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND . . . . .	2,246,176	
644AJ SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND . . . . .	159,226	
644AK SPECIAL CATEGORIES		
PRIVATE PRISON OPERATIONS		
FROM GENERAL REVENUE FUND . . . . .	20,075,672	
FROM PRIVATELY OPERATED		
INSTITUTIONS INMATE WELFARE TRUST		
FUND . . . . .	195,403	
644AL SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND . . . . .	38,675	
644AM SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND . . . . .	6,897	
FROM FEDERAL GRANTS TRUST FUND . . .	812	
TOTAL: MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS		
FROM GENERAL REVENUE FUND . . . . .	38,971,510	
FROM TRUST FUNDS . . . . .	1,899,128	
TOTAL POSITIONS . . . . .	102.00	
TOTAL ALL FUNDS . . . . .	40,870,638	

SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS

APPROVED SALARY RATE	180,227,614	
644AN SALARIES AND BENEFITS	POSITIONS	4,860.00
FROM GENERAL REVENUE FUND . . . . .	235,874,789	
644AO OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	1,286,462	

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644AP EXPENSES		
FROM GENERAL REVENUE FUND . . . . .	3,549,587	
644AQ FOOD PRODUCTS		
FROM GENERAL REVENUE FUND . . . . .	12,170,243	
644AR SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND . . . . .	1,762,621	
644AS SPECIAL CATEGORIES		
FOOD SERVICE AND PRODUCTION		
FROM GENERAL REVENUE FUND . . . . .	1,168,710	
644AT SPECIAL CATEGORIES		
OVERTIME		
FROM GENERAL REVENUE FUND . . . . .	654,272	
644AU SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND . . . . .	13,574,111	
644AV SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND . . . . .	1,514,628	
644AW SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND . . . . .	283,746	
644AX SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND . . . . .	32,454	
TOTAL: SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS		
FROM GENERAL REVENUE FUND . . . . .	271,871,623	
TOTAL POSITIONS . . . . .	4,860.00	
TOTAL ALL FUNDS . . . . .	271,871,623	
RECEPTION CENTER OPERATIONS		
APPROVED SALARY RATE	71,521,029	
645 SALARIES AND BENEFITS	POSITIONS	1,985.00
FROM GENERAL REVENUE FUND . . . . .	96,322,247	
FROM FEDERAL GRANTS TRUST FUND . . .	8,453	
646 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	788,028	
647 EXPENSES		
FROM GENERAL REVENUE FUND . . . . .	3,914,923	
FROM FEDERAL GRANTS TRUST FUND . . .	31,090	
648 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND . . .	250,000	
649 FOOD PRODUCTS		
FROM GENERAL REVENUE FUND . . . . .	6,099,923	
FROM FEDERAL GRANTS TRUST FUND . . .	32,449	
650 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND . . . . .	87,126	
651 SPECIAL CATEGORIES		
FOOD SERVICE AND PRODUCTION		
FROM GENERAL REVENUE FUND . . . . .	363,768	
FROM FEDERAL GRANTS TRUST FUND . . .	46,893	
652 SPECIAL CATEGORIES		

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	OVERTIME		
	FROM GENERAL REVENUE FUND . . . . .	299,643	
653	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	3,420,103	
654	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	678,193	
655	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	81,590	
656	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	17,185	
TOTAL:	RECEPTION CENTER OPERATIONS		
	FROM GENERAL REVENUE FUND . . . . .	112,072,729	
	FROM TRUST FUNDS . . . . .		368,885
	TOTAL POSITIONS . . . . .	1,985.00	
	TOTAL ALL FUNDS . . . . .		112,441,614

PUBLIC SERVICE WORKSQUADS AND WORK RELEASE  
TRANSITION

	APPROVED SALARY RATE	37,369,131	
657	SALARIES AND BENEFITS POSITIONS	1,033.00	
	FROM GENERAL REVENUE FUND . . . . .	34,504,901	
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND . . . . .		19,626,474
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		49,667

From the funds in Specific Appropriation 657, \$34,504,901 in general revenue funds is provided to the Department of Corrections to ensure all general revenue public worksquads are maintained. The Department of Corrections shall, before eliminating any general revenue funded public worksquad officer positions, submit its proposal to the Governor's Office of Policy and Budget and the chairs of the Senate Appropriations Committee and the House Appropriations Committee for review and approval.

658	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	628,772	
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND . . . . .		717,224
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		32,776
659	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	154,907	
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND . . . . .		90,020
660	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND . . . . .	1,104,000	
661	LUMP SUM		
	CORRECTIONAL WORK PROGRAMS		
	POSITIONS	15.00	
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND . . . . .		1,054,597

Funds and positions in Specific Appropriation 661 from the Correctional Work Program Trust Fund are provided for interagency contracted services funded by state agencies or local governments. These positions and funds shall be released as needed upon execution of

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	interagency community service squad contracts.		
662	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	27,092,172	
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND . . . . .		284,315
	From the funds provided in Specific Appropriation 662, \$3,780,123 is provided for the Department of Corrections to provide electronic monitoring for inmates in privately operated work release facilities while in the community under work release assignment.		
	From the funds in Specific Appropriation 662, no privately operated work release center may house more than 200 inmates at any given time. In addition, each facility with 100 or more inmates in its work release program must have at least one certified correctional officer on premises at all times.		
663	SPECIAL CATEGORIES		
	FOOD SERVICE AND PRODUCTION		
	FROM GENERAL REVENUE FUND . . . . .	203,504	
664	SPECIAL CATEGORIES		
	OVERTIME		
	FROM GENERAL REVENUE FUND . . . . .	185,998	
665	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	1,146,197	
666	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	308,420	
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND . . . . .		182,075
667	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	40,356	
668	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	3,990	
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND . . . . .		3,734
TOTAL:	PUBLIC SERVICE WORKSQUADS AND WORK RELEASE		
	TRANSITION		
	FROM GENERAL REVENUE FUND . . . . .	65,373,217	
	FROM TRUST FUNDS . . . . .		22,040,882
	TOTAL POSITIONS . . . . .	1,048.00	
	TOTAL ALL FUNDS . . . . .		87,414,099
	ROAD PRISON OPERATIONS		
	APPROVED SALARY RATE	3,753,364	
668A	SALARIES AND BENEFITS POSITIONS	95.00	
	FROM GENERAL REVENUE FUND . . . . .	360	
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND . . . . .		5,543,165
668B	EXPENSES		
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND . . . . .		499,172
668C	FOOD PRODUCTS		
	FROM CORRECTIONAL WORK PROGRAM		
	TRUST FUND . . . . .		352,549

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668D	SPECIAL CATEGORIES CONTRACTED SERVICES FROM CORRECTIONAL WORK PROGRAM TRUST FUND . . . . .			11,284
668E	SPECIAL CATEGORIES FOOD SERVICE AND PRODUCTION FROM CORRECTIONAL WORK PROGRAM TRUST FUND . . . . .			53,567
668F	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM CORRECTIONAL WORK PROGRAM TRUST FUND . . . . .			24,666
668G	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM CORRECTIONAL WORK PROGRAM TRUST FUND . . . . .			8,341
TOTAL:	ROAD PRISON OPERATIONS FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .		360	6,492,744
	TOTAL POSITIONS . . . . .	95.00		
	TOTAL ALL FUNDS . . . . .			6,493,104

OFFENDER MANAGEMENT AND CONTROL

	APPROVED SALARY RATE	44,280,565		
668H	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . . FROM CORRECTIONAL WORK PROGRAM TRUST FUND . . . . .	1,272.00 57,946,992		64,862
668I	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .		274,572	
668J	EXPENSES FROM GENERAL REVENUE FUND . . . . . FROM CORRECTIONAL WORK PROGRAM TRUST FUND . . . . .		2,743,215	1,959
668K	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .		21,578	
668L	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .		31,653	
668M	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . . FROM CORRECTIONAL WORK PROGRAM TRUST FUND . . . . .		64,719	1,655
668N	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .		166,269	
668O	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .		10,830	
TOTAL:	OFFENDER MANAGEMENT AND CONTROL FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .		61,259,828	68,476
	TOTAL POSITIONS . . . . .	1,272.00		
	TOTAL ALL FUNDS . . . . .			61,328,304

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EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	8,733,593		
668P	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . .	178.00 11,842,551		
668Q	OTHER PERSONAL SERVICES FROM GRANTS AND DONATIONS TRUST FUND . . . . .			75,000
668R	EXPENSES FROM GENERAL REVENUE FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . . FROM SALE OF GOODS AND SERVICES CLEARING TRUST FUND . . . . .		1,981,528	226,785
668S	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .		256,642	
668T	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .		1,307,104	
	From funds in Specific Appropriation 668T, \$1,000,000 in recurring general revenue funds is provided to continue the victim notification system (VINE).			
668U	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . .		100,080	
668V	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .		114,940	
668W	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .		1,992	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .		15,604,837	1,980,035
	TOTAL POSITIONS . . . . .	178.00		
	TOTAL ALL FUNDS . . . . .			17,584,872

CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR

	APPROVED SALARY RATE	18,408,530		
669	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . .	545.00 23,697,801		
670	EXPENSES FROM GENERAL REVENUE FUND . . . . .		55,560,104	
671	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .		464,154	
	From the funds in Specific Appropriation 671, \$100,000 in nonrecurring general revenue funds is provided for the purchase of a compost machine for Dade Correctional Institution.			
672	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND . . . . .		504,653	
673	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .		4,658,135	

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674	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM GENERAL REVENUE FUND . . . . .	4,198,894
675	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	36,771
676	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	10,667
677	FIXED CAPITAL OUTLAY CORRECTIONAL FACILITIES - LEASE PURCHASE FROM GENERAL REVENUE FUND . . . . .	45,339,384

Funds in Specific Appropriation 677 are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the following correctional facilities:

Bay Correctional Facility.....	3,419,078
Moore Haven Correctional Facility (Glades County).....	3,059,759
South Bay Correctional Facility (Palm Beach County).....	5,046,757
Graceville Correctional Facility (Jackson County).....	7,513,941
Okeechobee Correctional Institution.....	3,448,894
Blackwater River Correctional Facility (Santa Rosa County)...	10,716,494
Gadsden Correctional Facility.....	3,043,688
Lake City Correctional Facility (Columbia County).....	2,621,618
Demilly Correctional Institution (Polk County).....	1,386,375
Sago Palm Work Camp (Palm Beach County).....	1,473,625
Various DOC Facility Projects - Series 2009 B and C Bonds...	30,609,155

Series 2009 B and C Bonds include various facility construction projects for the following Department of Corrections facilities:

Mayo Annex (Lafayette County), Suwannee Annex (Suwannee County), Lowell Reception Center (Marion County), Lancaster Secure Housing Unit (Gilchrist County), Liberty Work Camp (Liberty County), Franklin Work Camp (Franklin County), Cross City Work Camp (Dixie County), Okeechobee Work Camp (Okeechobee County), New River Work Camp (Bradford County), Santa Rosa Work Camp (Santa Rosa County), Hollywood Work Release Center (Broward County), Kissimmee Work Release Center (Osceola County), Lake City Work Release Center (Columbia County), Santa Fe Work Release Center (Alachua County), Everglades Re-Entry Center (Dade County), Baker Re-Entry Center (Baker County), and Pat Thomas Re-Entry Center (Gadsden County).

The funds in Specific Appropriation 677 reflect \$27,000,000 in surplus bond construction proceeds.

678	FIXED CAPITAL OUTLAY MAJOR REPAIRS, RENOVATIONS AND IMPROVEMENTS TO MAJOR INSTITUTIONS FROM GENERAL REVENUE FUND . . . . .	1,299,719
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TOTAL: CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR FROM GENERAL REVENUE FUND . . . . .	135,770,282
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TOTAL POSITIONS . . . . .	545.00
TOTAL ALL FUNDS . . . . .	135,770,282

PROGRAM: COMMUNITY CORRECTIONS

COMMUNITY SUPERVISION

APPROVED SALARY RATE	113,810,438
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687	SALARIES AND BENEFITS	POSITIONS	2,791.00
	FROM GENERAL REVENUE FUND . . . . .		159,489,609
	FROM FEDERAL GRANTS TRUST FUND . . .		156,223

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688	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	60,945
689	EXPENSES FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . .	2,767,529 64,717
690	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .	256,941
691	SPECIAL CATEGORIES BUILDING/OFFICE RENT PAYMENTS FROM GENERAL REVENUE FUND . . . . .	12,271,573

Funds in Specific Appropriation 691 are provided to continue rent payments for individual private contracts for rental of office/building space at a rate not to exceed the rate for each contract in effect on June 30, 2013. Price level increases are not provided for rent payments for Department of Corrections' private leases in the 2013-2014 fiscal year. No other funds are appropriated or shall be transferred by the department for such increases.

692	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	140,324
692A	SPECIAL CATEGORIES LOCAL COMMUNITY CORRECTIONS PROJECT FROM GENERAL REVENUE FUND . . . . .	1,195,000

From the funds in Specific Appropriation 692A, \$675,000 is provided from nonrecurring general revenue funds for the Operation New Hope re-entry initiative, a program that provides case management, life-coaching, job training and job placement services to assist offenders on community supervision transition back into the community and workforce in Duval County.

From the funds in Specific Appropriation 692A, \$250,000 is provided from nonrecurring general revenue funds for the Ready4Work re-entry program, which provides case management, life-coaching, job training and job placement services to assist offenders on community supervision transition back into the community and workforce in Hillsborough County.

From funds in Specific Appropriation 692A, \$150,000 is provided from nonrecurring general revenue funds for the Pinellas Ex-offender Re-entry Coalition to educate potential corporations and employers on the benefits of hiring released inmates and match ex-offenders with employment and assist both employer and employees to sustain long term stability.

From the funds in Specific Appropriation 692A, \$120,000 in nonrecurring general revenue funds shall be provided to the Pasco County Sheriff's Office. The Pasco County Sheriff's Office shall use these funds to evaluate the potential of transitioning the responsibility for providing felony probation services for the supervised population in Pasco County from the Department of Corrections to the Pasco County Sheriff's Office.

693	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	4,085,636
694	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . .	565,414
695	SPECIAL CATEGORIES ELECTRONIC MONITORING FROM GENERAL REVENUE FUND . . . . .	6,276,469
696	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	250,104



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697 SPECIAL CATEGORIES  
STATE OPERATIONS - AMERICAN RECOVERY AND  
REINVESTMENT ACT OF 2009  
FROM FEDERAL GRANTS TRUST FUND . . . 91,400

698 SPECIAL CATEGORIES  
SALARIES AND BENEFITS - AMERICAN RECOVERY  
AND REINVESTMENT ACT OF 2009  
FROM FEDERAL GRANTS TRUST FUND . . . 114,176

TOTAL: COMMUNITY SUPERVISION  
FROM GENERAL REVENUE FUND . . . . . 187,359,544  
FROM TRUST FUNDS . . . . . 426,516

TOTAL POSITIONS . . . . . 2,791.00  
TOTAL ALL FUNDS . . . . . 187,786,060

COMMUNITY FACILITY OPERATIONS

699 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 2,816,521

700 SPECIAL CATEGORIES  
JUDICIAL/DEPARTMENT OF CORRECTIONS  
SENTENCING ALTERNATIVES  
FROM GENERAL REVENUE FUND . . . . . 700,143

Pursuant to sections 944.012(6)(c), 921.00241 and 775.082(10), Florida Statutes, \$700,143 in recurring general revenue funds are provided in Specific Appropriation 700 to continue Judicial/DOC pilot programs for offenders who would be sentenced to prison, but could be diverted to appropriate programs that allow the offender to retain community support, access drug treatment and/or employment opportunities while receiving life-skills assistance in a structured environment. These treatment programs may include drug treatment, residential and outpatient treatment programming, day reporting or other services to reduce recidivism.

These pilot programs shall continue to use evidence-based practices and graduated incentives that are anticipated to result in a reduction in prison admissions for that community.

TOTAL: COMMUNITY FACILITY OPERATIONS  
FROM GENERAL REVENUE FUND . . . . . 3,516,664

TOTAL ALL FUNDS . . . . . 3,516,664

PROGRAM: HEALTH SERVICES

INMATE HEALTH SERVICES

APPROVED SALARY RATE 6,958,654

701 SALARIES AND BENEFITS POSITIONS 136.50  
FROM GENERAL REVENUE FUND . . . . . 8,663,127  
FROM FEDERAL GRANTS TRUST FUND . . . 407,590

702 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 300,000

703 EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 1,481,817

705 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 1,000

706 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 808,808

707 SPECIAL CATEGORIES

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
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APPROPRIATION

INMATE HEALTH SERVICES  
FROM GENERAL REVENUE FUND . . . . . 278,496,445

From the funds in Specific Appropriation 707, \$100,000 in recurring general revenue funds is provided for Hepatitis B vaccinations for inmates.

708 SPECIAL CATEGORIES  
TREATMENT OF INMATES - GENERAL DRUGS  
FROM GENERAL REVENUE FUND . . . . . 28,866,338

709 SPECIAL CATEGORIES  
TREATMENT OF INMATES - PSYCHOTROPIC DRUGS  
FROM GENERAL REVENUE FUND . . . . . 4,771,863

710 SPECIAL CATEGORIES  
TREATMENT OF INMATES - INFECTIOUS DISEASE  
DRUGS  
FROM GENERAL REVENUE FUND . . . . . 12,092,256

711 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 100

712 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM GENERAL REVENUE FUND . . . . . 320,304

TOTAL: INMATE HEALTH SERVICES  
FROM GENERAL REVENUE FUND . . . . . 335,802,058  
FROM TRUST FUNDS . . . . . 407,590

TOTAL POSITIONS . . . . . 136.50  
TOTAL ALL FUNDS . . . . . 336,209,648

TREATMENT OF INMATES WITH INFECTIOUS DISEASES

712A OTHER PERSONAL SERVICES  
FROM FEDERAL GRANTS TRUST FUND . . . 104,207

712B EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 17,083  
FROM FEDERAL GRANTS TRUST FUND . . . 201,494

712C OPERATING CAPITAL OUTLAY  
FROM FEDERAL GRANTS TRUST FUND . . . 27,019

712D SPECIAL CATEGORIES  
INMATE HEALTH SERVICES  
FROM GENERAL REVENUE FUND . . . . . 2,204,554

712E SPECIAL CATEGORIES  
TREATMENT OF INMATES - INFECTIOUS DISEASE  
DRUGS  
FROM GENERAL REVENUE FUND . . . . . 20,451,508

TOTAL: TREATMENT OF INMATES WITH INFECTIOUS DISEASES  
FROM GENERAL REVENUE FUND . . . . . 22,673,145  
FROM TRUST FUNDS . . . . . 332,720

TOTAL ALL FUNDS . . . . . 23,005,865

PROGRAM: EDUCATION AND PROGRAMS

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND  
TREATMENT SERVICES

APPROVED SALARY RATE 1,569,267

713 SALARIES AND BENEFITS POSITIONS 33.00  
FROM GENERAL REVENUE FUND . . . . . 1,552,949  
FROM FEDERAL GRANTS TRUST FUND . . . 768,157

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714	OTHER PERSONAL SERVICES			
	FROM FEDERAL GRANTS TRUST FUND . . .		32,809	
715	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .	68,648		
	FROM FEDERAL GRANTS TRUST FUND . . .		622,815	
716	OPERATING CAPITAL OUTLAY			
	FROM FEDERAL GRANTS TRUST FUND . . .		45,600	
717	SPECIAL CATEGORIES			
	CONTRACT DRUG ABUSE SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	8,446,580		
	FROM FEDERAL GRANTS TRUST FUND . . .		3,072,341	
718	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND . . . . .	2,900		
	FROM FEDERAL GRANTS TRUST FUND . . .		50	
TOTAL: ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES				
	FROM GENERAL REVENUE FUND . . . . .	10,071,077		
	FROM TRUST FUNDS . . . . .		4,541,772	
	TOTAL POSITIONS . . . . .	33.00		
	TOTAL ALL FUNDS . . . . .		14,612,849	
BASIC EDUCATION SKILLS				
	APPROVED SALARY RATE	13,972,951		
719	SALARIES AND BENEFITS POSITIONS	314.00		
	FROM GENERAL REVENUE FUND . . . . .	13,153,890		
	FROM FEDERAL GRANTS TRUST FUND . . .		2,485,347	
720	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	493,477		
	FROM FEDERAL GRANTS TRUST FUND . . .		516,172	
721	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .	2,972,021		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,933,823	
From funds in Specific Appropriation 721, \$500,000 from recurring general revenue funds and \$1,000,000 from nonrecurring general revenue funds are provided to expand a pilot online career education program to serve up to 1,000 inmates through an AdvancED/SACS accredited online school district that offers career-based online high school diplomas designed to prepare adults for transition into the workplace. The department shall provide a report regarding the progress of the inmates in the online diploma and career certificate programs to the chairs of the Senate Appropriations Committee and the House Appropriations Committee by December 31, 2013.				
722	OPERATING CAPITAL OUTLAY			
	FROM FEDERAL GRANTS TRUST FUND . . .		472,386	
723	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	1,100,946		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,402,052	
724	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .	101,679		
725	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND . . . . .	20,888		
726	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			

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SERVICES - HUMAN RESOURCES SERVICES				
PURCHASED PER STATEWIDE CONTRACT				
	FROM GENERAL REVENUE FUND . . . . .		12,906	
	FROM FEDERAL GRANTS TRUST FUND . . .			1,082
TOTAL: BASIC EDUCATION SKILLS				
	FROM GENERAL REVENUE FUND . . . . .		17,855,807	
	FROM TRUST FUNDS . . . . .			6,810,862
	TOTAL POSITIONS . . . . .		314.00	
	TOTAL ALL FUNDS . . . . .			24,666,669
ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT				
	APPROVED SALARY RATE	3,347,016		
727	SALARIES AND BENEFITS POSITIONS	59.00		
	FROM GENERAL REVENUE FUND . . . . .	3,714,214		
	FROM FEDERAL GRANTS TRUST FUND . . .			441,441
728	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND . . . . .		119,743	
729	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .		372,770	
	FROM FEDERAL GRANTS TRUST FUND . . .			119,152
730	OPERATING CAPITAL OUTLAY			
	FROM FEDERAL GRANTS TRUST FUND . . .			3,000
731	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .		2,972,432	
	FROM FEDERAL GRANTS TRUST FUND . . .			324,848
From the funds in Specific Appropriation 731, \$200,000 in recurring general revenue funds may be used to expand Horizon volunteer faith and character peer-to-peer program activities at Wakulla Correctional Institution and up to 7 additional prisons, including Computer Lab, Quest and Realizing Educational Emotional and Finance Smarts (REEFS) transition programs.				
732	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND . . . . .		20,544	
733	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .		2,696	
TOTAL: ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT				
	FROM GENERAL REVENUE FUND . . . . .		7,202,399	
	FROM TRUST FUNDS . . . . .			888,441
	TOTAL POSITIONS . . . . .		59.00	
	TOTAL ALL FUNDS . . . . .			8,090,840
COMMUNITY SUBSTANCE ABUSE PREVENTION, EVALUATION, AND TREATMENT SERVICES				
734	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .		300,000	
735	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .		4,963,104	
736	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CONTRACTED DRUG TREATMENT/REHABILITATION PROGRAMS			

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FROM GENERAL REVENUE FUND . . . . . 16,274,369  
FROM FEDERAL GRANTS TRUST FUND . . . . . 550,000

From the funds in Specific Appropriation 736, \$600,000 in recurring general revenue funds is provided for the Drug Abuse Comprehensive Coordinating Office, Inc. (DACCO) in Hillsborough County.

From funds in Specific Appropriation 736, \$185,000 in recurring general revenue funds is provided to contract for eleven nonsecure residential beds at Tampa Crossroads in Hillsborough County.

TOTAL: COMMUNITY SUBSTANCE ABUSE PREVENTION, EVALUATION,  
AND TREATMENT SERVICES  
FROM GENERAL REVENUE FUND . . . . . 21,537,473  
FROM TRUST FUNDS . . . . . 550,000  
  
TOTAL ALL FUNDS . . . . . 22,087,473  
  
TOTAL: CORRECTIONS, DEPARTMENT OF  
FROM GENERAL REVENUE FUND . . . . . 2,053,754,493  
FROM TRUST FUNDS . . . . . 69,360,173  
  
TOTAL POSITIONS . . . . . 23,268.00  
TOTAL ALL FUNDS . . . . . 2,123,114,666  
TOTAL APPROVED SALARY RATE . . . . . 904,484,398

JUSTICE ADMINISTRATION

PROGRAM: JUSTICE ADMINISTRATIVE COMMISSION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,737,321

737 SALARIES AND BENEFITS POSITIONS 80.00  
FROM GENERAL REVENUE FUND . . . . . 4,752,158  
  
738 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 19,776  
  
739 EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 755,445  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 425,316

From the funds in Specific Appropriation 739, \$65,000 in recurring general revenue funds is provided for online education and training for attorneys relating to the general fundamentals of criminal law. The funding shall be distributed to the State Attorneys' offices and Public Defenders' offices based upon an allocation provided by the respective associations. The Justice Administrative Commission is authorized to submit a budget amendment in accordance with the provisions of chapter 216, Florida Statutes, to transfer funding to the budget entities identified by the respective associations.

740 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND . . . . . 20,000

741 LUMP SUM  
WORKLOAD FOR COUNTY OR MUNICIPAL CONTRACTS  
POSITIONS 14.00

The positions in Specific Appropriation 741 are provided for State Attorneys and Public Defenders to use for grants received from counties during Fiscal Year 2013-2014 for the purpose of prosecution of local ordinance violations pursuant to section 27.34, Florida Statutes, or defense of persons accused of violating local ordinances pursuant to section 27.54, Florida Statutes. Use of these positions is contingent upon the Justice Administrative Commission notifying the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee and the Governor's Office of Policy and Budget. Such notification is subject to the legislative review and objection provisions of chapter 216, Florida Statutes. Rate may be established for these positions consistent with the salaries provided for in the grant.

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742 SPECIAL CATEGORIES  
GRANTS AND AIDS - FOSTER CARE CITIZEN  
REVIEW PANEL  
FROM GENERAL REVENUE FUND . . . . . 92,160  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 300,000

743 SPECIAL CATEGORIES  
SEXUAL PREDATOR CIVIL COMMITMENT  
LITIGATION COSTS  
FROM GENERAL REVENUE FUND . . . . . 2,947,591

Funds in Specific Appropriation 743 are provided for attorney fees and case-related expenses associated with prosecuting and defending sexual predator civil commitment cases. Case-related expenses are limited to expert witness fees, clinical evaluations, court reporter costs, and foreign language interpreters. The maximum amount to be paid by the Justice Administrative Commission for medical experts for sexual predator civil commitment cases is \$200 per hour and all related travel costs must be apportioned to the associated case. The Justice Administrative Commission is authorized to pay up to \$5,000 per case for case-related expenses incurred by the State Attorney, the Public Defender, or the Criminal Conflict and Civil Regional Counsel, or court appointed counsel where there is an ethical conflict, for a combined maximum of \$10,000 for case-related expenses per case, unless the court orders payment of a greater amount. The Justice Administrative Commission shall submit quarterly reports, in an electronic format, to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee describing, by judicial circuit: requests for payments of case-related expenses received; court orders received directing payment of such expenses; and actual encumbrances and disbursements from this special appropriations category.

744 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 709,520

From the funds in Specific Appropriation 744, \$300,000 in nonrecurring general revenue funds is provided to the Florida Public Defenders Coordination Office to establish and host a shared case management system for the Public Defenders. A report on the progress of the system shall be provided by January 31, 2014 to the chairs of the Senate Appropriations and House Appropriations Committees. The report shall include a description of the progress made to date for each project milestone, planned and actual deliverable completion dates, actual costs incurred and current issues and risks being managed.

From the funds in Specific Appropriation 744, \$323,000 in recurring general revenue funds shall be used by the Justice Administrative Commission to contract with attorneys selected by the Guardian ad Litem Program to represent dependent children with disabilities in, or being considered for placement in, skilled nursing facilities. Attorney fees shall not exceed \$4,500 per child per year and due process costs shall not exceed \$5,000 per year per child. Funds anticipated to be in excess of those necessary to represent these children may be used for attorney training on legal issues involving children with disabilities.

744A SPECIAL CATEGORIES  
GRANTS AND AIDS - CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 250,000

The funds in Specific Appropriation 744A are provided for the Public Defenders' offices who are appointed to one or more capital clemency cases. Any Public Defender's office that has been appointed is authorized to submit budget amendments in accordance with the provisions of chapter 216, Florida Statutes, to transfer budget from the Justice Administrative Commission.

746 SPECIAL CATEGORIES  
PUBLIC DEFENDER DUE PROCESS COSTS  
FROM GENERAL REVENUE FUND . . . . . 18,663,034

Funds in Specific Appropriation 746 are provided for the Public

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## SPECIFIC

## APPROPRIATION

Defenders' due process costs as specified in section 29.006, Florida Statutes. The Justice Administrative Commission shall submit quarterly reports of expenditures by circuit in an electronic format to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. Funds shall initially be credited for the use of each circuit in the amounts listed below, and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

1st Judicial Circuit.....	823,448
2nd Judicial Circuit.....	656,793
3rd Judicial Circuit.....	147,619
4th Judicial Circuit.....	1,273,749
5th Judicial Circuit.....	871,658
6th Judicial Circuit.....	1,189,457
7th Judicial Circuit.....	675,912
8th Judicial Circuit.....	479,128
9th Judicial Circuit.....	1,151,167
10th Judicial Circuit.....	757,431
11th Judicial Circuit.....	3,319,357
12th Judicial Circuit.....	647,744
13th Judicial Circuit.....	1,890,561
14th Judicial Circuit.....	328,641
15th Judicial Circuit.....	837,310
16th Judicial Circuit.....	114,835
17th Judicial Circuit.....	1,374,773
18th Judicial Circuit.....	644,172
19th Judicial Circuit.....	601,795
20th Judicial Circuit.....	877,484

From the funds credited for use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of State Court Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

1st Judicial Circuit.....	190,611
2nd Judicial Circuit.....	323,698
3rd Judicial Circuit.....	52,251
6th Judicial Circuit.....	103,493
7th Judicial Circuit.....	37,310
8th Judicial Circuit.....	83,798
9th Judicial Circuit.....	481,878
10th Judicial Circuit.....	68,975
11th Judicial Circuit.....	121,996
12th Judicial Circuit.....	153,205
13th Judicial Circuit.....	784,106
14th Judicial Circuit.....	134,089
15th Judicial Circuit.....	93,646
16th Judicial Circuit.....	74,983
17th Judicial Circuit.....	60,851

## 747 SPECIAL CATEGORIES

## CHILD DEPENDENCY AND CIVIL CONFLICT CASE

FROM GENERAL REVENUE FUND . . . . . 11,500,000

Funds in Specific Appropriation 747 are provided for case fees and expenses of court-appointed counsel in civil conflict cases and child dependency cases. The Justice Administrative Commission shall submit quarterly reports, in an electronic format, of these case payments to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by judicial circuit, which shall include, but not be limited to: information on requests for payments received; court orders received directing payment; and actual encumbrances and disbursements and performance measures for court appointed counsel including: average time to complete cases by case type; number of bar complaints for state paid cases; percent of initial invoices to the Justice Administrative Commission that are rejected; percent of initial invoices filed with the Justice Administrative Commission within 90 days after closure of the case; number of cases by type; and total cost per case by type from this special appropriations category.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for the following dependency and civil cases is set as

## SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

## SPECIFIC

## APPROPRIATION

follows:

ADMISSION OF INMATE TO MENTAL HEALTH FACILITY.....	300
ADULT PROTECTIVE SERVICES ACT - Ch. 415, F.S.....	500
BAKER ACT/MENTAL HEALTH - Ch. 394, F.S.....	400
CINS/FINS - Ch. 984, F.S.....	750
CIVIL APPEALS.....	400
DEPENDENCY - Up to 1 Year.....	800
DEPENDENCY - Each Year after 1st Year.....	200
DEPENDENCY - No Petition Filed or Dismissed at Shelter.....	200
DEPENDENCY APPEALS.....	1,000
DEVELOPMENTALLY DISABLED ADULT - Ch. 393, F.S.....	400
EMANCIPATION - Section 743.015, F.S.....	400
GUARDIANSHIP - EMERGENCY - Ch. 744, F.S.....	400
GUARDIANSHIP - Ch. 744, F.S.....	400
MARCHMAN ACT/SUBSTANCE ABUSE - Ch. 397, F.S.....	300
MEDICAL PROCEDURES - Section 394.459(3), F.S.....	400
PARENTAL NOTIFICATION OF ABORTION ACT.....	400
TERMINATION OF PARENTAL RIGHTS - Ch. 39, F.S. - Up to 1 Year.....	1,000
TERMINATION OF PARENTAL RIGHTS - Ch. 39, F.S. - Each Year after 1st Year.....	200
TERMINATION OF PARENTAL RIGHTS - Ch. 63, F.S. - Up to 1 year	1,000
TERMINATION OF PARENTAL RIGHTS - Ch. 63, F.S. - Each Year after 1st Year.....	200
TERMINATION OF PARENTAL RIGHTS APPEALS.....	2,000
TUBERCULOSIS - Ch. 392, F.S.....	300

## 748 SPECIAL CATEGORIES

## RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND . . . . . 24,031

## 748A SPECIAL CATEGORIES

## POST-CONVICTION CAPITAL COLLATERAL CASES -

## REGISTRY ATTORNEYS

FROM GENERAL REVENUE FUND . . . . . 1,534,310

## 749 SPECIAL CATEGORIES

## ATTORNEY PAYMENTS OVER FLAT FEE

FROM GENERAL REVENUE FUND . . . . . 3,650,000

Funds in Specific Appropriation 749 are provided for court ordered payments for attorney fees in criminal conflict cases in excess of the flat fee established in law. Pursuant to section 27.5304 (12), Florida Statutes, if funds in this category are insufficient to pay the amounts ordered by the court above the flat fees, the amounts ordered above the flat fees shall be paid from the due process funds or other funds, as necessary, appropriated to the state court system in this Act.

## 750 SPECIAL CATEGORIES

## CRIMINAL CONFLICT CASE COSTS

FROM GENERAL REVENUE FUND . . . . . 24,169,350

Funds in Specific Appropriation 750 are provided for case fees as specified in section 27.5304, Florida Statutes, and expenses as specified in section 29.007, Florida Statutes, of court-appointed counsel for indigent criminal defendants and for due process costs for those individuals the court finds indigent for costs. The Justice Administrative Commission shall submit quarterly reports, in an electronic format, of criminal conflict case payments and performance measures for court-appointed counsel including: average time to complete cases by case type; number of bar complaints for state paid cases; percent of initial invoices to the Justice Administrative Commission that are rejected; percent of initial invoices filed with the Justice Administrative Commission within 90 days after closure of the case; number of cases by type; and total cost per case by type to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by judicial circuit.

From the funds in Specific Appropriation 750, a total of \$216,934 shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of State Courts Administrator on behalf of the circuit courts operating shared court reporting and

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interpreter services.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for criminal conflict cases is set as follows:

POSTCONVICTION - Rules 3.850, 3.801 & 3.800, Fl.R.Crim. Proc	1,000
CAPITAL - 1ST DEGREE MURDER (LEAD COUNSEL).....	15,000
CAPITAL - 1ST DEGREE MURDER (CO-COUNSEL).....	15,000
CAPITAL - 1ST DEGREE MURDER (NON-DEATH).....	2,500
CAPITAL SEXUAL BATTERY.....	2,000
CAPITAL APPEALS.....	2,000
CONTEMPT PROCEEDINGS.....	400
CRIMINAL TRAFFIC.....	400
EXTRADITION.....	500
FELONY - LIFE.....	2,500
FELONY - PUNISHABLE BY LIFE.....	2,000
FELONY 1ST DEGREE.....	1,500
FELONY 2ND DEGREE.....	1,000
FELONY 3RD DEGREE.....	750
FELONY OR MISDEMEANOR - NO INFORMATION FILED.....	400
FELONY APPEALS.....	1,500
JUVENILE DELINQUENCY - 1ST DEGREE FELONY.....	600
JUVENILE DELINQUENCY - 2ND DEGREE.....	400
JUVENILE DELINQUENCY - 3RD DEGREE.....	300
JUVENILE DELINQUENCY - FELONY LIFE.....	700
JUVENILE DELINQUENCY - MISDEMEANOR.....	300
JUVENILE DELINQUENCY - DIRECT FILE OR NO PETITION FILED....	300
JUVENILE DELINQUENCY APPEALS.....	1,000
MISDEMEANOR.....	400
MISDEMEANOR APPEALS.....	750
VIOLATION OF PROBATION - FELONY (INCLUDES VOCC).....	500
VIOLATION OF PROBATION - MISDEMEANOR (INCLUDES VOCC).....	300
VIOLATION OF PROBATION (VOCC) JUVENILE DELINQUENCY.....	300

Funds for costs and related expenses to be paid through Specific Appropriations 747, 750, and 752 shall be subject to the following:

The hourly rate for mitigation specialists in capital death cases shall not exceed \$75.00 per hour.

The maximum amount to be paid by the Justice Administrative Commission for non-attorney due process services other than those specified, shall not exceed the rates in effect for the 2007-2008 fiscal year.

The maximum amount to be paid by the Justice Administrative Commission for investigators is \$40 per hour. The maximum amount to be paid for court reporting and transcribing costs is as follows:

1. Depositions Appearance fees: 1st hour: \$50.00; thereafter \$25.00 per hour. The fee is to be paid to the court reporter whether or not a transcript is ordered.

2. Deposition transcript fee (Original & one copy):

10 business day delivery: \$4.00 per page

5 business day delivery: \$5.50 per page

24 hours delivery: \$7.50 per page

Additional copies: \$0.50 per page

3. Appellate/hearing/trial transcript fee (Original & all copies needed with a minimum of 2 copies):

10 business day delivery: \$5.00 per page

5 business day delivery: \$6.50 per page

24 hours delivery: \$8.50 per page

Copies (when original previously ordered): \$0.50 per page.

4. Transcription from tapes or audio recordings (other than depositions or hearings): Either \$35 per hour listening fee or \$3.00 per page whichever is greater.

5. Video Services: \$100 per hour per location with two-hour minimum.

## 751 SPECIAL CATEGORIES

STATE ATTORNEY DUE PROCESS COSTS

FROM GENERAL REVENUE FUND . . . . . 9,966,646

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Funds in Specific Appropriation 751 are provided for the State Attorneys' due process costs as specified in section 29.005, Florida Statutes. The Justice Administrative Commission shall submit quarterly reports of expenditures by circuit in an electronic format to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee. Funds shall initially be credited for the use of each circuit in the amounts listed below, and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

1st Judicial Circuit.....	589,778
2nd Judicial Circuit.....	313,621
3rd Judicial Circuit.....	116,632
4th Judicial Circuit.....	430,775
5th Judicial Circuit.....	324,016
6th Judicial Circuit.....	583,557
7th Judicial Circuit.....	439,107
8th Judicial Circuit.....	220,834
9th Judicial Circuit.....	462,458
10th Judicial Circuit.....	287,769
11th Judicial Circuit.....	2,060,821
12th Judicial Circuit.....	260,084
13th Judicial Circuit.....	554,781
14th Judicial Circuit.....	109,918
15th Judicial Circuit.....	690,934
16th Judicial Circuit.....	85,391
17th Judicial Circuit.....	1,232,097
18th Judicial Circuit.....	351,573
19th Judicial Circuit.....	252,226
20th Judicial Circuit.....	600,274

From the funds credited for the use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of State Court Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

1st Judicial Circuit.....	18,232
2nd Judicial Circuit.....	16,650
3rd Judicial Circuit.....	10,456
6th Judicial Circuit.....	25,443
7th Judicial Circuit.....	12,818
8th Judicial Circuit.....	21,937
9th Judicial Circuit.....	26,007
10th Judicial Circuit.....	3,980
11th Judicial Circuit.....	426,986
12th Judicial Circuit.....	19,650
13th Judicial Circuit.....	45,716
15th Judicial Circuit.....	61,252
16th Judicial Circuit.....	4,315
17th Judicial Circuit.....	20,081

## 752 SPECIAL CATEGORIES

CRIMINAL CONFLICT AND DEPENDENCY COUNSEL

LIABILITY

FROM GENERAL REVENUE FUND . . . . . 3,000,000

Funds in Specific Appropriation 752 are provided to pay for criminal conflict, dependency and other civil cases for which appointment was made during Fiscal Years 2004-2005, 2005-2006, and 2006-2007. The Justice Administrative Commission shall submit quarterly reports of expenditures by circuit in an electronic format to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee.

## 753 SPECIAL CATEGORIES

STATE ATTORNEY AND PUBLIC DEFENDER

TRAINING

FROM GENERAL REVENUE FUND . . . . . 33,529

FROM GRANTS AND DONATIONS TRUST

FUND . . . . . 3,000

## 754 SPECIAL CATEGORIES

LEASE OR LEASE-PURCHASE OF EQUIPMENT

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	FROM GENERAL REVENUE FUND . . . . .	600	
755	SPECIAL CATEGORIES		
	DUE PROCESS CONTINGENCY FUND		
	FROM GENERAL REVENUE FUND . . . . .	1,924,041	
756	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	2,373,761	
	FROM CHILD SUPPORT TRUST FUND . . .		72,175
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		75,646
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND . . . . .		22,093

From the funds provided in Specific Appropriation 756, the State Attorneys and Public Defenders shall transfer cash from their Grants and Donations Trust Fund, Child Support Enforcement Trust Fund, State Attorney Revenue Trust Fund, Public Defender Revenue Trust Fund, and Indigent Criminal Defense Trust Fund in proportion to their positions funded from these sources to the Justice Administrative Commission to pay the Human Resources Services contract in the Department of Management Services.

758	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND . . . . .	5,469	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	86,391,421	
	FROM TRUST FUNDS . . . . .		898,230
	TOTAL POSITIONS . . . . .	94.00	
	TOTAL ALL FUNDS . . . . .		87,289,651

## PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE

	APPROVED SALARY RATE	22,591,131	
759	SALARIES AND BENEFITS	POSITIONS	590.00
	FROM GENERAL REVENUE FUND . . . . .	27,221,630	
Funds and positions in Specific Appropriations 759 through 768, shall first be used to represent children involved in dependency proceedings. Once all children in dependency proceedings are represented, the funds may be used to represent children in other proceedings as authorized by law.			
760	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	647,531	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		150,000
761	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	1,420,593	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		50,249
762	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	146,021	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		10,000
763	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COURT SYSTEM SERVICES		
	FOR CHILDREN AND YOUTH		
	FROM GENERAL REVENUE FUND . . . . .	892,656	
764	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	2,992,623	
	FROM GRANTS AND DONATIONS TRUST		

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	FUND . . . . .		110,000
765	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	436,478	
766	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	112,436	
767	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	42,057	
768	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND . . . . .	243,723	
TOTAL: PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE			
	FROM GENERAL REVENUE FUND . . . . .	34,155,748	
	FROM TRUST FUNDS . . . . .		320,249
	TOTAL POSITIONS . . . . .	590.00	
	TOTAL ALL FUNDS . . . . .		34,475,997

## STATE ATTORNEYS

The Prosecution Coordination Office's budgeting, legal, training and education needs may be funded by each State Attorney's office within the funds provided in Specific Appropriations 777 through 902. Funding for this office shall not exceed \$450,000 from the State Attorney's Revenue Trust Fund.

## PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT

	APPROVED SALARY RATE	10,159,752	
777	SALARIES AND BENEFITS	POSITIONS	231.75
	FROM GENERAL REVENUE FUND . . . . .		10,903,773
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		2,025,001
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		280,788
778	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	30,415	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		95,987
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		4,013
778A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM FORFEITURE AND INVESTIGATIVE		
	SUPPORT TRUST FUND . . . . .		78,824
779	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND . . . . .	856,495	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		107,210
	FROM FORFEITURE AND INVESTIGATIVE		
	SUPPORT TRUST FUND . . . . .		9,047
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		41,211
780	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	37,341	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		43,138
781	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		

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	FROM GENERAL REVENUE FUND . . . . .	9,874	
782	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	14,562	
TOTAL: PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	11,852,460	
	FROM TRUST FUNDS . . . . .		2,685,219
	TOTAL POSITIONS . . . . .	231.75	
	TOTAL ALL FUNDS . . . . .		14,537,679

PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT

	APPROVED SALARY RATE	5,753,976	
783	SALARIES AND BENEFITS POSITIONS	116.00	
	FROM GENERAL REVENUE FUND . . . . .	6,289,604	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		757,411
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		374,348
784	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	25,381	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		141,480
784A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		108,000
785	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND . . . . .	353,565	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		224,139
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		1,500
786	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	7,923	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		7,118
787	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	8,093	
787A	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		3,000
TOTAL: PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	6,684,566	
	FROM TRUST FUNDS . . . . .		1,616,996
	TOTAL POSITIONS . . . . .	116.00	
	TOTAL ALL FUNDS . . . . .		8,301,562

PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT

	APPROVED SALARY RATE	3,516,387	
788	SALARIES AND BENEFITS POSITIONS	71.00	
	FROM GENERAL REVENUE FUND . . . . .	3,673,037	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		496,585
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		243,753

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789	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	7,857	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		6,372
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		5,068
790	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND . . . . .	181,966	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		27,204
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		76,701
791	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	11,095	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		17,759
792	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	6,034	
793	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	35,000	
TOTAL: PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	3,914,989	
	FROM TRUST FUNDS . . . . .		873,442
	TOTAL POSITIONS . . . . .	71.00	
	TOTAL ALL FUNDS . . . . .		4,788,431

PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT

	APPROVED SALARY RATE	17,104,869	
794	SALARIES AND BENEFITS POSITIONS	371.00	
	FROM GENERAL REVENUE FUND . . . . .	18,274,722	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		2,247,555
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		975,047

From the positions and funds provided in Specific Appropriation 794, three full-time equivalent positions with associated rate of 159,225 and \$224,957 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

795	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	139,844	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		178,090
	FROM FORFEITURE AND INVESTIGATIVE		
	SUPPORT TRUST FUND . . . . .		55,000
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		33,189
795A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM FORFEITURE AND INVESTIGATIVE		
	SUPPORT TRUST FUND . . . . .		80,000
796	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND . . . . .	279,262	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .		335,658
	FROM FORFEITURE AND INVESTIGATIVE		

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	SUPPORT TRUST FUND . . . . .	110,800	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	14,800	
797	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	18,689	
	FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	78,050	
798	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . .	11,404	
799	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	6,150	
TOTAL: PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	18,730,071	
	FROM TRUST FUNDS . . . . .	4,108,189	
	TOTAL POSITIONS . . . . .	371.00	
	TOTAL ALL FUNDS . . . . .	22,838,260	
PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	12,240,284	
800	SALARIES AND BENEFITS POSITIONS 239.00 FROM GENERAL REVENUE FUND . . . . .	13,349,648	
	FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	1,108,467	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	967,263	
801	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	10,599	
	FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	37,063	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	86,302	
802	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . .	488,267	
	FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	40,678	
803	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	27,900	
	FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	13,261	
804	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . .	15,740	
805	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	41,500	
TOTAL: PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	13,933,654	
	FROM TRUST FUNDS . . . . .	2,253,034	
	TOTAL POSITIONS . . . . .	239.00	
	TOTAL ALL FUNDS . . . . .	16,186,688	
PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	22,575,558	

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806	SALARIES AND BENEFITS POSITIONS 475.00 FROM GENERAL REVENUE FUND . . . . .	22,689,391	
	FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	3,014,371	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	3,088,461	
807	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	86,869	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	34,737	
807A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	90,060	
808	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . .	476,061	
	FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	232,453	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	569,866	
809	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	82,995	
	FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	72,904	
810	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . .	22,724	
811	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	2,520	
812	SPECIAL CATEGORIES SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FROM GRANTS AND DONATIONS TRUST FUND . . . . .	109,631	
TOTAL: PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	23,360,560	
	FROM TRUST FUNDS . . . . .	7,212,483	
	TOTAL POSITIONS . . . . .	475.00	
	TOTAL ALL FUNDS . . . . .	30,573,043	
PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	11,204,834	
813	SALARIES AND BENEFITS POSITIONS 242.00 FROM GENERAL REVENUE FUND . . . . .	11,970,612	
	FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	1,866,010	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	439,941	
814	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	39,274	
	FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	73,887	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	9,980	
814A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES		



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	FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		145,439
815	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	588,416	342,348 158,681
816	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	42,146	55,077
817	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	6,094	17,620 2,380
818	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	32,381	
819	SPECIAL CATEGORIES SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FROM GRANTS AND DONATIONS TRUST FUND . . . . .		31,362
TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	12,678,923	
	FROM TRUST FUNDS . . . . .		3,142,725
	TOTAL POSITIONS . . . . .	242.00	
	TOTAL ALL FUNDS . . . . .		15,821,648
PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	6,298,150	
820	SALARIES AND BENEFITS POSITIONS 138.00 FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	7,041,966	643,906 413,692
821	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	8,533	54,605 34,329
821A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		112,500
822	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	284,761	18,485 9,040

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823	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		50,121 46
824	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . .		13,506
825	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .		7,306
TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	7,406,193	
	FROM TRUST FUNDS . . . . .		1,286,603
	TOTAL POSITIONS . . . . .	138.00	
	TOTAL ALL FUNDS . . . . .		8,692,796
PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	17,387,399	
826	SALARIES AND BENEFITS POSITIONS 364.50 FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . . FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	19,822,247	1,218,476 311,695 1,000,167
From the positions and funds provided in Specific Appropriation 826, five full-time equivalent positions with associated salary rate of 267,173 and \$387,207 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.			
827	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . . FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .		140,793 291,200 141,817 1,000
828	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . . FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	872,682	197,029 114,042 18,966
829	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	66,449	75,023
830	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . .		26,486
831	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .		55,416
TOTAL: PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT			

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FROM GENERAL REVENUE FUND . . . . .	20,984,073	
FROM TRUST FUNDS . . . . .		3,369,415
TOTAL POSITIONS . . . . .	364.50	
TOTAL ALL FUNDS . . . . .		24,353,488

## PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	10,878,770	
832 SALARIES AND BENEFITS POSITIONS	216.00	
FROM GENERAL REVENUE FUND . . . . .	10,669,781	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		2,937,303
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		921,203
833 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	31,189	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		65,818
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		33,018
833A SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		52,000
834 SPECIAL CATEGORIES		
STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND . . . . .	185,530	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		203,328
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		210,985
835 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND . . . . .	40,312	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		53,924
836 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND . . . . .	14,365	
837 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND . . . . .	32,032	
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		7,356
838 SPECIAL CATEGORIES		
SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		72,132
TOTAL: PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND . . . . .	10,973,209	
FROM TRUST FUNDS . . . . .		4,557,067
TOTAL POSITIONS . . . . .	216.00	
TOTAL ALL FUNDS . . . . .		15,530,276

## PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	53,284,994
839 SALARIES AND BENEFITS POSITIONS	1,265.00
FROM GENERAL REVENUE FUND . . . . .	42,596,793
FROM STATE ATTORNEYS REVENUE TRUST	

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FUND . . . . .	3,603,148
FROM CHILD SUPPORT TRUST FUND . . .	18,043,856
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND . . . . .	203,307
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	3,076,887

From the positions and funds provided in Specific Appropriation 839, three full-time equivalent positions with associated salary rate of 254,047 and \$362,380 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

Additionally, two full-time equivalent positions with associated salary rate of 91,981 and \$133,307 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.

840 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	239,005	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		154,922
FROM CHILD SUPPORT TRUST FUND . . .		748,300
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		85,131
840A SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND . . . . .		169,352
841 SPECIAL CATEGORIES		
STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND . . . . .	773,140	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		419,390
FROM CHILD SUPPORT TRUST FUND . . .		3,824,448
FROM CIVIL RICO TRUST FUND . . . . .		200,020
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND . . . . .		203,700
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		736,527
842 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND . . . . .	391,606	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		302,178
FROM CHILD SUPPORT TRUST FUND . . .		22,384
843 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND . . . . .	22,221	
844 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND . . . . .	3,600	

## TOTAL: PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT

FROM GENERAL REVENUE FUND . . . . .	44,026,365	
FROM TRUST FUNDS . . . . .		31,793,550
TOTAL POSITIONS . . . . .	1,265.00	
TOTAL ALL FUNDS . . . . .		75,819,915

## PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	8,633,881	
845 SALARIES AND BENEFITS POSITIONS	182.00	
FROM GENERAL REVENUE FUND . . . . .	9,876,765	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		
		1,203,428

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	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		131,823
846	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	23,211	
846A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		42,000
847	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	408,517	89,785
848	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	45,418	11,039
849	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . .	9,461	
850	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	367	
TOTAL: PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	10,363,739	
	FROM TRUST FUNDS . . . . .		1,478,075
	TOTAL POSITIONS . . . . .	182.00	
	TOTAL ALL FUNDS . . . . .		11,841,814

PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL  
CIRCUIT

	APPROVED SALARY RATE	16,787,971	
851	SALARIES AND BENEFITS POSITIONS	357.00	
	FROM GENERAL REVENUE FUND . . . . .	18,045,160	
	FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		1,995,123
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		888,764

From the positions and funds provided in Specific Appropriation 851, two full-time equivalent positions with associated salary rate of 94,177 and \$136,488 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

Additionally, two full-time equivalent positions with associated salary rate of 85,834 and \$124,398 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.

852	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	119,228	11,122 7,755
852A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . . FROM CIVIL RICO TRUST FUND . . . . .		55,250 69,750
853	SPECIAL CATEGORIES		

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	STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	638,990	180,196
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		81,630
854	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	70,006	33,613
855	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . .	6,827	
856	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	9,580	
857	SPECIAL CATEGORIES SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FROM GRANTS AND DONATIONS TRUST FUND . . . . .		405,234
TOTAL: PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	18,889,791	
	FROM TRUST FUNDS . . . . .		3,728,437
	TOTAL POSITIONS . . . . .	357.00	
	TOTAL ALL FUNDS . . . . .		22,618,228

PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL  
CIRCUIT

	APPROVED SALARY RATE	5,771,075	
858	SALARIES AND BENEFITS POSITIONS	123.00	
	FROM GENERAL REVENUE FUND . . . . .	6,552,363	
	FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		498,745
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		387,461
859	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	9,899	29,900
859A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		80,000
860	SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . . FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	238,320	6,676
861	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		75,887
862	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . .	7,697	
863	SPECIAL CATEGORIES		

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LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	2,295	
TOTAL: PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND . . . . .	6,810,574	
FROM TRUST FUNDS . . . . .		1,078,669
TOTAL POSITIONS . . . . .	123.00	
TOTAL ALL FUNDS . . . . .		7,889,243

PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL  
CIRCUIT

APPROVED SALARY RATE	16,326,535	
864 SALARIES AND BENEFITS POSITIONS	331.00	
FROM GENERAL REVENUE FUND . . . . .	17,357,397	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		2,100,518
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND . . . . .		302,020
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		1,033,583

From the positions and funds provided in Specific Appropriation 864, two full-time equivalent positions with associated salary rate of 101,694 and \$143,720 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

Additionally, two full-time equivalent positions with associated salary rate of 107,261 and \$143,720 from the Grants and Donations Trust Fund are provided solely for prosecution of workers compensation insurance fraud.

865 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	74,365	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		61,018
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		5,000

865A SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		110,000

866 SPECIAL CATEGORIES		
STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND . . . . .	601,694	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		198,129
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND . . . . .		64,459
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		26,000

867 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND . . . . .	42,566	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		70,782
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND . . . . .		40,498

868 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND . . . . .	10,569	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		950
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		50

869 SPECIAL CATEGORIES		
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SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
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APPROPRIATION

LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	10,000	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		60,000
TOTAL: PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND . . . . .	18,096,591	
FROM TRUST FUNDS . . . . .		4,073,007
TOTAL POSITIONS . . . . .	331.00	
TOTAL ALL FUNDS . . . . .		22,169,598

PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL  
CIRCUIT

APPROVED SALARY RATE	3,070,579	
870 SALARIES AND BENEFITS POSITIONS	62.00	
FROM GENERAL REVENUE FUND . . . . .	3,347,091	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		367,603
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		186,305

871 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	15,490	
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		76,054

871A SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		25,000

872 SPECIAL CATEGORIES		
STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND . . . . .	135,049	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		54,509
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		106,514

873 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND . . . . .	23,890	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .		90,191
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		9,185

874 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND . . . . .	7,041	

875 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND . . . . .	3,615	

TOTAL: PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND . . . . .	3,532,176	
FROM TRUST FUNDS . . . . .		915,361
TOTAL POSITIONS . . . . .	62.00	
TOTAL ALL FUNDS . . . . .		4,447,537

PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL  
CIRCUIT

APPROVED SALARY RATE	23,779,799	
876 SALARIES AND BENEFITS POSITIONS	511.00	
FROM GENERAL REVENUE FUND . . . . .	26,646,971	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
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FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	3,191,785
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND . . . . .	172,328
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	1,193,342

From the positions and funds provided in Specific Appropriation 876,  
two full-time equivalent positions with associated salary rate of  
100,947 and \$143,720 from the Grants and Donations Trust Fund are  
provided for prosecution of insurance fraud.

Additionally, two full-time equivalent positions with associated salary  
rate of 107,261 and \$143,720 from the Grants and Donations Trust Fund  
are provided solely for prosecution of workers compensation insurance  
fraud.

877 OTHER PERSONAL SERVICES	
FROM GENERAL REVENUE FUND . . . . .	114,991
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	122,864
878 SPECIAL CATEGORIES	
STATE ATTORNEY OPERATING EXPENDITURES	
FROM GENERAL REVENUE FUND . . . . .	1,064,116
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	166,042
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	34,601
879 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM GENERAL REVENUE FUND . . . . .	206,653
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	207,728
880 SPECIAL CATEGORIES	
SALARY INCENTIVE PAYMENTS	
FROM GENERAL REVENUE FUND . . . . .	23,491
881 SPECIAL CATEGORIES	
LEASE OR LEASE-PURCHASE OF EQUIPMENT	
FROM GENERAL REVENUE FUND . . . . .	96,483
882 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	199
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	53
TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT	
FROM GENERAL REVENUE FUND . . . . .	28,152,705
FROM TRUST FUNDS . . . . .	5,088,942
TOTAL POSITIONS . . . . .	511.00
TOTAL ALL FUNDS . . . . .	33,241,647
PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT	
APPROVED SALARY RATE	13,881,795
885 SALARIES AND BENEFITS POSITIONS	294.00
FROM GENERAL REVENUE FUND . . . . .	14,921,987
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	1,785,682
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	908,818

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
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APPROPRIATION

886 OTHER PERSONAL SERVICES	
FROM GENERAL REVENUE FUND . . . . .	25,100
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	19,988
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	12,512
886A SPECIAL CATEGORIES	
ACQUISITION OF MOTOR VEHICLES	
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	55,500
887 SPECIAL CATEGORIES	
STATE ATTORNEY OPERATING EXPENDITURES	
FROM GENERAL REVENUE FUND . . . . .	610,738
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	38,459
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	64,924
888 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM GENERAL REVENUE FUND . . . . .	52,967
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	28,625
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	6,231
889 SPECIAL CATEGORIES	
SALARY INCENTIVE PAYMENTS	
FROM GENERAL REVENUE FUND . . . . .	9,587
890 SPECIAL CATEGORIES	
LEASE OR LEASE-PURCHASE OF EQUIPMENT	
FROM GENERAL REVENUE FUND . . . . .	5,130
TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT	
FROM GENERAL REVENUE FUND . . . . .	15,625,509
FROM TRUST FUNDS . . . . .	2,920,739
TOTAL POSITIONS . . . . .	294.00
TOTAL ALL FUNDS . . . . .	18,546,248
PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT	
APPROVED SALARY RATE	7,693,224
891 SALARIES AND BENEFITS POSITIONS	166.00
FROM GENERAL REVENUE FUND . . . . .	7,980,183
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	1,124,116
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	616,960
892 OTHER PERSONAL SERVICES	
FROM GENERAL REVENUE FUND . . . . .	19,414
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	76,678
893 SPECIAL CATEGORIES	
STATE ATTORNEY OPERATING EXPENDITURES	
FROM GENERAL REVENUE FUND . . . . .	517,700
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	19,588
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	36,372
894 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM GENERAL REVENUE FUND . . . . .	15,624
FROM STATE ATTORNEYS REVENUE TRUST FUND . . . . .	12,276

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895	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	8,764	
896	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	2,798	
897	SPECIAL CATEGORIES		
	LEAVE LIABILITY		
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .	189,754	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .	10,581	
TOTAL: PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	8,544,483	
	FROM TRUST FUNDS . . . . .	2,086,325	
	TOTAL POSITIONS . . . . .	166.00	
	TOTAL ALL FUNDS . . . . .	10,630,808	
PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	13,916,048	
898	SALARIES AND BENEFITS POSITIONS	310.00	
	FROM GENERAL REVENUE FUND . . . . .	15,127,935	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .	1,281,227	
	FROM CIVIL RICO TRUST FUND . . . . .	101,648	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .	1,374,500	
899	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	52,100	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .	85,767	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .	10,925	
899A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .	100,000	
900	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND . . . . .	796,802	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .	94,087	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .	38,923	
901	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	57,277	
	FROM STATE ATTORNEYS REVENUE TRUST		
	FUND . . . . .	32,894	
902	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	21,024	
TOTAL: PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	16,055,138	
	FROM TRUST FUNDS . . . . .	3,119,971	
	TOTAL POSITIONS . . . . .	310.00	
	TOTAL ALL FUNDS . . . . .	19,175,109	

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PUBLIC DEFENDERS			
The Public Defenders Coordination Office's budgeting, legal, training and education needs may be funded by each Public Defender's office within the funds provided in Specific Appropriations 903 through 1008. Funding for this office shall not exceed \$450,000 from the Indigent Criminal Defense Trust Fund. In addition, each Public Defender Office must submit to the Florida Public Defenders Association on a quarterly basis the caseload report developed by the Association.			
PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	5,636,128	
903	SALARIES AND BENEFITS POSITIONS	120.00	
	FROM GENERAL REVENUE FUND . . . . .	6,506,768	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND . . . . .		204,977
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		117,020
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND . . . . .		770,603
904	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	22,604	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		6,977
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND . . . . .		222,860
905	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND . . . . .		67,500
906	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND . . . . .	191,206	
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		5,000
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND . . . . .		142,129
907	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	13,487	
	FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND . . . . .		13,003
908	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	4,770	
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	6,738,835	
	FROM TRUST FUNDS . . . . .		1,550,069
	TOTAL POSITIONS . . . . .	120.00	
	TOTAL ALL FUNDS . . . . .		8,288,904
PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT			
	APPROVED SALARY RATE	4,035,928	
909	SALARIES AND BENEFITS POSITIONS	85.00	
	FROM GENERAL REVENUE FUND . . . . .	4,518,398	
	FROM PUBLIC DEFENDERS REVENUE		
	TRUST FUND . . . . .		167,257
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		95,912
	FROM INDIGENT CRIMINAL DEFENSE		

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TRUST FUND . . . . .			300,983
910 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND . . . . .	20,487		
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			99,172
911 SPECIAL CATEGORIES			
PUBLIC DEFENDER OPERATING EXPENDITURES			
FROM GENERAL REVENUE FUND . . . . .	153,981		
FROM GRANTS AND DONATIONS TRUST			
FUND . . . . .			1,677
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			114,267
912 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND . . . . .	13,991		
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			12,132
913 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND . . . . .	7,617		
TOTAL: PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL			
CIRCUIT			
FROM GENERAL REVENUE FUND . . . . .	4,714,474		
FROM TRUST FUNDS . . . . .			791,400
TOTAL POSITIONS . . . . .	85.00		
TOTAL ALL FUNDS . . . . .			5,505,874
PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT			
APPROVED SALARY RATE	1,895,615		
914 SALARIES AND BENEFITS POSITIONS	31.00		
FROM GENERAL REVENUE FUND . . . . .	2,120,663		
FROM PUBLIC DEFENDERS REVENUE			
TRUST FUND . . . . .			65,670
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			182,947
915 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND . . . . .	251		
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			107,765
916 SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			38,000
917 SPECIAL CATEGORIES			
PUBLIC DEFENDER OPERATING EXPENDITURES			
FROM GENERAL REVENUE FUND . . . . .	83,961		
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			32,531
918 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			6,476
919 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND . . . . .	1,991		
TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT			
FROM GENERAL REVENUE FUND . . . . .	2,206,866		
FROM TRUST FUNDS . . . . .			433,389
TOTAL POSITIONS . . . . .	31.00		

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TOTAL ALL FUNDS . . . . .			2,640,255
PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL			
CIRCUIT			
APPROVED SALARY RATE	7,862,754		
920 SALARIES AND BENEFITS POSITIONS	151.00		
FROM GENERAL REVENUE FUND . . . . .	8,757,045		
FROM PUBLIC DEFENDERS REVENUE			
TRUST FUND . . . . .			277,112
FROM GRANTS AND DONATIONS TRUST			
FUND . . . . .			194,772
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			589,151
921 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND . . . . .	22,001		
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			132,308
921A SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			69,000
922 SPECIAL CATEGORIES			
PUBLIC DEFENDER OPERATING EXPENDITURES			
FROM GENERAL REVENUE FUND . . . . .	262,193		
FROM GRANTS AND DONATIONS TRUST			
FUND . . . . .			50,000
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			147,636
923 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND . . . . .	18,348		
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			25,608
924 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND . . . . .	2,305		
925 SPECIAL CATEGORIES			
SALARIES AND BENEFITS - AMERICAN RECOVERY			
AND REINVESTMENT ACT OF 2009			
FROM GRANTS AND DONATIONS TRUST			
FUND . . . . .			37,500
TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL			
CIRCUIT			
FROM GENERAL REVENUE FUND . . . . .	9,061,892		
FROM TRUST FUNDS . . . . .			1,523,087
TOTAL POSITIONS . . . . .	151.00		
TOTAL ALL FUNDS . . . . .			10,584,979
PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT			
APPROVED SALARY RATE	5,036,767		
926 SALARIES AND BENEFITS POSITIONS	109.00		
FROM GENERAL REVENUE FUND . . . . .	5,836,982		
FROM PUBLIC DEFENDERS REVENUE			
TRUST FUND . . . . .			172,203
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			659,820
927 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND . . . . .	21,727		
FROM INDIGENT CRIMINAL DEFENSE			
TRUST FUND . . . . .			417,630

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS SPECIFIC APPROPRIATION				SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS SPECIFIC APPROPRIATION			
927A	SPECIAL CATEGORIES			TOTAL POSITIONS . . . . .	228.00		
	ACQUISITION OF MOTOR VEHICLES			TOTAL ALL FUNDS . . . . .		15,290,947	
	FROM INDIGENT CRIMINAL DEFENSE			PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL			
	TRUST FUND . . . . .	34,000		CIRCUIT			
928	SPECIAL CATEGORIES			APPROVED SALARY RATE	5,454,345		
	PUBLIC DEFENDER OPERATING EXPENDITURES			936	SALARIES AND BENEFITS POSITIONS	114.00	
	FROM GENERAL REVENUE FUND . . . . .	109,560			FROM GENERAL REVENUE FUND . . . . .	6,437,552	
	FROM GRANTS AND DONATIONS TRUST				FROM PUBLIC DEFENDERS REVENUE		
	FUND . . . . .	2,000			TRUST FUND . . . . .		202,691
	FROM INDIGENT CRIMINAL DEFENSE				FROM GRANTS AND DONATIONS TRUST		
	TRUST FUND . . . . .	191,830			FUND . . . . .		76,517
929	SPECIAL CATEGORIES				FROM INDIGENT CRIMINAL DEFENSE		
	RISK MANAGEMENT INSURANCE				TRUST FUND . . . . .		339,660
	FROM GENERAL REVENUE FUND . . . . .	16,261		937	OTHER PERSONAL SERVICES		
	FROM INDIGENT CRIMINAL DEFENSE				FROM GENERAL REVENUE FUND . . . . .	30	
	TRUST FUND . . . . .	8,004			FROM INDIGENT CRIMINAL DEFENSE		
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT					TRUST FUND . . . . .		3,230
	FROM GENERAL REVENUE FUND . . . . .	5,984,530		938	SPECIAL CATEGORIES		
	FROM TRUST FUNDS . . . . .	1,485,487			PUBLIC DEFENDER OPERATING EXPENDITURES		
	TOTAL POSITIONS . . . . .	109.00			FROM GENERAL REVENUE FUND . . . . .	122,939	
	TOTAL ALL FUNDS . . . . .	7,470,017			FROM INDIGENT CRIMINAL DEFENSE		
PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT					TRUST FUND . . . . .		121,860
	APPROVED SALARY RATE	11,036,035		939	SPECIAL CATEGORIES		
930	SALARIES AND BENEFITS POSITIONS	228.00			RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	12,190,922			FROM GENERAL REVENUE FUND . . . . .	29,929	
	FROM PUBLIC DEFENDERS REVENUE				FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND . . . . .	373,828			TRUST FUND . . . . .		8,717
	FROM GRANTS AND DONATIONS TRUST			940	SPECIAL CATEGORIES		
	FUND . . . . .	359,740			LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INDIGENT CRIMINAL DEFENSE				FROM GENERAL REVENUE FUND . . . . .	14,589	
	TRUST FUND . . . . .	1,047,378		TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL			
931	OTHER PERSONAL SERVICES			CIRCUIT			
	FROM GENERAL REVENUE FUND . . . . .	78,566			FROM GENERAL REVENUE FUND . . . . .	6,605,039	
	FROM GRANTS AND DONATIONS TRUST				FROM TRUST FUNDS . . . . .		752,675
	FUND . . . . .	4,836			TOTAL POSITIONS . . . . .	114.00	
	FROM INDIGENT CRIMINAL DEFENSE				TOTAL ALL FUNDS . . . . .		7,357,714
	TRUST FUND . . . . .	149,532		PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL			
932	SPECIAL CATEGORIES			CIRCUIT			
	ACQUISITION OF MOTOR VEHICLES			APPROVED SALARY RATE	3,612,668		
	FROM INDIGENT CRIMINAL DEFENSE			941	SALARIES AND BENEFITS POSITIONS	74.00	
	TRUST FUND . . . . .	57,000			FROM GENERAL REVENUE FUND . . . . .	4,282,526	
933	SPECIAL CATEGORIES				FROM PUBLIC DEFENDERS REVENUE		
	PUBLIC DEFENDER OPERATING EXPENDITURES				TRUST FUND . . . . .		134,167
	FROM GENERAL REVENUE FUND . . . . .	677,076			FROM INDIGENT CRIMINAL DEFENSE		
	FROM GRANTS AND DONATIONS TRUST				TRUST FUND . . . . .		340,251
	FUND . . . . .	8,000		942	OTHER PERSONAL SERVICES		
	FROM INDIGENT CRIMINAL DEFENSE				FROM GENERAL REVENUE FUND . . . . .	12,759	
	TRUST FUND . . . . .	250,822			FROM INDIGENT CRIMINAL DEFENSE		
934	SPECIAL CATEGORIES				TRUST FUND . . . . .		36,600
	RISK MANAGEMENT INSURANCE			942A	SPECIAL CATEGORIES		
	FROM GENERAL REVENUE FUND . . . . .	38,295			ACQUISITION OF MOTOR VEHICLES		
	FROM INDIGENT CRIMINAL DEFENSE				FROM INDIGENT CRIMINAL DEFENSE		
	TRUST FUND . . . . .	3,952			TRUST FUND . . . . .		23,000
935	SPECIAL CATEGORIES			943	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT				PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM INDIGENT CRIMINAL DEFENSE				FROM GENERAL REVENUE FUND . . . . .	98,884	
	TRUST FUND . . . . .	51,000			FROM GRANTS AND DONATIONS TRUST		
TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT					FUND . . . . .		5,000
	FROM GENERAL REVENUE FUND . . . . .	12,984,859			FROM INDIGENT CRIMINAL DEFENSE		
	FROM TRUST FUNDS . . . . .	2,306,088					



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TRUST FUND . . . . .	59,227	
944 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	12,276	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .	17,844	
945 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .	3,651	
TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND . . . . .	4,406,445	
FROM TRUST FUNDS . . . . .	619,740	
TOTAL POSITIONS . . . . .	74.00	
TOTAL ALL FUNDS . . . . .	5,026,185	
PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT APPROVED SALARY RATE . . . . .	9,820,209	
946 SALARIES AND BENEFITS POSITIONS 220.00 FROM GENERAL REVENUE FUND . . . . .	9,316,730	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND . . . . .	269,118	
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	815,245	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .	1,510,725	
947 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	25,000	
FROM GRANTS AND DONATIONS TRUST FUND . . . . .	7,500	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .	141,520	
947A SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .	69,678	
948 SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . .	706,253	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .	120,440	
949 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	33,669	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .	31,323	
950 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	23,000	
951 SPECIAL CATEGORIES SALARIES AND BENEFITS - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FROM GRANTS AND DONATIONS TRUST FUND . . . . .	45,000	
TOTAL: PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND . . . . .	10,104,652	
FROM TRUST FUNDS . . . . .	3,010,549	
TOTAL POSITIONS . . . . .	220.00	

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TOTAL ALL FUNDS . . . . .	13,115,201	
PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT APPROVED SALARY RATE . . . . .	5,413,126	
952 SALARIES AND BENEFITS POSITIONS 114.00 FROM GENERAL REVENUE FUND . . . . .	6,011,253	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND . . . . .		189,312
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		574,197
953 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	12,424	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		57,430
954 SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . .	174,642	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		164,621
955 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	19,082	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		5,626
956 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		3,132
TOTAL: PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND . . . . .	6,217,401	
FROM TRUST FUNDS . . . . .		994,318
TOTAL POSITIONS . . . . .	114.00	
TOTAL ALL FUNDS . . . . .		7,211,719
PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT APPROVED SALARY RATE . . . . .	20,232,723	
957 SALARIES AND BENEFITS POSITIONS 384.00 FROM GENERAL REVENUE FUND . . . . .	22,120,605	
FROM PUBLIC DEFENDERS REVENUE TRUST FUND . . . . .		702,330
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		1,543,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		651,087
958 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	101,863	
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		70,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		169,016
959 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND . . . . .	3,233	
960 SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . .	455,852	
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		10,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		84,580

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961 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 93,305  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 67,334

962 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 1,333

TOTAL: PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL  
CIRCUIT  
FROM GENERAL REVENUE FUND . . . . . 22,776,191  
FROM TRUST FUNDS . . . . . 3,297,347  
  
TOTAL POSITIONS . . . . . 384.00  
TOTAL ALL FUNDS . . . . . 26,073,538

PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL  
CIRCUIT

APPROVED SALARY RATE 4,768,644

963 SALARIES AND BENEFITS POSITIONS 97.50  
FROM GENERAL REVENUE FUND . . . . . 5,045,201  
FROM PUBLIC DEFENDERS REVENUE  
TRUST FUND . . . . . 158,657  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 150,594  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 594,435

964 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 19,836  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 20,000

965 SPECIAL CATEGORIES  
PUBLIC DEFENDER OPERATING EXPENDITURES  
FROM GENERAL REVENUE FUND . . . . . 222,605  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 58,400  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 42,782

966 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 18,255

TOTAL: PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL  
CIRCUIT  
FROM GENERAL REVENUE FUND . . . . . 5,287,642  
FROM TRUST FUNDS . . . . . 1,043,123  
  
TOTAL POSITIONS . . . . . 97.50  
TOTAL ALL FUNDS . . . . . 6,330,765

PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL  
CIRCUIT

APPROVED SALARY RATE 11,220,889

967 SALARIES AND BENEFITS POSITIONS 220.50  
FROM GENERAL REVENUE FUND . . . . . 10,881,457  
FROM PUBLIC DEFENDERS REVENUE  
TRUST FUND . . . . . 344,757  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 1,232,681  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 1,253,900

968 OTHER PERSONAL SERVICES

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

FROM GENERAL REVENUE FUND . . . . . 46,413  
FROM PUBLIC DEFENDERS REVENUE  
TRUST FUND . . . . . 100,000  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 100,000  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 11,201

969 SPECIAL CATEGORIES  
ACQUISITION OF MOTOR VEHICLES  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 44,000

970 SPECIAL CATEGORIES  
PUBLIC DEFENDER OPERATING EXPENDITURES  
FROM GENERAL REVENUE FUND . . . . . 522,060  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 107,844  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 107,983

971 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 21,198  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 14,483  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 7,554

972 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 2,835

TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL  
CIRCUIT  
FROM GENERAL REVENUE FUND . . . . . 11,473,963  
FROM TRUST FUNDS . . . . . 3,324,403  
  
TOTAL POSITIONS . . . . . 220.50  
TOTAL ALL FUNDS . . . . . 14,798,366

PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL  
CIRCUIT

APPROVED SALARY RATE 3,317,549

973 SALARIES AND BENEFITS POSITIONS 62.00  
FROM GENERAL REVENUE FUND . . . . . 3,557,740  
FROM PUBLIC DEFENDERS REVENUE  
TRUST FUND . . . . . 111,139  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 52,618  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 486,198

974 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 7,101  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 254,901

975 SPECIAL CATEGORIES  
PUBLIC DEFENDER OPERATING EXPENDITURES  
FROM GENERAL REVENUE FUND . . . . . 127,551  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 15,000  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 141,361

976 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 9,636

977 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 2,855

TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL  
CIRCUIT  
FROM GENERAL REVENUE FUND . . . . . 3,702,028  
FROM TRUST FUNDS . . . . . 1,064,072

TOTAL POSITIONS . . . . . 62.00  
TOTAL ALL FUNDS . . . . . 4,766,100

PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL  
CIRCUIT

APPROVED SALARY RATE 9,246,460

978 SALARIES AND BENEFITS POSITIONS 189.00  
FROM GENERAL REVENUE FUND . . . . . 10,323,619  
FROM PUBLIC DEFENDERS REVENUE  
TRUST FUND . . . . . 326,768  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 173,893  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 582,788

979 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 47,601  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 114,866  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 27,708

980 SPECIAL CATEGORIES  
PUBLIC DEFENDER OPERATING EXPENDITURES  
FROM GENERAL REVENUE FUND . . . . . 149,103  
  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 78,670  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 277,369

981 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 30,156  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 8,047

982 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 9,375

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL  
CIRCUIT  
FROM GENERAL REVENUE FUND . . . . . 10,550,479  
FROM TRUST FUNDS . . . . . 1,599,484

TOTAL POSITIONS . . . . . 189.00  
TOTAL ALL FUNDS . . . . . 12,149,963

PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL  
CIRCUIT

APPROVED SALARY RATE 2,157,022

983 SALARIES AND BENEFITS POSITIONS 41.00  
FROM GENERAL REVENUE FUND . . . . . 2,396,099  
FROM PUBLIC DEFENDERS REVENUE  
TRUST FUND . . . . . 74,403  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 38,990  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 120,481

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

984 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 6,968  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 5,000  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 1,347

985 SPECIAL CATEGORIES  
PUBLIC DEFENDER OPERATING EXPENDITURES  
FROM GENERAL REVENUE FUND . . . . . 65,086  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 10,000  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 17,760

986 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 3,045  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 2,279

987 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 930

TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL  
CIRCUIT  
FROM GENERAL REVENUE FUND . . . . . 2,472,128  
FROM TRUST FUNDS . . . . . 270,260

TOTAL POSITIONS . . . . . 41.00  
TOTAL ALL FUNDS . . . . . 2,742,388

PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL  
CIRCUIT

APPROVED SALARY RATE 12,100,132

988 SALARIES AND BENEFITS POSITIONS 224.00  
FROM GENERAL REVENUE FUND . . . . . 12,742,761  
  
FROM PUBLIC DEFENDERS REVENUE  
TRUST FUND . . . . . 404,270  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 842,678  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 1,629,079

989 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 82,254  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 150,708  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 36,000

990 SPECIAL CATEGORIES  
PUBLIC DEFENDER OPERATING EXPENDITURES  
FROM GENERAL REVENUE FUND . . . . . 424,593  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 208,165

991 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 47,036  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 56,592

992 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 3,812

993 SPECIAL CATEGORIES  
SALARIES AND BENEFITS - AMERICAN RECOVERY  
AND REINVESTMENT ACT OF 2009

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS SPECIFIC APPROPRIATION				
FROM GRANTS AND DONATIONS TRUST FUND . . . . .			65,625	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT				
FROM GENERAL REVENUE FUND . . . . .	13,300,456			
FROM TRUST FUNDS . . . . .		3,393,117		
TOTAL POSITIONS . . . . .	224.00			
TOTAL ALL FUNDS . . . . .		16,693,573		
PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT				
APPROVED SALARY RATE	6,024,920			
994 SALARIES AND BENEFITS POSITIONS	119.00			
FROM GENERAL REVENUE FUND . . . . .	5,688,328			
FROM PUBLIC DEFENDERS REVENUE TRUST FUND . . . . .		179,083		
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		1,264,592		
995 OTHER PERSONAL SERVICES				
FROM GENERAL REVENUE FUND . . . . .	12,792			
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		28,160		
995A SPECIAL CATEGORIES				
ACQUISITION OF MOTOR VEHICLES FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		38,100		
996 SPECIAL CATEGORIES				
PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . .	337,745			
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		5,000		
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		297,178		
997 SPECIAL CATEGORIES				
RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	25,840			
998 SPECIAL CATEGORIES				
LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		5,236		
TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT				
FROM GENERAL REVENUE FUND . . . . .	6,064,705			
FROM TRUST FUNDS . . . . .		1,817,349		
TOTAL POSITIONS . . . . .	119.00			
TOTAL ALL FUNDS . . . . .		7,882,054		
PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT				
APPROVED SALARY RATE	4,075,829			
999 SALARIES AND BENEFITS POSITIONS	78.00			
FROM GENERAL REVENUE FUND . . . . .	4,025,516			
FROM PUBLIC DEFENDERS REVENUE TRUST FUND . . . . .		126,274		
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		248,772		
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		722,636		
1000 OTHER PERSONAL SERVICES				
FROM GENERAL REVENUE FUND . . . . .	19,893			

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS SPECIFIC APPROPRIATION				
FROM GRANTS AND DONATIONS TRUST FUND . . . . .			40,000	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .			135,550	
1001 SPECIAL CATEGORIES				
PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . .	105,428			
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .			194,650	
1002 SPECIAL CATEGORIES				
RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	16,731			
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .			8,752	
1003 SPECIAL CATEGORIES				
LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .			1,440	
TOTAL: PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT				
FROM GENERAL REVENUE FUND . . . . .	4,167,568			
FROM TRUST FUNDS . . . . .			1,478,074	
TOTAL POSITIONS . . . . .	78.00			
TOTAL ALL FUNDS . . . . .			5,645,642	
PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT				
APPROVED SALARY RATE	6,505,795			
1004 SALARIES AND BENEFITS POSITIONS	138.00			
FROM GENERAL REVENUE FUND . . . . .	6,662,855			
FROM PUBLIC DEFENDERS REVENUE TRUST FUND . . . . .		198,665		
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		848,656		
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		592,115		
1005 OTHER PERSONAL SERVICES				
FROM GENERAL REVENUE FUND . . . . .	15,098			
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		20,000		
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		145,440		
1005A SPECIAL CATEGORIES				
ACQUISITION OF MOTOR VEHICLES FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .			16,400	
1006 SPECIAL CATEGORIES				
PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND . . . . .	328,894			
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		64,260		
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		145,475		
1007 SPECIAL CATEGORIES				
RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	27,594			
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND . . . . .		45,472		
1008 SPECIAL CATEGORIES				
LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	12,730			

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

TOTAL: PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL  
CIRCUIT  
FROM GENERAL REVENUE FUND . . . . . 7,047,171  
FROM TRUST FUNDS . . . . . 2,076,483  
  
TOTAL POSITIONS . . . . . 138.00  
TOTAL ALL FUNDS . . . . . 9,123,654

PUBLIC DEFENDERS APPELLATE DIVISION

PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND  
JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,877,953  
  
1009 SALARIES AND BENEFITS POSITIONS 34.00  
FROM GENERAL REVENUE FUND . . . . . 2,196,171  
  
1010 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 21,114  
  
1011 SPECIAL CATEGORIES  
PUBLIC DEFENDER OPERATING EXPENDITURES  
FROM GENERAL REVENUE FUND . . . . . 121,406  
  
1012 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 2,535  
  
TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND  
JUDICIAL CIRCUIT  
FROM GENERAL REVENUE FUND . . . . . 2,341,226  
  
TOTAL POSITIONS . . . . . 34.00  
TOTAL ALL FUNDS . . . . . 2,341,226

PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH  
JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,855,265  
  
1013 SALARIES AND BENEFITS POSITIONS 33.00  
FROM GENERAL REVENUE FUND . . . . . 2,144,105  
  
1014 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 2,370  
  
1015 SPECIAL CATEGORIES  
PUBLIC DEFENDER OPERATING EXPENDITURES  
FROM GENERAL REVENUE FUND . . . . . 131,213  
  
1016 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 6,840  
  
TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH  
JUDICIAL CIRCUIT  
FROM GENERAL REVENUE FUND . . . . . 2,284,528  
  
TOTAL POSITIONS . . . . . 33.00  
TOTAL ALL FUNDS . . . . . 2,284,528

PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH  
JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,559,448  
  
1017 SALARIES AND BENEFITS POSITIONS 50.00  
FROM GENERAL REVENUE FUND . . . . . 3,015,917  
  
1018 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 727,390

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

1019 SPECIAL CATEGORIES  
PUBLIC DEFENDER OPERATING EXPENDITURES  
FROM GENERAL REVENUE FUND . . . . . 137,289  
  
1020 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 2,568  
  
TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH  
JUDICIAL CIRCUIT  
FROM GENERAL REVENUE FUND . . . . . 3,883,164  
  
TOTAL POSITIONS . . . . . 50.00  
TOTAL ALL FUNDS . . . . . 3,883,164

PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH  
JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,670,817  
  
1021 SALARIES AND BENEFITS POSITIONS 24.00  
FROM GENERAL REVENUE FUND . . . . . 1,907,694  
  
1022 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 33,731  
  
1023 SPECIAL CATEGORIES  
PUBLIC DEFENDER OPERATING EXPENDITURES  
FROM GENERAL REVENUE FUND . . . . . 37,161  
  
TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH  
JUDICIAL CIRCUIT  
FROM GENERAL REVENUE FUND . . . . . 1,978,586  
  
TOTAL POSITIONS . . . . . 24.00  
TOTAL ALL FUNDS . . . . . 1,978,586

PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH  
JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,610,750  
  
1024 SALARIES AND BENEFITS POSITIONS 37.00  
FROM GENERAL REVENUE FUND . . . . . 3,011,050  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 101,176  
  
1025 SPECIAL CATEGORIES  
PUBLIC DEFENDER OPERATING EXPENDITURES  
FROM GENERAL REVENUE FUND . . . . . 37,677  
FROM INDIGENT CRIMINAL DEFENSE  
TRUST FUND . . . . . 50,000  
  
1026 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 2,344  
  
TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH  
JUDICIAL CIRCUIT  
FROM GENERAL REVENUE FUND . . . . . 3,051,071  
FROM TRUST FUNDS . . . . . 151,176  
  
TOTAL POSITIONS . . . . . 37.00  
TOTAL ALL FUNDS . . . . . 3,202,247

CAPITAL COLLATERAL REGIONAL COUNSELS

PROGRAM: MIDDLE REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL  
REPRESENTATION TO DEATH-ROW INMATES

APPROVED SALARY RATE 2,271,871

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

1027	SALARIES AND BENEFITS	POSITIONS	41.00	
	FROM GENERAL REVENUE FUND		2,944,857	
1028	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		28,911	
1029	SPECIAL CATEGORIES			
	CASE RELATED COSTS			
	FROM GENERAL REVENUE FUND		363,004	
	FROM CAPITAL COLLATERAL REGIONAL			
	COUNSEL TRUST FUND			150,000
1030	SPECIAL CATEGORIES			
	OPERATING EXPENDITURES			
	FROM GENERAL REVENUE FUND		425,013	
	FROM CAPITAL COLLATERAL REGIONAL			
	COUNSEL TRUST FUND			50,000
1031	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		5,605	
1032	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND		375	
TOTAL:	PROVIDE STATE REQUIRED POST CONVICTION LEGAL			
	REPRESENTATION TO DEATH-ROW INMATES			
	FROM GENERAL REVENUE FUND		3,767,765	
	FROM TRUST FUNDS			200,000
	TOTAL POSITIONS		41.00	
	TOTAL ALL FUNDS			3,967,765

## PROGRAM: SOUTHERN REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL  
REPRESENTATION TO DEATH-ROW INMATES

	APPROVED SALARY RATE		1,805,947	
1033	SALARIES AND BENEFITS	POSITIONS	32.00	
	FROM GENERAL REVENUE FUND		2,278,853	
1034	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		8	
1035	SPECIAL CATEGORIES			
	CASE RELATED COSTS			
	FROM GENERAL REVENUE FUND		473,367	
	FROM CAPITAL COLLATERAL REGIONAL			
	COUNSEL TRUST FUND			115,000
1036	SPECIAL CATEGORIES			
	OPERATING EXPENDITURES			
	FROM GENERAL REVENUE FUND		377,761	
	FROM CAPITAL COLLATERAL REGIONAL			
	COUNSEL TRUST FUND			85,000
1037	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		4,455	
1038	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND		702	
TOTAL:	PROVIDE STATE REQUIRED POST CONVICTION LEGAL			
	REPRESENTATION TO DEATH-ROW INMATES			
	FROM GENERAL REVENUE FUND		3,135,146	
	FROM TRUST FUNDS			200,000
	TOTAL POSITIONS		32.00	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

TOTAL ALL FUNDS	3,335,146
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## CRIMINAL CONFLICT AND CIVIL REGIONAL COUNSELS

From the funds in Specific Appropriations 1040A, 1047A, 1054A, 1061A, and 1068A, \$2,000 in recurring general revenue funds is provided to each Regional Conflict Counsel to fund online education and training for attorneys relating to the general fundamentals of criminal law.

## PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST

	APPROVED SALARY RATE		6,012,083	
1039	SALARIES AND BENEFITS	POSITIONS	117.00	
	FROM GENERAL REVENUE FUND		8,104,226	
1040	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		154,055	
1040A	EXPENSES			
	FROM GENERAL REVENUE FUND		2,000	
1041	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		795,349	
	FROM INDIGENT CIVIL DEFENSE TRUST			
	FUND			233,446
1042	SPECIAL CATEGORIES			
	REGIONAL CONFLICT COUNCIL OPERATIONS			
	FROM GENERAL REVENUE FUND		902,982	
1043	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		34,687	
1044	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND		9,984	
1045	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND		25,422	
TOTAL:	PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST			
	FROM GENERAL REVENUE FUND		10,028,705	
	FROM TRUST FUNDS			233,446
	TOTAL POSITIONS		117.00	
	TOTAL ALL FUNDS			10,262,151

## PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND

	APPROVED SALARY RATE		5,054,479	
1046	SALARIES AND BENEFITS	POSITIONS	104.00	
	FROM GENERAL REVENUE FUND		6,393,024	
	FROM GRANTS AND DONATIONS TRUST			
	FUND			65,860
1047	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		270,041	
1047A	EXPENSES			
	FROM GENERAL REVENUE FUND		2,000	
1048	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		1,021,113	
	FROM INDIGENT CIVIL DEFENSE TRUST			
	FUND			234,488

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
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1049	SPECIAL CATEGORIES REGIONAL CONFLICT COUNCIL OPERATIONS FROM GENERAL REVENUE FUND . . . . .	820,904	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		165,425
1050	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	32,867	
1051	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	25,000	
1052	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	24,684	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND			
	FROM GENERAL REVENUE FUND . . . . .	8,589,633	
	FROM TRUST FUNDS . . . . .		465,773
	TOTAL POSITIONS . . . . .	104.00	
	TOTAL ALL FUNDS . . . . .		9,055,406
PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD			
	APPROVED SALARY RATE	2,394,153	
1053	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . .	48.00	
		3,094,907	
1054	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	156,474	
1054A	EXPENSES FROM GENERAL REVENUE FUND . . . . .	2,000	
1055	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	1,576,836	
	FROM INDIGENT CIVIL DEFENSE TRUST FUND . . . . .		86,956
1056	SPECIAL CATEGORIES REGIONAL CONFLICT COUNCIL OPERATIONS FROM GENERAL REVENUE FUND . . . . .	375,444	
1057	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	11,341	
1058	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	1,100	
1059	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	11,838	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD			
	FROM GENERAL REVENUE FUND . . . . .	5,229,940	
	FROM TRUST FUNDS . . . . .		86,956
	TOTAL POSITIONS . . . . .	48.00	
	TOTAL ALL FUNDS . . . . .		5,316,896
PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH			
	APPROVED SALARY RATE	3,458,418	

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1060	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . .	71.00	
		4,886,398	
1061	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .		400,000
1061A	EXPENSES FROM GENERAL REVENUE FUND . . . . .		2,000
1062	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .		1,507,457
	FROM INDIGENT CIVIL DEFENSE TRUST FUND . . . . .		121,892
1063	SPECIAL CATEGORIES REGIONAL CONFLICT COUNCIL OPERATIONS FROM GENERAL REVENUE FUND . . . . .		1,076,228
1064	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .		27,669
1065	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .		7,807
1066	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .		15,869
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH			
	FROM GENERAL REVENUE FUND . . . . .	7,923,428	
	FROM TRUST FUNDS . . . . .		121,892
	TOTAL POSITIONS . . . . .	71.00	
	TOTAL ALL FUNDS . . . . .		8,045,320
PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH			
	APPROVED SALARY RATE	3,302,150	
1067	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . .	72.00	
		4,559,915	
1068	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .		100,000
1068A	EXPENSES FROM GENERAL REVENUE FUND . . . . .		2,000
1069	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .		890,259
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		5,800
	FROM INDIGENT CIVIL DEFENSE TRUST FUND . . . . .		195,193
1070	SPECIAL CATEGORIES REGIONAL CONFLICT COUNCIL OPERATIONS FROM GENERAL REVENUE FUND . . . . .		711,473
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		13,890
1071	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .		12,981
1072	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		

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FROM GENERAL REVENUE FUND . . . . .	12,000	
1073 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND . . . . .	16,876	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH		
FROM GENERAL REVENUE FUND . . . . .	6,305,504	
FROM TRUST FUNDS . . . . .		214,883
TOTAL POSITIONS . . . . .	72.00	
TOTAL ALL FUNDS . . . . .		6,520,387
TOTAL: JUSTICE ADMINISTRATION		
FROM GENERAL REVENUE FUND . . . . .	635,548,958	
FROM TRUST FUNDS . . . . .		123,111,368
TOTAL POSITIONS . . . . .	10,211.25	
TOTAL ALL FUNDS . . . . .		758,660,326
TOTAL APPROVED SALARY RATE . . . .	480,921,204	

JUVENILE JUSTICE, DEPARTMENT OF

From the funds in Specific Appropriations 1074 through 1166, each provider who contracts with the Department of Juvenile Justice shall provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents shall include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department. Funds shall only be released to providers whose performance reports indicate successful compliance with the performance measures described in the contract.

From the funds in Specific Appropriations 1074 through 1166, the Department of Juvenile Justice shall establish a performance accountability system for each provider who contracts with the department for the delivery of services to children at-risk of future involvement in the criminal justice system, as determined by the department. The contract shall include both output measures, such as the number of children served, and outcome measures, such as program completion. The contractor shall report performance results annually to the department. The department's Office of Program Accountability shall summarize performance results from all contracts and report the information annually to the Legislature.

From the funds in Specific Appropriations 1074 through 1166, the Department of Juvenile Justice is directed to withhold funds from contract payments to any provider if that provider failed to comply with contract requirements that it maintain property insurance and if the failure to do so resulted in uninsured losses. The amount withheld shall not exceed the amount of the uninsured loss and may be reduced by other remedial actions agreed upon by the department and the provider.

From the funds in Specific Appropriations 1074 through 1166, the Department of Juvenile Justice must, before implementing any departmental reorganization plans, submit its proposal to the Governor's Office of Policy and Budget and to the Legislative Budget Commission for approval.

Funds in Specific Appropriations 1074 through 1166 shall not be used to pay for unoccupied space currently being leased by the Department of Juvenile Justice in the event the leases are vacant on or after July 1, 2013, and for which it has been determined by the Secretary of the department that there is no longer a need.

PROGRAM: JUVENILE DETENTION PROGRAM

DETENTION CENTERS

APPROVED SALARY RATE 47,626,458

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1074 SALARIES AND BENEFITS POSITIONS	1,479.00	
FROM GENERAL REVENUE FUND . . . . .	11,266,705	
FROM FEDERAL GRANTS TRUST FUND . . .		742,226
FROM GRANTS AND DONATIONS TRUST		
FUND . . . . .		322,451
FROM SHARED COUNTY/STATE JUVENILE		
DETENTION TRUST FUND . . . . .		53,212,828
1075 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	269,707	
FROM GRANTS AND DONATIONS TRUST		
FUND . . . . .		659,552
FROM SHARED COUNTY/STATE JUVENILE		
DETENTION TRUST FUND . . . . .		1,643,634
1076 EXPENSES		
FROM GENERAL REVENUE FUND . . . . .	1,614,497	
FROM FEDERAL GRANTS TRUST FUND . . .		763,886
FROM GRANTS AND DONATIONS TRUST		
FUND . . . . .		903,760
FROM SHARED COUNTY/STATE JUVENILE		
DETENTION TRUST FUND . . . . .		4,186,237
1077 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND . . . . .	10,771	
FROM FEDERAL GRANTS TRUST FUND . . .		7,293
FROM SHARED COUNTY/STATE JUVENILE		
DETENTION TRUST FUND . . . . .		199,453
1078 FOOD PRODUCTS		
FROM GENERAL REVENUE FUND . . . . .	335,753	
FROM FEDERAL GRANTS TRUST FUND . . .		834,388
FROM GRANTS AND DONATIONS TRUST		
FUND . . . . .		127,472
FROM SHARED COUNTY/STATE JUVENILE		
DETENTION TRUST FUND . . . . .		1,362,406
1079 SPECIAL CATEGORIES		
LEGISLATIVE INITIATIVES TO REDUCE AND		
PREVENT JUVENILE CRIME		
FROM GENERAL REVENUE FUND . . . . .	29,110	
1080 SPECIAL CATEGORIES		
GRANTS AND AIDS - GRANTS TO FISCALLY		
CONSTRAINED COUNTIES FOR DETENTION CENTER		
COSTS		
FROM GENERAL REVENUE FUND . . . . .	3,883,853	
1081 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND . . . . .	564,783	
FROM FEDERAL GRANTS TRUST FUND . . .		20,392
FROM GRANTS AND DONATIONS TRUST		
FUND . . . . .		3,116
FROM SHARED COUNTY/STATE JUVENILE		
DETENTION TRUST FUND . . . . .		1,550,645
1082 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND . . . . .	4,790,024	
FROM GRANTS AND DONATIONS TRUST		
FUND . . . . .		25,000
FROM SHARED COUNTY/STATE JUVENILE		
DETENTION TRUST FUND . . . . .		4,515,788
1083 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND . . . . .	628,007	
FROM SHARED COUNTY/STATE JUVENILE		
DETENTION TRUST FUND . . . . .		4,160,125
1084 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		



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	FROM GENERAL REVENUE FUND . . . . .	12,457	
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND . . . . .		220,536
1085	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	115,136	
	FROM FEDERAL GRANTS TRUST FUND . . .		7,080
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		1,057
	FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND . . . . .		394,419
1086	FIXED CAPITAL OUTLAY DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS FROM GENERAL REVENUE FUND . . . . .	1,770,000	
TOTAL:	DETENTION CENTERS FROM GENERAL REVENUE FUND . . . . .	25,290,803	
	FROM TRUST FUNDS . . . . .		75,863,744
	TOTAL POSITIONS . . . . .	1,479.00	
	TOTAL ALL FUNDS . . . . .		101,154,547

PROGRAM: PROBATION AND COMMUNITY CORRECTIONS  
PROGRAM

From the funds in Specific Appropriations 1087 through 1106, the department may contract for services consistent with the department's Juvenile Detention Alternative Initiative (JDAI) and the Annie E. Casey Foundation to divert youth from secure detention to alternative community based services. These services should be designed using in-home and community advocacy to reduce the need for more expensive restrictive placements, build community capacity to reduce recidivism, create supported work opportunities for youth, and improve community safety.

COMMUNITY SUPERVISION

	APPROVED SALARY RATE	30,428,249	
1087	SALARIES AND BENEFITS POSITIONS	849.50	
	FROM GENERAL REVENUE FUND . . . . .	34,848,100	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		43,380
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		4,850,629
1088	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	295,558	
1089	EXPENSES FROM GENERAL REVENUE FUND . . . . .	4,640,034	
	FROM FEDERAL GRANTS TRUST FUND . . .		35,866
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		7,407
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		311,856
1090	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .	41,556	
1091	SPECIAL CATEGORIES JUVENILE REDIRECTIONS PROGRAM FROM GENERAL REVENUE FUND . . . . .	9,364,831	

Funds in Specific Appropriation 1091 are provided for services to youth at risk of commitment, which are eligible to be placed in evidence-based and other alternative programs for family therapy services. These services shall be provided as an alternative to commitment. The Department of Juvenile Justice and each participating

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	court may jointly develop criteria to identify youth appropriate for diversion into the Redirections Program.		
	From the funds in Specific Appropriation 1091, the Department of Juvenile Justice may transfer up to \$2,000,000 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children eligible for specialized mental health services.		
1092	SPECIAL CATEGORIES LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME FROM GENERAL REVENUE FUND . . . . .		635,947
1093	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .		602,545
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		42,490
1094	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	34,497,082	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		1,552,310
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		81,995
1095	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .		349,843
1096	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .		236,213
1097	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .		290,546
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		11,769
TOTAL:	COMMUNITY SUPERVISION FROM GENERAL REVENUE FUND . . . . .	85,802,255	
	FROM TRUST FUNDS . . . . .		6,937,702
	TOTAL POSITIONS . . . . .	849.50	
	TOTAL ALL FUNDS . . . . .		92,739,957
	COMMUNITY INTERVENTIONS AND SERVICES APPROVED SALARY RATE	17,039,996	
1098	SALARIES AND BENEFITS POSITIONS	505.00	
	FROM GENERAL REVENUE FUND . . . . .	19,965,251	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		24,853
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		2,779,034
1099	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	1,133,338	
1100	EXPENSES FROM GENERAL REVENUE FUND . . . . .	2,623,784	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		182,506
1101	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .	27,131	
1102	SPECIAL CATEGORIES CONTRACTED SERVICES		

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	FROM GENERAL REVENUE FUND . . . . .	395,031			FUND . . . . .		208,537
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		27,856	1114	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	349,329	
1103	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	13,761,716			FROM JUVENILE JUSTICE TRAINING TRUST FUND . . . . .		2,139,189
1104	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	229,358		1115	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	146,230	
1105	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	154,863		1116	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM GENERAL REVENUE FUND . . . . .	59,032	
1106	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	177,567		1117	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	67,149	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		7,193		FROM JUVENILE JUSTICE TRAINING TRUST FUND . . . . .		3,973
TOTAL: COMMUNITY INTERVENTIONS AND SERVICES	FROM GENERAL REVENUE FUND . . . . .	38,468,039		1118	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	80,586	
	FROM TRUST FUNDS . . . . .		3,021,442		FROM GRANTS AND DONATIONS TRUST FUND . . . . .		1,416
	TOTAL POSITIONS . . . . .	505.00		TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES	FROM GENERAL REVENUE FUND . . . . .	17,114,500	
	TOTAL ALL FUNDS . . . . .		41,489,481		FROM TRUST FUNDS . . . . .		4,125,969
PROGRAM: OFFICE OF THE SECRETARY/ASSISTANT SECRETARY FOR ADMINISTRATIVE SERVICES					TOTAL POSITIONS . . . . .	227.50	
EXECUTIVE DIRECTION AND SUPPORT SERVICES					TOTAL ALL FUNDS . . . . .		21,240,469
	APPROVED SALARY RATE	10,077,812		INFORMATION TECHNOLOGY			
1107	SALARIES AND BENEFITS POSITIONS	227.50			APPROVED SALARY RATE	2,807,128	
	FROM GENERAL REVENUE FUND . . . . .	12,729,236		1119	SALARIES AND BENEFITS POSITIONS	59.50	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		288,213		FROM GENERAL REVENUE FUND . . . . .	3,339,341	
1108	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	161,156		1120	EXPENSES FROM GENERAL REVENUE FUND . . . . .	1,741,021	
	FROM ADMINISTRATIVE TRUST FUND . . .		72,341	1121	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .	48,866	
	FROM JUVENILE JUSTICE TRAINING TRUST FUND . . . . .		11,712	1122	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	403,377	
1109	EXPENSES FROM GENERAL REVENUE FUND . . . . .	2,419,331		1123	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	11,463	
	FROM ADMINISTRATIVE TRUST FUND . . .		200,000	1124	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	13,315	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		149,305	1125	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	21,048	
	FROM JUVENILE JUSTICE TRAINING TRUST FUND . . . . .		605,353	1126	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM GENERAL REVENUE FUND . . . . .	6,152	
1110	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .	32,841		1127	DATA PROCESSING SERVICES NORTHWOOD SHARED RESOURCE CENTER		
1111	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND . . . . .	414,714					
1112	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND . . . . .	70,488					
1113	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	584,408					
	FROM ADMINISTRATIVE TRUST FUND . . .		445,930				
	FROM GRANTS AND DONATIONS TRUST						

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FROM GENERAL REVENUE FUND . . . . .	356,297	
TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND . . . . .	5,940,880	
TOTAL POSITIONS . . . . .	59.50	
TOTAL ALL FUNDS . . . . .		5,940,880

PROGRAM: RESIDENTIAL CORRECTIONS PROGRAM

From the funds in Specific Appropriations 1128 through 1152, the department shall provide a weekly residential resource utilization report that identifies operating capacity, current placements, vacant placements, number of youth waiting placement and the percent of use for all residential commitment beds. The department may increase or decrease beds or overlay services provided that the change will better serve taxpayers and the youth under its care. Notification and justification of changes will be provided to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee prior to implementing any change.

From the funds in Specific Appropriation 1128 through 1152, in order to maximize the number of filled beds and reduce the number of vacant beds in their programs statewide, the Department of Juvenile Justice shall use economies of scale in each judicial circuit when procuring residential bed contracts. In addition, the department shall ensure that educational services are consolidated commensurate with the effort to maximize filled beds. In order to maximize cost savings, the consolidation must include educational services in neighboring counties or where department facilities are within 30 miles of each other. In making these determinations, the department shall consider the type of program and level of commitment. Finally, the department must report their program consolidation results to the Governor's Office of Policy and Budget and the chairs of the Senate Appropriations Committee and the House Appropriations Committee by January 1, 2014.

A review by a Department of Education/Department of Juvenile Justice interagency workgroup shall occur prior to the 2014 Legislative session to provide further guidance on how educational services in residential programs will be provided. Finally, the workgroup must report their recommendations and results to the Governor's Office of Policy and Budget and the chairs of the Senate Appropriations Committee and the House Appropriations Committee by January 1, 2014.

NON-SECURE RESIDENTIAL COMMITMENT

APPROVED SALARY RATE	3,809,818	
1128 SALARIES AND BENEFITS POSITIONS	108.00	
FROM GENERAL REVENUE FUND . . . . .	5,299,155	
FROM FEDERAL GRANTS TRUST FUND . . . . .		48,155
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		70,848
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		2,916,754
1129 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	103,278	
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		31,862
1130 EXPENSES		
FROM GENERAL REVENUE FUND . . . . .	670,013	
FROM FEDERAL GRANTS TRUST FUND . . . . .		320,563
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		26,656
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		264,925
1131 OPERATING CAPITAL OUTLAY		
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		21,231

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1132 FOOD PRODUCTS		
FROM GENERAL REVENUE FUND . . . . .	379,936	
FROM FEDERAL GRANTS TRUST FUND . . . . .		198,861
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		88,871
1133 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND . . . . .	44,571	
1134 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND . . . . .	8,825	
FROM FEDERAL GRANTS TRUST FUND . . . . .		1,476
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		2,172
1135 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND . . . . .	86,697,462	
FROM FEDERAL GRANTS TRUST FUND . . . . .		45,066
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		372,759
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		2,318,436
1136 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND . . . . .	1,105,948	
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		65,503
1137 SPECIAL CATEGORIES		
GRANTS AND AIDS - WILDERNESS THERAPEUTIC SERVICES		
FROM GENERAL REVENUE FUND . . . . .	2,405,536	
1138 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM GENERAL REVENUE FUND . . . . .	8,752	
1139 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND . . . . .	37,754	
FROM FEDERAL GRANTS TRUST FUND . . . . .		391
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		642
TOTAL: NON-SECURE RESIDENTIAL COMMITMENT		
FROM GENERAL REVENUE FUND . . . . .	96,761,230	
FROM TRUST FUNDS . . . . .		6,795,171
TOTAL POSITIONS . . . . .	108.00	
TOTAL ALL FUNDS . . . . .		103,556,401
SECURE RESIDENTIAL COMMITMENT		
APPROVED SALARY RATE	12,538,990	
1140 SALARIES AND BENEFITS POSITIONS	230.00	
FROM GENERAL REVENUE FUND . . . . .	12,818,315	
FROM FEDERAL GRANTS TRUST FUND . . . . .		111,642
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		453,558
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		2,267,459
1141 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	162,373	
FROM FEDERAL GRANTS TRUST FUND . . . . .		10,263
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		13,840

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1142	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	2,090,871	
	FROM FEDERAL GRANTS TRUST FUND . . .		166,110
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		11,893
1143	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND . . .		90,012
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		33,861
1144	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND . . . . .	159,687	
	FROM FEDERAL GRANTS TRUST FUND . . .		160,400
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		194,644
1145	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTUAL SERVICES- OKEECHOBEE TRAINING SCHOOL		
	FROM GENERAL REVENUE FUND . . . . .	6,385,963	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		32,088
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		2,546,273
1146	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	859,906	
	FROM FEDERAL GRANTS TRUST FUND . . .		39,691
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		4,757
1147	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	11,984,674	
	FROM FEDERAL GRANTS TRUST FUND . . .		4,003
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		274,785
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		30,913,498
1148	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	1,953,252	
1149	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	44,966	
1150	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	68,482	
	FROM FEDERAL GRANTS TRUST FUND . . .		3,430
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		12,277
1151	FIXED CAPITAL OUTLAY		
	DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS		
	FROM GENERAL REVENUE FUND . . . . .	1,230,000	
1152	FIXED CAPITAL OUTLAY		
	JUVENILE FACILITIES - LEASE PURCHASE		
	FROM GENERAL REVENUE FUND . . . . .	1,806,244	
TOTAL:	SECURE RESIDENTIAL COMMITMENT		
	FROM GENERAL REVENUE FUND . . . . .	39,564,733	
	FROM TRUST FUNDS . . . . .		37,344,484
	TOTAL POSITIONS . . . . .	230.00	

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	TOTAL ALL FUNDS . . . . .		76,909,217
	PROGRAM: PREVENTION AND VICTIM SERVICES		
	DELINQUENCY PREVENTION AND DIVERSION		
	APPROVED SALARY RATE	1,117,836	
1153	SALARIES AND BENEFITS	24.00	
	FROM GENERAL REVENUE FUND . . . . .	895,547	
	FROM FEDERAL GRANTS TRUST FUND . . .		184,860
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		455,642
1154	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	287,192	
	FROM FEDERAL GRANTS TRUST FUND . . .		187,513
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		141,126
1155	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	233,083	
	FROM FEDERAL GRANTS TRUST FUND . . .		82,696
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		282,180
1156	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - INVEST IN CHILDREN		
	FROM JUVENILE CRIME PREVENTION AND EARLY INTERVENTION TRUST FUND . . .		412,903
1157	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND . . .		12,450
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		12,450
1158	SPECIAL CATEGORIES		
	PACE CENTERS		
	FROM GENERAL REVENUE FUND . . . . .	10,353,085	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		3,290,514
	From the funds in Specific Appropriation 1158, \$618,750 shall be used to operate a 50-slot PACE Center for Girls program in Miami-Dade County to serve at-risk middle and high school girls.		
1159	SPECIAL CATEGORIES		
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND . . . . .	827,920	
	From the funds in Specific Appropriation 1159, \$650,415 from recurring general revenue funds is provided to the PAR Adolescent Intervention Center (PAIC) Pasco.		
1160	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	33,720	
1161	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	7,849,522	
	FROM FEDERAL GRANTS TRUST FUND . . .		10,609,653
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		2,320,115
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND . . . . .		2,639
	From the funds in Specific Appropriation 1161, \$1,000,000 in recurring general revenue funds and \$4,000,000 in nonrecurring general revenue funds is provided for the Florida Alliance of Boys and Girls Clubs.		
	From the funds in Specific Appropriation 1161, \$400,000 in recurring		

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general revenue funds and \$1,100,000 in nonrecurring general revenue funds is provided for Big Brothers Big Sisters of Florida.

From the funds in Specific Appropriation 1161, \$100,000 in nonrecurring general revenue funds is provided for Informed Families of Florida Program.

From the funds in Specific Appropriation 1161, \$36,000 in nonrecurring general revenue funds is provided for Pasco Association of Challenged Kids Summer Camp.

From the funds in Specific Appropriation 1161, \$100,000 in nonrecurring general revenue funds is provided for the Youth Advocate Program to provide community-based advocacy and family support services to youth who are, have been, or are at risk of involvement with the Juvenile Justice system in Duval and Nassau counties.

1162	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	2,384	
1163	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILDREN/FAMILIES IN		
	NEED OF SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	21,029,353	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,000,000
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		10,277,763
	FROM SOCIAL SERVICES BLOCK GRANT		
	TRUST FUND . . . . .		383,858

From the funds in Specific Appropriation 1163, the Department of Juvenile Justice shall not expend more than \$150,000 in recurring general revenue funds for physically secure placements for youths being served by the Children-In-Need of Services/Families-In-Need of Services (CINS/FINS) program.

Additionally, the CINS/FINS provider shall demonstrate that it has considered local, non-traditional, non-residential delinquency prevention service providers including, but not limited to, grassroots organizations, community, and faith-based organizations, to subcontract and deliver non-residential CINS/FINS services to eligible youth as defined in chapter 984 and section 1003.27, Florida Statutes, to include areas with high ratios of juvenile arrests per youth 10 to 17 years of age. Such services may be offered throughout the judicial circuit served by the CINS/FINS provider.

From the funds in Specific Appropriation 1163, \$1,501,605 shall be used to expand the Children in Need of Services/Families in Need of Services (CINS/FINS) program to provide non-residential services to the following rural counties where services are currently unavailable: Hamilton, Highlands, Jefferson, Madison, Taylor, Franklin, Sumter, Levy, Citrus and Bradford.

From the funds in Specific Appropriation 1163, \$400,000 in recurring general revenue funds is provided to expand services at the Florida Youth Challenge Academy. These funds shall not be used to reduce or offset the financial contributions made by the Clay County School District or any other entity for the operation of this program.

1164	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	3,000	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,200
1165	SPECIAL CATEGORIES		
	PRODIGY		
	FROM GENERAL REVENUE FUND . . . . .	4,400,000	

From the funds in Specific Appropriation 1165, the Prodigy Program shall include at least two of the four at-risk domains of the Department of Juvenile Justice's risk factors when placing a youth into a prevention, intervention or diversion program. In addition, each youth who enters the program shall be tracked by the department's Juvenile

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Justice Information System (JJIS) or Prevention Web system. In addition, the Prodigy Program shall contract with a consultant to track arrests or re-arrests for prevention, intervention, and diversion youth for 12 months after completing the program and submit the results to the department semi-annually.

1166	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	5,893	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,589
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		2,123
	TOTAL: DELINQUENCY PREVENTION AND DIVERSION		
	FROM GENERAL REVENUE FUND . . . . .	45,920,699	
	FROM TRUST FUNDS . . . . .		29,662,274
	TOTAL POSITIONS . . . . .	24.00	
	TOTAL ALL FUNDS . . . . .		75,582,973

	TOTAL: JUVENILE JUSTICE, DEPARTMENT OF		
	FROM GENERAL REVENUE FUND . . . . .	354,863,139	
	FROM TRUST FUNDS . . . . .		163,750,786
	TOTAL POSITIONS . . . . .	3,482.50	
	TOTAL ALL FUNDS . . . . .		518,613,925
	TOTAL APPROVED SALARY RATE . . . .	125,446,287	

## LAW ENFORCEMENT, DEPARTMENT OF

## PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

## PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	6,059,472	
1167	SALARIES AND BENEFITS	119.50	
	FROM GENERAL REVENUE FUND . . . . .		2,243,513
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND . . . . .		37,596
	FROM FEDERAL GRANTS TRUST FUND . . .		762,503
	FROM OPERATING TRUST FUND . . . . .		4,909,812
1168	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	26,838	
	FROM ADMINISTRATIVE TRUST FUND . . .		5,000
	FROM FEDERAL GRANTS TRUST FUND . . .		198,602
	FROM OPERATING TRUST FUND . . . . .		56,138
1169	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	753,343	
	FROM ADMINISTRATIVE TRUST FUND . . .		64,548
	FROM CRIMINAL JUSTICE STANDARDS		
	AND TRAINING TRUST FUND . . . . .		9,557
	FROM FEDERAL GRANTS TRUST FUND . . .		163,111
	FROM FORFEITURE AND INVESTIGATIVE		
	SUPPORT TRUST FUND . . . . .		286,666
	FROM OPERATING TRUST FUND . . . . .		535,600
1170	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - NATIONAL CRIMINAL		
	HISTORY IMPROVEMENT PROGRAM (NCHIP) -		
	STATE AGENCIES		
	FROM FEDERAL GRANTS TRUST FUND . . .		4,910,162
1171	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - NATIONAL CRIMINAL		
	HISTORY IMPROVEMENT PROGRAM (NCHIP) -		
	LOCAL GOVERNMENTS		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,529,434
1172	AID TO LOCAL GOVERNMENTS		

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	GRANTS AND AIDS - PROJECT SAFE NEIGHBORHOODS FROM FEDERAL GRANTS TRUST FUND . . .		1,263,483
1173	AID TO LOCAL GOVERNMENTS BYRNE MEMORIAL LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .		18,868,106
1174	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM OPERATING TRUST FUND . . . . .	12,616	3,242 337
1175	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND . . . . . FROM OPERATING TRUST FUND . . . . .	9,650	402
1176	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . . FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM OPERATING TRUST FUND . . . . .	67,480	15,000 3,203 218,573 152,372
1177	SPECIAL CATEGORIES DOMESTIC SECURITY FROM OPERATING TRUST FUND . . . . .		500
1178	SPECIAL CATEGORIES OVERTIME FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND . . . . .		748
1179	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . . FROM OPERATING TRUST FUND . . . . .	13,395	3,204 18,403
1180	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . .	667	
1181	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . . FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM OPERATING TRUST FUND . . . . .	98,000	6,000 3,000 200
1182	SPECIAL CATEGORIES BYRNE MEMORIAL STATE LAW ENFORCEMENT ASSISTANCE PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .		10,412,678
1183	SPECIAL CATEGORIES GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - LOCAL UNITS OF GOVERNMENT FROM FEDERAL GRANTS TRUST FUND . . .		1,247,724
1184	SPECIAL CATEGORIES GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - STATE AGENCY FROM FEDERAL GRANTS TRUST FUND . . .		3,675,511
1185	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		

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	PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . . FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . . FROM OPERATING TRUST FUND . . . . .	20,806	2,783 2,745 14,646
	TOTAL: PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .	3,246,308	49,381,589
	TOTAL POSITIONS . . . . . TOTAL ALL FUNDS . . . . .	119.50	52,627,897
	PROGRAM: FLORIDA CAPITOL POLICE PROGRAM CAPITOL POLICE SERVICES APPROVED SALARY RATE	3,490,928	
1186	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . . FROM OPERATING TRUST FUND . . . . .	88.00 2,147	4,989,760
1187	OTHER PERSONAL SERVICES FROM OPERATING TRUST FUND . . . . .		28,778
1188	EXPENSES FROM OPERATING TRUST FUND . . . . .		532,837
1189	OPERATING CAPITAL OUTLAY FROM OPERATING TRUST FUND . . . . .		85,369
1190	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM OPERATING TRUST FUND . . . . .		30,500
1191	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND . . . . .		70,084
1192	SPECIAL CATEGORIES CAPITOL COMPLEX SECURITY FROM GENERAL REVENUE FUND . . . . . FROM OPERATING TRUST FUND . . . . .	7,360	20,000
1193	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND . . . . .		93,755
1194	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM OPERATING TRUST FUND . . . . .		68,064
1195	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND . . . . .		5,000
1196	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . . FROM OPERATING TRUST FUND . . . . .	345	26,658
1197	DATA PROCESSING SERVICES TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES FROM OPERATING TRUST FUND . . . . .		6,969
	TOTAL: CAPITOL POLICE SERVICES FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .	9,852	5,957,774

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TOTAL POSITIONS . . . . . 88.00  
TOTAL ALL FUNDS . . . . . 5,967,626

PROGRAM: INVESTIGATIONS AND FORENSIC SCIENCE  
PROGRAM

PROVIDE CRIME LAB SERVICES

APPROVED SALARY RATE 19,881,282

1198 SALARIES AND BENEFITS POSITIONS 422.00  
FROM GENERAL REVENUE FUND . . . . . 27,084,125  
FROM CRIMINAL JUSTICE STANDARDS  
AND TRAINING TRUST FUND . . . . . 19,747  
FROM FEDERAL GRANTS TRUST FUND . . . . . 10,157  
FROM OPERATING TRUST FUND . . . . . 255,549

1199 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 57,211  
FROM FEDERAL GRANTS TRUST FUND . . . . . 156,280

1200 EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 6,534,167  
FROM FEDERAL GRANTS TRUST FUND . . . . . 2,952,624  
FROM FORFEITURE AND INVESTIGATIVE  
SUPPORT TRUST FUND . . . . . 510,531  
FROM OPERATING TRUST FUND . . . . . 355,596

From the funds in Specific Appropriation 1200, the Department of Law Enforcement is authorized to distribute 10,000 rape kits to local law enforcement agencies and rape crisis centers statewide at no cost. In addition, the department is authorized to use additional federal funds and any other available funds contained in Specific Appropriation 1200 for the purpose of processing rape kits, including the backlog of non-suspect rape cases.

1201 AID TO LOCAL GOVERNMENTS  
CRIMINAL INVESTIGATIONS  
FROM FEDERAL GRANTS TRUST FUND . . . . . 741,091  
FROM OPERATING TRUST FUND . . . . . 2,379,702

1202 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND . . . . . 1,171,599  
FROM ADMINISTRATIVE TRUST FUND . . . . . 5,000  
FROM FEDERAL GRANTS TRUST FUND . . . . . 1,327,000

1203 SPECIAL CATEGORIES  
ACQUISITION OF MOTOR VEHICLES  
FROM GENERAL REVENUE FUND . . . . . 168,960

1204 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 998,628  
FROM FEDERAL GRANTS TRUST FUND . . . . . 1,690,200

1205 SPECIAL CATEGORIES  
OVERTIME  
FROM GENERAL REVENUE FUND . . . . . 351,900  
FROM FEDERAL GRANTS TRUST FUND . . . . . 404,976

1206 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM ADMINISTRATIVE TRUST FUND . . . . . 145,627

1207 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 50,000

1208 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT

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FROM GENERAL REVENUE FUND . . . . . 137,814  
FROM CRIMINAL JUSTICE STANDARDS  
AND TRAINING TRUST FUND . . . . . 185  
FROM FEDERAL GRANTS TRUST FUND . . . . . 1,743

TOTAL: PROVIDE CRIME LAB SERVICES  
FROM GENERAL REVENUE FUND . . . . . 36,554,404  
FROM TRUST FUNDS . . . . . 10,956,008

TOTAL POSITIONS . . . . . 422.00  
TOTAL ALL FUNDS . . . . . 47,510,412

PROVIDE INVESTIGATIVE SERVICES

APPROVED SALARY RATE 32,705,182

1209 SALARIES AND BENEFITS POSITIONS 558.00  
FROM GENERAL REVENUE FUND . . . . . 34,257,574  
FROM CRIMINAL JUSTICE STANDARDS  
AND TRAINING TRUST FUND . . . . . 28,445  
FROM FEDERAL GRANTS TRUST FUND . . . . . 531,498  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 69  
FROM OPERATING TRUST FUND . . . . . 8,150,967

1210 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 293,593  
FROM ADMINISTRATIVE TRUST FUND . . . . . 25,276  
FROM FEDERAL GRANTS TRUST FUND . . . . . 194,832  
FROM FORFEITURE AND INVESTIGATIVE  
SUPPORT TRUST FUND . . . . . 42,360  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 50  
FROM OPERATING TRUST FUND . . . . . 38,070

1211 EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 6,347,449  
FROM ADMINISTRATIVE TRUST FUND . . . . . 132,670  
FROM FEDERAL GRANTS TRUST FUND . . . . . 235,647  
FROM FORFEITURE AND INVESTIGATIVE  
SUPPORT TRUST FUND . . . . . 833,472  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 4,500  
FROM OPERATING TRUST FUND . . . . . 2,776,152  
FROM REVOLVING TRUST FUND . . . . . 1,000,000  
FROM FEDERAL LAW ENFORCEMENT TRUST  
FUND . . . . . 550,000

From the funds provided in Specific Appropriation 1211 from the Forfeiture and Investigative Support Trust Fund, up to \$25,000 per case, but not exceeding \$150,000 in total for all cases, may be expended for rewards leading to the capture of fugitives, if such funds are available.

1212 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND . . . . . 54,144  
FROM ADMINISTRATIVE TRUST FUND . . . . . 5,000  
FROM FEDERAL GRANTS TRUST FUND . . . . . 159,509  
FROM FORFEITURE AND INVESTIGATIVE  
SUPPORT TRUST FUND . . . . . 190,574  
FROM FEDERAL LAW ENFORCEMENT TRUST  
FUND . . . . . 75,000

1213 SPECIAL CATEGORIES  
ACQUISITION OF MOTOR VEHICLES  
FROM GENERAL REVENUE FUND . . . . . 90,091  
FROM FORFEITURE AND INVESTIGATIVE  
SUPPORT TRUST FUND . . . . . 580,000

1214 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 534,741  
FROM ADMINISTRATIVE TRUST FUND . . . . . 5,000

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	FROM FEDERAL GRANTS TRUST FUND . . .	147,441	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND . . . . .	34,624	
	FROM OPERATING TRUST FUND . . . . .	121,896	
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND . . . . .	50,000	
1215	SPECIAL CATEGORIES DOMESTIC SECURITY		
	FROM GENERAL REVENUE FUND . . . . .	1,350,267	
	FROM FEDERAL GRANTS TRUST FUND . . .	1,522,672	
1216	SPECIAL CATEGORIES GRANTS AND AIDS - SPECIAL PROJECTS		
	FROM GENERAL REVENUE FUND . . . . .	1,632,461	
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND . . . . .	300,000	

From the funds in Specific Appropriation 1216, \$232,461 in recurring general revenue funds is provided for A Child Is Missing Program.

From the funds in Specific Appropriation 1216, \$150,000 in nonrecurring general revenue funds is provided for the Flagler County Re-Entry Training Program.

From the funds in Specific Appropriation 1216, \$500,000 in nonrecurring general revenue funds is provided for start-up monies for the Nassau County Sheriff's Administrative Building. These funds are contingent upon the project being included within the Nassau County Capital Improvement Plan. If the project is not completed within five years, all appropriated funds herein must be returned to the state.

From the funds in Specific Appropriation 1216, \$100,000 in nonrecurring general revenue funds is provided for the replacement of the Liberty County Sheriff's Administrative building.

From the funds in Specific Appropriation 1216, \$550,000 in nonrecurring general revenue funds is provided for the Violence Prevention Unit in Palm Beach County.

From the funds in Specific Appropriation 1216, \$100,000 in nonrecurring general revenue funds is provided for the acquisition and renovation of a facility for the Gadsden County Sheriff's Community and Recreational Center.

1217	SPECIAL CATEGORIES OVERTIME		
	FROM ADMINISTRATIVE TRUST FUND . . .	3,013	
	FROM FEDERAL GRANTS TRUST FUND . . .	314,125	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	4,250	
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND . . . . .	1,018,486	

1218	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	369,689	
	FROM ADMINISTRATIVE TRUST FUND . . .	407,097	
	FROM OPERATING TRUST FUND . . . . .	90,030	

1219	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	487,991	
	FROM OPERATING TRUST FUND . . . . .	21,312	

1220	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	72,000	

1221	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	217,525	

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	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .	1,100	
	FROM FEDERAL GRANTS TRUST FUND . . .	3,362	
	FROM OPERATING TRUST FUND . . . . .	4,484	
	TOTAL: PROVIDE INVESTIGATIVE SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	45,707,525	
	FROM TRUST FUNDS . . . . .		19,602,983
	TOTAL POSITIONS . . . . .	558.00	
	TOTAL ALL FUNDS . . . . .		65,310,508

## MUTUAL AID AND PREVENTION SERVICES

	APPROVED SALARY RATE	1,051,936	
1222	SALARIES AND BENEFITS POSITIONS	17.00	
	FROM GENERAL REVENUE FUND . . . . .	1,366,098	
	FROM OPERATING TRUST FUND . . . . .		31,180
1223	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	127,251	
1224	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	9,441	
1225	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	2,424	
1226	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	6,518	
	FROM OPERATING TRUST FUND . . . . .		127
	TOTAL: MUTUAL AID AND PREVENTION SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,511,732	
	FROM TRUST FUNDS . . . . .		31,307
	TOTAL POSITIONS . . . . .	17.00	
	TOTAL ALL FUNDS . . . . .		1,543,039

## PROGRAM: CRIMINAL JUSTICE INFORMATION PROGRAM

PROVIDE INFORMATION NETWORK SERVICES TO THE LAW  
ENFORCEMENT COMMUNITY

	APPROVED SALARY RATE	6,252,157	
1227	SALARIES AND BENEFITS POSITIONS	119.00	
	FROM GENERAL REVENUE FUND . . . . .	244,787	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .		13,955
	FROM FEDERAL GRANTS TRUST FUND . . .		62,295
	FROM OPERATING TRUST FUND . . . . .		7,688,272
1228	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . .		5,838
	FROM FEDERAL GRANTS TRUST FUND . . .		176,735
	FROM OPERATING TRUST FUND . . . . .		183,500
1229	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	32,750	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,202
	FROM FEDERAL GRANTS TRUST FUND . . .		370,423
	FROM OPERATING TRUST FUND . . . . .		7,486,343
1230	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . .		5,000
	FROM FEDERAL GRANTS TRUST FUND . . .		489,099
	FROM OPERATING TRUST FUND . . . . .		1,666,018



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1231	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	599	
	FROM ADMINISTRATIVE TRUST FUND . . .		113,100
	FROM FEDERAL GRANTS TRUST FUND . . .		1,965,523
	FROM OPERATING TRUST FUND . . . . .		5,725,504
1232	SPECIAL CATEGORIES OVERTIME		
	FROM OPERATING TRUST FUND . . . . .		46,200
1233	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .		11,959
	FROM OPERATING TRUST FUND . . . . .		24,195
1234	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM OPERATING TRUST FUND . . . . .		715,670
1235	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM OPERATING TRUST FUND . . . . .		4,500
1236	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	6,588	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .		1,459
	FROM FEDERAL GRANTS TRUST FUND . . .		328
	FROM OPERATING TRUST FUND . . . . .		32,167
1237	DATA PROCESSING SERVICES TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
	FROM OPERATING TRUST FUND . . . . .		26,740
TOTAL: PROVIDE INFORMATION NETWORK SERVICES TO THE LAW ENFORCEMENT COMMUNITY			
	FROM GENERAL REVENUE FUND . . . . .	284,724	
	FROM TRUST FUNDS . . . . .		26,817,025
	TOTAL POSITIONS . . . . .	119.00	
	TOTAL ALL FUNDS . . . . .		27,101,749
PROVIDE PREVENTION AND CRIME INFORMATION SERVICES			
	APPROVED SALARY RATE	10,349,059	
1238	SALARIES AND BENEFITS POSITIONS	287.00	
	FROM GENERAL REVENUE FUND . . . . .		560,685
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .		18,196
	FROM FEDERAL GRANTS TRUST FUND . . .		462,983
	FROM OPERATING TRUST FUND . . . . .		13,101,422
1239	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	10,000	
	FROM ADMINISTRATIVE TRUST FUND . . .		5,000
	FROM FEDERAL GRANTS TRUST FUND . . .		616,733
	FROM OPERATING TRUST FUND . . . . .		241,182
1240	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	167,528	
	FROM ADMINISTRATIVE TRUST FUND . . .		85,781
	FROM FEDERAL GRANTS TRUST FUND . . .		358,539
	FROM OPERATING TRUST FUND . . . . .		1,875,028
1241	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	2,600	
	FROM OPERATING TRUST FUND . . . . .		309,792

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1242	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND . . . . .	402	
	FROM OPERATING TRUST FUND . . . . .		93,168
1243	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	221,078	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,000
	FROM FEDERAL GRANTS TRUST FUND . . .		145,340
	FROM OPERATING TRUST FUND . . . . .		1,557,926
From the funds in Specific Appropriation 1243, \$18,600 in nonrecurring general revenue funds is provided to create a public search function through the internet of campus registration information of sexual predators and offenders in Florida.			
1244	SPECIAL CATEGORIES OVERTIME		
	FROM OPERATING TRUST FUND . . . . .		218,946
1245	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .		27,384
	FROM OPERATING TRUST FUND . . . . .		23,957
1246	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		
	FROM OPERATING TRUST FUND . . . . .		5,160
1247	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	2,000	
	FROM OPERATING TRUST FUND . . . . .		18,000
1248	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	5,651	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .		1,328
	FROM FEDERAL GRANTS TRUST FUND . . .		3,026
	FROM OPERATING TRUST FUND . . . . .		88,479
TOTAL: PROVIDE PREVENTION AND CRIME INFORMATION SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	969,944	
	FROM TRUST FUNDS . . . . .		19,259,370
	TOTAL POSITIONS . . . . .	287.00	
	TOTAL ALL FUNDS . . . . .		20,229,314

PROGRAM: CRIMINAL JUSTICE PROFESSIONALISM

LAW ENFORCEMENT STANDARDS COMPLIANCE

APPROVED SALARY RATE 2,435,650

1249	SALARIES AND BENEFITS POSITIONS	47.00	
	FROM GENERAL REVENUE FUND . . . . .		181,730
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .		2,924,236
1250	OTHER PERSONAL SERVICES		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .		205,380
1251	EXPENSES		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .		418,662
1252	SPECIAL CATEGORIES		

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	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .	32,813	
	FROM OPERATING TRUST FUND . . . . .	53,672	
1253	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .	175,741	
	FROM OPERATING TRUST FUND . . . . .	100,000	
1254	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM OPERATING TRUST FUND . . . . .	13,562	
1255	SPECIAL CATEGORIES GRANTS AND AIDS - SPECIAL EDUCATION AND TECHNICAL TRAINING		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .	5,401,252	
1256	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .	8,800	
1257	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	195	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .	17,448	
TOTAL: LAW ENFORCEMENT STANDARDS COMPLIANCE			
	FROM GENERAL REVENUE FUND . . . . .	181,925	
	FROM TRUST FUNDS . . . . .	9,351,566	
	TOTAL POSITIONS . . . . .	47.00	
	TOTAL ALL FUNDS . . . . .	9,533,491	

LAW ENFORCEMENT TRAINING AND CERTIFICATION  
SERVICES

	APPROVED SALARY RATE	2,672,053	
1258	SALARIES AND BENEFITS POSITIONS	52.50	
	FROM GENERAL REVENUE FUND . . . . .	255,214	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .	3,062,444	
	FROM OPERATING TRUST FUND . . . . .	329,404	
1259	OTHER PERSONAL SERVICES		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .	660,798	
	FROM OPERATING TRUST FUND . . . . .	3,000	
1260	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	18,174	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .	1,313,640	
	FROM OPERATING TRUST FUND . . . . .	61,178	
1261	OPERATING CAPITAL OUTLAY		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .	153,819	
1262	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,000	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .	468,202	
	FROM OPERATING TRUST FUND . . . . .	36,579	

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1263	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . . . .		6,387
	FROM OPERATING TRUST FUND . . . . .		8,951
1264	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	4,290	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .		5,070
1265	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .		7,000
1266	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	1,771	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND . . . . .		15,568
	FROM OPERATING TRUST FUND . . . . .		1,077
TOTAL: LAW ENFORCEMENT TRAINING AND CERTIFICATION SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	280,449	
	FROM TRUST FUNDS . . . . .		6,133,117
	TOTAL POSITIONS . . . . .	52.50	
	TOTAL ALL FUNDS . . . . .		6,413,566
TOTAL: LAW ENFORCEMENT, DEPARTMENT OF			
	FROM GENERAL REVENUE FUND . . . . .	88,746,863	
	FROM TRUST FUNDS . . . . .		147,490,739
	TOTAL POSITIONS . . . . .	1,710.00	
	TOTAL ALL FUNDS . . . . .		236,237,602
	TOTAL APPROVED SALARY RATE . . . . .	84,897,719	

## LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL

## PROGRAM: OFFICE OF ATTORNEY GENERAL

## VICTIM SERVICES

	APPROVED SALARY RATE	4,162,013	
1267	SALARIES AND BENEFITS POSITIONS	99.00	
	FROM CRIMES COMPENSATION TRUST FUND . . . . .		4,314,126
	FROM CRIME STOPPERS TRUST FUND . . . . .		88,500
	FROM FEDERAL GRANTS TRUST FUND . . . . .		885,781
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND . . . . .		319,125
1268	OTHER PERSONAL SERVICES		
	FROM CRIMES COMPENSATION TRUST FUND . . . . .		55,060
	FROM CRIME STOPPERS TRUST FUND . . . . .		5,100
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST FUND . . . . .		55,796
1269	EXPENSES		
	FROM CRIMES COMPENSATION TRUST FUND . . . . .		781,215
	FROM CRIME STOPPERS TRUST FUND . . . . .		62,386
	FROM FEDERAL GRANTS TRUST FUND . . . . .		108,689
	FROM FLORIDA CRIME PREVENTION TRAINING INSTITUTE REVOLVING TRUST		

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FUND . . . . .	99,547
1270 OPERATING CAPITAL OUTLAY	
FROM CRIMES COMPENSATION TRUST	
FUND . . . . .	123,407
FROM CRIME STOPPERS TRUST FUND . . .	2,380
FROM FEDERAL GRANTS TRUST FUND . . .	2,286
FROM FLORIDA CRIME PREVENTION	
TRAINING INSTITUTE REVOLVING TRUST	
FUND . . . . .	7,695
1271 SPECIAL CATEGORIES	
AWARDS TO CLAIMANTS	
FROM CRIMES COMPENSATION TRUST	
FUND . . . . .	24,842,082
FROM FEDERAL GRANTS TRUST FUND . . .	13,192,000
1272 SPECIAL CATEGORIES	
VICTIM SERVICES	
FROM GENERAL REVENUE FUND . . . . .	700,000

From the funds in Specific Appropriation 1272, \$500,000 in recurring general revenue funds are provided to the Florida Council Against Sexual Violence. At least 95 percent of the funds provided shall be distributed to certified rape crisis centers to provide services statewide for victims of sexual assault.

From the funds in Specific Appropriation 1272, \$200,000 in nonrecurring general revenue funds is provided for Clay County Victim Advocacy Program.

1273 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM GENERAL REVENUE FUND . . . . .	781,192
FROM CRIMES COMPENSATION TRUST	
FUND . . . . .	45,243
FROM CRIME STOPPERS TRUST FUND . . .	1,000
FROM FEDERAL GRANTS TRUST FUND . . .	30,000
FROM FLORIDA CRIME PREVENTION	
TRAINING INSTITUTE REVOLVING TRUST	
FUND . . . . .	208,408

From the funds in Specific Appropriation 1273, \$200,000 in nonrecurring general revenue funds is provided to the Florida Coalition Against Domestic Violence aimed at reducing and preventing domestic violence homicide.

From the funds in Specific Appropriation 1273, \$100,000 in nonrecurring general revenue funds is provided to the Council on the Social Status on Black Men and Boys.

From the funds in Specific Appropriation 1273, \$100,000 in nonrecurring general revenue funds is provided for the Justice Coalition to provide crisis counseling, referral, education and advocacy to victims of violent crimes.

1274 SPECIAL CATEGORIES	
GRANTS AND AIDS - MINORITY COMMUNITIES	
CRIME PREVENTION PROGRAMS	
FROM GENERAL REVENUE FUND . . . . .	4,389,055
1275 SPECIAL CATEGORIES	
GRANTS AND AIDS - CRIME STOPPERS	
FROM CRIME STOPPERS TRUST FUND . . .	4,500,000
1276 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM CRIMES COMPENSATION TRUST	
FUND . . . . .	55,781
FROM CRIME STOPPERS TRUST FUND . . .	1,183
FROM FLORIDA CRIME PREVENTION	
TRAINING INSTITUTE REVOLVING TRUST	
FUND . . . . .	1,353

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1277 SPECIAL CATEGORIES	
GRANTS AND AIDS - VICTIM ASSISTANCE	
SERVICES	
FROM FEDERAL GRANTS TRUST FUND . . .	25,000,000
1278 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM CRIMES COMPENSATION TRUST	
FUND . . . . .	31,791
FROM CRIME STOPPERS TRUST FUND . . .	255
FROM FLORIDA CRIME PREVENTION	
TRAINING INSTITUTE REVOLVING TRUST	
FUND . . . . .	1,952
1278A SPECIAL CATEGORIES	
CIVIL LEGAL ASSISTANCE	
FROM GENERAL REVENUE FUND . . . . .	1,000,000

From the funds in Specific Appropriation 1278A, \$500,000 in recurring general revenue funds and \$500,000 in nonrecurring general revenue funds are appropriated for the "Florida Access to Civil Legal Assistance Act" to promote the availability of civil legal assistance to the poor and improve access to justice.

TOTAL: VICTIM SERVICES	
FROM GENERAL REVENUE FUND . . . . .	6,870,247
FROM TRUST FUNDS . . . . .	74,822,141
TOTAL POSITIONS . . . . .	99.00
TOTAL ALL FUNDS . . . . .	81,692,388

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	6,434,620	
1279	SALARIES AND BENEFITS	POSITIONS	133.00
	FROM GENERAL REVENUE FUND . . . . .		5,597,919
	FROM ADMINISTRATIVE TRUST FUND . . .		
	FROM CRIMES COMPENSATION TRUST		
	FUND . . . . .		1,945
	FROM LEGAL SERVICES TRUST FUND . . .		474
	FROM OPERATING TRUST FUND . . . . .		9,664
1280	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	50,000	
	FROM ADMINISTRATIVE TRUST FUND . . .		140,826
1281	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	286,713	
	FROM ADMINISTRATIVE TRUST FUND . . .		931,258
	FROM LEGAL AFFAIRS REVOLVING TRUST		
	FUND . . . . .		531,499
1282	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	62,461	
	FROM ADMINISTRATIVE TRUST FUND . . .		472,801
	FROM LEGAL AFFAIRS REVOLVING TRUST		
	FUND . . . . .		30,986
1283	SPECIAL CATEGORIES		
	ATTORNEY GENERAL'S LAW LIBRARY		
	FROM GENERAL REVENUE FUND . . . . .	282,676	
1284	SPECIAL CATEGORIES		
	COMMISSION ON THE STATUS OF WOMEN		
	FROM GENERAL REVENUE FUND . . . . .	105,827	
1285	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	275,528	
	FROM ADMINISTRATIVE TRUST FUND . . .		55,268
	FROM LEGAL AFFAIRS REVOLVING TRUST		

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FUND . . . . .	95,170
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From the funds in Specific Appropriation 1285, \$50,000 in nonrecurring general revenue funds is provided to the Cuban American Bar Association Pro Bono Project to provide free legal assistance to individuals and families whose household income is within 125% of the Federal Poverty Guidelines.

From the funds in Specific Appropriation 1285, \$100,000 in nonrecurring general revenue funds is provided to the Virgil Hawkins Florida Chapter Bar Association.

1286	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	63,341	
	FROM ADMINISTRATIVE TRUST FUND . . .		32,513

1287	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	292	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,696

1288	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	36,420	
	FROM ADMINISTRATIVE TRUST FUND . . .		13,362

1289	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	135,441	
	FROM ADMINISTRATIVE TRUST FUND . . .		157,876

TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	6,896,618	
	FROM TRUST FUNDS . . . . .		5,600,464

TOTAL POSITIONS . . . . .	133.00	
TOTAL ALL FUNDS . . . . .		12,497,082

## CRIMINAL AND CIVIL LITIGATION

APPROVED SALARY RATE	45,207,448
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1290	SALARIES AND BENEFITS	POSITIONS	933.00
	FROM GENERAL REVENUE FUND . . . . .		18,617,480
	FROM CRIMES COMPENSATION TRUST FUND . . . . .		5,903
	FROM FEDERAL GRANTS TRUST FUND . . .		11,324,318
	FROM LEGAL SERVICES TRUST FUND . . .		21,352,400
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND . . . . .		7,209,116
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . . . . .		1,427,440
	FROM OPERATING TRUST FUND . . . . .		990,570

1291	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	157,215	
	FROM FEDERAL GRANTS TRUST FUND . . .		125,709
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		100,000
	FROM LEGAL SERVICES TRUST FUND . . .		1,046,995
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . . . . .		85,512

1292	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	2,069,064	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,154,266
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		250,000
	FROM LEGAL SERVICES TRUST FUND . . .		2,624,729
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . . . . .		427,086

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

FROM OPERATING TRUST FUND . . . . .	7,830
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From the funds in Specific Appropriation 1292, \$25,000 in recurring general revenue funds is provided to fund online education and training for attorneys relating to the general fundamentals of criminal law.

1293	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	313,745	
	FROM FEDERAL GRANTS TRUST FUND . . .		303,530
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		150,000
	FROM LEGAL SERVICES TRUST FUND . . .		883,391
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . . . . .		44,114

1294	LUMP SUM		
	ATTORNEY GENERAL RESERVE POSITIONS FOR AGENCY CONTRACTS	POSITIONS	50.00

The positions in Specific Appropriation 1294 shall be released as necessary to allow the Office of the Attorney General to contract with state agencies to provide legal representation.

1295	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND . . . . .	53,927	
	FROM FEDERAL GRANTS TRUST FUND . . .		203,551

1296	SPECIAL CATEGORIES		
	MEDICAID FRAUD INFORMANT REWARDS		
	FROM OPERATING TRUST FUND . . . . .		2,000,000

1297	SPECIAL CATEGORIES		
	ANTITRUST INVESTIGATIONS		
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND . . . . .		1,485,697

1298	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	157,884	
	FROM FEDERAL GRANTS TRUST FUND . . .		144,731
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		1,500,000
	FROM LEGAL SERVICES TRUST FUND . . .		1,993,399
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . . . . .		74,281

1299	SPECIAL CATEGORIES		
	ECONOMIC CRIME LITIGATION		
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND . . . . .		5,250,150

1300	SPECIAL CATEGORIES		
	LITIGATION EXPENSES		
	FROM LEGAL SERVICES TRUST FUND . . .		46,500

1301	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	181,921	
	FROM FEDERAL GRANTS TRUST FUND . . .		140,333
	FROM LEGAL SERVICES TRUST FUND . . .		254,003
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND . . . . .		101,580
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . . . . .		8,642

1302	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	62,376	
	FROM FEDERAL GRANTS TRUST FUND . . .		97,661

1303	SPECIAL CATEGORIES		
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SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND . . . . .	1,053		
FROM FEDERAL GRANTS TRUST FUND . . .		351	
FROM LEGAL SERVICES TRUST FUND . . .		1,068	
1304 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND . . . . .	113,328		
FROM FEDERAL GRANTS TRUST FUND . . .		67,923	
FROM LEGAL SERVICES TRUST FUND . . .		119,261	
FROM LEGAL AFFAIRS REVOLVING TRUST			
FUND . . . . .		32,808	
FROM MOTOR VEHICLE WARRANTY TRUST			
FUND . . . . .		8,493	
FROM OPERATING TRUST FUND . . . . .		411	
1305 DATA PROCESSING SERVICES			
OTHER DATA PROCESSING SERVICES			
FROM GENERAL REVENUE FUND . . . . .	12,483		
FROM FEDERAL GRANTS TRUST FUND . . .		35,000	
FROM LEGAL SERVICES TRUST FUND . . .		223,053	
1306 DATA PROCESSING SERVICES			
NORTHWEST REGIONAL DATA CENTER (NWRDC)			
FROM GENERAL REVENUE FUND . . . . .	979		

The funds provided in Specific Appropriation 1306 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: CRIMINAL AND CIVIL LITIGATION			
FROM GENERAL REVENUE FUND . . . . .	21,741,455		
FROM TRUST FUNDS . . . . .		64,301,805	
TOTAL POSITIONS . . . . .	983.00		
TOTAL ALL FUNDS . . . . .		86,043,260	

PROGRAM: OFFICE OF STATEWIDE PROSECUTION

PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME

APPROVED SALARY RATE	4,031,704		
1307 SALARIES AND BENEFITS POSITIONS	65.50		
FROM GENERAL REVENUE FUND . . . . .	4,261,527		
FROM CRIMES COMPENSATION TRUST			
FUND . . . . .		1,215	
FROM FEDERAL GRANTS TRUST FUND . . .		247,518	
FROM OPERATING TRUST FUND . . . . .		145,764	
1308 SPECIAL CATEGORIES			
STATEWIDE PROSECUTION			
FROM GENERAL REVENUE FUND . . . . .	843,105		
FROM FEDERAL GRANTS TRUST FUND . . .		39,602	
FROM OPERATING TRUST FUND . . . . .		367,204	
1309 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND . . . . .	42,342		
FROM OPERATING TRUST FUND . . . . .		902	
1310 SPECIAL CATEGORIES			
LEASE OR LEASE-PURCHASE OF EQUIPMENT			
FROM GENERAL REVENUE FUND . . . . .	936		
1311 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND . . . . .	23,846		
FROM OPERATING TRUST FUND . . . . .		2,025	

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

TOTAL: PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME			
FROM GENERAL REVENUE FUND . . . . .	5,171,756		
FROM TRUST FUNDS . . . . .		804,230	
TOTAL POSITIONS . . . . .	65.50		
TOTAL ALL FUNDS . . . . .		5,975,986	
PROGRAM: FLORIDA ELECTIONS COMMISSION			
CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT			
APPROVED SALARY RATE	702,039		
1312 SALARIES AND BENEFITS POSITIONS	14.00		
FROM ELECTIONS COMMISSION TRUST			
FUND . . . . .		940,811	
1313 OTHER PERSONAL SERVICES			
FROM ELECTIONS COMMISSION TRUST			
FUND . . . . .		76,354	
1314 EXPENSES			
FROM ELECTIONS COMMISSION TRUST			
FUND . . . . .		294,735	
1315 OPERATING CAPITAL OUTLAY			
FROM ELECTIONS COMMISSION TRUST			
FUND . . . . .		10,000	
1316 SPECIAL CATEGORIES			
TRANSFER TO DIVISION OF ADMINISTRATIVE			
HEARINGS			
FROM ELECTIONS COMMISSION TRUST			
FUND . . . . .		4,499	
1317 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM ELECTIONS COMMISSION TRUST			
FUND . . . . .		22,533	
1318 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM ELECTIONS COMMISSION TRUST			
FUND . . . . .		27,091	
1319 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM ELECTIONS COMMISSION TRUST			
FUND . . . . .		5,523	
TOTAL: CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT			
FROM TRUST FUNDS . . . . .		1,381,546	
TOTAL POSITIONS . . . . .	14.00		
TOTAL ALL FUNDS . . . . .		1,381,546	
TOTAL: LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL			
FROM GENERAL REVENUE FUND . . . . .	40,680,076		
FROM TRUST FUNDS . . . . .		146,910,186	
TOTAL POSITIONS . . . . .	1,294.50		
TOTAL ALL FUNDS . . . . .		187,590,262	
TOTAL APPROVED SALARY RATE . . . .	60,537,824		
PAROLE COMMISSION			
PROGRAM: POST-INCARCERATION ENFORCEMENT AND			
VICTIMS RIGHTS			
APPROVED SALARY RATE	5,390,954		
1320 SALARIES AND BENEFITS POSITIONS	122.00		

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS  
SPECIFIC  
APPROPRIATION

	FROM GENERAL REVENUE FUND . . . . .	6,752,298	
	FROM FEDERAL GRANTS TRUST FUND . . .		51,188
1321	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	452,514	
1322	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	767,180	
1323	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	16,771	
1324	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	67,893	
1325	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	19,800	
1326	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	46,082	
1327	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	194,450	
TOTAL: PROGRAM: POST-INCARCERATION ENFORCEMENT AND VICTIMS RIGHTS			
	FROM GENERAL REVENUE FUND . . . . .	8,316,988	
	FROM TRUST FUNDS . . . . .		51,188
	TOTAL POSITIONS . . . . .	122.00	
	TOTAL ALL FUNDS . . . . .		8,368,176
TOTAL: PAROLE COMMISSION			
	FROM GENERAL REVENUE FUND . . . . .	8,316,988	
	FROM TRUST FUNDS . . . . .		51,188
	TOTAL POSITIONS . . . . .	122.00	
	TOTAL ALL FUNDS . . . . .		8,368,176
	TOTAL APPROVED SALARY RATE . . . .	5,390,954	
TOTAL OF SECTION 4			
	FROM GENERAL REVENUE FUND . . . . .	3,181,910,517	
	FROM TRUST FUNDS . . . . .		650,674,440
	TOTAL POSITIONS . . . . .	40,088.25	
	TOTAL ALL FUNDS . . . . .		3,832,584,957

## SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

The moneys contained herein are appropriated from the named funds to the Department of Agriculture and Consumer Services, Department of Environmental Protection, Fish and Wildlife Conservation Commission and the Department of Transportation as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF,  
AND COMMISSIONER OF AGRICULTURE

PROGRAM: OFFICE OF THE COMMISSIONER AND  
ADMINISTRATION

AGRICULTURAL LAW ENFORCEMENT

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

	APPROVED SALARY RATE	11,648,332	
1328	SALARIES AND BENEFITS	POSITIONS	272.00
	FROM GENERAL REVENUE FUND . . . . .		13,933,069
	FROM GENERAL INSPECTION TRUST FUND .		1,039,259
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND . . . . .		801,111
1329	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	15,000	
1330	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	1,178,396	
	FROM FEDERAL GRANTS TRUST FUND . . .		60,000
	FROM GENERAL INSPECTION TRUST FUND .		135,731
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND . . . . .		50,820
1331	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	5,747	
1332	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND . . . . .		76,980
1333	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	131,408	
	FROM FEDERAL GRANTS TRUST FUND . . .		390,000
	FROM GENERAL INSPECTION TRUST FUND .		25,000
1334	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	267,860	
1335	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	106,242	
	FROM AGRICULTURAL LAW ENFORCEMENT		
	TRUST FUND . . . . .		23,035
	FROM GENERAL INSPECTION TRUST FUND .		881
1336	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	82,336	
	FROM GENERAL INSPECTION TRUST FUND .		1,732
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND . . . . .		565
TOTAL: AGRICULTURAL LAW ENFORCEMENT			
	FROM GENERAL REVENUE FUND . . . . .	15,720,058	
	FROM TRUST FUNDS . . . . .		2,605,114
	TOTAL POSITIONS . . . . .	272.00	
	TOTAL ALL FUNDS . . . . .		18,325,172

## AGRICULTURAL WATER POLICY COORDINATION

	APPROVED SALARY RATE	1,820,413	
1337	SALARIES AND BENEFITS	POSITIONS	34.00
	FROM GENERAL REVENUE FUND . . . . .		101,304
	FROM GENERAL INSPECTION TRUST FUND .		2,206,936
1338	EXPENSES		
	FROM GENERAL INSPECTION TRUST FUND .		398,865
1339	SPECIAL CATEGORIES		
	NITRATE RESEARCH AND REMEDIATION		
	FROM GENERAL INSPECTION TRUST FUND .		930,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

1340	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL INSPECTION TRUST FUND . . . . .	5,137	
1341	SPECIAL CATEGORIES		
	AGRICULTURAL NONPOINT SOURCES BEST		
	MANAGEMENT PRACTICES IMPLEMENTATION		
	FROM GENERAL REVENUE FUND . . . . .	9,000,000	
	FROM GENERAL INSPECTION TRUST FUND . . . . .	5,351,000	

From the funds in Specific Appropriation 1341, \$3,000,000 in nonrecurring funds from the General Inspection Trust Fund is provided for the implementation of agricultural nonpoint source controls in the Okeechobee, Caloosahatchee, and St. Lucie River watersheds.

From the funds in Specific Appropriation 1341, \$1,000,000 in nonrecurring funds and \$2,000,000 in recurring funds from the General Revenue Fund are provided for the construction, operation, and maintenance of an approximate 680 acre floating aquatic vegetative tilling system within the Henry Hilliard Drainage District in the Southern Caloosahatchee River Basin, providing treatment of water flowing in the Caloosahatchee River.

1342	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL INSPECTION TRUST FUND . . . . .	10,609	
1342A	FIXED CAPITAL OUTLAY		
	HYBRID WETLANDS TREATMENT PROJECTS		
	FROM GENERAL REVENUE FUND . . . . .	3,000,000	

From the funds in Specific Appropriation 1342A, \$3,000,000 in nonrecurring funds from the General Revenue Fund is provided for the construction of a hybrid wetland/chemical treatment project within the Northern Everglades pursuant to s. 373.4595(3)(b), Florida Statutes.

TOTAL: AGRICULTURAL WATER POLICY COORDINATION			
FROM GENERAL REVENUE FUND . . . . .	12,101,304		
FROM TRUST FUNDS . . . . .		8,902,547	
TOTAL POSITIONS . . . . .	34.00		
TOTAL ALL FUNDS . . . . .		21,003,851	

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 9,169,160

1344	SALARIES AND BENEFITS	POSITIONS	174.25
	FROM GENERAL REVENUE FUND . . . . .	4,886,140	
	FROM ADMINISTRATIVE TRUST FUND . . . . .	6,345,612	
	FROM FEDERAL GRANTS TRUST FUND . . . . .	3,413	
	FROM GENERAL INSPECTION TRUST FUND . . . . .	773,001	
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND . . . . .	608	

1345	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	70,524	
	FROM ADMINISTRATIVE TRUST FUND . . . . .	10,352	

1346	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND . . . . .	1,433,666	
	FROM GENERAL INSPECTION TRUST FUND . . . . .	158,223	
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND . . . . .	81,190	

1347	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	3,614	

1348	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE		
	HEARINGS		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

	FROM ADMINISTRATIVE TRUST FUND . . . . .	22,996	
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1349	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,000	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		618,000
	FROM GENERAL INSPECTION TRUST FUND . . . . .		499,574

1350	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	19,030	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		76,562

1351	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	6,000	

1352	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	37,262	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		19,602
	FROM AGRICULTURAL EMERGENCY		
	ERADICATION TRUST FUND . . . . .		18

1352A	FIXED CAPITAL OUTLAY		
	PURCHASE AND RENOVATION OF TRACT 2		
	BUILDINGS IN UNITED STATES STEELE		
	CORPORATION (USS) COMMERCIAL PARK		
	FROM GENERAL REVENUE FUND . . . . .	1,500,000	

From the funds in Specific Appropriation 1352A, the department is authorized to purchase property whose legal description follows:

Tract 2, USS Commercial Park, recorded in Plat Book 74, Pages 21 & 22 of the Public Records of Polk County, Florida; all lying in and being part of Section 1, Township 30 South, Range 24 East, Polk County, Florida; Parcel contains 7.06 acres, more or less.

The purchase is contingent upon an agreement that the department will vacate the property with the legal description:

All of Block 7 in Silver Shores Addition to Winter Haven, Florida, as shown by map or plat thereof, recorded in Plat Book 19, Page 36, Public Records, Polk County, Florida, as well as the adjacent parking lots with the legal description: Lots 27, 28 and 29 of Block 8 in Silver Shores Addition to Winter Haven, Florida, as shown by map or plat thereof, recorded in Plat Book 19, Page 36, Public Records, Polk County, Florida.

As part of the purchase of the property, the department will negotiate with the Southwest Florida Water Management District to allow district staff currently occupying the property to remain and will consolidate staff from both the department and district into one building.

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
FROM GENERAL REVENUE FUND . . . . .	6,523,570		
FROM TRUST FUNDS . . . . .		10,042,817	

TOTAL POSITIONS . . . . .	174.25		
TOTAL ALL FUNDS . . . . .		16,566,387	

DIVISION OF LICENSING

APPROVED SALARY RATE 7,787,946

1353	SALARIES AND BENEFITS	POSITIONS	234.00
	FROM DIVISION OF LICENSING TRUST		
	FUND . . . . .		11,177,282

1354	OTHER PERSONAL SERVICES		
	FROM DIVISION OF LICENSING TRUST		
	FUND . . . . .		309,832

1355	EXPENSES		
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SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

	FROM DIVISION OF LICENSING TRUST FUND . . . . .	3,530,351	
1356	OPERATING CAPITAL OUTLAY FROM DIVISION OF LICENSING TRUST FUND . . . . .	197,427	
1357	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM DIVISION OF LICENSING TRUST FUND . . . . .	74,000	
1358	SPECIAL CATEGORIES CONTRACTED SERVICES FROM DIVISION OF LICENSING TRUST FUND . . . . .	7,844,519	
1359	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM DIVISION OF LICENSING TRUST FUND . . . . .	60,526	
1360	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM DIVISION OF LICENSING TRUST FUND . . . . .	73,022	
TOTAL:	DIVISION OF LICENSING FROM TRUST FUNDS . . . . .	23,266,959	
	TOTAL POSITIONS . . . . .	234.00	
	TOTAL ALL FUNDS . . . . .	23,266,959	

## OFFICE OF ENERGY

	APPROVED SALARY RATE	837,758	
1361	SALARIES AND BENEFITS POSITIONS FROM FEDERAL GRANTS TRUST FUND . . .	15.00 1,324,466	
1362	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . .	350,000	
1363	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . .	427,212	
1364	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND . . .	2,500	
1365	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL GRANTS TRUST FUND . . .	175,917	
1365A	SPECIAL CATEGORIES GRANTS AND AIDS - BIO-AGRICULTURE DEVELOPMENT, DEMONSTRATION AND COMMERCIALIZATION FROM GENERAL REVENUE FUND . . . . .	250,000	

From the funds in Specific Appropriation 1365A, \$250,000 in nonrecurring general revenue funds is provided for programs and activities that support Bio-Agriculture development and commercialization by increasing commercial utilization of federal laboratories and test facilities at the NASA John F. Kennedy Space Center and/or other federal or state installations and facilities in the state; identifying Bio-Agriculture development opportunities and commercialization requirements and impediments in the state; and developing cost-sharing partnerships and collaboration among companies, universities and federal and state agencies.

1366 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

	FROM FEDERAL GRANTS TRUST FUND . . .		2,855
1367	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . .		3,325
1368	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY UNITED STATES DEPARTMENT OF ENERGY SPECIAL PROJECTS FROM FEDERAL GRANTS TRUST FUND . . .		500,000
TOTAL:	OFFICE OF ENERGY FROM GENERAL REVENUE FUND . . . . .	250,000	
	FROM TRUST FUNDS . . . . .		2,786,275
	TOTAL POSITIONS . . . . .	15.00	
	TOTAL ALL FUNDS . . . . .		3,036,275
	PROGRAM: FOREST AND RESOURCE PROTECTION LAND MANAGEMENT		
	APPROVED SALARY RATE	15,799,423	
1369	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . .	449.00 6,386,550	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,065,923
	FROM INCIDENTAL TRUST FUND . . . . .		3,809,516
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .		9,688,216
1370	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . .		217,818
	FROM INCIDENTAL TRUST FUND . . . . .		375,769
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .		358,576
1371	EXPENSES FROM GENERAL REVENUE FUND . . . . .	1,000,000	
	FROM FEDERAL GRANTS TRUST FUND . . .		345,696
	FROM INCIDENTAL TRUST FUND . . . . .		2,683,957
	FROM RELOCATION AND CONSTRUCTION TRUST FUND . . . . .		10,000
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .		2,852,334
1372	AID TO LOCAL GOVERNMENTS AMERICA THE BEAUTIFUL PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .		1,747,538
1373	AID TO LOCAL GOVERNMENTS STATE FOREST RECEIPT DISTRIBUTION FROM INCIDENTAL TRUST FUND . . . . .		595,000
1374	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .	3,110	
	FROM FEDERAL GRANTS TRUST FUND . . .		59,150
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .		118,458
1375	SPECIAL CATEGORIES OFF-HIGHWAY VEHICLE RECREATION PROGRAM FROM INCIDENTAL TRUST FUND . . . . .		220,000
1376	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL GRANTS TRUST FUND . . .		1,056,825
	FROM INCIDENTAL TRUST FUND . . . . .		313,351
	FROM RELOCATION AND CONSTRUCTION TRUST FUND . . . . .		40,000
	FROM CONSERVATION AND RECREATION		



SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
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	LANDS PROGRAM TRUST FUND . . . . .	633,875	
1377	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	180,717	
	FROM INCIDENTAL TRUST FUND . . . . .	143,541	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	377,375	
1378	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	71,602	
	FROM INCIDENTAL TRUST FUND . . . . .	18,372	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	69,718	
1378A	FIXED CAPITAL OUTLAY CONSERVATION AND RURAL LAND PROTECTION EASEMENTS AND AGREEMENTS FROM GENERAL REVENUE FUND . . . . .	11,138,555	
TOTAL: LAND MANAGEMENT	FROM GENERAL REVENUE FUND . . . . .	18,780,534	
	FROM TRUST FUNDS . . . . .	26,801,008	
	TOTAL POSITIONS . . . . .	449.00	
	TOTAL ALL FUNDS . . . . .	45,581,542	
WILDFIRE PREVENTION AND MANAGEMENT			
	APPROVED SALARY RATE	25,191,006	
1380	SALARIES AND BENEFITS POSITIONS	727.50	
	FROM GENERAL REVENUE FUND . . . . .	33,122,462	
	FROM FEDERAL GRANTS TRUST FUND . . .	1,283,612	
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .	944,113	
	FROM INCIDENTAL TRUST FUND . . . . .	2,221,664	
1381	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	356,742	
	FROM FEDERAL GRANTS TRUST FUND . . .	277,349	
	FROM INCIDENTAL TRUST FUND . . . . .	25,000	
1382	EXPENSES FROM GENERAL REVENUE FUND . . . . .	3,270,438	
	FROM FEDERAL GRANTS TRUST FUND . . .	1,591,567	
	FROM INCIDENTAL TRUST FUND . . . . .	2,280,167	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	1,006,570	
1383	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - VOLUNTEER FIRE ASSISTANCE FROM FEDERAL GRANTS TRUST FUND . . .	275,763	
1384	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - RURAL COMMUNITY FIRE PROTECTION FROM FEDERAL GRANTS TRUST FUND . . .	72,589	
1385	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .	790,725	
	FROM FEDERAL GRANTS TRUST FUND . . .	558,625	
1386	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FEDERAL GRANTS TRUST FUND . . .	100,000	
1387	SPECIAL CATEGORIES FORESTRY WILDFIRE PROTECTION/SUPPRESSION EQUIPMENT		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
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	FROM GENERAL REVENUE FUND . . . . .	3,300,000	
	FROM FEDERAL GRANTS TRUST FUND . . .	400,000	
	FROM INCIDENTAL TRUST FUND . . . . .	156,868	
1388	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	133,794	
	FROM FEDERAL GRANTS TRUST FUND . . .	1,849,078	
	FROM INCIDENTAL TRUST FUND . . . . .	123,756	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	34,468	
1389	SPECIAL CATEGORIES ON-CALL FEES FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .	333,296	
	FROM INCIDENTAL TRUST FUND . . . . .	10,000	
1389A	SPECIAL CATEGORIES OVERTIME FROM GENERAL REVENUE FUND . . . . .	135,172	
1390	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	1,834,225	
	FROM INCIDENTAL TRUST FUND . . . . .	706,698	
1391	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	217,920	
	FROM INCIDENTAL TRUST FUND . . . . .	18,155	
TOTAL: WILDFIRE PREVENTION AND MANAGEMENT	FROM GENERAL REVENUE FUND . . . . .	43,161,478	
	FROM TRUST FUNDS . . . . .	14,269,338	
	TOTAL POSITIONS . . . . .	727.50	
	TOTAL ALL FUNDS . . . . .	57,430,816	
PROGRAM: AGRICULTURE MANAGEMENT INFORMATION CENTER			
OFFICE OF AGRICULTURE TECHNOLOGY SERVICES			
	APPROVED SALARY RATE	2,360,460	
1392	SALARIES AND BENEFITS POSITIONS	44.00	
	FROM GENERAL REVENUE FUND . . . . .	621,620	
	FROM GENERAL INSPECTION TRUST FUND .	2,474,517	
1393	OTHER PERSONAL SERVICES FROM GENERAL INSPECTION TRUST FUND .	47,348	
1394	EXPENSES FROM DIVISION OF LICENSING TRUST FUND . . . . .	116,125	
	FROM GENERAL INSPECTION TRUST FUND .	2,521,214	
1395	OPERATING CAPITAL OUTLAY FROM GENERAL INSPECTION TRUST FUND .	401,846	
1396	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL INSPECTION TRUST FUND .	785,505	
1397	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL INSPECTION TRUST FUND .	6,009	
1398	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
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APPROPRIATION

FROM GENERAL INSPECTION TRUST FUND .		13,672
TOTAL: OFFICE OF AGRICULTURE TECHNOLOGY SERVICES		
FROM GENERAL REVENUE FUND . . . . .	621,620	
FROM TRUST FUNDS . . . . .		6,366,236
TOTAL POSITIONS . . . . .	44.00	
TOTAL ALL FUNDS . . . . .		6,987,856

## PROGRAM: FOOD SAFETY AND QUALITY

## FOOD SAFETY INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE	11,700,575	
1399 SALARIES AND BENEFITS POSITIONS	300.00	
FROM GENERAL REVENUE FUND . . . . .	1,070,208	
FROM FEDERAL GRANTS TRUST FUND . . .		1,741,573
FROM GENERAL INSPECTION TRUST FUND .		13,582,311
1400 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND . . .		223,441
FROM GENERAL INSPECTION TRUST FUND .		338,000
1401 EXPENSES		
FROM GENERAL REVENUE FUND . . . . .	212,347	
FROM FEDERAL GRANTS TRUST FUND . . .		732,195
FROM GENERAL INSPECTION TRUST FUND .		1,842,027
1402 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND . . . . .	10,500	
FROM FEDERAL GRANTS TRUST FUND . . .		250,747
FROM GENERAL INSPECTION TRUST FUND .		47,333
1403 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL INSPECTION TRUST FUND .		98,975
1404 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND . . . . .	24,960	
FROM FEDERAL GRANTS TRUST FUND . . .		370,707
FROM GENERAL INSPECTION TRUST FUND .		435,000
1405 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND . . . . .	23,695	
FROM GENERAL INSPECTION TRUST FUND .		207,401
1406 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND . . . . .	7,665	
FROM GENERAL INSPECTION TRUST FUND .		84,742
1407 SPECIAL CATEGORIES		
GRANTS AND AIDS - DEEPWATER HORIZON -		
STATE OPERATIONS		
FROM AGRICULTURAL EMERGENCY		
ERADICATION TRUST FUND . . . . .		1,500,000
TOTAL: FOOD SAFETY INSPECTION AND ENFORCEMENT		
FROM GENERAL REVENUE FUND . . . . .	1,349,375	
FROM TRUST FUNDS . . . . .		21,454,452
TOTAL POSITIONS . . . . .	300.00	
TOTAL ALL FUNDS . . . . .		22,803,827

## PROGRAM: CONSUMER PROTECTION

## AGRICULTURAL ENVIRONMENTAL SERVICES

APPROVED SALARY RATE	7,693,899
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SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
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1408 SALARIES AND BENEFITS POSITIONS	183.00	
FROM GENERAL REVENUE FUND . . . . .	692,966	
FROM FEDERAL GRANTS TRUST FUND . . .		407,109
FROM GENERAL INSPECTION TRUST FUND .		6,692,633
FROM PEST CONTROL TRUST FUND . . . .		2,847,221
1409 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	100	
FROM FEDERAL GRANTS TRUST FUND . . .		145,000
FROM GENERAL INSPECTION TRUST FUND .		33,000
FROM PEST CONTROL TRUST FUND . . . .		41,530
1410 EXPENSES		
FROM GENERAL REVENUE FUND . . . . .	14,451	
FROM FEDERAL GRANTS TRUST FUND . . .		338,295
FROM GENERAL INSPECTION TRUST FUND .		1,089,939
FROM PEST CONTROL TRUST FUND . . . .		375,731
1411 AID TO LOCAL GOVERNMENTS		
MOSQUITO CONTROL PROGRAM		
FROM GENERAL INSPECTION TRUST FUND .		2,660,000

Of the funds provided in Specific Appropriation 1411, \$500,000 from the General Inspection Trust Fund shall be used to hire and support new personnel at the Institute of Food and Agricultural Sciences (IFAS)/Florida Medical Entomology Laboratory to perform applied research to develop and test formulations, application techniques, and procedures of pesticides and biological control agents for the control of arthropods, and in particular, biting arthropods of public health or nuisance importance.

Of the funds provided in Specific Appropriation 1411, \$500,000 from the General Inspection Trust Fund shall be used for competitive grants as approved by the department for applied and basic research into the practical methods of control to be used by local mosquito control agencies, including research into the prevention of mosquito-borne illnesses. The research may be conducted by any public university or college in Florida.

1412 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND . . . . .	1,513	
FROM FEDERAL GRANTS TRUST FUND . . .		102,500
1413 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM FEDERAL GRANTS TRUST FUND . . .		120,000

From the funds provided in Specific Appropriation 1413, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 175,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.

1414 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND . . . . .	107,372	
FROM FEDERAL GRANTS TRUST FUND . . .		296,278
FROM GENERAL INSPECTION TRUST FUND .		125,124
FROM PEST CONTROL TRUST FUND . . . .		206,425

1415 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND . . . . .	33,155	
FROM GENERAL INSPECTION TRUST FUND .		21,158

1416 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND . . . . .	18,668	
FROM GENERAL INSPECTION TRUST FUND .		31,582

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FROM PEST CONTROL TRUST FUND . . . . 14,764

TOTAL: AGRICULTURAL ENVIRONMENTAL SERVICES

FROM GENERAL REVENUE FUND . . . . . 868,225

FROM TRUST FUNDS . . . . . 15,548,289

TOTAL POSITIONS . . . . . 183.00

TOTAL ALL FUNDS . . . . . 16,416,514

CONSUMER PROTECTION

APPROVED SALARY RATE 9,868,476

1417 SALARIES AND BENEFITS POSITIONS 274.00

FROM GENERAL INSPECTION TRUST FUND . 13,320,728

1418 OTHER PERSONAL SERVICES

FROM GENERAL INSPECTION TRUST FUND . 170,285

1419 EXPENSES

FROM GENERAL INSPECTION TRUST FUND . 2,463,323

1420 OPERATING CAPITAL OUTLAY

FROM GENERAL INSPECTION TRUST FUND . 75,437

1421 SPECIAL CATEGORIES

ACQUISITION OF MOTOR VEHICLES

FROM GENERAL INSPECTION TRUST FUND . 138,937

1422 SPECIAL CATEGORIES

CONTRACTED SERVICES

FROM GENERAL INSPECTION TRUST FUND . 988,533

1423 SPECIAL CATEGORIES

RISK MANAGEMENT INSURANCE

FROM GENERAL INSPECTION TRUST FUND . 231,287

1424 SPECIAL CATEGORIES

TRANSFER TO DEPARTMENT OF MANAGEMENT

SERVICES - HUMAN RESOURCES SERVICES

PURCHASED PER STATEWIDE CONTRACT

FROM GENERAL INSPECTION TRUST FUND . 91,479

TOTAL: CONSUMER PROTECTION

FROM TRUST FUNDS . . . . . 17,480,009

TOTAL POSITIONS . . . . . 274.00

TOTAL ALL FUNDS . . . . . 17,480,009

PROGRAM: AGRICULTURAL ECONOMIC DEVELOPMENT

FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE 4,328,651

1425 SALARIES AND BENEFITS POSITIONS 115.00

FROM CITRUS INSPECTION TRUST FUND . 4,013,802

FROM GENERAL INSPECTION TRUST FUND . 2,259,942

1426 OTHER PERSONAL SERVICES

FROM CITRUS INSPECTION TRUST FUND . 678,425

FROM GENERAL INSPECTION TRUST FUND . 800,000

1427 EXPENSES

FROM CITRUS INSPECTION TRUST FUND . 660,052

FROM GENERAL INSPECTION TRUST FUND . 614,815

1428 OPERATING CAPITAL OUTLAY

FROM CITRUS INSPECTION TRUST FUND . 33,710

1429 SPECIAL CATEGORIES

AUTOMATED TESTING EQUIPMENT

FROM CITRUS INSPECTION TRUST FUND . 216,041

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1430 SPECIAL CATEGORIES

CONTRACTED SERVICES

FROM CITRUS INSPECTION TRUST FUND . 98,428

FROM GENERAL INSPECTION TRUST FUND . 107,462

1431 SPECIAL CATEGORIES

RISK MANAGEMENT INSURANCE

FROM CITRUS INSPECTION TRUST FUND . 60,034

FROM GENERAL INSPECTION TRUST FUND . 53,236

1432 SPECIAL CATEGORIES

TRANSFER TO DEPARTMENT OF MANAGEMENT

SERVICES - HUMAN RESOURCES SERVICES

PURCHASED PER STATEWIDE CONTRACT

FROM CITRUS INSPECTION TRUST FUND . 64,046

FROM GENERAL INSPECTION TRUST FUND . 20,748

TOTAL: FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT

FROM TRUST FUNDS . . . . . 9,680,741

TOTAL POSITIONS . . . . . 115.00

TOTAL ALL FUNDS . . . . . 9,680,741

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE 5,715,137

1433 SALARIES AND BENEFITS POSITIONS 156.00

FROM GENERAL REVENUE FUND . . . . . 508,744

FROM CITRUS INSPECTION TRUST FUND . 1,343,368

FROM GENERAL INSPECTION TRUST FUND . 1,501,120

FROM AGRICULTURAL EMERGENCY

ERADICATION TRUST FUND . . . . . 1,547,486

FROM MARKET IMPROVEMENTS WORKING

CAPITAL TRUST FUND . . . . . 2,377,889

FROM SALTWATER PRODUCTS PROMOTION

TRUST FUND . . . . . 843,532

FROM FLORIDA AGRICULTURAL

PROMOTION CAMPAIGN TRUST FUND . . 42,654

1434 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND . . . . . 8,600

FROM CITRUS INSPECTION TRUST FUND . 213,765

FROM AGRICULTURAL EMERGENCY

ERADICATION TRUST FUND . . . . . 53,598

FROM MARKET IMPROVEMENTS WORKING

CAPITAL TRUST FUND . . . . . 26,400

1435 EXPENSES

FROM GENERAL REVENUE FUND . . . . . 148,541

FROM CITRUS INSPECTION TRUST FUND . 323,828

FROM GENERAL INSPECTION TRUST FUND . 625,716

FROM AGRICULTURAL EMERGENCY

ERADICATION TRUST FUND . . . . . 99,980

FROM MARKET TRADE SHOW TRUST FUND . 101,601

FROM MARKET IMPROVEMENTS WORKING

CAPITAL TRUST FUND . . . . . 848,391

FROM SALTWATER PRODUCTS PROMOTION

TRUST FUND . . . . . 200,959

FROM VITICULTURE TRUST FUND . . . . 9,580

FROM FLORIDA AGRICULTURAL

PROMOTION CAMPAIGN TRUST FUND . . 121,622

From the funds provided in Specific Appropriation 1435, \$100,000 from the General Inspection Trust Fund is provided for alligator marketing.

1436 OPERATING CAPITAL OUTLAY

FROM GENERAL INSPECTION TRUST FUND . 100,000

FROM MARKET IMPROVEMENTS WORKING

CAPITAL TRUST FUND . . . . . 57,250

1437 SPECIAL CATEGORIES

ACQUISITION OF MOTOR VEHICLES

FROM CITRUS INSPECTION TRUST FUND . 117,900

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1438	SPECIAL CATEGORIES GRANTS AND AIDS - VITICULTURE PROGRAM FROM VITICULTURE TRUST FUND . . . . .	600,000	
1439	SPECIAL CATEGORIES FLORIDA AGRICULTURE PROMOTION CAMPAIGN FROM GENERAL REVENUE FUND . . . . . FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .	8,400,000	1,310,000
1440	SPECIAL CATEGORIES FEDERAL VALUE OF PRODUCTION SPECIALTY CROP GRANT FROM FEDERAL GRANTS TRUST FUND . . .		7,000,000
1441	SPECIAL CATEGORIES FEDERAL SUPPORT FOR FLORIDA AGRICULTURE PROMOTIONS FROM FEDERAL GRANTS TRUST FUND . . .		206,586
1441A	SPECIAL CATEGORIES FLORIDA HORSE PARK FROM GENERAL REVENUE FUND . . . . .	2,000,000	
1441B	SPECIAL CATEGORIES GRANTS AND AIDS - MOBILE FARMER'S MARKET FROM GENERAL REVENUE FUND . . . . .	150,000	
1442	SPECIAL CATEGORIES CITRUS RESEARCH FROM GENERAL REVENUE FUND . . . . .	8,000,000	

Funds in Specific Appropriation 1442 shall be transferred to the Citrus Research and Development Foundation, Inc., to conduct or cause to be conducted research projects on citrus disease.

1443	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . . FROM CITRUS INSPECTION TRUST FUND . FROM GENERAL INSPECTION TRUST FUND . FROM MARKET TRADE SHOW TRUST FUND . FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND . . . . . FROM SALTWATER PRODUCTS PROMOTION TRUST FUND . . . . .	15,219	25,000 189,760 75,000 28,600 150,000
1444	SPECIAL CATEGORIES GRANTS AND AIDS - MARKETING ORDERS FROM CITRUS INSPECTION TRUST FUND . FROM GENERAL INSPECTION TRUST FUND .	7,149,231	565,082
1445	SPECIAL CATEGORIES GRANTS AND AIDS - PROMOTIONAL AWARDS FROM GENERAL REVENUE FUND . . . . . FROM GENERAL INSPECTION TRUST FUND .	250,000	300,000
1446	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . . FROM CITRUS INSPECTION TRUST FUND . FROM GENERAL INSPECTION TRUST FUND . FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND . . . . . FROM SALTWATER PRODUCTS PROMOTION TRUST FUND . . . . .	12,237	7,645 15,526 37,539 7,835
1447	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . . FROM CITRUS INSPECTION TRUST FUND .	19,052	7,818

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	FROM GENERAL INSPECTION TRUST FUND .	8,358	
	FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND . . . . .	14,607	
	FROM SALTWATER PRODUCTS PROMOTION TRUST FUND . . . . .	4,944	
	FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND . . .	248	
1448	SPECIAL CATEGORIES GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .		500,000
1448A	FIXED CAPITAL OUTLAY MAINTENANCE AND REPAIRS STATE FARMERS' MARKETS - STATEWIDE FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND . . . . .		610,000
1449	FIXED CAPITAL OUTLAY CODE AND LIFE SAFETY - STATE FARMERS' MARKETS - STATEWIDE FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND . . . . .		310,000
	TOTAL: AGRICULTURAL PRODUCTS MARKETING FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .	19,512,393	29,680,418
	TOTAL POSITIONS . . . . .	156.00	
	TOTAL ALL FUNDS . . . . .		49,192,811

## AQUACULTURE

	APPROVED SALARY RATE	1,810,798	
1450	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . . FROM GENERAL INSPECTION TRUST FUND .	44.00 1,722,233	769,812
1451	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . . FROM GENERAL INSPECTION TRUST FUND .		29,700 30,532
1452	EXPENSES FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM GENERAL INSPECTION TRUST FUND .	500,173	149,000 285,966
1453	OPERATING CAPITAL OUTLAY FROM GENERAL INSPECTION TRUST FUND .		12,600
1454	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL GRANTS TRUST FUND . . . FROM GENERAL INSPECTION TRUST FUND .		30,700 85,000
1455	SPECIAL CATEGORIES OYSTER PLANTING FROM FEDERAL GRANTS TRUST FUND . . . FROM GENERAL INSPECTION TRUST FUND .		190,000 160,000
1456	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . . FROM GENERAL INSPECTION TRUST FUND .	16,312	8,126
1456A	SPECIAL CATEGORIES AQUACULTURE DEVELOPMENT FROM GENERAL REVENUE FUND . . . . .	200,518	
1457	SPECIAL CATEGORIES		

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TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND . . . . .	12,769	
FROM GENERAL INSPECTION TRUST FUND . . . . .		3,404
TOTAL: AQUACULTURE		
FROM GENERAL REVENUE FUND . . . . .	2,452,005	
FROM TRUST FUNDS . . . . .		1,754,840
TOTAL POSITIONS . . . . .	44.00	
TOTAL ALL FUNDS . . . . .		4,206,845

ANIMAL PEST AND DISEASE CONTROL

APPROVED SALARY RATE	5,096,724	
1458 SALARIES AND BENEFITS POSITIONS	114.50	
FROM GENERAL REVENUE FUND . . . . .	5,280,168	
FROM FEDERAL GRANTS TRUST FUND . . . . .		415,795
FROM GENERAL INSPECTION TRUST FUND . . . . .		462,604
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .		421,631
1459 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	11,866	
FROM FEDERAL GRANTS TRUST FUND . . . . .		95,703
FROM GENERAL INSPECTION TRUST FUND . . . . .		61,642
1460 EXPENSES		
FROM GENERAL REVENUE FUND . . . . .	365,981	
FROM FEDERAL GRANTS TRUST FUND . . . . .		605,364
FROM GENERAL INSPECTION TRUST FUND . . . . .		372,565
1461 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND . . . . .	50,949	
FROM FEDERAL GRANTS TRUST FUND . . . . .		25,000
1462 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM FEDERAL GRANTS TRUST FUND . . . . .		590,015
FROM GENERAL INSPECTION TRUST FUND . . . . .		319,158
1463 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND . . . . .	104,732	
FROM GENERAL INSPECTION TRUST FUND . . . . .		101,907
1464 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND . . . . .	41,185	
FROM GENERAL INSPECTION TRUST FUND . . . . .		4,779
TOTAL: ANIMAL PEST AND DISEASE CONTROL		
FROM GENERAL REVENUE FUND . . . . .	5,854,881	
FROM TRUST FUNDS . . . . .		3,476,163
TOTAL POSITIONS . . . . .	114.50	
TOTAL ALL FUNDS . . . . .		9,331,044

PLANT PEST AND DISEASE CONTROL

APPROVED SALARY RATE	14,289,835	
1465 SALARIES AND BENEFITS POSITIONS	371.00	
FROM GENERAL REVENUE FUND . . . . .	8,424,456	
FROM CITRUS INSPECTION TRUST FUND . . . . .		840,315
FROM FEDERAL GRANTS TRUST FUND . . . . .		5,456,690
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .		2,764,474
FROM PLANT INDUSTRY TRUST FUND . . . . .		2,606,314

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1466 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND . . . . .	21,170	
FROM CITRUS INSPECTION TRUST FUND . . . . .		1,000
FROM FEDERAL GRANTS TRUST FUND . . . . .		1,783,526
FROM GENERAL INSPECTION TRUST FUND . . . . .		186,012
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .		19,817
FROM PLANT INDUSTRY TRUST FUND . . . . .		533,560
1467 EXPENSES		
FROM GENERAL REVENUE FUND . . . . .	860,617	
FROM CITRUS INSPECTION TRUST FUND . . . . .		79,832
FROM FEDERAL GRANTS TRUST FUND . . . . .		1,529,536
FROM GENERAL INSPECTION TRUST FUND . . . . .		309,194
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .		23,748
FROM PLANT INDUSTRY TRUST FUND . . . . .		724,622
1468 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND . . . . .		216,195
FROM PLANT INDUSTRY TRUST FUND . . . . .		5,006
1469 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM FEDERAL GRANTS TRUST FUND . . . . .		236,024
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .		79,942
From the funds provided in Specific Appropriation 1469, the Department of Agriculture and Consumer Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 175,000 miles unless it is determined by the Commissioner that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.		
1470 SPECIAL CATEGORIES		
AGRICULTURAL EMERGENCIES (MEDFLY PROGRAM)		
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .		1,002,374
1471 SPECIAL CATEGORIES		
GRANTS AND AIDS - BOLL WEEVIL ERADICATION		
FROM PLANT INDUSTRY TRUST FUND . . . . .		150,000
1472 SPECIAL CATEGORIES		
APIARIAN INDEMNITIES		
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .		36,000
1473 SPECIAL CATEGORIES		
ENDANGERED PLANT SPECIES		
FROM PLANT INDUSTRY TRUST FUND . . . . .		240,000
1474 SPECIAL CATEGORIES		
CITRUS HEALTH RESPONSE PROGRAM		
FROM GENERAL REVENUE FUND . . . . .	500,000	
FROM FEDERAL GRANTS TRUST FUND . . . . .		4,436,248
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .		1,022,159
1474A SPECIAL CATEGORIES		
LAUREL WILT SURVEY PROGRAM		
FROM FEDERAL GRANTS TRUST FUND . . . . .		460,333
1475 SPECIAL CATEGORIES		
PLANT PEST AND DISEASE CONTROL		
FROM FEDERAL GRANTS TRUST FUND . . . . .		1,000,000
1476 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND . . . . .	104,481	
FROM CITRUS INSPECTION TRUST FUND . . . . .		7,144
FROM FEDERAL GRANTS TRUST FUND . . . . .		422,875

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	FROM GENERAL INSPECTION TRUST FUND . . . . .	124,007	
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .	105,000	
	FROM PLANT INDUSTRY TRUST FUND . . . . .	118,049	
1477	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	509,317	
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND . . . . .	151,344	
1478	SPECIAL CATEGORIES		
	TRANSFER TO UNIVERSITY OF FLORIDA/ INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES FOR INVASIVE EXOTICS QUARANTINE FACILITY		
	FROM PLANT INDUSTRY TRUST FUND . . . . .	720,000	
1479	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	139,947	
	FROM CITRUS INSPECTION TRUST FUND . . . . .	9,108	
	FROM FEDERAL GRANTS TRUST FUND . . . . .	12,390	
	FROM GENERAL INSPECTION TRUST FUND . . . . .	826	
	FROM PLANT INDUSTRY TRUST FUND . . . . .	66,522	
1479A	FIXED CAPITAL OUTLAY		
	RELOCATION, REPAIR AND RENOVATION OF CITRUS BUDWOOD FACILITIES - STATEWIDE		
	FROM GENERAL REVENUE FUND . . . . .	500,000	
1480	FIXED CAPITAL OUTLAY		
	CONSTRUCTION-CITRUS BUDWOOD GREENHOUSE(S)		
	FROM GENERAL REVENUE FUND . . . . .	500,000	
TOTAL:	PLANT PEST AND DISEASE CONTROL		
	FROM GENERAL REVENUE FUND . . . . .	11,559,988	
	FROM TRUST FUNDS . . . . .	27,480,186	
	TOTAL POSITIONS . . . . .	371.00	
	TOTAL ALL FUNDS . . . . .	39,040,174	

## FOOD, NUTRITION AND WELLNESS

	APPROVED SALARY RATE	3,110,595	
1481	SALARIES AND BENEFITS		
	POSITIONS	70.00	
	FROM GENERAL REVENUE FUND . . . . .	151,924	
	FROM FEDERAL GRANTS TRUST FUND . . . . .	844,409	
	FROM FOOD AND NUTRITION SERVICES TRUST FUND . . . . .	3,141,387	
1482	OTHER PERSONAL SERVICES		
	FROM FOOD AND NUTRITION SERVICES TRUST FUND . . . . .	127,020	
1483	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	50,000	
	FROM FEDERAL GRANTS TRUST FUND . . . . .	242,345	
	FROM FOOD AND NUTRITION SERVICES TRUST FUND . . . . .	1,042,297	
	FROM GENERAL INSPECTION TRUST FUND . . . . .	174,160	
1484	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - SCHOOL LUNCH PROGRAM		
	FROM FOOD AND NUTRITION SERVICES TRUST FUND . . . . .	1,067,958,003	
1485	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - SCHOOL LUNCH PROGRAM - STATE MATCH		
	FROM GENERAL REVENUE FUND . . . . .	9,295,134	

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1485A	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - SCHOOL BREAKFAST PROGRAM		
	FROM GENERAL REVENUE FUND . . . . .	7,590,912	
1486	OPERATING CAPITAL OUTLAY		
	FROM FOOD AND NUTRITION SERVICES TRUST FUND . . . . .	57,438	
1486A	SPECIAL CATEGORIES		
	SUPPORT FOR FOOD BANK		
	FROM GENERAL REVENUE FUND . . . . .	400,000	
	FROM GENERAL INSPECTION TRUST FUND . . . . .	300,000	
	Funds in Specific Appropriation 1486A are provided for the Florida Association of Food Banks.		
1487	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . . . .	354,400	
	FROM FOOD AND NUTRITION SERVICES TRUST FUND . . . . .	5,826,768	
	FROM GENERAL INSPECTION TRUST FUND . . . . .	45,840	
1487A	SPECIAL CATEGORIES		
	FARM SHARE PROGRAM		
	FROM GENERAL REVENUE FUND . . . . .	1,000,000	
1488	SPECIAL CATEGORIES		
	GRANTS AND AIDS - EMERGENCY FEEDING ORGANIZATIONS		
	FROM FEDERAL GRANTS TRUST FUND . . . . .	4,571,184	
1488A	SPECIAL CATEGORIES		
	CHILDREN'S NUTRITION AND ORAL HYGIENE PROGRAM		
	FROM GENERAL REVENUE FUND . . . . .	1,000,000	
	From the funds in Specific Appropriation 1488A, \$1,000,000 in nonrecurring funds from the General Revenue Fund is provided to the department to develop and implement a nutrition and dental hygiene educational program for children. The Division of Food, Nutrition and Wellness within the department shall work in collaboration with the Department of Health, the Department of Children and Families, the Florida Academy of Pediatric Dentistry, and the Florida Dental Health Foundation to implement the program.		
1489	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	1,004	
	FROM FOOD AND NUTRITION SERVICES TRUST FUND . . . . .	5,189	
1490	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM FEDERAL GRANTS TRUST FUND . . . . .	2,329	
	FROM FOOD AND NUTRITION SERVICES TRUST FUND . . . . .	19,347	
1490A	DATA PROCESSING SERVICES		
	NORTHWEST REGIONAL DATA CENTER (NWRDC)		
	FROM FOOD AND NUTRITION SERVICES TRUST FUND . . . . .	798	
	The funds provided in Specific Appropriation 1490A shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.		
TOTAL:	FOOD, NUTRITION AND WELLNESS		
	FROM GENERAL REVENUE FUND . . . . .	19,488,974	
	FROM TRUST FUNDS . . . . .	1,084,712,914	

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TOTAL POSITIONS . . . . .	70.00	
TOTAL ALL FUNDS . . . . .		1,104,201,888
TOTAL: AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE		
FROM GENERAL REVENUE FUND . . . . .	158,244,405	
FROM TRUST FUNDS . . . . .		1,306,308,306
TOTAL POSITIONS . . . . . 3,577.25		
TOTAL ALL FUNDS . . . . .		1,464,552,711
TOTAL APPROVED SALARY RATE . . . . .	138,229,188	

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	13,246,475	
1491 SALARIES AND BENEFITS POSITIONS	258.00	
FROM GENERAL REVENUE FUND . . . . .	40,071	
FROM ADMINISTRATIVE TRUST FUND . . . . .		15,890,903
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		70,384
FROM INLAND PROTECTION TRUST FUND . . . . .		205,960
FROM FEDERAL GRANTS TRUST FUND . . . . .		699,816
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		71,759
FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .		375,903
FROM LAND ACQUISITION TRUST FUND . . . . .		147,222
1492 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND . . . . .		530,015
FROM FEDERAL GRANTS TRUST FUND . . . . .		576,879
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		7,000
FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .		523,332
1493 EXPENSES		
FROM ADMINISTRATIVE TRUST FUND . . . . .		2,646,649
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		28,809
FROM INLAND PROTECTION TRUST FUND . . . . .		37,781
FROM FEDERAL GRANTS TRUST FUND . . . . .		600,783
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		500
FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .		4,980
FROM LAND ACQUISITION TRUST FUND . . . . .		16,018
1494 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND . . . . .		16,275
FROM FEDERAL GRANTS TRUST FUND . . . . .		1,399
1495 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM ADMINISTRATIVE TRUST FUND . . . . .		368,935
1496 SPECIAL CATEGORIES		
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM		
FROM ADMINISTRATIVE TRUST FUND . . . . .		22,906
1497 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM ADMINISTRATIVE TRUST FUND . . . . .		171,899
FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .		2,859,188

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1498 SPECIAL CATEGORIES		
POLLUTION RESTORATION CONTRACTS		
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		4,066
1499 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM ADMINISTRATIVE TRUST FUND . . . . .		55,586
1500 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM ADMINISTRATIVE TRUST FUND . . . . .		6,382
1501 SPECIAL CATEGORIES		
UNDERGROUND STORAGE TANK CLEANUP		
FROM INLAND PROTECTION TRUST FUND . . . . .		107,407
1502 SPECIAL CATEGORIES		
PETROLEUM CLEANUP AUDITS		
FROM INLAND PROTECTION TRUST FUND . . . . .		141,974
1503 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND . . . . .	17,633	
FROM ADMINISTRATIVE TRUST FUND . . . . .		83,456
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		371
FROM INLAND PROTECTION TRUST FUND . . . . .		764
FROM FEDERAL GRANTS TRUST FUND . . . . .		3,689
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		354
FROM LAND ACQUISITION TRUST FUND . . . . .		597
1504 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FLORIDA COASTAL ZONE MANAGEMENT PROGRAM		
FROM FEDERAL GRANTS TRUST FUND . . . . .		958,000
1505 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY CLEAN MARINA		
FROM FEDERAL GRANTS TRUST FUND . . . . .		1,500,000
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND . . . . .	57,704	
FROM TRUST FUNDS . . . . .		28,737,941
TOTAL POSITIONS . . . . .	258.00	
TOTAL ALL FUNDS . . . . .		28,795,645
FLORIDA GEOLOGICAL SURVEY		
APPROVED SALARY RATE	1,257,363	
1506 SALARIES AND BENEFITS POSITIONS	27.50	
FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .		424,276
FROM LAND ACQUISITION TRUST FUND . . . . .		602,490
FROM MINERALS TRUST FUND . . . . .		272,858
FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .		398,234
1507 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND . . . . .		276,421
FROM GRANTS AND DONATIONS TRUST FUND . . . . .		126,147
FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .		22,208
1508 EXPENSES		
FROM FEDERAL GRANTS TRUST FUND . . . . .		79,965
FROM GRANTS AND DONATIONS TRUST		

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FUND . . . . .	60,905	
FROM WATER QUALITY ASSURANCE TRUST		
FUND . . . . .	300,442	
1509 OPERATING CAPITAL OUTLAY		
FROM GRANTS AND DONATIONS TRUST		
FUND . . . . .	21,000	
FROM MINERALS TRUST FUND . . . . .	48,868	
FROM WATER QUALITY ASSURANCE TRUST		
FUND . . . . .	19,838	
1510 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM FEDERAL GRANTS TRUST FUND . . .	71,799	
FROM GRANTS AND DONATIONS TRUST		
FUND . . . . .	78,077	
FROM MINERALS TRUST FUND . . . . .	5,700	
FROM WATER QUALITY ASSURANCE TRUST		
FUND . . . . .	80,000	
1511 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM MINERALS TRUST FUND . . . . .	79,877	
1512 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM INTERNAL IMPROVEMENT TRUST		
FUND . . . . .	2,583	
FROM LAND ACQUISITION TRUST FUND . .	3,067	
FROM MINERALS TRUST FUND . . . . .	4,465	
FROM WATER QUALITY ASSURANCE TRUST		
FUND . . . . .	868	
TOTAL: FLORIDA GEOLOGICAL SURVEY		
FROM TRUST FUNDS . . . . .	2,980,088	
TOTAL POSITIONS . . . . .	27.50	
TOTAL ALL FUNDS . . . . .	2,980,088	
TECHNOLOGY AND INFORMATION SERVICES		
APPROVED SALARY RATE	4,084,942	
1513 SALARIES AND BENEFITS POSITIONS	89.00	
FROM WORKING CAPITAL TRUST FUND . .	5,406,647	
1514 OTHER PERSONAL SERVICES		
FROM WORKING CAPITAL TRUST FUND . .	1,541,548	
1515 EXPENSES		
FROM WORKING CAPITAL TRUST FUND . .	2,014,907	
1516 OPERATING CAPITAL OUTLAY		
FROM WORKING CAPITAL TRUST FUND . .	20,625	
1517 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM WORKING CAPITAL TRUST FUND . .	1,200,000	
1518 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM WORKING CAPITAL TRUST FUND . .	12,861	
1519 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM WORKING CAPITAL TRUST FUND . .	38,938	
1520 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM WORKING CAPITAL TRUST FUND . .	1,386,433	

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1521 DATA PROCESSING SERVICES		
NORTHWOOD SHARED RESOURCE CENTER		
FROM WORKING CAPITAL TRUST FUND . .		1,376,140
TOTAL: TECHNOLOGY AND INFORMATION SERVICES		
FROM TRUST FUNDS . . . . .		12,998,099
TOTAL POSITIONS . . . . .	89.00	
TOTAL ALL FUNDS . . . . .		12,998,099
OFFICE OF EMERGENCY RESPONSE		
APPROVED SALARY RATE	1,475,158	
1522 SALARIES AND BENEFITS POSITIONS	28.00	
FROM COASTAL PROTECTION TRUST FUND .		1,314,512
FROM INLAND PROTECTION TRUST FUND .		520,397
1523 OTHER PERSONAL SERVICES		
FROM COASTAL PROTECTION TRUST FUND .		195,411
1524 EXPENSES		
FROM COASTAL PROTECTION TRUST FUND .		145,451
FROM INLAND PROTECTION TRUST FUND .		29,440
1525 OPERATING CAPITAL OUTLAY		
FROM COASTAL PROTECTION TRUST FUND .		7,818
1526 SPECIAL CATEGORIES		
ACQUISITION AND REPLACEMENT OF PATROL		
VEHICLES		
FROM COASTAL PROTECTION TRUST FUND .		63,594
1527 SPECIAL CATEGORIES		
HAZARDOUS WASTE CLEANUP		
FROM COASTAL PROTECTION TRUST FUND .		911,549
1528 SPECIAL CATEGORIES		
ON-CALL FEES		
FROM COASTAL PROTECTION TRUST FUND .		98,902
1529 SPECIAL CATEGORIES		
PAYMENTS FOR RESTORATION AND DAMAGE		
FROM COASTAL PROTECTION TRUST FUND .		25,000
1530 SPECIAL CATEGORIES		
ABANDONED DRUM REMOVAL AND DISPOSAL		
FROM COASTAL PROTECTION TRUST FUND .		100,000
1531 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM INLAND PROTECTION TRUST FUND .		35,505
1532 SPECIAL CATEGORIES		
UNDERGROUND STORAGE TANK CLEANUP		
FROM INLAND PROTECTION TRUST FUND .		214,759
1533 SPECIAL CATEGORIES		
TRANSFER TO THE MARINE RESOURCES		
CONSERVATION TRUST FUND OR STATE GAME		
TRUST FUND IN THE FWCC FOR LAW ENFORCEMENT		
FROM COASTAL PROTECTION TRUST FUND .		12,033,224
FROM INLAND PROTECTION TRUST FUND .		1,957,805
FROM LAND ACQUISITION TRUST FUND . .		7,360,639
FROM SOLID WASTE MANAGEMENT TRUST		
FUND . . . . .		2,680,550
1534 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM COASTAL PROTECTION TRUST FUND .		6,925
FROM INLAND PROTECTION TRUST FUND .		2,740



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TOTAL: OFFICE OF EMERGENCY RESPONSE  
FROM TRUST FUNDS . . . . . 27,704,221

TOTAL POSITIONS . . . . . 28.00  
TOTAL ALL FUNDS . . . . . 27,704,221

PROGRAM: STATE LANDS

LAND ADMINISTRATION

APPROVED SALARY RATE 2,060,459

1535 SALARIES AND BENEFITS POSITIONS 41.00  
FROM INTERNAL IMPROVEMENT TRUST  
FUND . . . . . 2,086,950  
FROM LAND ACQUISITION TRUST FUND . . 456,368  
FROM WATER MANAGEMENT LANDS TRUST  
FUND . . . . . 263,258

1536 OTHER PERSONAL SERVICES  
FROM LAND ACQUISITION TRUST FUND . . 36,580

1537 EXPENSES  
FROM CONSERVATION AND RECREATION  
LANDS TRUST FUND . . . . . 98,787  
FROM INTERNAL IMPROVEMENT TRUST  
FUND . . . . . 342,833  
FROM LAND ACQUISITION TRUST FUND . . 123,127

FROM WATER MANAGEMENT LANDS TRUST  
FUND . . . . . 26,748

1538 OPERATING CAPITAL OUTLAY  
FROM LAND ACQUISITION TRUST FUND . . 1,920

1539 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM CONSERVATION AND RECREATION  
LANDS TRUST FUND . . . . . 44,994  
FROM INTERNAL IMPROVEMENT TRUST  
FUND . . . . . 320,000

1540 SPECIAL CATEGORIES  
NATURAL AREAS INVENTORY  
FROM CONSERVATION AND RECREATION  
LANDS TRUST FUND . . . . . 222,947

1541 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM LAND ACQUISITION TRUST FUND . . 1,641

1542 SPECIAL CATEGORIES  
PAYMENT IN LIEU OF TAXES  
FROM CONSERVATION AND RECREATION  
LANDS TRUST FUND . . . . . 1,360,000

1543 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM INTERNAL IMPROVEMENT TRUST  
FUND . . . . . 16,190  
FROM LAND ACQUISITION TRUST FUND . . 7,094  
FROM WATER MANAGEMENT LANDS TRUST  
FUND . . . . . 360

1543A QUALIFIED EXPENDITURE CATEGORY  
BOARD OF TRUSTEES LAND DOCUMENT SYSTEM  
TECHNOLOGY REFRESH PROJECT  
FROM INTERNAL IMPROVEMENT TRUST  
FUND . . . . . 800,000

1543B FIXED CAPITAL OUTLAY

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APPROPRIATION

LAND ACQUISITION  
FROM FEDERAL GRANTS TRUST FUND . . . 2,578,750

1544 FIXED CAPITAL OUTLAY  
LAND ACQUISITION, ENVIRONMENTALLY  
ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS,  
STATEWIDE  
FROM GENERAL REVENUE FUND . . . . . 10,000,000  
FROM FLORIDA FOREVER TRUST FUND . . 60,000,000

From the Funds in Specific Appropriation 1544, \$10,000,000 from the Florida Forever Trust Fund is provided for land acquisitions from the most recent list of the Board of Trustees of the Internal Improvement Trust Fund Florida Forever Priority List that protect Florida's military installations against encroachment. The Division of State Lands shall coordinate the prioritization of land acquisitions with the Department of Economic Opportunity for this purpose.

The remaining \$50,000,000 from the Florida Forever Trust Fund is provided from the proceeds of surplus lands identified by this assessment and determined to no longer be needed for conservation purposes by the Board of Trustees of the Internal Improvement Trust Fund. By September 1, 2013, the Division of State Lands within the Department of Environmental Protection, working in cooperation with managing agencies and stakeholders, shall conduct an assessment to identify any state-owned land no longer needed for conservation purposes for submission to the Board of Trustees of the Internal Improvement Trust Fund. The Division of State Lands, acting on behalf of the Board of Trustees of the Internal Improvement Trust Fund, shall proceed with the disposition of surplus state lands in order to provide up to \$50,000,000. These funds shall be distributed only to the Division of State Lands for land acquisitions with priority given to Florida's military installations against encroachment in order to achieve the state's economic development goals. All other land acquisitions shall be for conservation lands needed for springs protection or water resource protection, or for land acquisitions that are less-than-fee interest or for partnerships where the state's portion of the acquisition cost is no more than 50 percent. Prior to any land acquisitions for conservation lands using these funds, a report must be submitted to the Board of Trustees of the Internal Improvement Trust fund detailing the estimated costs to comply with the short-term and long-term management goals for the parcels.

1545 FIXED CAPITAL OUTLAY  
DEBT SERVICE  
FROM LAND ACQUISITION TRUST FUND . . 154,829,015

Funds provided in Specific Appropriation 1545 are for Fiscal Year 2013-2014 debt service on bonds. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies as a result of a change in the interest rate, timing of issuance, or other circumstances, there is appropriated from the Land Acquisition Trust Fund an amount sufficient to pay such debt service.

TOTAL: LAND ADMINISTRATION  
FROM GENERAL REVENUE FUND . . . . . 10,000,000  
FROM TRUST FUNDS . . . . . 223,617,562

TOTAL POSITIONS . . . . . 41.00  
TOTAL ALL FUNDS . . . . . 233,617,562

LAND MANAGEMENT

APPROVED SALARY RATE 3,976,565

1546 SALARIES AND BENEFITS POSITIONS 89.00  
FROM CONSERVATION AND RECREATION  
LANDS TRUST FUND . . . . . 805,464  
FROM INTERNAL IMPROVEMENT TRUST  
FUND . . . . . 4,408,220

1547 OTHER PERSONAL SERVICES  
FROM CONSERVATION AND RECREATION

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
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	LANDS TRUST FUND . . . . .	250,178
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	300,000
1548	EXPENSES	
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	139,844
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	300,000
	FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .	731,063
1549	OPERATING CAPITAL OUTLAY	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	50,000
	FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .	15,000
1550	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF AGRICULTURE PLANT INDUSTRY TRUST FUND FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	240,000
1551	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	20,000
	FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .	235,563
1552	SPECIAL CATEGORIES	
	STATE LANDS STEWARDSHIP	
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	250,000
	FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .	200,000
1552A	SPECIAL CATEGORIES	
	TRANSFER TO THE INTERNAL IMPROVEMENT TRUST FUND FOR MANAGEMENT OF SOVEREIGN SUBMERGED LANDS	
	FROM GENERAL REVENUE FUND . . . . .	1,000,000
1553	SPECIAL CATEGORIES	
	NATIONAL OCEAN SURVEY	
	FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .	84,000
1554	SPECIAL CATEGORIES	
	RICO ACT- DISTRIBUTION OF PROCEEDS FROM PROPERTY SALES	
	FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .	350,000
1555	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .	76,123
1556	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES FOR MANAGEMENT OF CONSERVATION AND RECREATION LANDS (CARL)	
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	16,456,112
1557	SPECIAL CATEGORIES	
	TRANSFER TO FISH AND WILDLIFE CONSERVATION COMMISSION FOR MANAGEMENT OF CARL LANDS	
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	13,014,024
1558	SPECIAL CATEGORIES	

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	TRANSFER TO DEPARTMENT OF STATE FOR GRANTS AND DONATIONS TRUST FUND FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	5,360,000
1559	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	5,185
	FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .	30,072
	TOTAL: LAND MANAGEMENT	
	FROM GENERAL REVENUE FUND . . . . .	1,000,000
	FROM TRUST FUNDS . . . . .	43,320,848
	TOTAL POSITIONS . . . . .	89.00
	TOTAL ALL FUNDS . . . . .	44,320,848
	PROGRAM: DISTRICT OFFICES	
	WATER RESOURCE PROTECTION AND RESTORATION	
	APPROVED SALARY RATE	17,272,580
1560	SALARIES AND BENEFITS	
	POSITIONS	402.00
	FROM GENERAL REVENUE FUND . . . . .	9,317,526
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .	2,077,592
	FROM FEDERAL GRANTS TRUST FUND . . . . .	831,771
	FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .	939,009
	FROM LAND ACQUISITION TRUST FUND . . . . .	4,862,913
	FROM PERMIT FEE TRUST FUND . . . . .	5,114,797
1561	OTHER PERSONAL SERVICES	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .	294,303
1562	EXPENSES	
	FROM GENERAL REVENUE FUND . . . . .	147,112
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .	1,603,674
	FROM FEDERAL GRANTS TRUST FUND . . . . .	27,970
	FROM LAND ACQUISITION TRUST FUND . . . . .	217,399
	FROM PERMIT FEE TRUST FUND . . . . .	160,878
1562A	SPECIAL CATEGORIES	
	WATER QUALITY MANAGEMENT/PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND . . . . .	24,842
1563	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM GENERAL REVENUE FUND . . . . .	8,225
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .	6,750
	FROM FEDERAL GRANTS TRUST FUND . . . . .	30
	FROM LAND ACQUISITION TRUST FUND . . . . .	1,100
	FROM PERMIT FEE TRUST FUND . . . . .	5,370
1564	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .	8,373
	FROM FEDERAL GRANTS TRUST FUND . . . . .	3,045
1565	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	83,639
	FROM ECOSYSTEM MANAGEMENT AND	

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RESTORATION TRUST FUND . . . . .	21,709	
FROM FEDERAL GRANTS TRUST FUND . . .	3,251	
FROM LAND ACQUISITION TRUST FUND . .	6,924	
FROM PERMIT FEE TRUST FUND . . . . .	34,607	

TOTAL: WATER RESOURCE PROTECTION AND RESTORATION		
FROM GENERAL REVENUE FUND . . . . .	9,556,502	
FROM TRUST FUNDS . . . . .		16,246,307
TOTAL POSITIONS . . . . .	402.00	
TOTAL ALL FUNDS . . . . .		25,802,809

AIR POLLUTION PREVENTION

APPROVED SALARY RATE	3,727,460	
1566 SALARIES AND BENEFITS POSITIONS 75.00		
FROM AIR POLLUTION CONTROL TRUST		
FUND . . . . .	4,819,971	
FROM GRANTS AND DONATIONS TRUST		
FUND . . . . .	29,222	
1567 OTHER PERSONAL SERVICES		
FROM AIR POLLUTION CONTROL TRUST		
FUND . . . . .	159,351	
1568 EXPENSES		
FROM AIR POLLUTION CONTROL TRUST		
FUND . . . . .	605,178	
1569 OPERATING CAPITAL OUTLAY		
FROM AIR POLLUTION CONTROL TRUST		
FUND . . . . .	98,307	
1570 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM AIR POLLUTION CONTROL TRUST		
FUND . . . . .	15,050	
1571 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM AIR POLLUTION CONTROL TRUST		
FUND . . . . .	26,985	
1572 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM AIR POLLUTION CONTROL TRUST		
FUND . . . . .	30,990	
FROM GRANTS AND DONATIONS TRUST		
FUND . . . . .	541	
TOTAL: AIR POLLUTION PREVENTION		
FROM TRUST FUNDS . . . . .		5,785,595
TOTAL POSITIONS . . . . .	75.00	
TOTAL ALL FUNDS . . . . .		5,785,595

WASTE CONTROL

APPROVED SALARY RATE	6,481,708	
1573 SALARIES AND BENEFITS POSITIONS 144.00		
FROM INLAND PROTECTION TRUST FUND .	2,447,882	
FROM FEDERAL GRANTS TRUST FUND . . .	1,070,301	
FROM PERMIT FEE TRUST FUND . . . . .	626,543	
FROM SOLID WASTE MANAGEMENT TRUST		
FUND . . . . .	1,537,938	
FROM WATER QUALITY ASSURANCE TRUST		
FUND . . . . .	2,941,968	
1574 OTHER PERSONAL SERVICES		
FROM INLAND PROTECTION TRUST FUND .	110,000	

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1575 EXPENSES		
FROM INLAND PROTECTION TRUST FUND .		582,464
FROM FEDERAL GRANTS TRUST FUND . . .		55,079
FROM PERMIT FEE TRUST FUND . . . . .		40,204
FROM SOLID WASTE MANAGEMENT TRUST		
FUND . . . . .		149,759
FROM WATER QUALITY ASSURANCE TRUST		
FUND . . . . .		309,968

1576 OPERATING CAPITAL OUTLAY		
FROM SOLID WASTE MANAGEMENT TRUST		
FUND . . . . .		60,919

1577 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM INLAND PROTECTION TRUST FUND .		1,860
FROM FEDERAL GRANTS TRUST FUND . . .		550
FROM SOLID WASTE MANAGEMENT TRUST		
FUND . . . . .		6,550
FROM WATER QUALITY ASSURANCE TRUST		
FUND . . . . .		16,145

1578 SPECIAL CATEGORIES		
HAZARDOUS WASTE CLEANUP		
FROM WATER QUALITY ASSURANCE TRUST		
FUND . . . . .		190,535

1579 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM INLAND PROTECTION TRUST FUND .		166,842
FROM FEDERAL GRANTS TRUST FUND . . .		5,757
FROM SOLID WASTE MANAGEMENT TRUST		
FUND . . . . .		13,647

1580 SPECIAL CATEGORIES		
RESEARCH, DEVELOPMENT AND TECHNICAL		
ASSISTANCE - WASTE TIRE ABATEMENT PROGRAM		
FROM SOLID WASTE MANAGEMENT TRUST		
FUND . . . . .		6,825

1581 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM INLAND PROTECTION TRUST FUND .		15,249
FROM FEDERAL GRANTS TRUST FUND . . .		7,069
FROM PERMIT FEE TRUST FUND . . . . .		4,288
FROM SOLID WASTE MANAGEMENT TRUST		
FUND . . . . .		9,121
FROM WATER QUALITY ASSURANCE TRUST		
FUND . . . . .		18,225

TOTAL: WASTE CONTROL		
FROM TRUST FUNDS . . . . .		10,395,688

TOTAL POSITIONS . . . . .	144.00	
TOTAL ALL FUNDS . . . . .		10,395,688

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	3,868,275	
1582 SALARIES AND BENEFITS POSITIONS 78.00		
FROM GENERAL REVENUE FUND . . . . .		943,152
FROM ADMINISTRATIVE TRUST FUND . . .		2,812,146
FROM AIR POLLUTION CONTROL TRUST		
FUND . . . . .		865,044
FROM SOLID WASTE MANAGEMENT TRUST		
FUND . . . . .		303,159

1583 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND . . .		127,564

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	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		15,000	
1584	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .	921,491		
	FROM ADMINISTRATIVE TRUST FUND . . .		564,900	
	FROM AIR POLLUTION CONTROL TRUST FUND . . . . .		283,760	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		21,337	
	FROM LAND ACQUISITION TRUST FUND . .		27,923	
	FROM SOLID WASTE MANAGEMENT TRUST FUND . . . . .		58,316	
1585	OPERATING CAPITAL OUTLAY			
	FROM ADMINISTRATIVE TRUST FUND . . .		3,451	
1586	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	44,795		
	FROM ADMINISTRATIVE TRUST FUND . . .		90,085	
	FROM AIR POLLUTION CONTROL TRUST FUND . . . . .		8,894	
1587	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM ADMINISTRATIVE TRUST FUND . . .		110,757	
1588	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .	14,246		
	FROM ADMINISTRATIVE TRUST FUND . . .		9,131	
	FROM AIR POLLUTION CONTROL TRUST FUND . . . . .		5,466	
	FROM SOLID WASTE MANAGEMENT TRUST FUND . . . . .		1,682	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES				
	FROM GENERAL REVENUE FUND . . . . .	1,923,684		
	FROM TRUST FUNDS . . . . .		5,308,615	
	TOTAL POSITIONS . . . . .	78.00		
	TOTAL ALL FUNDS . . . . .		7,232,299	

## PROGRAM: WATER POLICY AND ECOSYSTEMS RESTORATION

## WATER POLICY AND ECOSYSTEMS RESTORATION

	APPROVED SALARY RATE	1,343,688		
1589	SALARIES AND BENEFITS	POSITIONS	24.00	
	FROM GENERAL REVENUE FUND . . . . .		636,978	
	FROM ADMINISTRATIVE TRUST FUND . . .		717,342	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		185,705	
	FROM FEDERAL GRANTS TRUST FUND . . .		105,639	
	FROM LAND ACQUISITION TRUST FUND . .		70,145	
	FROM WATER MANAGEMENT LANDS TRUST FUND . . . . .		100,510	
1590	OTHER PERSONAL SERVICES			
	FROM FEDERAL GRANTS TRUST FUND . . .		290,964	
1591	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .	30,106		
	FROM ADMINISTRATIVE TRUST FUND . . .		25,000	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,000	
	FROM LAND ACQUISITION TRUST FUND . .		101,104	
	FROM WATER MANAGEMENT LANDS TRUST FUND . . . . .		56,000	
1592	AID TO LOCAL GOVERNMENTS			

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	GRANTS AND AIDS - NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT ENVIRONMENTAL RESOURCE PERMITTING PROGRAM			
	FROM WATER MANAGEMENT LANDS TRUST FUND . . . . .			1,851,231
1593	AID TO LOCAL GOVERNMENTS			
	GRANTS AND AIDS - SUWANNEE RIVER WATER MANAGEMENT DISTRICT - ENVIRONMENTAL RESOURCE PERMITTING			
	FROM WATER MANAGEMENT LANDS TRUST FUND . . . . .			453,000
1594	AID TO LOCAL GOVERNMENTS			
	GRANTS AND AIDS - WATER MANAGEMENT DISTRICT PERMITTING ASSISTANCE			
	FROM WATER MANAGEMENT LANDS TRUST FUND . . . . .			100,000
1595	AID TO LOCAL GOVERNMENTS			
	GRANTS AND AIDS - WATER MANAGEMENT DISTRICTS - WETLANDS PROTECTION			
	FROM WATER MANAGEMENT LANDS TRUST FUND . . . . .			547,000
1596	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .	3,529		
	FROM ADMINISTRATIVE TRUST FUND . . .			2,470
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .			706
	FROM FEDERAL GRANTS TRUST FUND . . .			706
	FROM LAND ACQUISITION TRUST FUND . .			353
	FROM WATER MANAGEMENT LANDS TRUST FUND . . . . .			677
1598	FIXED CAPITAL OUTLAY			
	DEBT SERVICE - SAVE OUR EVERGLADES BONDS			
	FROM SAVE OUR EVERGLADES TRUST FUND . . . . .			22,885,817

Funds provided in Specific Appropriation 1598 are for Fiscal Year 2013-2014 debt service on bonds authorized pursuant to section 215.619, Florida Statutes, including any other continuing payments necessary or incidental to the repayment of the bonds, such as remarketing agent fees, tender agent fees, liquidity facility provider fees and similar fees and expenses. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies as a result of a change in the interest rate, timing of issuance, or other circumstances, there is appropriated from the Save Our Everglades Trust Fund an amount sufficient to pay such debt service.

1599	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY			
	AID TO WATER MANAGEMENT DISTRICTS-LAND ACQUISITION			
	FROM WATER MANAGEMENT LANDS TRUST FUND . . . . .			29,320,110
1600	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY			
	EVERGLADES RESTORATION			
	FROM SAVE OUR EVERGLADES TRUST FUND . . . . .			70,000,000

From the funds in Specific Appropriation 1600, \$32,000,000 is provided for the Restoration Strategies Regional Water Quality Plan and is contingent upon Committee Substitute for House Bill 7065 or similar legislation becoming law.

Funds in Specific Appropriation 1600 are provided for the design,

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engineering and construction of the Comprehensive Everglades Restoration Plan, the Lake Okeechobee Protection Plan, the Caloosahatchee and St. Lucie River Watershed Protection Plan components, water quality studies necessary for the implementation of the Comprehensive Everglades Restoration Plan, and water quality enhancement projects identified in the state's long-term plan.

From the funds in Specific Appropriation 1600, \$3,000,000 is provided to the Department of Agriculture and Consumer Services for implementation of agricultural nonpoint source controls in the Okeechobee, Caloosahatchee, and St. Lucie River watersheds.

TOTAL: WATER POLICY AND ECOSYSTEMS RESTORATION		
FROM GENERAL REVENUE FUND . . . . .	670,613	
FROM TRUST FUNDS . . . . .		126,816,479
TOTAL POSITIONS . . . . .	24.00	
TOTAL ALL FUNDS . . . . .		127,487,092

PROGRAM: ENVIRONMENTAL ASSESSMENT AND RESTORATION

WATER SCIENCE AND LABORATORY SERVICES

	APPROVED SALARY RATE	8,041,586	
1601	SALARIES AND BENEFITS	POSITIONS	181.00
	FROM GENERAL REVENUE FUND . . . . .		663,869
	FROM ENVIRONMENTAL LABORATORY TRUST FUND . . . . .		4,933,800
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		362,798
	FROM FEDERAL GRANTS TRUST FUND . . . . .		2,569,195
	FROM LAND ACQUISITION TRUST FUND . . . . .		64,587
	FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .		2,181,091
1602	OTHER PERSONAL SERVICES		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND . . . . .		185,969
	FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .		70,950
1603	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	25,646	
	FROM ENVIRONMENTAL LABORATORY TRUST FUND . . . . .		1,467,859
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		147,362
	FROM FEDERAL GRANTS TRUST FUND . . . . .		254,900
	FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .		243,895
1604	OPERATING CAPITAL OUTLAY		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND . . . . .		198,800
1605	SPECIAL CATEGORIES		
	GROUND WATER QUALITY MONITORING NETWORK		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND . . . . .		125,000
	FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .		1,797,507
1606	SPECIAL CATEGORIES		
	WATER MANAGEMENT DISTRICTS LABORATORY SUPPORT		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND . . . . .		176,425
1607	SPECIAL CATEGORIES		
	EVERGLADES LAB SUPPORT		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND . . . . .		469,471

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1608	SPECIAL CATEGORIES		
	WATER QUALITY MANAGEMENT/PLANNING GRANTS		
	FROM FEDERAL GRANTS TRUST FUND . . . . .		1,642,676
1609	SPECIAL CATEGORIES		
	LABORATORY SERVICES		
	FROM FEDERAL GRANTS TRUST FUND . . . . .		250,000
1610	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND . . . . .		446,559
1611	SPECIAL CATEGORIES		
	HAZARDOUS WASTE CLEANUP		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND . . . . .		312,710
1612	SPECIAL CATEGORIES		
	MARINE RESEARCH GRANTS		
	FROM FEDERAL GRANTS TRUST FUND . . . . .		168,000
1613	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		62,983
1614	SPECIAL CATEGORIES		
	U.S. GEOLOGIC SURVEY COOPERATIVE AGREEMENT		
	FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .		214,897
1615	SPECIAL CATEGORIES		
	TRANSFER TO INSTITUTE OF FOOD AND AGRICULTURE SCIENCES (IFAS) - LAKEWATCH		
	FROM INTERNAL IMPROVEMENT TRUST FUND . . . . .		350,000
1616	SPECIAL CATEGORIES		
	TOTAL MAXIMUM DAILY LOADS SPRINGS		
	ENVIRONMENTAL MONITORING		
	FROM GENERAL REVENUE FUND . . . . .	1,700,000	
Funds in Specific Appropriation 1616 also may be used for springs restoration projects and activities.			
1616A	SPECIAL CATEGORIES		
	TRANSFER TO INSTITUTE OF FOOD AND AGRICULTURE SCIENCES (IFAS) - COASTWATCH		
	FROM GENERAL REVENUE FUND . . . . .	300,000	
From the funds in Specific Appropriation 1616A, \$300,000 in nonrecurring general revenue funds is provided to collect water quality data for public use in assessing the nutrient conditions and calculating numeric nutrient criteria for estuaries and coastal waters specified by the Department of Environmental Protection.			
1617	SPECIAL CATEGORIES		
	STATEWIDE NUMERIC NUTRIENT CRITERIA		
	MONITORING NETWORK		
	FROM GENERAL REVENUE FUND . . . . .	1,640,679	
Funds in Specific Appropriation 1617 may also be used for restoration projects and activities.			
1618	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	8,080	
	FROM ENVIRONMENTAL LABORATORY TRUST FUND . . . . .		31,966
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		1,697

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FROM FEDERAL GRANTS TRUST FUND . . .	14,310
FROM LAND ACQUISITION TRUST FUND . .	1,426
FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .	12,028
1619 FIXED CAPITAL OUTLAY	
TOTAL MAXIMUM DAILY LOADS	
FROM LAND ACQUISITION TRUST FUND . .	9,385,000

From the funds in Specific Appropriation 1619, up to \$500,000 may be provided to the Department of Agriculture and Consumer Services for implementation of agricultural best management practices.

1620 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS	
FROM FEDERAL GRANTS TRUST FUND . . .	10,000,000
FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .	3,000,000

TOTAL: WATER SCIENCE AND LABORATORY SERVICES	
FROM GENERAL REVENUE FUND . . . . .	4,338,274
FROM TRUST FUNDS . . . . .	41,143,861
TOTAL POSITIONS . . . . .	181.00
TOTAL ALL FUNDS . . . . .	45,482,135

## PROGRAM: WATER RESOURCE MANAGEMENT

## BEACH MANAGEMENT

APPROVED SALARY RATE	2,835,399	
1621 SALARIES AND BENEFITS POSITIONS	62.00	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .	3,027,491	
FROM PERMIT FEE TRUST FUND . . . . .	667,098	
1622 OTHER PERSONAL SERVICES		
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .	237,457	
1623 EXPENSES		
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .	291,811	
FROM PERMIT FEE TRUST FUND . . . . .	307,101	

From the funds in Specific Appropriation 1623, \$45,661 from the Ecosystem Management and Restoration Trust Fund is provided for reimbursement of tenant improvements pursuant to section 8 of Lease No. 370:0218.

1624 OPERATING CAPITAL OUTLAY	
FROM PERMIT FEE TRUST FUND . . . . .	4,597

1625 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
FROM GENERAL REVENUE FUND . . . . .	2,645
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .	20,839
FROM PERMIT FEE TRUST FUND . . . . .	2,456

1626 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY BEACH PROJECTS - STATEWIDE	
FROM GENERAL REVENUE FUND . . . . .	15,102,200
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .	11,668,792

Funds in Specific Appropriation 1626 and Section 54 are provided to fund the Department of Environmental Protection's Beach Management

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Funding Assistance Program (BMFAP) for the Fiscal Year 2013-2014 to be as follows:

Funds shall be provided for those congressionally-authorized beach nourishment projects eligible for significant federal cost-sharing, specifically those experiencing storm damages from Hurricane Sandy and Tropical Storm Debby that have been determined to be eligible for 100 percent federal rehabilitation assistance funding for sand losses. Those projects include only: North/South Reaches-Brevard County Shore Protection Project, Ft. Pierce Shore Protection Project, Martin County Shore Protection Project, Jupiter/Carlin Segment-Palm Beach County Shore Protection Project, Delray Beach Shore Protection Project, North Boca Raton Shore Protection Project, and Segment II-Broward County Shore Protection Project, Treasure Island Segment-Pinellas County Shore Protection Project, Gasparilla Island-Lee County Shore Protection Project, Captiva/Sanibel Island Beach Nourishment, and Anna Maria Island-Manatee County Shore Protection Project. Total project costs and federal/non-federal cost-shares have been determined by the U.S. Army Corps of Engineers as part of favorable Project Implementation Reports (PIR). State matching dollars shall be used only for construction of the full project construction profile, if needed, and monitoring for all the above named projects.

Funds shall also be provided for federally-authorized beach projects included in the department's BMFAP that maximize federal funds and address storm damages. These projects include only: Venice Beach Segment-Sarasota County Shore Protection Project, Ocean Ridge Segment-Palm Beach County Shore Protection Project, and Long Key Segment-Pinellas County Shore Protection Project.

The funding provided for those projects reflects the ranking of local government funding requests and the department's Fiscal Year 2013-2014 project priority list; however, it also takes into account recent storm damages and storm impacts on project designs and costs. To address future situations, the department shall make recommendations as to how current statutory ranking criteria should be modified to accommodate storm damage and other beach impacts, as well as current department processing procedures and timetables for local government funding requests, in annual project rankings. The department's recommendations shall be provided to the President of the Senate and the Speaker of the House of Representatives no later than January 1, 2014.

Funding for post-construction project monitoring shall not exceed 50 percent of the department's request. Priority shall be given to projects in the BMFAP and other highly ranked projects in the department's funding request for other than first-year needs.

Funds shall be provided for engineering costs for the Collier County Beach Nourishment Project as part of the BMFAP.

From the funds in Specific Appropriation 1626 and Section 54, \$1,992,800 is provided for the three highest ranked inlet management projects in the BMFAP. These include St. Lucie Inlet IMP Implementation, Lake Worth Inlet Bypassing, and Sebastian IMP Implementation. From any unobligated state share balance, the department may use up to \$300,000 for regional sand source management.

Funds shall also be provided for non-federal beach nourishment and dune restoration projects damaged by Hurricane Sandy, as an alternative to FEMA funding, with a 50 percent local cost share. These projects include only: Mid-Reach and South County beaches/dunes in Brevard County; Wabasso/Sector III and Sebastian dune repair in Indian River County; South St. Lucie Dune Restoration in St. Lucie County; Jupiter Island Beach Nourishment and Bathtub Beach restoration in Martin County; Singer Island dune project, and Coral Cove Dune Nourishment in Palm Beach County; and Deerfield Beach in Broward County.

TOTAL: BEACH MANAGEMENT	
FROM GENERAL REVENUE FUND . . . . .	15,104,845
FROM TRUST FUNDS . . . . .	16,227,642
TOTAL POSITIONS . . . . .	62.00
TOTAL ALL FUNDS . . . . .	31,332,487

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WATER RESOURCE MANAGEMENT

	APPROVED SALARY RATE	9,787,730	
1627	SALARIES AND BENEFITS	POSITIONS	201.00
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		240,202
	FROM FEDERAL GRANTS TRUST FUND . . . . .		6,356,160
	FROM LAND ACQUISITION TRUST FUND . . . . .		427,765
	FROM MINERALS TRUST FUND . . . . .		2,156,717
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND . . . . .		1,267,706
	FROM PERMIT FEE TRUST FUND . . . . .		1,582,627
	FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .		1,451,257
1628	OTHER PERSONAL SERVICES		
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		310,511
	FROM LAND ACQUISITION TRUST FUND . . . . .		40,000
	FROM MINERALS TRUST FUND . . . . .		84,045
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND . . . . .		59,938
	FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .		475,168
1629	EXPENSES		
	FROM FEDERAL GRANTS TRUST FUND . . . . .		725,518
	FROM LAND ACQUISITION TRUST FUND . . . . .		93,060
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND . . . . .		494,233
	FROM PERMIT FEE TRUST FUND . . . . .		463,870
	FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .		229,928
1630	OPERATING CAPITAL OUTLAY		
	FROM MINERALS TRUST FUND . . . . .		1,132
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND . . . . .		40,125
1631	SPECIAL CATEGORIES		
	WATER QUALITY MANAGEMENT/PLANNING GRANTS		
	FROM FEDERAL GRANTS TRUST FUND . . . . .		1,986,857
1632	SPECIAL CATEGORIES		
	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM		
	FROM PERMIT FEE TRUST FUND . . . . .		900,293
1633	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM MINERALS TRUST FUND . . . . .		20,000
1634	SPECIAL CATEGORIES		
	HAZARDOUS WASTE CLEANUP		
	FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .		1,979,253
1635	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	47,108	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		23,469
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND . . . . .		21,259
1636	SPECIAL CATEGORIES		
	HABITAT RESTORATION		
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND . . . . .		200,000
1637	SPECIAL CATEGORIES		
	UNDERGROUND STORAGE TANK CLEANUP		

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	FROM INLAND PROTECTION TRUST FUND . . . . .		76,578
1638	SPECIAL CATEGORIES		
	WATER WELL CLEANUP		
	FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .		969,350
1638A	SPECIAL CATEGORIES		
	FLORIDA SPRINGS RESTORATION, PROTECTION, AND PRESERVATION		
	FROM GENERAL REVENUE FUND . . . . .	10,000,000	
Funds in Specific Appropriation 1638A are provided to the Department of Environmental Protection for the restoration, protection, and preservation of Florida's springs. Funds shall enable the department to initiate direct actions that will reduce pollutants and promote the proper flow volume of underground and above ground springs that provides a balance between the agricultural industry and water quality.			
1639	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	10,125	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .		2,017
	FROM FEDERAL GRANTS TRUST FUND . . . . .		23,613
	FROM LAND ACQUISITION TRUST FUND . . . . .		2,124
	FROM MINERALS TRUST FUND . . . . .		13,682
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND . . . . .		7,876
	FROM PERMIT FEE TRUST FUND . . . . .		8,070
	FROM WATER QUALITY ASSURANCE TRUST FUND . . . . .		8,766
1640	SPECIAL CATEGORIES		
	WETLANDS PROTECTION		
	FROM FEDERAL GRANTS TRUST FUND . . . . .		284,459
1640A	FIXED CAPITAL OUTLAY		
	HYBRID WETLANDS TREATMENT PROJECTS		
	FROM GENERAL REVENUE FUND . . . . .	5,500,000	
From the funds in Specific Appropriation 1640A, \$3,500,000 in nonrecurring general revenue funds is provided for the construction of a minimum of 15 cfs hybrid wetland/chemical treatment project in the area tributary to Deep Creek in St. Johns County.			
From the funds in Specific Appropriation 1640A, \$2,000,000 in nonrecurring general revenue funds is provided for the construction of a 30 cfs floating aquatic vegetative tilling treatment system treating water flowing into Lake Okeechobee from Fisheating Creek.			
1640B	FIXED CAPITAL OUTLAY		
	NON-MANDATORY LAND RECLAMATION PROJECTS		
	FROM NON-MANDATORY LAND RECLAMATION TRUST FUND . . . . .		3,000,000
1640C	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	GRANTS AND AIDS - WATER PROJECTS		
	FROM GENERAL REVENUE FUND . . . . .	59,475,000	
Nonrecurring funds in Specific Appropriation 1640C from the General Revenue Fund shall be used for the following water projects:			
	Apalachicola - Wet Weather Storage Pond.....		957,000
	Bellevue - Extension of Sanitary Sewer Service.....		1,150,000
	Blountstown - Replacement Of Water Main Along SR 20.....		472,000
	Bonita Springs - Oak Creek Restoration - Sediment & Exotic Plant Removal.....		250,000
	Bushnell Sumter County - Water Main Extension.....		1,234,032
	Charlotte County - Regional Reclaimed Water Expansion - Phase 2.....		500,000

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Chipley - Drinking Water System Improvements.....	400,000
Coral Gables - Wastewater Collection System.....	589,468
Cross City - Primary Drinking Water Standards Improvement...	400,000
Crystal River - Kings Bay Cleanup.....	100,000
Cutler Bay - Stormwater/Pollutant Elimination Project.....	400,000
Dade City - Hydrant and Valve Replacement.....	520,000
Dade City - Orange Valley Well.....	550,000
Deltona - Wastewater Treatment Facility.....	500,000
DeSoto County - Lettuce Lake/Oak Haven MH Park Utility MCL Water Supply Improvement Project.....	90,000
DeSoto County - Lake Suzy Utility Wastewater Treatment Facility Improvements.....	350,000
Dixie/Lafayette/Taylor - Big Bend Water Authority Sewer System Improvements - Steinhatchee River.....	75,000
Doral - Canal Bank Stabilization.....	1,000,000
Florida City - Krome Avenue Water Line Replacement.....	110,000
Fort Lauderdale - Seven Isles Seawall Improvement/Elevation.	100,000
Fort Myers/Cape Coral-Reclaimed Water Distribution Pipeline.	900,000
Gainesville - Tumbler Creek Stormwater Project.....	625,000
Glades - Utility Authority Water Infrastructure Improvements	1,000,000
Glades County - Wastewater Improvements.....	350,000
Gretna - Potable Water Supply Upgrades.....	150,000
Hallendale Beach SW/SE Drainage Project.....	500,000
Hardee County - Regional Wastewater Service Improvements....	500,000
Hendry County - Airglades Airport & Industrial Park Wastewater Force-main to Clewiston Treatment Plant.....	3,000,000
Homestead - Race Track Inline Booster Pumps, SCADA, Valve Installation.....	195,000
Homestead - Installation of Well Motors Softstarts.....	12,000
Indian River County - FAU Harbor Branch Indian River Lagoon Observatory.....	2,000,000
Key Largo - Wastewater Treatment Construction Collection System.....	1,000,000
LaBelle - Wastewater Recycle Project.....	1,812,500
Lake County - Umatilla Sewer System.....	1,225,000
Lake Park - Lake Shore Drainage Improvements.....	200,000
Lakeland - Skyview Water and Wastewater System Modification.	3,750,000
Lauderdale Lakes - Flood Mitigation.....	500,000
Manatee County - Wastewater Clarifier Retrofit - Southwest Water Reclamation Facility.....	1,000,000
Marathon - Utility Operation and Phase One Wastewater Treatment Plant Improvements.....	1,000,000
Marion County - Wastewater Treatment.....	300,000
Miami Gardens - NW 170 Street Stormwater Drainage Project...	200,000
Miami Gardens - NW 195/204 Street Stormwater Drainage Project.....	150,000
Miami Gardens - Vista Verde Stormwater Drainage Project....	250,000
Miami Gardens - Neighborhood Stormwater Swale Re-grading Project.....	10,000
Miami Lakes - West Lake Drainage Improvements.....	300,000
Monticello - Extension of Water Distribution System North of Monticello.....	500,000
Moore Haven - Stormwater Conveyance and Improvements.....	150,000
Noma - System Wide Water Line Replacement.....	300,000
North Miami - Biscayne Canal West Drainage Basin System Upgrade.....	150,000
Okeechobee - Stormwater Retrofit Project.....	250,000
Okeechobee - Wastewater Improvements.....	300,000
Okeechobee - Pine Ridge Park Utility System Improvements....	300,000
Opa-Locka - Sewer Lift System Rehabilitation.....	390,000
Opa-Locka - Burlington Canal Dredging and Side Slope Restoration.....	700,000
Orange County - Oakland Wastewater System.....	300,000
Ormond Beach - North Central Park Lake Interconnects - Flood Mitigation.....	125,000
Palm Beach County - Lake Worth Lagoon Lake Park Seagrass Restoration.....	125,000
Palm Beach County - Lake Worth Lagoon Monastery Artificial Reef MacArthur State Park Islands.....	150,000
Palm Beach County - Lake Worth Lagoon Monitoring and Administration.....	100,000
Palm Beach County - Lake Worth Lagoon North Palm Beach Living Shorelines.....	100,000
Palm Beach County - Loxahatchee River Preservation	

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Initiative.....	1,300,000
Palmetto Bay - Sub-Basin 10 Drainage Improvements.....	250,000
Pasco - Laccochee/Tribby Water System Improvements.....	500,000
Pembroke Park - Stormwater Retrofit & Water Quality Project.	200,000
Polk - Frostproof New Generators for Main Water Plant Well..	150,000
Polk - Frostproof Water Storage Tank at Main Water Plant....	200,000
Port LaBelle - System.....	470,000
Port Orange - Cambridge Canal Improvements.....	500,000
Port St. Lucie - Water Control Structure Improvement Project	131,000
Riviera Beach - West 18th-22nd Street Stormwater Laterals...	500,000
Riviera Beach - West 6th Street Stormwater Improvements....	500,000
Sarasota County - Phillippi Creek Septic System Replacement Program.....	438,000
South Miami - Dorn Avenue Drainage.....	120,000
St. Johns River Restoration and Economic Impact Study.....	7,000,000
Sunrise - Twin Lakes Sub-Basin Drainage Improvements.....	250,000
Surfside - 88th Street Pump Station - Seawall repairs.....	75,000
Tallahassee - Briarwood Neighborhood Septic Tank Abatement..	300,000
Tampa - Westshore Waterways Improvement Project.....	150,000
Tampa - Met West Ditch Stormwater Project.....	125,000
Unincorporated Miami-Dade County - SW 157 Avenue Canal.....	1,100,000
Walton County - Coastal Dune Lakes Environmental Assessment.	500,000
Walton County - Wastewater Treatment Facility at Mossy Head.	3,000,000
Walton County - US Highway 98 Water Line Extension.....	1,000,000
West Miami - Stormwater Improvements.....	250,000
Williston - Rehabilitation of Sanitary Sewer Line Segments..	305,000
Winter Haven - South Lake Conine Wetland Treatment Project..	619,000
Zephyrhills/Dade City - Interconnect.....	1,925,000
From the funds in Specific Appropriation 1640C, \$3,000,000 in nonrecurring general revenue funds is provided to Martin County for the construction of an integrated wetland and chemical reuse stormwater system in the Danforth Creek Basin to provide treatment of urban and agricultural runoff flowing into the St. Lucie River.	
1641 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	2,000,000
1642 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY DRINKING WATER FACILITY CONSTRUCTION - STATE REVOLVING LOAN FROM GENERAL REVENUE FUND . . . . .	3,160,100
FROM DRINKING WATER REVOLVING LOAN TRUST FUND . . . . .	69,768,058
1643 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY WASTEWATER TREATMENT FACILITY CONSTRUCTION FROM GENERAL REVENUE FUND . . . . .	9,327,640
FROM WASTEWATER TREATMENT AND STORMWATER MANAGEMENT REVOLVING LOAN TRUST FUND . . . . .	133,385,630
1644 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY SMALL COUNTY WASTEWATER TREATMENT GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	23,301,810
TOTAL: WATER RESOURCE MANAGEMENT FROM GENERAL REVENUE FUND . . . . .	87,519,973
FROM TRUST FUNDS . . . . .	254,483,126
TOTAL POSITIONS . . . . .	201.00
TOTAL ALL FUNDS . . . . .	342,003,099
PROGRAM: WASTE MANAGEMENT	
WASTE MANAGEMENT	
APPROVED SALARY RATE	9,531,236



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1645	SALARIES AND BENEFITS	POSITIONS	205.00	
	FROM INLAND PROTECTION TRUST FUND .		5,070,077	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,119,058	
	FROM SOLID WASTE MANAGEMENT TRUST			
	FUND . . . . .		2,206,420	
	FROM WATER QUALITY ASSURANCE TRUST			
	FUND . . . . .		3,809,472	
1646	OTHER PERSONAL SERVICES			
	FROM INLAND PROTECTION TRUST FUND .		23,780	
	FROM FEDERAL GRANTS TRUST FUND . . .		266,193	
	FROM SOLID WASTE MANAGEMENT TRUST			
	FUND . . . . .		142,552	
	FROM WATER QUALITY ASSURANCE TRUST			
	FUND . . . . .		12,000	
1647	EXPENSES			
	FROM INLAND PROTECTION TRUST FUND .		588,315	
	FROM FEDERAL GRANTS TRUST FUND . . .		310,546	
	FROM SOLID WASTE MANAGEMENT TRUST			
	FUND . . . . .		277,094	
	FROM WATER QUALITY ASSURANCE TRUST			
	FUND . . . . .		380,921	
1648	AID TO LOCAL GOVERNMENTS			
	GRANTS AND AIDS - SOUTHERN WASTE			
	INFORMATION EXCHANGE CLEARING HOUSE			
	FROM SOLID WASTE MANAGEMENT TRUST			
	FUND . . . . .		300,000	
1649	AID TO LOCAL GOVERNMENTS			
	GRANTS AND AIDS - LOCAL HAZARDOUS WASTE			
	COLLECTION			
	FROM WATER QUALITY ASSURANCE TRUST			
	FUND . . . . .		509,994	
1650	OPERATING CAPITAL OUTLAY			
	FROM INLAND PROTECTION TRUST FUND .		9,929	
	FROM SOLID WASTE MANAGEMENT TRUST			
	FUND . . . . .		44,094	
	FROM WATER QUALITY ASSURANCE TRUST			
	FUND . . . . .		11,023	
1651	SPECIAL CATEGORIES			
	STORAGE TANK COMPLIANCE VERIFICATION			
	FROM INLAND PROTECTION TRUST FUND .		5,900,000	
1652	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF HEALTH FOR			
	BIOMEDICAL WASTE REGULATION			
	FROM SOLID WASTE MANAGEMENT TRUST			
	FUND . . . . .		880,000	
1653	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM INLAND PROTECTION TRUST FUND .		109,045	
	FROM FEDERAL GRANTS TRUST FUND . . .		4,200	
	FROM SOLID WASTE MANAGEMENT TRUST			
	FUND . . . . .		102,500	
	FROM WATER QUALITY ASSURANCE TRUST			
	FUND . . . . .		62,100	
1654	SPECIAL CATEGORIES			
	FEDERAL WASTE PLANNING GRANTS			
	FROM FEDERAL GRANTS TRUST FUND . . .		954,153	
1655	SPECIAL CATEGORIES			
	HAZARDOUS WASTE CLEANUP			
	FROM WATER QUALITY ASSURANCE TRUST			
	FUND . . . . .		1,907,327	
1656	SPECIAL CATEGORIES			
	HAZARDOUS WASTE SITES RESTORATION			

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	FROM FEDERAL GRANTS TRUST FUND . . .	1,999,847
1657	SPECIAL CATEGORIES	
	HAZARDOUS WASTE COMPLIANCE ASSISTANCE AND	
	EDUCATION	
	FROM SOLID WASTE MANAGEMENT TRUST	
	FUND . . . . .	100,000
1658	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF AGRICULTURE AND	
	CONSUMER SERVICES - MOSQUITO CONTROL	
	PROGRAM	
	FROM SOLID WASTE MANAGEMENT TRUST	
	FUND . . . . .	2,660,000
1659	SPECIAL CATEGORIES	
	DRYCLEANING CONTAMINATION CLEANUP	
	FROM WATER QUALITY ASSURANCE TRUST	
	FUND . . . . .	90,000
1660	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM INLAND PROTECTION TRUST FUND .	22,758
	FROM SOLID WASTE MANAGEMENT TRUST	
	FUND . . . . .	15,449
	FROM WATER QUALITY ASSURANCE TRUST	
	FUND . . . . .	22,449
1661	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF REVENUE -	
	ADMINISTRATION OF LEAD ACID BATTERY FEE	
	FROM WATER QUALITY ASSURANCE TRUST	
	FUND . . . . .	231,092
1662	SPECIAL CATEGORIES	
	TRANSFER TO UNIVERSITY OF FLORIDA -	
	RESEARCH AND TESTING	
	FROM SOLID WASTE MANAGEMENT TRUST	
	FUND . . . . .	700,000
1663	SPECIAL CATEGORIES	
	UNDERGROUND STORAGE TANK CLEANUP	
	FROM INLAND PROTECTION TRUST FUND .	5,791,312
	FROM FEDERAL GRANTS TRUST FUND . . .	3,092,467
1664	SPECIAL CATEGORIES	
	LOCAL GOVERNMENT CLEANUP CONTRACTING	
	FROM INLAND PROTECTION TRUST FUND .	7,000,000
1665	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT	
	SERVICES - HUMAN RESOURCES SERVICES	
	PURCHASED PER STATEWIDE CONTRACT	
	FROM INLAND PROTECTION TRUST FUND .	32,140
	FROM FEDERAL GRANTS TRUST FUND . . .	11,461
	FROM SOLID WASTE MANAGEMENT TRUST	
	FUND . . . . .	11,492
	FROM WATER QUALITY ASSURANCE TRUST	
	FUND . . . . .	22,593
1666	FIXED CAPITAL OUTLAY	
	DRY CLEANING SOLVENT CONTAMINATED SITE	
	CLEANUP	
	FROM WATER QUALITY ASSURANCE TRUST	
	FUND . . . . .	5,500,000
1667	FIXED CAPITAL OUTLAY	
	CLEANUP OF STATE OWNED LANDS	
	FROM INLAND PROTECTION TRUST FUND .	1,000,000
1668	FIXED CAPITAL OUTLAY	
	PETROLEUM TANKS CLEANUP - PREAPPROVALS	
	FROM INLAND PROTECTION TRUST FUND .	125,000,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

From the funds in Specific Appropriation 1668, up to \$50,000,000 is provided for the sole purpose of making payments for preapproved task assignments, contracts and work orders approved by the Department of Environmental Protection prior to June 30, 2013, for the rehabilitation of petroleum contaminated sites under the Petroleum Restoration Program, or to address an imminent environmental threat, as determined by the secretary of the department. The balance of Specific Appropriation 1668, shall be placed in reserve until the Department of Environmental Protection has submitted a plan for consideration by the Legislative Budget Commission that details how the department will implement the requirements of sections 376.3071, 376.30711 and s. 376.30713, Florida Statutes, to improve the effectiveness and efficiency of the Petroleum Restoration Program. The plan may include the department's recommendations for legislative changes to the program. Upon consideration and approval of the plan by the Legislative Budget Commission, the funds placed in reserve may be released by the Executive Office of the Governor quarterly pursuant to ss. 216.192 and 216.177, Florida Statutes, to implement the plan approved by the Legislative Budget Commission and to make payments for preapproved task assignments, contracts, and work orders approved by the department on or after July 1, 2013, which comply with the requirements of ss. 376.3071, 376.30711 and 376.30713, Florida Statutes. No funds may be released after January 1, 2014, unless the department has adopted rules to implement ss. 376.3071, 376.30711 and 376.30713, Florida Statutes.

1669 FIXED CAPITAL OUTLAY  
HAZARDOUS WASTE CONTAMINATED SITE CLEANUP  
FROM WATER QUALITY ASSURANCE TRUST  
FUND . . . . . 3,500,000

1670 FIXED CAPITAL OUTLAY  
DEBT SERVICE - INLAND PROTECTION FINANCING  
CORPORATION  
FROM INLAND PROTECTION TRUST FUND . . . . . 9,787,766

Funds in Specific Appropriation 1670 are for Fiscal Year 2013-2014 debt service on bonds pursuant to Specific Appropriation 1733, Chapter 2009-81, Laws of Florida, and any administrative expenses of the Inland Protection Financing Corporation for the purpose of rehabilitation of petroleum contamination sites pursuant to sections 376.30 through 376.317, Florida Statutes.

1671 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
SOLID WASTE MANAGEMENT  
FROM SOLID WASTE MANAGEMENT TRUST  
FUND . . . . . 3,000,000

TOTAL: WASTE MANAGEMENT  
FROM TRUST FUNDS . . . . . 195,591,619

TOTAL POSITIONS . . . . . 205.00  
TOTAL ALL FUNDS . . . . . 195,591,619

PROGRAM: RECREATION AND PARKS

STATE PARK OPERATIONS

APPROVED SALARY RATE 34,818,044

1672 SALARIES AND BENEFITS POSITIONS 1,058.50  
FROM CONSERVATION AND RECREATION  
LANDS TRUST FUND . . . . . 1,194,725  
FROM STATE PARK TRUST FUND . . . . . 46,370,562

1672A OTHER PERSONAL SERVICES  
FROM STATE PARK TRUST FUND . . . . . 4,243,286

1672B EXPENSES  
FROM CONSERVATION AND RECREATION  
LANDS TRUST FUND . . . . . 84,550  
FROM STATE PARK TRUST FUND . . . . . 13,673,739

1672C OPERATING CAPITAL OUTLAY

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

FROM STATE PARK TRUST FUND . . . . . 85,986

1673 SPECIAL CATEGORIES  
ACQUISITION OF MOTOR VEHICLES  
FROM STATE PARK TRUST FUND . . . . . 160,000

From the funds provided in Specific Appropriation 1673, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 175,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1674 SPECIAL CATEGORIES  
DISTRIBUTION OF SURCHARGE FEES  
FROM STATE PARK TRUST FUND . . . . . 700,000

1675 SPECIAL CATEGORIES  
DISBURSE DONATIONS  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 200,000  
FROM STATE PARK TRUST FUND . . . . . 250,000

1675A SPECIAL CATEGORIES  
LAND MANAGEMENT  
FROM CONSERVATION AND RECREATION  
LANDS TRUST FUND . . . . . 1,529,552

1676A SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM STATE PARK TRUST FUND . . . . . 750,000

Funds in Specific Appropriation 1676A are to be used as a 40 percent match for private and public donations for associated administrative costs that will allow the Friends of Florida Parks, Inc., to market and manage both private and public sector investments.

1677 SPECIAL CATEGORIES  
AMERICORPS PROGRAM  
FROM FEDERAL GRANTS TRUST FUND . . . . . 600,000

1678 SPECIAL CATEGORIES  
OUTSOURCING/PRIVATIZATION  
FROM STATE PARK TRUST FUND . . . . . 5,156,726

1678A SPECIAL CATEGORIES  
MANAGEMENT OF WATER CONTROL STRUCTURES  
FROM STATE PARK TRUST FUND . . . . . 150,000

1678B SPECIAL CATEGORIES  
CONTROL OF INVASIVE EXOTICS  
FROM STATE PARK TRUST FUND . . . . . 287,996

1678C SPECIAL CATEGORIES  
PURCHASES FOR RESALE  
FROM STATE PARK TRUST FUND . . . . . 302,407

1679 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM CONSERVATION AND RECREATION  
LANDS TRUST FUND . . . . . 719,673  
FROM LAND ACQUISITION TRUST FUND . . . . . 48,621  
FROM STATE PARK TRUST FUND . . . . . 3,090,545

1679A SPECIAL CATEGORIES  
GREENWAYS CARL MANAGEMENT FUNDING  
FROM CONSERVATION AND RECREATION  
LANDS TRUST FUND . . . . . 2,179,609

1680 SPECIAL CATEGORIES  
LAND USE PROCEEDS DISBURSEMENTS  
FROM STATE PARK TRUST FUND . . . . . 175,000

1681 SPECIAL CATEGORIES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	10,750	
	FROM STATE PARK TRUST FUND . . . . .	425,235	
1682	FIXED CAPITAL OUTLAY STATE PARK FACILITY IMPROVEMENTS FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	15,000,000	
1682A	FIXED CAPITAL OUTLAY SILVER RIVER PARK DEVELOPMENT FROM LAND ACQUISITION TRUST FUND . .	450,000	
1683	FIXED CAPITAL OUTLAY REMOVE ACCESSIBILITY BARRIERS - STATEWIDE FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	1,000,000	
	FROM LAND ACQUISITION TRUST FUND . .	3,000,000	
1684	FIXED CAPITAL OUTLAY GRANTS AND DONATIONS SPENDING AUTHORITY FROM FEDERAL GRANTS TRUST FUND . . .	4,000,000	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	2,000,000	
1685	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FEDERAL LAND AND WATER CONSERVATION FUND GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	3,000,000	
1685A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FLORIDA RECREATION DEVELOPMENT ASSISTANCE GRANTS FROM LAND ACQUISITION TRUST FUND . .	642,000	
Funds in Specific Appropriation 1685A are provided for the Fiscal Year 2013-2014 Priority list for Small Projects Fund - Development list.			
1685B	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY LIBERTY COUNTY - HOSFORD LOCAL PARK FROM STATE PARK TRUST FUND . . . . .	400,000	
1686	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY NATIONAL RECREATIONAL TRAIL GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	3,500,000	
TOTAL: STATE PARK OPERATIONS	FROM TRUST FUNDS . . . . .	115,380,962	
	TOTAL POSITIONS . . . . .	1,058.50	
	TOTAL ALL FUNDS . . . . .	115,380,962	
COASTAL AND AQUATIC MANAGED AREAS			
	APPROVED SALARY RATE	4,098,630	
1687	SALARIES AND BENEFITS POSITIONS 88.00 FROM GENERAL REVENUE FUND . . . . .	66,965	
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	360,304	
	FROM FEDERAL GRANTS TRUST FUND . . .	2,007,382	
	FROM LAND ACQUISITION TRUST FUND . .	2,452,669	
1688	OTHER PERSONAL SERVICES FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	176,608	
	FROM LAND ACQUISITION TRUST FUND . .	333,926	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

1689	EXPENSES FROM GENERAL REVENUE FUND . . . . .	5,000	
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	184,858	
	FROM LAND ACQUISITION TRUST FUND . .	513,811	
1690	OPERATING CAPITAL OUTLAY FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	9,292	
	FROM LAND ACQUISITION TRUST FUND . .	100	
1691	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM FEDERAL GRANTS TRUST FUND . . .	141,135	
From the funds provided in Specific Appropriation 1691, the Department of Environmental Protection may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 175,000 miles unless it is determined by the agency secretary that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.			
1692	SPECIAL CATEGORIES SUBMERGED RESOURCE DAMAGED RESTORATIONS FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . .	57,834	
1693	SPECIAL CATEGORIES CONTRACTED SERVICES FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	50,000	
	FROM LAND ACQUISITION TRUST FUND . .	53,493	
1694	SPECIAL CATEGORIES MARINE RESEARCH GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	4,542,880	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	620,673	
	FROM LAND ACQUISITION TRUST FUND . .	303,389	
1695	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	278,752	
	FROM FEDERAL GRANTS TRUST FUND . . .	2,214	
	FROM LAND ACQUISITION TRUST FUND . .	144,869	
1696	SPECIAL CATEGORIES COASTAL AND AQUATIC MANAGED AREAS (CAMA) - CARL MANAGEMENT FUNDS FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	243,082	
1697	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	354	
	FROM CONSERVATION AND RECREATION LANDS TRUST FUND . . . . .	3,199	
	FROM FEDERAL GRANTS TRUST FUND . . .	10,387	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	590	
	FROM LAND ACQUISITION TRUST FUND . .	25,087	
1698	FIXED CAPITAL OUTLAY MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE FROM LAND ACQUISITION TRUST FUND . .	450,000	
1698A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - FRESHWATER AQUATIC		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

HABITAT ENHANCEMENT AND RESTORATION  
FROM FEDERAL GRANTS TRUST FUND . . . . . 684,800

TOTAL: COASTAL AND AQUATIC MANAGED AREAS  
FROM GENERAL REVENUE FUND . . . . . 72,319  
FROM TRUST FUNDS . . . . . 13,651,334

TOTAL POSITIONS . . . . . 88.00  
TOTAL ALL FUNDS . . . . . 13,723,653

PROGRAM: AIR RESOURCES MANAGEMENT

UTILITIES SITING AND COORDINATION

APPROVED SALARY RATE 285,243

1699 SALARIES AND BENEFITS POSITIONS 6.00  
FROM PERMIT FEE TRUST FUND . . . . . 378,754

1700 EXPENSES  
FROM PERMIT FEE TRUST FUND . . . . . 52,335

1701 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM PERMIT FEE TRUST FUND . . . . . 136

1702 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM PERMIT FEE TRUST FUND . . . . . 942

1703 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM PERMIT FEE TRUST FUND . . . . . 2,268

TOTAL: UTILITIES SITING AND COORDINATION  
FROM TRUST FUNDS . . . . . 434,435

TOTAL POSITIONS . . . . . 6.00  
TOTAL ALL FUNDS . . . . . 434,435

AIR RESOURCES MANAGEMENT

APPROVED SALARY RATE 3,337,955

1704 SALARIES AND BENEFITS POSITIONS 61.00  
FROM AIR POLLUTION CONTROL TRUST  
FUND . . . . . 4,556,275

1705 OTHER PERSONAL SERVICES  
FROM AIR POLLUTION CONTROL TRUST  
FUND . . . . . 4,858,784

1706 EXPENSES  
FROM AIR POLLUTION CONTROL TRUST  
FUND . . . . . 879,050

1707 OPERATING CAPITAL OUTLAY  
FROM AIR POLLUTION CONTROL TRUST  
FUND . . . . . 387,680

1708 SPECIAL CATEGORIES  
DISTRIBUTION TO COUNTIES - MOTOR VEHICLE  
REGISTRATION PROCEEDS  
FROM AIR POLLUTION CONTROL TRUST  
FUND . . . . . 7,325,936

1709 SPECIAL CATEGORIES  
ASBESTOS REMOVAL PROGRAM FEES  
FROM AIR POLLUTION CONTROL TRUST  
FUND . . . . . 150,000

1710 SPECIAL CATEGORIES

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

CONTRACTED SERVICES  
FROM AIR POLLUTION CONTROL TRUST  
FUND . . . . . 22,000

1711 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM AIR POLLUTION CONTROL TRUST  
FUND . . . . . 13,699

1712 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM AIR POLLUTION CONTROL TRUST  
FUND . . . . . 26,343

TOTAL: AIR RESOURCES MANAGEMENT  
FROM TRUST FUNDS . . . . . 18,219,767

TOTAL POSITIONS . . . . . 61.00  
TOTAL ALL FUNDS . . . . . 18,219,767

TOTAL: ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
FROM GENERAL REVENUE FUND . . . . . 130,243,914  
FROM TRUST FUNDS . . . . . 1,159,044,189

TOTAL POSITIONS . . . . . 3,118.00  
TOTAL ALL FUNDS . . . . . 1,289,288,103  
TOTAL APPROVED SALARY RATE . . . . . 131,530,496

FISH AND WILDLIFE CONSERVATION COMMISSION

PROGRAM: EXECUTIVE DIRECTION AND ADMINISTRATIVE  
SERVICES

OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE  
SUPPORT SERVICES

APPROVED SALARY RATE 9,311,619

1713 SALARIES AND BENEFITS POSITIONS 215.50  
FROM ADMINISTRATIVE TRUST FUND . . . . . 10,241,886  
FROM MARINE RESOURCES CONSERVATION  
TRUST FUND . . . . . 839,093  
FROM NON-GAME WILDLIFE TRUST FUND . . . . . 163,900  
FROM STATE GAME TRUST FUND . . . . . 1,113,334  
FROM CONSERVATION AND RECREATION  
LANDS PROGRAM TRUST FUND . . . . . 405,864

1714 OTHER PERSONAL SERVICES  
FROM ADMINISTRATIVE TRUST FUND . . . . . 220,000  
FROM MARINE RESOURCES CONSERVATION  
TRUST FUND . . . . . 18,171  
FROM NON-GAME WILDLIFE TRUST FUND . . . . . 48,618  
FROM STATE GAME TRUST FUND . . . . . 75,533

1715 EXPENSES  
FROM ADMINISTRATIVE TRUST FUND . . . . . 1,170,037  
FROM MARINE RESOURCES CONSERVATION  
TRUST FUND . . . . . 600,000  
FROM NON-GAME WILDLIFE TRUST FUND . . . . . 20,062  
FROM STATE GAME TRUST FUND . . . . . 432,492  
FROM CONSERVATION AND RECREATION  
LANDS PROGRAM TRUST FUND . . . . . 121

1716 OPERATING CAPITAL OUTLAY  
FROM ADMINISTRATIVE TRUST FUND . . . . . 75,057  
FROM MARINE RESOURCES CONSERVATION  
TRUST FUND . . . . . 4,704  
FROM STATE GAME TRUST FUND . . . . . 16,557

1717 SPECIAL CATEGORIES  
ENHANCED WILDLIFE MANAGEMENT  
FROM CONSERVATION AND RECREATION

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

	LANDS PROGRAM TRUST FUND . . . . .	491,324
1718	SPECIAL CATEGORIES NON-CARL WILDLIFE MANAGEMENT FROM STATE GAME TRUST FUND . . . . .	123,205
1719	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM ADMINISTRATIVE TRUST FUND . . .	2,999
1720	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . . FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . FROM NON-GAME WILDLIFE TRUST FUND . FROM STATE GAME TRUST FUND . . . . .	570,509 234,514 1,945 2,040,864

From the funds in Specific Appropriation 1720, \$129,000 from the Administrative Trust Fund is provided for the Fish and Wildlife Conservation Commission to determine the feasibility of purchasing a building located at 3800 Esplanade Way, Tallahassee, FL 32311, for relocation of the commission. The commission shall work with the Department of Management Services on the feasibility study and for possible inclusion of the building within the Florida Facilities Pool. The commission shall submit the results of the feasibility study to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by January 1, 2014.

1721	SPECIAL CATEGORIES PAYMENT OF REWARDS FROM ADMINISTRATIVE TRUST FUND . . .	5,000
1722	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . . FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . FROM STATE GAME TRUST FUND . . . . . FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	80,576 7,823 38,353 2,817
1723	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM ADMINISTRATIVE TRUST FUND . . .	6,828
1724	SPECIAL CATEGORIES INFORMATION TECHNOLOGY SERVICES - FISH AND WILDLIFE CONSERVATION COMMISSION FROM ADMINISTRATIVE TRUST FUND . . .	2,048,105
1725	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . . FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . FROM NON-GAME WILDLIFE TRUST FUND . FROM STATE GAME TRUST FUND . . . . . FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	69,255 7,341 1,205 3,371 2,530
1725A	SPECIAL CATEGORIES GRANTS AND AIDS - WILDLIFE FOUNDATION OF FLORIDA FROM GENERAL REVENUE FUND . . . . .	1,000,000
1726	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM ADMINISTRATIVE TRUST FUND . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST	1,000,000 390,000

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

	FUND . . . . .	75,000
1727	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM ADMINISTRATIVE TRUST FUND . . .	105,028
1727A	DATA PROCESSING SERVICES NORTHWOOD SHARED RESOURCE CENTER FROM ADMINISTRATIVE TRUST FUND . . .	482,648
TOTAL: OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES FROM GENERAL REVENUE FUND . . . . . 1,000,000 FROM TRUST FUNDS . . . . . 23,236,669		
TOTAL POSITIONS . . . . . 215.50		
TOTAL ALL FUNDS . . . . . 24,236,669		

PROGRAM: LAW ENFORCEMENT

FISH, WILDLIFE AND BOATING LAW ENFORCEMENT

	APPROVED SALARY RATE	47,480,440
1728	SALARIES AND BENEFITS POSITIONS 1,051.00 FROM GENERAL REVENUE FUND . . . . . 19,653,271 FROM FEDERAL GRANTS TRUST FUND . . . 4,775,814 FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND . . . . . 304,975 FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . 31,291,107 FROM NON-GAME WILDLIFE TRUST FUND . 281,258 FROM STATE GAME TRUST FUND . . . . . 8,395,597 FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . . 2,844,486	
1729	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . . 74,210 FROM FEDERAL GRANTS TRUST FUND . . . 58,000 FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . 314,631 FROM STATE GAME TRUST FUND . . . . . 99,316	
1730	EXPENSES FROM GENERAL REVENUE FUND . . . . . 1,635,307 FROM FEDERAL GRANTS TRUST FUND . . . 6,351,541 FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . 3,257,858 FROM STATE GAME TRUST FUND . . . . . 1,239,717 FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . . 422,585	
1731	OPERATING CAPITAL OUTLAY FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . 141,891 FROM STATE GAME TRUST FUND . . . . . 74,257 FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . . 62,500	
1732	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF PATROL VEHICLES FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . 1,972,271 FROM STATE GAME TRUST FUND . . . . . 222,901	
1733	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . 727,415	
1734	SPECIAL CATEGORIES ENHANCED WILDLIFE MANAGEMENT	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .		272,166
1735	SPECIAL CATEGORIES 800 MHZ RADIO LAW ENFORCEMENT SYSTEM EQUIPMENT AND MAINTENANCE FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .		44,760
1736	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . . FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	439,548	708,663 1,500
1737	SPECIAL CATEGORIES BOAT RAMP MAINTENANCE CATEGORY FROM FEDERAL GRANTS TRUST FUND . . . FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . FROM STATE GAME TRUST FUND . . . . .		431,250 181,878 143,750
1738	SPECIAL CATEGORIES OVERTIME FROM GENERAL REVENUE FUND . . . . . FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . FROM STATE GAME TRUST FUND . . . . .	765,000	2,146,685 193,997
1739	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . FROM STATE GAME TRUST FUND . . . . .	389,152	63,568 1,186,195 845,398
1740	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . FROM STATE GAME TRUST FUND . . . . . FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	48,668	14,926 541,517 154,562 20,160
1741	SPECIAL CATEGORIES BOATING AND WATERWAYS ACTIVITIES FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .		1,926,025
1742	SPECIAL CATEGORIES BOATING AND WATERWAYS GRANTS FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .		50,000
1743	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . FROM STATE GAME TRUST FUND . . . . . FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	60,775	8,157 265,702 46,193 12,150
1744	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM FEDERAL GRANTS TRUST FUND . . .		9,678,808

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
SPECIFIC  
APPROPRIATION

	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . FROM STATE GAME TRUST FUND . . . . .		686,450 1,208,746
1745	SPECIAL CATEGORIES BOATING SAFETY EDUCATION PROGRAM FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .		550,650
1745A	FIXED CAPITAL OUTLAY LAW ENFORCEMENT FIELD OFFICE - WINDLEY KEY FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .		623,865
1746	FIXED CAPITAL OUTLAY BOATING INFRASTRUCTURE FROM FEDERAL GRANTS TRUST FUND . . .		3,300,000
1747	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FLORIDA BOATING IMPROVEMENT PROGRAM FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . FROM STATE GAME TRUST FUND . . . . .		562,000 1,250,000
TOTAL: FISH, WILDLIFE AND BOATING LAW ENFORCEMENT			
	FROM GENERAL REVENUE FUND . . . . .	23,065,931	
	FROM TRUST FUNDS . . . . .		89,957,841
	TOTAL POSITIONS . . . . .	1,051.00	
	TOTAL ALL FUNDS . . . . .		113,023,772
PROGRAM: WILDLIFE			
HUNTING AND GAME MANAGEMENT			
	APPROVED SALARY RATE	1,898,473	
1748	SALARIES AND BENEFITS POSITIONS 45.00 FROM FEDERAL GRANTS TRUST FUND . . . FROM STATE GAME TRUST FUND . . . . . FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .		620,505 1,543,870 463,880
1749	OTHER PERSONAL SERVICES FROM STATE GAME TRUST FUND . . . . .		222,303
1750	EXPENSES FROM STATE GAME TRUST FUND . . . . . FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .		534,873 1,852
1751	OPERATING CAPITAL OUTLAY FROM STATE GAME TRUST FUND . . . . .		4,538
1751A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE GAME TRUST FUND . . . . .		23,774
From the funds provided in Specific Appropriation 1751A, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 175,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.			
1751B	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS FROM STATE GAME TRUST FUND . . . . .		39,484
1752	SPECIAL CATEGORIES ENHANCED WILDLIFE MANAGEMENT FROM CONSERVATION AND RECREATION		

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
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	LANDS PROGRAM TRUST FUND . . . . .	48,015	
1753	SPECIAL CATEGORIES NON-CARL WILDLIFE MANAGEMENT FROM STATE GAME TRUST FUND . . . . .	115,595	
1754	SPECIAL CATEGORIES DEER MANAGEMENT PROGRAM FROM STATE GAME TRUST FUND . . . . .	300,000	
1755	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE GAME TRUST FUND . . . . .	255,710	
1756	SPECIAL CATEGORIES TRANSFER DEPARTMENT OF AGRICULTURE - ALLIGATOR MARKETING AND EDUCATION FROM STATE GAME TRUST FUND . . . . .	150,000	
1757	SPECIAL CATEGORIES PUBLIC DOVE FIELD DEVELOPMENT FROM STATE GAME TRUST FUND . . . . .	49,000	
1758	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE GAME TRUST FUND . . . . . FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	106,665 13,313	
1759	SPECIAL CATEGORIES WILDLIFE MANAGEMENT AREA USER PAY FROM STATE GAME TRUST FUND . . . . .	638,266	
1760	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM STATE GAME TRUST FUND . . . . . FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	14,415 3,104	
1761	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM FEDERAL GRANTS TRUST FUND . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . . FROM STATE GAME TRUST FUND . . . . .	1,251,129 129,450 30,000	
1762	SPECIAL CATEGORIES WILD TURKEY PROJECTS FROM STATE GAME TRUST FUND . . . . .	500,000	
1763	FIXED CAPITAL OUTLAY TRIPLE N RANCH WILDLIFE MANAGEMENT AREA PUBLIC SHOOTING PARK FROM FEDERAL GRANTS TRUST FUND . . .	1,400,000	
TOTAL:	HUNTING AND GAME MANAGEMENT FROM TRUST FUNDS . . . . .	8,459,741	
	TOTAL POSITIONS . . . . .	45.00	
	TOTAL ALL FUNDS . . . . .	8,459,741	

PROGRAM: HABITAT AND SPECIES CONSERVATION

HABITAT AND SPECIES CONSERVATION

	APPROVED SALARY RATE	14,706,044	
1764	SALARIES AND BENEFITS POSITIONS FROM INVASIVE PLANT CONTROL TRUST FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM FLORIDA PANTHER RESEARCH AND	362.50 2,139,800 3,300,686	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
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	MANAGEMENT TRUST FUND . . . . .	219,874	
	FROM LAND ACQUISITION TRUST FUND . .	465,042	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	547,924	
	FROM NON-GAME WILDLIFE TRUST FUND . .	1,790,687	
	FROM SAVE THE MANATEE TRUST FUND . .	817,862	
	FROM STATE GAME TRUST FUND . . . . .	5,523,746	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	5,344,218	
1765	OTHER PERSONAL SERVICES FROM INVASIVE PLANT CONTROL TRUST FUND . . . . .	457,080	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND . . . . .	178,094	
	FROM LAND ACQUISITION TRUST FUND . .	121,350	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	150,759	
	FROM NON-GAME WILDLIFE TRUST FUND . .	688,874	
	FROM SAVE THE MANATEE TRUST FUND . .	176,047	
	FROM STATE GAME TRUST FUND . . . . .	240,143	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	79,496	
1766	EXPENSES FROM INVASIVE PLANT CONTROL TRUST FUND . . . . .	817,822	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND . . . . .	139,912	
	FROM LAND ACQUISITION TRUST FUND . .	89,831	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	107,590	
	FROM NON-GAME WILDLIFE TRUST FUND . .	614,254	
	FROM SAVE THE MANATEE TRUST FUND . .	293,072	
	FROM STATE GAME TRUST FUND . . . . .	1,166,989	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	1,197,637	
1767	OPERATING CAPITAL OUTLAY FROM INVASIVE PLANT CONTROL TRUST FUND . . . . .	10,488	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND . . . . .	1,250	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	6,250	
	FROM NON-GAME WILDLIFE TRUST FUND . .	27,278	
	FROM SAVE THE MANATEE TRUST FUND . .	8,625	
	FROM STATE GAME TRUST FUND . . . . .	59,422	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	10,625	
1767A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM NON-GAME WILDLIFE TRUST FUND . .	94,068	
	FROM STATE GAME TRUST FUND . . . . .	61,564	

From the funds provided in Specific Appropriation 1767A, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 175,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.

1768	SPECIAL CATEGORIES ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS FROM STATE GAME TRUST FUND . . . . .	18,650	
1769	SPECIAL CATEGORIES ENHANCED WILDLIFE MANAGEMENT FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	2,074,955	

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1770	SPECIAL CATEGORIES NON-CARL WILDLIFE MANAGEMENT FROM STATE GAME TRUST FUND . . . . .	3,391,782
1771	SPECIAL CATEGORIES NUISANCE WILDLIFE CONTROL FROM NON-GAME WILDLIFE TRUST FUND . . . . .	400,000
1772	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INVASIVE PLANT CONTROL TRUST FUND . . . . . FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND . . . . . FROM LAND ACQUISITION TRUST FUND . . . . . FROM NON-GAME WILDLIFE TRUST FUND . . . . . FROM SAVE THE MANATEE TRUST FUND . . . . . FROM STATE GAME TRUST FUND . . . . . FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	204,250 20,912 35,844 40,010 20,771 47,367 65,196
1773	SPECIAL CATEGORIES LAKE RESTORATION FROM STATE GAME TRUST FUND . . . . .	3,984,291
1774	SPECIAL CATEGORIES GRANTS AND AIDS - FEDERAL ENDANGERED SPECIES - SECTION 6 FROM FEDERAL GRANTS TRUST FUND . . . . .	1,430,819
1775	SPECIAL CATEGORIES LAND MANAGEMENT/SAVE OUR RIVERS FROM STATE GAME TRUST FUND . . . . .	298,412
1777	SPECIAL CATEGORIES DUCKS UNLIMITED MARSH PROJECT FROM STATE GAME TRUST FUND . . . . .	106,792
1778	SPECIAL CATEGORIES CONTROL OF INVASIVE EXOTICS FROM INVASIVE PLANT CONTROL TRUST FUND . . . . .	31,823,647
1779	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INVASIVE PLANT CONTROL TRUST FUND . . . . . FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND . . . . . FROM LAND ACQUISITION TRUST FUND . . . . . FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . . FROM NON-GAME WILDLIFE TRUST FUND . . . . . FROM SAVE THE MANATEE TRUST FUND . . . . . FROM STATE GAME TRUST FUND . . . . . FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	27,075 9,605 7,367 6,141 42,301 8,122 272,082 128,540
1780	SPECIAL CATEGORIES TRANSFER TO THE UNIVERSITY OF FLORIDA - COOPERATIVE AQUATIC PLANT EDUCATION PROGRAM FROM INVASIVE PLANT CONTROL TRUST FUND . . . . .	25,000
1781	SPECIAL CATEGORIES HABITAT RESTORATION FROM LAND ACQUISITION TRUST FUND . . . . .	2,979,857
1782	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES/ IFAS/INVASIVE EXOTIC PLANT RESEARCH FROM INVASIVE PLANT CONTROL TRUST	

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APPROPRIATION

	FUND . . . . .			844,171
1783	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INVASIVE PLANT CONTROL TRUST FUND . . . . .			11,631
	FROM FEDERAL GRANTS TRUST FUND . . .			3,920
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND . . . . .			1,710
	FROM LAND ACQUISITION TRUST FUND . .			2,837
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .			1,841
	FROM NON-GAME WILDLIFE TRUST FUND . .			16,992
	FROM SAVE THE MANATEE TRUST FUND . .			6,260
	FROM STATE GAME TRUST FUND . . . . .			61,852
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .			40,144
1784	SPECIAL CATEGORIES HABITAT CONSERVATION PLAN LANDS ACQUISITION PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .			4,474,973
1785	SPECIAL CATEGORIES CONTRACT AND GRANT REIMBURSED ACTIVITIES FROM FEDERAL GRANTS TRUST FUND . . .			11,338,315
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .			512,070
	FROM NON-GAME WILDLIFE TRUST FUND . .			91,652
	FROM STATE GAME TRUST FUND . . . . .			165,201
1785A	FIXED CAPITAL OUTLAY FISHEATING CREEK WILDLIFE MANAGEMENT AREA FROM STATE GAME TRUST FUND . . . . .			404,500
1785B	FIXED CAPITAL OUTLAY LAKE APOPKA RESTORATION FROM STATE GAME TRUST FUND . . . . .			2,000,000
1785C	FIXED CAPITAL OUTLAY LAKE RESTORATION FROM STATE GAME TRUST FUND . . . . .			2,000,000
1786	FIXED CAPITAL OUTLAY WILDLIFE MANAGEMENT AREA LAND IMPROVEMENTS FROM STATE GAME TRUST FUND . . . . .			595,000
1786A	FIXED CAPITAL OUTLAY INVASIVE PLANT MANAGEMENT STORAGE FACILITY FROM INVASIVE PLANT CONTROL TRUST FUND . . . . .			75,000
TOTAL:	HABITAT AND SPECIES CONSERVATION FROM TRUST FUNDS . . . . .			97,066,216
	TOTAL POSITIONS . . . . .	362.50		
	TOTAL ALL FUNDS . . . . .			97,066,216
PROGRAM: FRESHWATER FISHERIES				
FRESHWATER FISHERIES MANAGEMENT				
	APPROVED SALARY RATE	2,755,924		
1787	SALARIES AND BENEFITS POSITIONS	69.50		
	FROM FEDERAL GRANTS TRUST FUND . . .			2,641,107
	FROM STATE GAME TRUST FUND . . . . .			1,311,305
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .			44,849
1788	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . .			40,134



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	FROM STATE GAME TRUST FUND . . . . .	26,035
1789	EXPENSES	
	FROM FEDERAL GRANTS TRUST FUND . . .	418,510
	FROM STATE GAME TRUST FUND . . . . .	279,904
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	20,000
1790	OPERATING CAPITAL OUTLAY	
	FROM FEDERAL GRANTS TRUST FUND . . .	15,625
	FROM STATE GAME TRUST FUND . . . . .	15,914
1790A	SPECIAL CATEGORIES	
	ACQUISITION OF MOTOR VEHICLES	
	FROM STATE GAME TRUST FUND . . . . .	26,655
	From the funds provided in Specific Appropriation 1790A, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 175,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.	
1791	SPECIAL CATEGORIES	
	ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS	
	FROM FEDERAL GRANTS TRUST FUND . . .	5,571
1792	SPECIAL CATEGORIES	
	FISH AND WILDLIFE CONSERVATION COMMISSION YOUTH HUNTING AND FISHING PROGRAMS FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	134,000
	FROM STATE GAME TRUST FUND . . . . .	241,000
1793	SPECIAL CATEGORIES	
	ENHANCED WILDLIFE MANAGEMENT	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	40,800
1794	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM FEDERAL GRANTS TRUST FUND . . .	37,553
	FROM STATE GAME TRUST FUND . . . . .	29,996
1795	SPECIAL CATEGORIES	
	LAKE RESTORATION	
	FROM STATE GAME TRUST FUND . . . . .	695,000
1796	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM STATE GAME TRUST FUND . . . . .	246,379
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	12,536
1797	SPECIAL CATEGORIES	
	LAND USE PROCEEDS DISBURSEMENTS	
	FROM STATE GAME TRUST FUND . . . . .	350,000
1798	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
	FROM STATE GAME TRUST FUND . . . . .	25,404
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	915
1798A	SPECIAL CATEGORIES	
	GRANTS AND AIDS - EVERGLADES YOUTH CONSERVATION CAMP	
	FROM GENERAL REVENUE FUND . . . . .	629,870
1799	SPECIAL CATEGORIES	
	CONTRACT AND GRANT REIMBURSED ACTIVITIES	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
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	FROM FEDERAL GRANTS TRUST FUND . . .	2,073,856
	TOTAL: FRESHWATER FISHERIES MANAGEMENT	
	FROM GENERAL REVENUE FUND . . . . .	629,870
	FROM TRUST FUNDS . . . . .	8,733,048
	TOTAL POSITIONS . . . . .	69.50
	TOTAL ALL FUNDS . . . . .	9,362,918
	PROGRAM: MARINE FISHERIES	
	MARINE FISHERIES MANAGEMENT	
	APPROVED SALARY RATE	1,405,991
1800	SALARIES AND BENEFITS	30.00
	FROM FEDERAL GRANTS TRUST FUND . . .	556,882
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	1,343,472
1801	OTHER PERSONAL SERVICES	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	55,250
1802	EXPENSES	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	343,166
1803	OPERATING CAPITAL OUTLAY	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	423
1803A	SPECIAL CATEGORIES	
	ACQUISITION OF MOTOR VEHICLES	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	31,560
	From the funds provided in Specific Appropriation 1803A, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 175,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.	
1804	SPECIAL CATEGORIES	
	FISH AND WILDLIFE CONSERVATION COMMISSION YOUTH HUNTING AND FISHING PROGRAMS FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	25,000
1805	SPECIAL CATEGORIES	
	AQUATIC RESOURCES EDUCATION	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	360,935
1806	SPECIAL CATEGORIES	
	CONTRACTED SERVICES	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	195,987
1807	SPECIAL CATEGORIES	
	GULF STATES MARINE FISHERIES	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	22,500
1809	SPECIAL CATEGORIES	
	RISK MANAGEMENT INSURANCE	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	23,945
1810	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	

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	FROM FEDERAL GRANTS TRUST FUND . . .	1,430	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	9,760	
1811	SPECIAL CATEGORIES		
	CONTRACT AND GRANT REIMBURSED ACTIVITIES		
	FROM FEDERAL GRANTS TRUST FUND . . .	1,329,912	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	50,000	
1812	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY ARTIFICIAL FISHING REEF CONSTRUCTION PROGRAM		
	FROM FEDERAL GRANTS TRUST FUND . . .	500,000	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	800,000	
TOTAL: MARINE FISHERIES MANAGEMENT			
	FROM TRUST FUNDS . . . . .	5,650,222	
	TOTAL POSITIONS . . . . .	30.00	
	TOTAL ALL FUNDS . . . . .	5,650,222	

## PROGRAM: RESEARCH

## FISH AND WILDLIFE RESEARCH INSTITUTE

APPROVED SALARY RATE 14,574,139

1813	SALARIES AND BENEFITS POSITIONS	339.00	
	FROM FEDERAL GRANTS TRUST FUND . . .	5,124,565	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND . . . . .	186,801	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	9,275,550	
	FROM NON-GAME WILDLIFE TRUST FUND .	1,076,047	
	FROM SAVE THE MANATEE TRUST FUND . .	922,060	
	FROM STATE GAME TRUST FUND . . . . .	2,784,302	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	159,116	
1814	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,072,000	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND . . . . .	60,867	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	4,459,725	
	FROM NON-GAME WILDLIFE TRUST FUND .	627,786	
	FROM SAVE THE MANATEE TRUST FUND . .	726,436	
	FROM STATE GAME TRUST FUND . . . . .	154,941	
1815	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	262,764	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND . . . . .	84,511	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	2,800,751	
	FROM NON-GAME WILDLIFE TRUST FUND .	526,311	
	FROM SAVE THE MANATEE TRUST FUND . .	470,100	
	FROM STATE GAME TRUST FUND . . . . .	554,989	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	3,952	
1816	OPERATING CAPITAL OUTLAY		
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	151,239	
	FROM NON-GAME WILDLIFE TRUST FUND .	17,535	
	FROM SAVE THE MANATEE TRUST FUND . .	8,125	
	FROM STATE GAME TRUST FUND . . . . .	36,932	
1817	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		

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	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	12,500	
	FROM NON-GAME WILDLIFE TRUST FUND .	137,096	
	FROM SAVE THE MANATEE TRUST FUND . .	27,716	
	FROM STATE GAME TRUST FUND . . . . .	23,774	
From the funds provided in Specific Appropriation 1817, the Fish and Wildlife Conservation Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 175,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency unforeseen circumstances as provided for in section 287.14(3), Florida Statutes.			
1818	SPECIAL CATEGORIES		
	ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS		
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	42,217	
	FROM NON-GAME WILDLIFE TRUST FUND .	3,848	
	FROM SAVE THE MANATEE TRUST FUND . .	3,500	
	FROM STATE GAME TRUST FUND . . . . .	17,141	
1819	SPECIAL CATEGORIES		
	ENHANCED WILDLIFE MANAGEMENT		
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	87,964	
1819A	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	75,000	
Funds in Specific Appropriation 1819A are provided to the City of Punta Gorda for a feasibility study to develop a research education aquarium in Charlotte County.			
1820	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND . . . . .	3,851	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	408,277	
	FROM NON-GAME WILDLIFE TRUST FUND .	58,539	
	FROM SAVE THE MANATEE TRUST FUND . .	28,359	
	FROM STATE GAME TRUST FUND . . . . .	49,124	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	3,851	
1821	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	325,945	
1822	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM FEDERAL GRANTS TRUST FUND . . .	5,601	
	FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND . . . . .	1,483	
	FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	99,323	
	FROM NON-GAME WILDLIFE TRUST FUND .	9,555	
	FROM SAVE THE MANATEE TRUST FUND . .	7,315	
	FROM STATE GAME TRUST FUND . . . . .	23,798	
	FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . .	1,263	
1823	SPECIAL CATEGORIES		
	RED TIDE RESEARCH		
	FROM GENERAL REVENUE FUND . . . . .	1,281,986	
1824	SPECIAL CATEGORIES		
	CONTRACT AND GRANT REIMBURSED ACTIVITIES		
	FROM FEDERAL GRANTS TRUST FUND . . .	11,006,892	

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FROM GRANTS AND DONATIONS TRUST FUND . . . . .	659,941	
FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	3,045,616	
FROM NON-GAME WILDLIFE TRUST FUND . . . . .	25,000	
FROM STATE GAME TRUST FUND . . . . .	475,000	
1824A FIXED CAPITAL OUTLAY MARINE YOUTH CONSERVATION FACILITY FROM MARINE RESOURCES CONSERVATION TRUST FUND . . . . .	2,000,000	
TOTAL: FISH AND WILDLIFE RESEARCH INSTITUTE FROM GENERAL REVENUE FUND . . . . .	2,691,750	
FROM TRUST FUNDS . . . . .	48,807,130	
TOTAL POSITIONS . . . . .	339.00	
TOTAL ALL FUNDS . . . . .	51,498,880	
TOTAL: FISH AND WILDLIFE CONSERVATION COMMISSION FROM GENERAL REVENUE FUND . . . . .	27,387,551	
FROM TRUST FUNDS . . . . .	281,910,867	
TOTAL POSITIONS . . . . .	2,112.50	
TOTAL ALL FUNDS . . . . .	309,298,418	
TOTAL APPROVED SALARY RATE . . . . .	92,132,630	

TRANSPORTATION, DEPARTMENT OF

Funds in Specific Appropriations 1835A through 1849, 1856 through 1859, 1874 through 1877, 1878 through 1882, 1884 through 1893 and 1933 through 1944, are provided from the named funds to the department to fund the five year Work Program developed pursuant to provisions of section 339.135, Florida Statutes. Those appropriations used by the department for grants and aids may be advanced in part or in total.

TRANSPORTATION SYSTEMS DEVELOPMENT

PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT

APPROVED SALARY RATE	102,418,565	
1825 SALARIES AND BENEFITS POSITIONS	1,745.00	
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	131,989,440	
FROM TRANSPORTATION DISADVANTAGED TRUST FUND . . . . .	864,470	
1826 OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	176,347	
FROM TRANSPORTATION DISADVANTAGED TRUST FUND . . . . .	69,600	
1827 EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	3,697,543	
FROM TRANSPORTATION DISADVANTAGED TRUST FUND . . . . .	383,325	
1828 OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	581,819	
FROM TRANSPORTATION DISADVANTAGED TRUST FUND . . . . .	10,000	
1829 SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	7,227,877	
1830 SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION		

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(PRIMARY) TRUST FUND . . . . .	2,706,786
FROM TRANSPORTATION DISADVANTAGED TRUST FUND . . . . .	584,530

From the funds in Specific Appropriation 1830, in order to quantify the true unmet demand for services to support those individuals who are transportation disadvantaged, \$200,000 in nonrecurring funds from the Transportation Disadvantaged Trust Fund is provided for the Florida Commission for the Transportation Disadvantaged to conduct a study to define the unmet and latent travel demand and mobility needs for the Florida disadvantaged population who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation. The study shall compare current assessments and future forecasts of transportation disadvantaged mobility needs to existing service capacity at both the county and statewide level. The study shall also include the review of existing requirements for background screening of direct service transit providers to determine whether adequate screening exists, and shall determine the costs of additional screening requirements.

The Commission shall report the findings to the chair of the Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development, and the chair of the House Transportation and Economic Development Appropriations Subcommittee, and shall include a methodology to incorporate the unmet need as a part of the funding allocation formula.

1830A SPECIAL CATEGORIES

PAYMENT TO EXPRESSWAY AUTHORITIES

FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	200,000
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From the funds in Specific Appropriation 1830A, \$200,000 of nonrecurring funds from the State Transportation Trust Fund are provided to the Tampa Bay Area Regional Transportation Authority in order to provide a financial analysis of the costs savings to be achieved from the consolidation of the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority pursuant to the provisions of chapter 2012-174, Laws of Florida.

1831 SPECIAL CATEGORIES

HUMAN RESOURCES DEVELOPMENT

FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	835,123
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1832 SPECIAL CATEGORIES

OVERTIME

FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	34,313
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1833 SPECIAL CATEGORIES

LEASE OR LEASE-PURCHASE OF EQUIPMENT

FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	147,939
FROM TRANSPORTATION DISADVANTAGED TRUST FUND . . . . .	3,830

1834 SPECIAL CATEGORIES

GRANTS AND AIDS - TRANSPORTATION  
DISADVANTAGED

FROM TRANSPORTATION DISADVANTAGED TRUST FUND . . . . .	50,887,853
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1835 SPECIAL CATEGORIES

GRANTS AND AIDS - TRANSPORTATION  
DISADVANTAGED - MEDICAID SERVICES

FROM TRANSPORTATION DISADVANTAGED TRUST FUND . . . . .	61,351,633
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1835A FIXED CAPITAL OUTLAY

MULTI-USE TRAIL SYSTEM

FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	50,000,000
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The funds in Specific Appropriation 1835A are provided for costs of land acquisition, design, and construction of "The Coast to Coast Connector", a multi-use trail intended to provide a system of interconnected trails traversing from St. Petersburg to Titusville, Florida. The Department of Transportation shall fund the projects identified by the Florida Greenways and Trails Council needed to complete and close the gaps between existing trails, including the Starkey Gap, Goodneighbor Gap, Van Fleet Gap, Orange Gap, Seminole Gap, East Central Gap and the Space Coast Gap.

1836	FIXED CAPITAL OUTLAY TRANSPORTATION PLANNING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	62,730,550
1837	FIXED CAPITAL OUTLAY AVIATION DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	160,344,697
1838	FIXED CAPITAL OUTLAY PUBLIC TRANSIT DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	251,706,738
1839	FIXED CAPITAL OUTLAY RIGHT-OF-WAY LAND ACQUISITION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . . FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND . .	581,879,096 137,550,198
1840	FIXED CAPITAL OUTLAY SEAPORT - ECONOMIC DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	15,000,000
1841	FIXED CAPITAL OUTLAY SEAPORTS ACCESS PROGRAM FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	10,000,000
1842	FIXED CAPITAL OUTLAY SEAPORT GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	243,069,966
1843	FIXED CAPITAL OUTLAY SEAPORT INVESTMENT PROGRAM FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	10,000,000
1844	FIXED CAPITAL OUTLAY RAIL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	61,542,007
1845	FIXED CAPITAL OUTLAY INTERMODAL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	48,482,070
From the funds in Specific Appropriation 1845, \$500,000 shall be used to develop a transportation hub facility at State Road 7 and Oakland Park Boulevard in Broward County, facilitating the mobility and transfer among different modes of transportation. The hub should foster regional mobility along commercial corridors through public transportation and neighborhood linkages to accommodate increasing populations and congestion mitigation.		
1846	FIXED CAPITAL OUTLAY PRELIMINARY ENGINEERING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	553,597,013

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From the funds in Specific Appropriation 1846, \$800,000 is provided for preliminary engineering and design of the Pine Hills Pedestrian Bridge, spanning State Road 438 (Silver Star Road).

1847	FIXED CAPITAL OUTLAY RIGHT-OF-WAY SUPPORT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . . FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND . .	57,709,529 3,648,940
1848	FIXED CAPITAL OUTLAY TRANSPORTATION PLANNING GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	28,813,523
1849	FIXED CAPITAL OUTLAY DEBT SERVICE FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND . .	154,962,297
TOTAL: PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT FROM TRUST FUNDS . . . . .		2,692,789,052
TOTAL POSITIONS . . . . .		1,745.00
TOTAL ALL FUNDS . . . . .		2,692,789,052
FLORIDA RAIL ENTERPRISE		
APPROVED SALARY RATE		202,908
1850	SALARIES AND BENEFITS POSITIONS 1.00 FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	244,203
1851	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	827
1852	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	25,200
1854	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	4,089
1855	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	5,714
1856	FIXED CAPITAL OUTLAY PUBLIC TRANSIT DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	169,780,356
1857	FIXED CAPITAL OUTLAY RAIL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	122,454,888
1858	FIXED CAPITAL OUTLAY INTERMODAL DEVELOPMENT/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	3,683,578
1859	FIXED CAPITAL OUTLAY PRELIMINARY ENGINEERING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	13,300,000

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TOTAL: FLORIDA RAIL ENTERPRISE  
FROM TRUST FUNDS . . . . . 309,498,855

TOTAL POSITIONS . . . . . 1.00

TOTAL ALL FUNDS . . . . . 309,498,855

TRANSPORTATION SYSTEMS OPERATIONS

PROGRAM: HIGHWAY OPERATIONS

APPROVED SALARY RATE 156,550,659

1860 SALARIES AND BENEFITS POSITIONS 3,528.00  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 207,554,176

1861 OTHER PERSONAL SERVICES  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 107,376

1862 EXPENSES  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 14,074,989

1863 OPERATING CAPITAL OUTLAY  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 1,447,038

1864 SPECIAL CATEGORIES  
ACQUISITION OF MOTOR VEHICLES  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 4,148,969

1865 SPECIAL CATEGORIES  
FAIRBANKS HAZARDOUS WASTE SITE  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 400,965

1866 SPECIAL CATEGORIES  
CONSULTANT FEES  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 2,197,831

1867 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 5,062,734

1869 SPECIAL CATEGORIES  
HUMAN RESOURCES DEVELOPMENT  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 873,488

1870 SPECIAL CATEGORIES  
OVERTIME  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 1,191,476

1871 SPECIAL CATEGORIES  
TRANSPORTATION MATERIALS AND EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 407,681

FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 35,363,264

The nonrecurring general revenue funds in Specific Appropriation 1871 are provided for road maintenance vehicles in the City of Hialeah.

1872 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 325,881

1873 FIXED CAPITAL OUTLAY

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MINOR RENOVATIONS, REPAIRS, AND  
IMPROVEMENTS - STATEWIDE  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 2,521,097

1874 FIXED CAPITAL OUTLAY  
STATE INFRASTRUCTURE BANK LOAN REPAYMENTS  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 25,003,221

1875 FIXED CAPITAL OUTLAY  
SMALL COUNTY RESURFACE ASSISTANCE PROGRAM  
(SCRAP)  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 27,661,567

1876 FIXED CAPITAL OUTLAY  
SMALL COUNTY OUTREACH PROGRAM (SCOP)  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 49,205,899

1877 FIXED CAPITAL OUTLAY  
COUNTY TRANSPORTATION PROGRAMS  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 74,924,146

1877A FIXED CAPITAL OUTLAY  
SARASOTA-MANATEE OPERATIONS CENTER -  
CONSTRUCTION  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 10,000,000

1878 FIXED CAPITAL OUTLAY  
BOND GUARANTEE  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 500,000

1879 FIXED CAPITAL OUTLAY  
TRANSPORTATION HIGHWAY MAINTENANCE  
CONTRACTS  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 354,096,006

From the funds in Specific Appropriation 1879, an amount not less than \$8,440,000 in state revenues shall be used for the Road Ranger program. Road Ranger services provided through sponsorships, local contributions or federal funds are not restricted.

From the funds in Specific Appropriation 1879, the Department of Transportation may contract with non-profit youth organizations in Florida to perform work on the state highway system. All non-profit youth organizations providing services under contract with the Department of Transportation must certify to the department that all participating youth are Florida residents. In order to maintain continuity and quality, the department shall give preference to those youth organizations with which it has previously contracted for such services.

The department is specifically limited to an expenditure level of \$2,000,000 for any contract with a single youth organization or for any group of contracts with two or more youth organizations that have the same registered agent or substantially similar officers and directors. The department shall not supplement these funds from any source in the absence of express legislative authority.

1880 FIXED CAPITAL OUTLAY  
INTRASTATE HIGHWAY CONSTRUCTION  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 2,453,220,233

1881 FIXED CAPITAL OUTLAY  
ARTERIAL HIGHWAY CONSTRUCTION  
FROM STATE TRANSPORTATION  
(PRIMARY) TRUST FUND . . . . . 698,884,498

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1882	FIXED CAPITAL OUTLAY CONSTRUCTION INSPECTION CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	348,018,271
1883	FIXED CAPITAL OUTLAY ENVIRONMENTAL SITE RESTORATION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	1,045,000
1884	FIXED CAPITAL OUTLAY HIGHWAY SAFETY CONSTRUCTION/GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	143,366,803
1885	FIXED CAPITAL OUTLAY RESURFACING FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	504,762,660
1886	FIXED CAPITAL OUTLAY BRIDGE CONSTRUCTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . . FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE CONSTRUCTION TRUST FUND . .	286,524,727 2,707,799
1887	FIXED CAPITAL OUTLAY CONTRACT MAINTENANCE WITH THE DEPARTMENT OF CORRECTIONS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	19,146,000
1888	FIXED CAPITAL OUTLAY HIGHWAY BEAUTIFICATION GRANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	1,800,000
From the funds in Specific Appropriation 1888, \$800,000 is provided for Keep Florida Beautiful.		
1889	FIXED CAPITAL OUTLAY MATERIALS AND RESEARCH FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	17,053,184
1890	FIXED CAPITAL OUTLAY BRIDGE INSPECTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	14,361,571
1891	FIXED CAPITAL OUTLAY ECONOMIC DEVELOPMENT TRANSPORTATION PROJECTS - ROAD FUND FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	15,000,000
From the funds in Specific Appropriation 1891, a portion of the funds shall be allocated as follows:		
	Glades Area Street Resurfacing - Belle Glade.....	1,000,000
	N.W. 21st Street Roadway Improvement - Lauderdale Lakes.....	484,000
	Bay County Airport - Crosswind Runway Project.....	500,000
1892	FIXED CAPITAL OUTLAY TRAFFIC ENGINEERING CONSULTANTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	74,266,034
1893	FIXED CAPITAL OUTLAY LOCAL GOVERNMENT REIMBURSEMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	12,029,754

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TOTAL: PROGRAM: HIGHWAY OPERATIONS		
	FROM GENERAL REVENUE FUND . . . . .	407,681
	FROM TRUST FUNDS . . . . .	5,408,846,657
	TOTAL POSITIONS . . . . .	3,528.00
	TOTAL ALL FUNDS . . . . .	5,409,254,338
EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	APPROVED SALARY RATE	38,597,933
1894	SALARIES AND BENEFITS POSITIONS	725.00
	FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	50,209,408
1895	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	516,322
1896	EXPENSES FROM GENERAL REVENUE FUND . . . . . FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	2,000,000 6,476,529
The nonrecurring general revenue funds in Specific Appropriation 1896 are provided to the Port St. Joe Port Authority to directly pay costs attributable to Capital City Bank loans #6806390850 and #6806390851. The Port St. Joe Port Authority shall report the status of these payments to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by August 1, 2013.		
1897	OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	114,943
1898	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	88,485
1899	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	1,068,335
1900	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	2,830,780
1901	SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	160,524
1902	SPECIAL CATEGORIES OVERTIME FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	44,338
1903	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	8,122,069
1904	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE - OTHER FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	1,838,903
1905	SPECIAL CATEGORIES TRANSFER TO SOUTH FLORIDA WATER MANAGEMENT	

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	DISTRICT FOR EVERGLADES RESTORATION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	4,400,000	
1906	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF REVENUE FOR HIGHWAY TAX COMPLIANCE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	200,000	
1907	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	249,722	
1908	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	128,369	
1909	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . . FROM TRANSPORTATION DISADVANTAGED TRUST FUND . . . . .	2,452,623 4,679	
1910	FIXED CAPITAL OUTLAY MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	1,226,905	
1910A	FIXED CAPITAL OUTLAY TAMPA DISTRICT HEADQUARTERS ROOF REPLACEMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	1,452,984	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .		2,000,000 81,585,918	
	TOTAL POSITIONS . . . . .	725.00	
	TOTAL ALL FUNDS . . . . .	83,585,918	
INFORMATION TECHNOLOGY			
	APPROVED SALARY RATE . . . . .	10,389,622	
1911	SALARIES AND BENEFITS . . . . . FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	211.00 13,310,062	
1912	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	32,998	
1913	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	7,725,728	
1914	OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	346,724	
1915	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	10,445,560	
1916	SPECIAL CATEGORIES		

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	HUMAN RESOURCES DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	33,532	
1917	SPECIAL CATEGORIES OVERTIME FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	29,738	
1918	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	14,061	
1919	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	7,169,496	
TOTAL: INFORMATION TECHNOLOGY FROM TRUST FUNDS . . . . .		39,107,899	
	TOTAL POSITIONS . . . . .	211.00	
	TOTAL ALL FUNDS . . . . .	39,107,899	
FLORIDA'S TURNPIKE SYSTEMS			
FLORIDA'S TURNPIKE ENTERPRISE			
	APPROVED SALARY RATE . . . . .	21,337,043	
1920	SALARIES AND BENEFITS . . . . . FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	420.00 28,395,574	
1921	OTHER PERSONAL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	316,769	
1922	EXPENSES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	20,821,113	
1923	OPERATING CAPITAL OUTLAY FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	143,611	
1924	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	61,633	
1925	SPECIAL CATEGORIES CONSULTANT FEES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	1,168,631	
1926	SPECIAL CATEGORIES CONTRACTED SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	25,820,753	
1926A	SPECIAL CATEGORIES PAYMENT TO EXPRESSWAY AUTHORITIES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	5,870,420	
1927	SPECIAL CATEGORIES FLORIDA HIGHWAY PATROL SERVICES FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	19,770,900	
1928	SPECIAL CATEGORIES HUMAN RESOURCES DEVELOPMENT		

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	FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	134,949
1929	SPECIAL CATEGORIES OVERTIME FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	147,739
1930	SPECIAL CATEGORIES TRANSPORTATION MATERIALS AND EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	5,668,409
1931	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	152,557
1932	FIXED CAPITAL OUTLAY MINOR RENOVATIONS, REPAIRS, AND IMPROVEMENTS - STATEWIDE FROM TURNPIKE GENERAL RESERVE TRUST FUND . . . . .	27,000
1933	FIXED CAPITAL OUTLAY TRANSPORTATION HIGHWAY MAINTENANCE CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	43,648,438

From the funds in Specific Appropriation 1933, an amount not less than \$2,560,000 in state revenues shall be used for the Road Ranger program. Road Ranger services provided through sponsorships, local contributions or federal funds are not restricted.

From the funds in Specific Appropriation 1933, the Department of Transportation may contract with non-profit youth organizations in Florida to perform work on the state highway system. All non-profit youth organizations providing services under contract with the Department of Transportation must certify to the department that all participating youth are Florida residents. In order to maintain continuity and quality, the department shall give preference to those youth organizations with which it has previously contracted for such services.

The department is specifically limited to an expenditure level of \$2,000,000 for any contract with a single youth organization or for any group of contracts with two or more youth organizations that have the same registered agent or substantially similar officers and directors. The department shall not supplement these funds from any source in the absence of express legislative authority.

1934	FIXED CAPITAL OUTLAY INTRASTATE HIGHWAY CONSTRUCTION FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND . . . . . FROM TURNPIKE GENERAL RESERVE TRUST FUND . . . . .	5,762,276 474,673,656
1935	FIXED CAPITAL OUTLAY CONSTRUCTION INSPECTION CONSULTANTS FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND . . . . . FROM TURNPIKE GENERAL RESERVE TRUST FUND . . . . .	2,438,934 50,036,181
1936	FIXED CAPITAL OUTLAY RIGHT-OF-WAY LAND ACQUISITION FROM TURNPIKE GENERAL RESERVE TRUST FUND . . . . .	5,823,683
1937	FIXED CAPITAL OUTLAY RESURFACING FROM TURNPIKE RENEWAL AND	

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION  
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APPROPRIATION

	REPLACEMENT TRUST FUND . . . . .	19,117,054
1938	FIXED CAPITAL OUTLAY BRIDGE CONSTRUCTION FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND . . . . .	1,170,294
1939	FIXED CAPITAL OUTLAY PRELIMINARY ENGINEERING CONSULTANTS FROM TURNPIKE RENEWAL AND REPLACEMENT TRUST FUND . . . . . FROM TURNPIKE GENERAL RESERVE TRUST FUND . . . . . FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	6,980,675 56,755,409 17,279,615
1940	FIXED CAPITAL OUTLAY RIGHT-OF-WAY SUPPORT FROM TURNPIKE GENERAL RESERVE TRUST FUND . . . . .	337,150
1941	FIXED CAPITAL OUTLAY BRIDGE INSPECTION FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	3,724,600
1942	FIXED CAPITAL OUTLAY TOLL OPERATION CONTRACTS FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	62,662,370
1943	FIXED CAPITAL OUTLAY TURNPIKE SYSTEM EQUIPMENT AND DEVELOPMENT FROM TURNPIKE GENERAL RESERVE TRUST FUND . . . . .	29,362,854
1944	FIXED CAPITAL OUTLAY TOLLS SYSTEM EQUIPMENT AND DEVELOPMENT FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . .	35,062,500
TOTAL:	FLORIDA'S TURNPIKE ENTERPRISE FROM TRUST FUNDS . . . . .	923,335,747
	TOTAL POSITIONS . . . . .	420.00
	TOTAL ALL FUNDS . . . . .	923,335,747
TOTAL:	TRANSPORTATION, DEPARTMENT OF FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .	2,407,681 9,455,164,128
	TOTAL POSITIONS . . . . .	6,630.00
	TOTAL ALL FUNDS . . . . .	9,457,571,809
	TOTAL APPROVED SALARY RATE . . . .	329,496,730

## TOTAL OF SECTION 5

	FROM GENERAL REVENUE FUND . . . . .	318,283,551
	FROM TRUST FUNDS . . . . .	12,202,427,490
	TOTAL POSITIONS . . . . .	15,437.75
	TOTAL ALL FUNDS . . . . .	12,520,711,041

## SECTION 6 - GENERAL GOVERNMENT

The moneys contained herein are appropriated from the named funds to Administered Funds, Department of Business and Professional Regulation, Department of Citrus, Department of Economic Opportunity, Department of Financial Services, Executive Office of the Governor, Department of Highway Safety and Motor Vehicles, Legislative Branch, Department of the Lottery, Department of Management Services, Department of Military



SECTION 6 - GENERAL GOVERNMENT  
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Affairs, Public Service Commission, Department of Revenue, and the Department of State as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

PROGRAM: ADMINISTERED FUNDS

1947	LUMP SUM		
	CASUALTY INSURANCE PREMIUM DEFICIT		
	FROM GENERAL REVENUE FUND . . . . .	3,000,000	
	FROM TRUST FUNDS . . . . .		1,932,892
1948	LUMP SUM		
	HUMAN RESOURCES OUTSOURCING CONTINGENCY		
	FROM GENERAL REVENUE FUND . . . . .	300,000	
1949	LUMP SUM		
	HUMAN RESOURCES ASSESSMENT REDUCTION		
	FROM GENERAL REVENUE FUND . . . . .	-1,304,194	
	FROM TRUST FUNDS . . . . .		-1,142,669
1949A	LUMP SUM		
	STRENGTHENING DOMESTIC SECURITY		
	FROM TRUST FUNDS . . . . .		24,341,733

Funds provided in Specific Appropriation 1949A are contingent on federal grants being awarded. Should the amount awarded for each federal grant be less than the amount appropriated, funds shall be awarded in priority order for the individual projects as indicated in the Fiscal Year 2013-2014 Domestic Security Funding Request of the Domestic Security Oversight Board. Once federal funding is received and projects are funded in priority order, the Board may transfer funding between any of the funded projects. Funds may be allocated to projects not listed below with approval of the Legislative Budget Commission.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES			
	State Agricultural Response Team (SART) Support.....	255,210	
	Table-top Microscope.....	169,600	
DEPARTMENT OF EDUCATION			
	Mass Communication.....	742,645	
	Region 1-Bay County K12 Target Hardening.....	145,000	
	Region 2-K12 Target Hardening.....	180,000	
	Region 2-TCC Target Hardening.....	110,000	
	Region 2-FSU Mass Gathering.....	115,324	
DEPARTMENT OF ENVIRONMENTAL PROTECTION			
	Law Enforcement Specialty Team Training & Exercises.....	80,000	
DEPARTMENT OF MANAGEMENT SERVICES			
	Florida Interoperability Network (FIN).....	1,428,536	
DEPARTMENT OF FINANCIAL SERVICES			
	US&R Hazmat Sustainment.....	383,776	
	US&R Hazmat IMT Training & Exercise.....	464,980	
	MARC Interoperable Communications Sustainment.....	81,800	
FLORIDA DEPARTMENT OF LAW ENFORCEMENT			
	Regional Fusion Centers.....	512,804	
	Statewide Data Sharing.....	1,425,000	
	Florida Fusion Center.....	221,000	
	Critical Infrastructure (CI) Planners.....	378,500	
	Query Tool (dFACTS).....	100,729	
	Metadata Planners.....	351,667	
	Region 7-FDLE Miami ROC Target hardening.....	70,000	
	Law Enforcement Sustainment, Maintenance and Planning.....	787,034	
	Management and Administration.....	89,691	
DIVISION OF EMERGENCY MANAGEMENT			
	Law Enforcement Specialty Team Critical Needs.....	582,156	
	Local Planning, Training & Exercise.....	1,473,400	
	Law Enforcement Specialty Team Training & Exercises.....	71,900	
	Region 1 - Escambia EOC.....	194,956	
	Region 2-Regional Courthouse Security.....	40,000	
	Region 4-Hillsborough River Dam.....	100,000	
	Region 5-Lake Mary PD Target Hardening.....	68,785	
	Region 4-Tampa General Access Control.....	50,000	
	Region 5-Water Facility Security Camera System.....	84,171	
	Region 5-Maitland PD Radio Tower Hardening.....	48,260	
	Region 3-Duval County Unified Courthouse Hardening.....	356,708	

SECTION 6 - GENERAL GOVERNMENT  
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Region 3-Jewish Community Security Enhancement.....	228,169
Management/Admin - State Homeland Security Program (SHSP).....	249,372
Miami/Ft Lauderdale Urban Areas Security Initiative (UASI).....	4,977,300
Orlando Urban Areas Security Initiative (UASI).....	4,041,872
Tampa Urban Areas Security Initiative (UASI).....	3,311,469
Management and Administration (UASI).....	369,919

1950A	LUMP SUM		
	EMPLOYEE COMPENSATION AND BENEFITS		
	FROM GENERAL REVENUE FUND . . . . .	303,809,536	
	FROM TRUST FUNDS . . . . .		189,979,143

From the funds in Specific Appropriation 1950A, \$13,700,000 from the General Revenue Fund and \$10,500,000 in trust funds are placed in reserve. Funds may be released contingent upon Legislative Budget Commission approval of a budget amendment submitted pursuant to section 216.177, Florida Statutes, indicating the amount of additional funds needed to provide premium payments for Other Personal Services (OPS) employees enrolled in the State Employee Group Insurance Plan based upon the outcome of open enrollment.

1951A	LUMP SUM		
	STATE MATCH FOR FEDERAL FEMA FUNDING		
	FROM GENERAL REVENUE FUND . . . . .	15,569,367	

1952	SPECIAL CATEGORIES		
	ASSOCIATION DUES		
	FROM GENERAL REVENUE FUND . . . . .	215,170	

1953	SPECIAL CATEGORIES		
	ADMINISTRATION COMMISSION AND FLORIDA LAND AND WATER ADJUDICATORY COMMISSION - ADMINISTRATIVE APPEALS		
	FROM GENERAL REVENUE FUND . . . . .	10,000	

1953A	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	250,000	

From the funds provided in Specific Appropriation 1953A, \$250,000 in nonrecurring general revenue funds is provided for the Southwood Shared Resource Center (SSRC), in consultation with the Northwood Shared Resource Center (NSRC), to contract with an independent third party consulting firm with experience in assessing public sector disaster recovery plans, business continuity plans, and continuity of operations plans to complete a study of the SSRC's and NSRC's current disaster recovery plan or plans for their customer entities. At a minimum, the study must include (1) an analysis and prioritization of the agency applications and systems supported by the SSRC and NSRC based on their criticality; for purposes of this analysis and prioritization, criticality is defined as those applications and systems that support business activities or processes that cannot be interrupted or unavailable without significantly jeopardizing the agency's constitutional or statutory responsibilities; (2) assessment of the SSRC's and NSRC's current disaster recovery plan or plans for promoting the continuity of their customer entities' applications and systems; (3) an analysis of any significant gaps between the SSRC's and NSRC's disaster recovery plan or plans and the criticality of their associated applications and systems; (4) recommendation of action to remediate any significant variances and gaps between the current plan or plans and the identified criticality of the applications and systems; and (5) cost benefit analysis of potential alternative solutions to achieve the recommended remediation. The scope of the study shall not include acquisition, design, or implementation of the recommended remediation actions. The SSRC shall submit the study to the chairs of the Senate Appropriations Committee and the House Appropriations Committee and the Executive Office of the Governor by December 1, 2013.

1953B	SPECIAL CATEGORIES		
	SETTLEMENT AGREEMENTS		
	FROM GENERAL REVENUE FUND . . . . .	5,000,000	

From the funds in Specific Appropriation 1953B, \$5,000,000 in nonrecurring General Revenue is provided to the Southwood Shared

SECTION 6 - GENERAL GOVERNMENT  
SPECIFIC  
APPROPRIATION

Resource Center (SSRC) to settle all claims, both existing and future, arising from or relating to the contract executed June 29, 2011, by and between Xerox State and Local Solutions, Inc. (Xerox) formerly known as Affiliated Computer Services, State & Local Solutions, Incorporated and the SSRC for enterprise e-mail services. Release of the funds is contingent on Xerox and SSRC's execution of an agreement under which Xerox accepts \$5,000,000 as full and final settlement of all claims, both existing and future, arising from or relating to the contract at issue; and under which Xerox and SSRC mutually waive, settle, and release all claims, both existing and future, arising from or relating to the contract at issue. Release of the funds is subject to the notice and objection requirements of section 216.177, Florida Statutes.

1954 SPECIAL CATEGORIES  
TRANSFER TO PLANNING AND BUDGETING SYSTEM  
TRUST FUND  
FROM GENERAL REVENUE FUND . . . . . 5,631,918

TOTAL: PROGRAM: ADMINISTERED FUNDS  
FROM GENERAL REVENUE FUND . . . . . 332,481,797  
FROM TRUST FUNDS . . . . . 215,111,099

TOTAL ALL FUNDS . . . . . 547,592,896

BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT  
OFPROGRAM: OFFICE OF THE SECRETARY AND  
ADMINISTRATION

## EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 7,607,684

1955 SALARIES AND BENEFITS POSITIONS 151.50  
FROM ADMINISTRATIVE TRUST FUND . . . 10,017,770

1956 OTHER PERSONAL SERVICES  
FROM ADMINISTRATIVE TRUST FUND . . . 720,587

1957 EXPENSES  
FROM ADMINISTRATIVE TRUST FUND . . . 1,470,299

1958 OPERATING CAPITAL OUTLAY  
FROM ADMINISTRATIVE TRUST FUND . . . 27,088

1959 SPECIAL CATEGORIES  
TRANSFER TO DIVISION OF ADMINISTRATIVE  
HEARINGS  
FROM ADMINISTRATIVE TRUST FUND . . . 401,930

1960 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM ADMINISTRATIVE TRUST FUND . . . 254,780

1961 SPECIAL CATEGORIES  
OPERATION OF MOTOR VEHICLES  
FROM ADMINISTRATIVE TRUST FUND . . . 6,500

1962 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM ADMINISTRATIVE TRUST FUND . . . 54,723

1963 SPECIAL CATEGORIES  
SALARY INCENTIVE PAYMENTS  
FROM ADMINISTRATIVE TRUST FUND . . . 7,650

1964 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM ADMINISTRATIVE TRUST FUND . . . 116,394

1965 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES

SECTION 6 - GENERAL GOVERNMENT  
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PURCHASED PER STATEWIDE CONTRACT  
FROM ADMINISTRATIVE TRUST FUND . . . 54,545

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES  
FROM TRUST FUNDS . . . . . 13,132,266

TOTAL POSITIONS . . . . . 151.50  
TOTAL ALL FUNDS . . . . . 13,132,266

## INFORMATION TECHNOLOGY

APPROVED SALARY RATE 3,030,394

1966 SALARIES AND BENEFITS POSITIONS 55.00  
FROM ADMINISTRATIVE TRUST FUND . . . 3,967,681

1967 OTHER PERSONAL SERVICES  
FROM ADMINISTRATIVE TRUST FUND . . . 94,096

1968 EXPENSES  
FROM ADMINISTRATIVE TRUST FUND . . . 1,444,038

1969 OPERATING CAPITAL OUTLAY  
FROM ADMINISTRATIVE TRUST FUND . . . 100,000

1970 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM ADMINISTRATIVE TRUST FUND . . . 2,422,110

1971 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM ADMINISTRATIVE TRUST FUND . . . 15,850

1972 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM ADMINISTRATIVE TRUST FUND . . . 13,501

1973 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM ADMINISTRATIVE TRUST FUND . . . 17,675

1974 DATA PROCESSING SERVICES  
SOUTHWOOD SHARED RESOURCE CENTER  
FROM ADMINISTRATIVE TRUST FUND . . . 89,791

1975 DATA PROCESSING SERVICES  
NORTHWOOD SHARED RESOURCE CENTER  
FROM ADMINISTRATIVE TRUST FUND . . . 521,435

1976 DATA PROCESSING SERVICES  
NORTHWEST REGIONAL DATA CENTER (NWRDC)  
FROM ADMINISTRATIVE TRUST FUND . . . 23,137

The funds provided in Specific Appropriation 1976 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: INFORMATION TECHNOLOGY  
FROM TRUST FUNDS . . . . . 8,709,314

TOTAL POSITIONS . . . . . 55.00  
TOTAL ALL FUNDS . . . . . 8,709,314

## PROGRAM: SERVICE OPERATION

## CUSTOMER CONTACT CENTER

APPROVED SALARY RATE 3,019,323

1977 SALARIES AND BENEFITS POSITIONS 92.00  
FROM ADMINISTRATIVE TRUST FUND . . . 4,209,621

SECTION 6 - GENERAL GOVERNMENT  
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1978	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .	225,000	
1979	EXPENSES FROM ADMINISTRATIVE TRUST FUND . . .	521,625	
1979A	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .	3,000	
1980	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .	9,000	
1981	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .	48,100	
1982	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .	5,430	
1983	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .	30,716	
TOTAL: CUSTOMER CONTACT CENTER FROM TRUST FUNDS . . . . .		5,052,492	
	TOTAL POSITIONS . . . . .	92.00	
	TOTAL ALL FUNDS . . . . .	5,052,492	

## CENTRAL INTAKE

	APPROVED SALARY RATE	3,472,732	
1984	SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND . . .	108.50	4,918,764
1985	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		372,954
1986	EXPENSES FROM ADMINISTRATIVE TRUST FUND . . .		576,436
1987	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .		3,000
1988	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		1,000,000
1989	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .		39,531
1990	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .		26,950
1991	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .		40,851
TOTAL: CENTRAL INTAKE FROM TRUST FUNDS . . . . .			6,978,486
	TOTAL POSITIONS . . . . .	108.50	
	TOTAL ALL FUNDS . . . . .		6,978,486

## PROGRAM: PROFESSIONAL REGULATION

SECTION 6 - GENERAL GOVERNMENT  
SPECIFIC  
APPROPRIATION

## COMPLIANCE AND ENFORCEMENT

The Board of Accountancy is directed to submit a report to provide the results of an evaluation of the Department of Business and Professional Regulation's administrative performance for the Division of Certified Public Accounting, which may include, but not be limited to, surveying licensed Certified Public Accountants on delivery of services by the division. This report must be completed and submitted to the President of the Senate and the Speaker of the House of Representatives no later than December 31, 2013.

	APPROVED SALARY RATE	11,450,184	
1992	SALARIES AND BENEFITS POSITIONS	269.00	
	FROM PROFESSIONAL REGULATION TRUST		
	FUND . . . . .		15,574,359
1993	OTHER PERSONAL SERVICES		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND . . . . .		833,742
1994	EXPENSES		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND . . . . .		3,173,879
1995	OPERATING CAPITAL OUTLAY		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND . . . . .		6,920
1996	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND . . . . .		174,900
From the funds provided in Specific Appropriation 1996, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.			
1997	SPECIAL CATEGORIES		
	LEGAL SERVICES CONTRACT		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND . . . . .		899,080
1998	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF HEALTH		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND . . . . .		282,637
1999	SPECIAL CATEGORIES		
	UNLICENSED ACTIVITIES		
	FROM PROFESSIONAL REGULATION TRUST		
	FUND . . . . .		1,550,050

From the funds in Specific Appropriation 1999, up to \$500,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to prevent, combat, and publicize the dangers of unlicensed real estate activity in Florida. The department shall develop, implement, and maintain an unlicensed activity campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida real estate professionals. The campaign shall encompass media production, advertising, and other techniques that the department may wish to utilize after first consulting with the not-for-profit corporation. Special emphasis shall be placed on the investigation and prosecution of unlicensed real estate activities. To further the purpose of the unlicensed activity campaign, the department shall be

SECTION 6 - GENERAL GOVERNMENT  
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authorized to accept in-kind contributions of services, media production, or advertising materials from the not-for-profit corporation. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.

From the funds in Specific Appropriation 1999, up to \$100,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to institute an unlicensed activity campaign for the purpose of informing and educating the public: (1) that public accounting is a regulated profession with requirements of licensure pursuant to chapter 473, Florida Statutes; (2) that some services provided by unlicensed individuals, although legal, are regulated when provided by a licensed Florida Certified Public Accountant; and, (3) that certain services may only be performed by a licensed Florida Certified Public Accountant. The department shall develop the campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida Certified Public Accountants. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.

From the funds in Specific Appropriation 1999, up to \$250,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to enhance department enforcement activities, which include stings and sweeps, relating to unlicensed construction activity in Florida. The department may not allocate overhead charges to these unlicensed activity campaign funds.

From the funds in Specific Appropriation 1999, the Department of Business and Professional Regulation shall submit a report to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by November 1, 2013, detailing the unlicensed activity functions performed by the department during Fiscal Year 2012-2013. The report shall contain a detailed breakout of activities, revenues, and expenditures by board and/or profession, and include any relevant information to indicate the department's compliance with section 455.2281, Florida Statutes.

2000 SPECIAL CATEGORIES  
CLAIMS PAYMENTS FROM CONSTRUCTION RECOVERY  
FUND  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 8,000,000

From the funds in Specific Appropriation 2000, \$5,500,000 in nonrecurring funds is contingent upon House Bill 57 or similar legislation, which authorizes the department to transfer excess cash from the Building Code Administrators and Inspectors Board to the Florida Homeowners' Construction Recovery Fund to pay claims, becoming law.

2001 SPECIAL CATEGORIES  
CLAIMS PAYMENT/AUCTIONEER RECOVERY FUND  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 106,579

2002 SPECIAL CATEGORIES  
TRANSFER ARCHITECT & INTERIOR DESIGN  
ACTIVITIES CH. 2002-274  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 425,239

2003 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 2,158,138

2004 SPECIAL CATEGORIES

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OPERATION OF MOTOR VEHICLES  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 191,236

2005 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 287,407

2006 SPECIAL CATEGORIES  
MINORITY SCHOLARSHIPS - CERTIFIED PUBLIC  
ACCOUNTING  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 200,000

From the funds in Specific Appropriation 2006, \$100,000 is contingent upon Senate Bill 328 or similar legislation, which allows the department to spend up to \$200,000 per year on scholarships awarded by the Clay Ford Scholarship Program, becoming law.

2007 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 103,362

2008 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 109,328

2009 SPECIAL CATEGORIES  
GRANTS AND AIDS - FLORIDA ENGINEERING  
MANAGEMENT CORPORATION (FEMC) CONTRACTED  
SERVICES  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 2,070,000

2010 FINANCIAL ASSISTANCE PAYMENTS  
SCHOLARSHIPS AND REAL ESTATE RECOVERY FUND  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 450,000

TOTAL: COMPLIANCE AND ENFORCEMENT  
FROM TRUST FUNDS . . . . . 36,596,856  
  
TOTAL POSITIONS . . . . . 269.00  
TOTAL ALL FUNDS . . . . . 36,596,856

FLORIDA BOXING COMMISSION

APPROVED SALARY RATE 222,062

2011 SALARIES AND BENEFITS POSITIONS 4.00  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 292,024

2012 OTHER PERSONAL SERVICES  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 110,371

2013 EXPENSES  
FROM PROFESSIONAL REGULATION TRUST  
FUND . . . . . 156,920

2014 SPECIAL CATEGORIES  
TRANSFER TO THE PROFESSIONAL REGULATION  
TRUST FUND  
FROM GENERAL REVENUE FUND . . . . . 515,824

2015 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM PROFESSIONAL REGULATION TRUST

SECTION 6 - GENERAL GOVERNMENT  
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FUND . . . . .	2,000	
2016 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	5,520	
2017 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	3,822	
TOTAL: FLORIDA BOXING COMMISSION		
FROM GENERAL REVENUE FUND . . . . .	515,824	
FROM TRUST FUNDS . . . . .	570,657	
TOTAL POSITIONS . . . . .	4.00	
TOTAL ALL FUNDS . . . . .	1,086,481	

## TESTING AND CONTINUING EDUCATION

APPROVED SALARY RATE	1,410,700	
2018 SALARIES AND BENEFITS POSITIONS	41.00	
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	1,956,285	
2019 EXPENSES		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	283,871	
2020 OPERATING CAPITAL OUTLAY		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	3,000	
2021 SPECIAL CATEGORIES		
EXAMINATION TESTING SERVICES FOR		
PROFESSIONAL REGULATION		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	658,235	
2022 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	6,000	
2023 SPECIAL CATEGORIES		
OPERATION OF MOTOR VEHICLES		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	1,000	
2024 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	13,798	
2025 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	5,211	
2026 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	13,901	
TOTAL: TESTING AND CONTINUING EDUCATION		
FROM TRUST FUNDS . . . . .	2,941,301	
TOTAL POSITIONS . . . . .	41.00	

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TOTAL ALL FUNDS . . . . .	2,941,301	
FARM AND CHILD LABOR REGULATION		
APPROVED SALARY RATE	1,038,622	
2027 SALARIES AND BENEFITS POSITIONS	30.00	
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	1,493,964	
2028 EXPENSES		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	160,342	
2029 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	45,000	
From the funds provided in Specific Appropriation 2029, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.		
2030 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	20,590	
2031 SPECIAL CATEGORIES		
OPERATION OF MOTOR VEHICLES		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	69,400	
2032 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	4,493	
2033 SPECIAL CATEGORIES		
LEASE OR LEASE-PURCHASE OF EQUIPMENT		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	2,648	
2034 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM PROFESSIONAL REGULATION TRUST		
FUND . . . . .	9,666	
TOTAL: FARM AND CHILD LABOR REGULATION		
FROM TRUST FUNDS . . . . .	1,806,103	
TOTAL POSITIONS . . . . .	30.00	
TOTAL ALL FUNDS . . . . .	1,806,103	
PROGRAM: PARI-MUTUEL WAGERING		
PARI-MUTUEL WAGERING		
APPROVED SALARY RATE	2,752,337	
2035 SALARIES AND BENEFITS POSITIONS	65.00	
FROM PARI-MUTUEL WAGERING TRUST		
FUND . . . . .	3,733,503	
2036 OTHER PERSONAL SERVICES		
FROM PARI-MUTUEL WAGERING TRUST		
FUND . . . . .	1,636,166	

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2037	EXPENSES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .	700,827	
2038	OPERATING CAPITAL OUTLAY		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .	13,032	
2039	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .	24,802	
<p>From the funds provided in Specific Appropriation 2039, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.</p>			
2040	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .	7,317	
2041	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .	62,000	
2042	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .	118,353	
2043	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .	10,063	
2044	SPECIAL CATEGORIES		
	RACING ANIMAL MEDICAL RESEARCH		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .	100,000	
2045	SPECIAL CATEGORIES		
	PARI-MUTUEL LABORATORY CONTRACTED SERVICES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .	2,266,000	
2046	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .	42,727	
2047	SPECIAL CATEGORIES		
	CONTRACT FOR PARI-MUTUEL WAGERING		
	COMPLIANCE AND AUDIT SYSTEM		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .	296,476	
TOTAL: PARI-MUTUEL WAGERING			
	FROM TRUST FUNDS . . . . .	9,011,266	
	TOTAL POSITIONS . . . . .	65.00	
	TOTAL ALL FUNDS . . . . .	9,011,266	

## SLOT MACHINE REGULATION

APPROVED SALARY RATE 2,134,053

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2048	SALARIES AND BENEFITS	POSITIONS	50.00
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .		2,965,276
2049	OTHER PERSONAL SERVICES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .		10,000
2050	EXPENSES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .		275,248
2051	OPERATING CAPITAL OUTLAY		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .		10,863
2052	SPECIAL CATEGORIES		
	COMPULSIVE AND ADDICTIVE GAMBLING		
	PREVENTION CONTRACT		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .		600,000
<p>Funds in Specific Appropriation 2052 shall be placed in reserve contingent upon the submission of a report to the chair of the Senate Appropriations Subcommittee on General Government, the chair of the House Government Operations Appropriations Subcommittee, and the Executive Office of the Governor's Office of Policy and Budget detailing the services that will be delivered, the expected results, and recommended performance measures to be included in the contract for the provision of services related to the prevention and reduction of compulsive and addictive gambling. The report shall also include the effectiveness of Fiscal Year 2012-2013 efforts in reducing problem gambling. No earlier than 14 days after the submission of the report, the department may request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.</p>			
2053	SPECIAL CATEGORIES		
	TRANSFER TO THE FLORIDA DEPARTMENT OF LAW		
	ENFORCEMENT - SLOT INVESTIGATIONS		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .		232,730
2054	SPECIAL CATEGORIES		
	TRANSFER TO THE OFFICE OF THE STATE		
	ATTORNEY - SLOT INVESTIGATIONS AND		
	PROSECUTIONS		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .		172,192
2055	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .		90,000
2056	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .		19,743
2057	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .		8,080
2058	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM PARI-MUTUEL WAGERING TRUST		
	FUND . . . . .		2,848
2059	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM PARI-MUTUEL WAGERING TRUST		

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FUND . . . . .	17,345
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TOTAL: SLOT MACHINE REGULATION FROM TRUST FUNDS . . . . .	4,404,325
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TOTAL POSITIONS . . . . .	50.00
TOTAL ALL FUNDS . . . . .	4,404,325

## PROGRAM: HOTELS AND RESTAURANTS

## COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE	11,414,915
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2060 SALARIES AND BENEFITS POSITIONS 307.00	
FROM HOTEL AND RESTAURANT TRUST	
FUND . . . . .	15,606,422

2061 OTHER PERSONAL SERVICES	
FROM HOTEL AND RESTAURANT TRUST	
FUND . . . . .	28,591

2062 EXPENSES	
FROM HOTEL AND RESTAURANT TRUST	
FUND . . . . .	1,750,826

2063 OPERATING CAPITAL OUTLAY	
FROM HOTEL AND RESTAURANT TRUST	
FUND . . . . .	8,500

2064 SPECIAL CATEGORIES	
ACQUISITION OF MOTOR VEHICLES	
FROM HOTEL AND RESTAURANT TRUST	
FUND . . . . .	451,000

From the funds provided in Specific Appropriation 2064, the Department of Business and Professional Regulation may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.

2064A SPECIAL CATEGORIES	
TRANSFER TO VISIT FLORIDA	
FROM HOTEL AND RESTAURANT TRUST	
FUND . . . . .	500,000

Funds in Specific Appropriation 2064A shall be transferred to Visit Florida to contract with the Florida Restaurant and Lodging Association, Inc. (FRLA), to develop a coordinated marketing, media and events program to promote Florida tourism by residents of the state. This campaign shall require a private matching program and shall be conducted throughout the state, as approved by and monitored by Visit Florida and FRLA, for the purpose of promoting tourism within the state.

2065 SPECIAL CATEGORIES	
TRANSFERS TO DEPARTMENT OF HEALTH FOR	
EPIDEMIOLOGICAL SERVICES	
FROM HOTEL AND RESTAURANT TRUST	
FUND . . . . .	607,149

2066 SPECIAL CATEGORIES	
GRANTS AND AIDS - SCHOOL-TO-CAREER	
FROM HOTEL AND RESTAURANT TRUST	
FUND . . . . .	706,698

2067 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM HOTEL AND RESTAURANT TRUST	
FUND . . . . .	70,509

2068 SPECIAL CATEGORIES	
OPERATION OF MOTOR VEHICLES	

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FROM HOTEL AND RESTAURANT TRUST	
FUND . . . . .	429,294

2069 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM HOTEL AND RESTAURANT TRUST	
FUND . . . . .	296,278

2070 SPECIAL CATEGORIES	
LEASE OR LEASE-PURCHASE OF EQUIPMENT	
FROM HOTEL AND RESTAURANT TRUST	
FUND . . . . .	25,000

2071 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM HOTEL AND RESTAURANT TRUST	
FUND . . . . .	99,055

TOTAL: COMPLIANCE AND ENFORCEMENT	
FROM TRUST FUNDS . . . . .	20,579,322

TOTAL POSITIONS . . . . .	307.00
TOTAL ALL FUNDS . . . . .	20,579,322

## PROGRAM: ALCOHOLIC BEVERAGES AND TOBACCO

## COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE	8,601,321
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2072 SALARIES AND BENEFITS POSITIONS 188.75	
FROM ALCOHOLIC BEVERAGE AND	
TOBACCO TRUST FUND . . . . .	11,416,835

2073 OTHER PERSONAL SERVICES	
FROM ALCOHOLIC BEVERAGE AND	
TOBACCO TRUST FUND . . . . .	7,075

2074 EXPENSES	
FROM ALCOHOLIC BEVERAGE AND	
TOBACCO TRUST FUND . . . . .	1,491,311
FROM FEDERAL LAW ENFORCEMENT TRUST	
FUND . . . . .	185,997

2075 OPERATING CAPITAL OUTLAY	
FROM FEDERAL LAW ENFORCEMENT TRUST	
FUND . . . . .	43,860

2076 SPECIAL CATEGORIES	
ACQUISITION OF MOTOR VEHICLES	
FROM ALCOHOLIC BEVERAGE AND	
TOBACCO TRUST FUND . . . . .	315,644

2077 SPECIAL CATEGORIES	
CONTRACTED SERVICES	
FROM ALCOHOLIC BEVERAGE AND	
TOBACCO TRUST FUND . . . . .	78,044

2078 SPECIAL CATEGORIES	
OPERATION AND MAINTENANCE OF PATROL	
VEHICLES	
FROM ALCOHOLIC BEVERAGE AND	
TOBACCO TRUST FUND . . . . .	896,017

2079 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM ALCOHOLIC BEVERAGE AND	
TOBACCO TRUST FUND . . . . .	357,826

2080 SPECIAL CATEGORIES	
SALARY INCENTIVE PAYMENTS	
FROM ALCOHOLIC BEVERAGE AND	

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	TOBACCO TRUST FUND . . . . .	172,846	
2081	SPECIAL CATEGORIES TRANSFER FOR CONTRACTED DISPATCH SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .	140,000	
2082	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .	28,219	
2083	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .	62,630	
TOTAL: COMPLIANCE AND ENFORCEMENT FROM TRUST FUNDS . . . . .		15,196,304	
	TOTAL POSITIONS . . . . .	188.75	
	TOTAL ALL FUNDS . . . . .	15,196,304	

## STANDARDS AND LICENSURE

	APPROVED SALARY RATE	2,326,263	
2084	SALARIES AND BENEFITS POSITIONS FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .	59.50	3,314,957
2085	OTHER PERSONAL SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		11,000
2086	EXPENSES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		552,287
2087	OPERATING CAPITAL OUTLAY FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		5,000
2088	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		17,733
2089	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		11,136
2090	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		12,229
2091	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		21,112
TOTAL: STANDARDS AND LICENSURE FROM TRUST FUNDS . . . . .			3,945,454
	TOTAL POSITIONS . . . . .	59.50	
	TOTAL ALL FUNDS . . . . .		3,945,454

## TAX COLLECTION

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	APPROVED SALARY RATE	3,090,631	
2092	SALARIES AND BENEFITS POSITIONS FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .	80.00	4,329,159
2093	OTHER PERSONAL SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		1,500
2094	EXPENSES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		633,218
2095	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		21,180
2096	SPECIAL CATEGORIES CIGARETTE TAX STAMPS FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		866,505
2097	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		20,288
2098	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		12,998
2099	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . .		28,764
TOTAL: TAX COLLECTION FROM TRUST FUNDS . . . . .			5,913,612
	TOTAL POSITIONS . . . . .	80.00	
	TOTAL ALL FUNDS . . . . .		5,913,612
PROGRAM: FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES			
COMPLIANCE AND ENFORCEMENT			
	APPROVED SALARY RATE	4,343,750	
2100	SALARIES AND BENEFITS POSITIONS FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND . . . . .	111.00	5,906,899
2101	OTHER PERSONAL SERVICES FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND . . . . .		49,076
2102	EXPENSES FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND . . . . .		903,881
2103	OPERATING CAPITAL OUTLAY FROM DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES TRUST FUND . . . . .		1,298



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2104 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM DIVISION OF FLORIDA  
CONDOMINIUMS, TIMESHARES AND  
MOBILE HOMES TRUST FUND . . . . . 17,500

2105 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM DIVISION OF FLORIDA  
CONDOMINIUMS, TIMESHARES AND  
MOBILE HOMES TRUST FUND . . . . . 100,627

2106 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM DIVISION OF FLORIDA  
CONDOMINIUMS, TIMESHARES AND  
MOBILE HOMES TRUST FUND . . . . . 11,856

2107 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM DIVISION OF FLORIDA  
CONDOMINIUMS, TIMESHARES AND  
MOBILE HOMES TRUST FUND . . . . . 38,366

TOTAL: COMPLIANCE AND ENFORCEMENT  
FROM TRUST FUNDS . . . . . 7,029,503

TOTAL POSITIONS . . . . . 111.00  
TOTAL ALL FUNDS . . . . . 7,029,503

TOTAL: BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT  
OF  
FROM GENERAL REVENUE FUND . . . . . 515,824  
FROM TRUST FUNDS . . . . . 141,867,261

TOTAL POSITIONS . . . . . 1,612.25  
TOTAL ALL FUNDS . . . . . 142,383,085  
TOTAL APPROVED SALARY RATE . . . . . 65,914,971

PROGRAM: CITRUS, DEPARTMENT OF  
CITRUS RESEARCH

APPROVED SALARY RATE 1,368,951

2108 SALARIES AND BENEFITS POSITIONS 21.00  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 1,707,138

2109 OTHER PERSONAL SERVICES  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 78,000

2110 EXPENSES  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 1,011,896

2111 OPERATING CAPITAL OUTLAY  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 251,000

2112 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 9,920,494

2113 SPECIAL CATEGORIES  
PAID ADVERTISING AND PROMOTION  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 182,000

2114 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 6,254

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TOTAL: CITRUS RESEARCH  
FROM TRUST FUNDS . . . . . 13,156,782

TOTAL POSITIONS . . . . . 21.00  
TOTAL ALL FUNDS . . . . . 13,156,782

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,466,931

2115 SALARIES AND BENEFITS POSITIONS 24.00  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 2,057,485

2116 OTHER PERSONAL SERVICES  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 78,000

2117 EXPENSES  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 1,172,706

2118 OPERATING CAPITAL OUTLAY  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 119,779

2119 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 807,655

2120 SPECIAL CATEGORIES  
PAID ADVERTISING AND PROMOTION  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 75,000

2121 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 12,830

2122 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 9,557

2123 DATA PROCESSING SERVICES  
SOUTHWOOD SHARED RESOURCE CENTER  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 1,616

2124 DATA PROCESSING SERVICES  
NORTHWOOD SHARED RESOURCE CENTER  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 13,533

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES  
FROM TRUST FUNDS . . . . . 4,348,161

TOTAL POSITIONS . . . . . 24.00  
TOTAL ALL FUNDS . . . . . 4,348,161

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE 1,176,994

2125 SALARIES AND BENEFITS POSITIONS 12.00  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 1,634,671

2126 OTHER PERSONAL SERVICES  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 17,000

2127 EXPENSES  
FROM CITRUS ADVERTISING TRUST FUND . . . . . 761,331

From the funds provided in Specific Appropriation 2127, the Department of Citrus may contract to reimburse the Florida Commission on Tourism/Florida Tourism Industry Marketing Corporation for an amount not to exceed \$240,000 for the cost of citrus juice dispensed at the Florida Welcome Stations.

2128 SPECIAL CATEGORIES

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	CONTRACTED SERVICES		
	FROM CITRUS ADVERTISING TRUST FUND . . . . .	100,000	
2129	SPECIAL CATEGORIES		
	PAID ADVERTISING AND PROMOTION		
	FROM CITRUS ADVERTISING TRUST FUND . . . . .	41,095,526	
2130	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM CITRUS ADVERTISING TRUST FUND . . . . .	5,596	
TOTAL:	AGRICULTURAL PRODUCTS MARKETING		
	FROM TRUST FUNDS . . . . .	43,614,124	
	TOTAL POSITIONS . . . . .	12.00	
	TOTAL ALL FUNDS . . . . .	43,614,124	
TOTAL:	PROGRAM: CITRUS, DEPARTMENT OF		
	FROM TRUST FUNDS . . . . .	61,119,067	
	TOTAL POSITIONS . . . . .	57.00	
	TOTAL ALL FUNDS . . . . .	61,119,067	
	TOTAL APPROVED SALARY RATE . . . . .	4,012,876	

## ECONOMIC OPPORTUNITY, DEPARTMENT OF

From the funds in Specific Appropriations 2131 through 2233, any expenditure from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation.

Before any funds are released by the Department of Children and Families, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The department head or a designee must certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It is the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

From the funds in Specific Appropriations 2131 through 2233, no federal or state funds shall be used to pay for space being leased by a Regional Workforce Board, Workforce Florida, Inc., or the Department of Economic Opportunity if it has been determined by whichever entity is the lessee that there is no longer a need for the leased space. All leases, and performance and obligations under the leases, are subject to and contingent upon an annual appropriation by the Florida Legislature. In the event that such annual appropriation does not occur, or in the alternative, there is either a reduction in funding from the prior annual appropriation or the entity which is the lessee determines that the annual appropriation is insufficient to meet the requirements of the leases, then the lessee has the right to terminate the lease upon written notice by the lessee and the lessee shall have no further obligations under the contracts.

## PROGRAM: EXECUTIVE DIRECTION AND SUPPORT SERVICES

## EXECUTIVE LEADERSHIP

	APPROVED SALARY RATE	2,911,849	
2131	SALARIES AND BENEFITS	POSITIONS	41.00
	FROM GENERAL REVENUE FUND . . . . .	348,433	
	FROM ADMINISTRATIVE TRUST FUND . . . . .	2,958,225	
2132	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . . . .	105,013	

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2133	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	33,009	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		493,304
2134	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND . . . . .		17,177
2135	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE		
	HEARINGS		
	FROM GENERAL REVENUE FUND . . . . .	168,470	
2136	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . . . .		233,778
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND . . . . .		500,000
Funds provided in Specific Appropriation 2136 from the Special Employment Security Administration Trust Fund must be used to represent the state's interest in the Digital Domain Media Group, Inc., bankruptcy action.			
2137	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	1,678	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		10,863
2138	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	3,891	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		10,792
2139	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM ADMINISTRATIVE TRUST FUND . . . . .		2,967
TOTAL:	EXECUTIVE LEADERSHIP		
	FROM GENERAL REVENUE FUND . . . . .	555,481	
	FROM TRUST FUNDS . . . . .		4,332,119
	TOTAL POSITIONS . . . . .	41.00	
	TOTAL ALL FUNDS . . . . .		4,887,600

## FINANCE AND ADMINISTRATION

Four positions and \$375,370 from the Administrative Trust Fund in Specific Appropriations 2140, 2142, and 2146 are provided to enhance financial monitoring and oversight of Regional Workforce Boards. The Department of Economic Opportunity must provide a report on February 1, 2014, to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee describing the specific work activities assigned to these positions and the outcomes of the enhanced oversight.

	APPROVED SALARY RATE	5,078,745	
2140	SALARIES AND BENEFITS	POSITIONS	92.50
	FROM ADMINISTRATIVE TRUST FUND . . . . .		5,735,200
	FROM REVOLVING TRUST FUND . . . . .		883,086
2141	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND . . . . .		46,995
	FROM REVOLVING TRUST FUND . . . . .		50,000
2142	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	36,497	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		597,104
	FROM REVOLVING TRUST FUND . . . . .		1,418,634
2143	OPERATING CAPITAL OUTLAY		

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	FROM ADMINISTRATIVE TRUST FUND . . .	52,322	
2143A	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .	82,000	
2144	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . . FROM REVOLVING TRUST FUND . . . . .	710,198 1,036,300	
2145	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . . FROM REVOLVING TRUST FUND . . . . .	25,744 3,810	
2146	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . . FROM REVOLVING TRUST FUND . . . . .	22,548 4,674	
2147	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM ADMINISTRATIVE TRUST FUND . . .	88,038	
2148	FIXED CAPITAL OUTLAY REED ACT BUILDINGS PROJECTS - STATEWIDE FROM REVOLVING TRUST FUND . . . . .	361,000	
TOTAL:	FINANCE AND ADMINISTRATION FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .	36,497 11,117,653	
	TOTAL POSITIONS . . . . .	92.50	
	TOTAL ALL FUNDS . . . . .	11,154,150	
INFORMATION SYSTEMS AND SUPPORT SERVICES			
	APPROVED SALARY RATE	4,676,476	
2149	SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND . . .	71.00 6,009,680	
2150	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .	125,041	
2151	EXPENSES FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . .	10,559 1,035,536	
2152	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .	83,661	
2153	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . .	693,190	
2154	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .	53,484	
2155	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .	18,562	
2156	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM ADMINISTRATIVE TRUST FUND . . .	41,495	

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TOTAL: INFORMATION SYSTEMS AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	10,559	
	FROM TRUST FUNDS . . . . .		8,060,649
	TOTAL POSITIONS . . . . .	71.00	
	TOTAL ALL FUNDS . . . . .		8,071,208
PROGRAM: WORKFORCE SERVICES			
WORKFORCE DEVELOPMENT			
From the funds in Specific Appropriations 2157 through 2186, the Department of Economic Opportunity must determine if any funds provided for specific workforce programs, projects or initiatives are not an allowable use of federal funds. If the department finds that any project or initiative for which funds are specifically appropriated in this act is not an allowable use of federal funds, the department must notify the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.			
	APPROVED SALARY RATE	24,328,208	
2157	SALARIES AND BENEFITS POSITIONS	659.50	
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		33,277,149
	FROM WELFARE TRANSITION TRUST FUND .		1,209,286
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		523,279
2158	OTHER PERSONAL SERVICES FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		8,631,599
	FROM WELFARE TRANSITION TRUST FUND .		65,313
2159	EXPENSES FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		1,183,103
	FROM WELFARE TRANSITION TRUST FUND .		1,105,389
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		45,076
2160	OPERATING CAPITAL OUTLAY FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		109,473
	FROM WELFARE TRANSITION TRUST FUND .		26,424
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		175,530
2160A	SPECIAL CATEGORIES GRANTS AND AIDS - WORKFORCE PROJECTS FROM GENERAL REVENUE FUND . . . . .	50,000	
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		2,632,000
The nonrecurring general revenue funds provided in Specific Appropriation 2160A are allocated to the Economic Development Council of South Miami Dade to implement a Business Training program and a Life Skills Training program.			
From the nonrecurring funds provided from the Special Employment Security Administration Trust Fund in Specific Appropriation 2160A, \$750,000 is allocated to the Home Builders Institute's Pre-Apprenticeship Certificate Training (PACT) program. Funds must be used to provide veterans with career training, vocational training and job placement services in the home building industry.			
The remaining nonrecurring funds provided from the Special Employment Security Administration Trust Fund in Specific Appropriation 2160A are allocated as follows:			
	Florida Goodwill Association.....	750,000	
	Future Builders of America.....	250,000	
	Seaport Employment Training Grant.....	300,000	

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Tampa Bay Workforce Alliance.....	332,000
Big Brothers/Big Sisters JOBS Mentoring Program.....	250,000

2161 SPECIAL CATEGORIES	
NON CUSTODIAL PARENT PROGRAM	
FROM WELFARE TRANSITION TRUST FUND .	1,416,000

Funds provided in Specific Appropriation 2161 from the Welfare Transition Trust Fund are provided to continue the Gulf Coast Jewish Family and Community Services' Non Custodial Parent Employment Program in Miami-Dade, Pinellas, Pasco, and Hillsborough counties, allocated as follows: Miami-Dade County - \$666,000; and Pinellas, Pasco, and Hillsborough counties - \$750,000. The Pinellas Workforce Board (WorkNet) shall administer the funds.

2162 SPECIAL CATEGORIES	
GRANTS AND AIDS - CONTRACTED SERVICES	
FROM EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	21,044,979
FROM WELFARE TRANSITION TRUST FUND .	575,000
FROM SPECIAL EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	3,100,000

2163 SPECIAL CATEGORIES	
GRANTS AND AIDS - REGIONAL WORKFORCE	
BOARDS	
FROM EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	229,344,538
FROM WELFARE TRANSITION TRUST FUND .	54,014,907

Funds provided in Specific Appropriation 2163 from the Welfare Transition Trust Fund are allocated for workforce services based on a plan approved by Workforce Florida, Inc. The plan must maximize funds distributed directly to the regional workforce boards, and must identify any funds allocated for state-level and discretionary initiatives. The plan must equitably distribute funds to the boards based on anticipated client caseload to maximize the ability of the state to meet performance standards, including federal work participation rate requirements, and prioritize services provided to one-parent families. Copies of the proposed allocation must be provided to the Governor's Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.

From the funds provided in Specific Appropriation 2163, any expenditures by regional workforce boards for "outreach," "advertising," or "public relations" must have a direct program benefit and must be spent in strict accordance with all applicable federal regulations and guidance. Costs of promotional items, including but not limited to capes, blankets, clothing, and memorabilia, including models, gifts, and souvenirs, which exceed \$5,000 for outreach purposes must be approved prior to purchase by the Department of Economic Opportunity.

No funds in Specific Appropriation 2163 may be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of regional workforce boards, Workforce Florida, Inc., or the Department of Economic Opportunity except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and travel established in section 112.061, Florida Statutes, shall be in compliance with all applicable federal and state requirements. No funds in Specific Appropriation 2163 may be used for entertainment costs and recreational activities for board members and employees as these terms are defined in 2 C.F.R. part 230.

No funds in Specific Appropriation 2163 may be used for any contract exceeding \$25,000 between a regional workforce board and a member of that board that has any relationship with the contracting vendor, unless the contract has been reviewed by the Department of Economic Opportunity and Workforce Florida, Inc.

2163A SPECIAL CATEGORIES	
GRANTS AND AIDS - DISPLACED HOMEMAKERS	
FROM DISPLACED HOMEMAKER TRUST	
FUND . . . . .	1,816,434

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## APPROPRIATION

2164 SPECIAL CATEGORIES	
GRANTS AND AIDS - BUSINESS PARTNERSHIPS/	
SKILL ASSESSMENT AND TRAINING	
FROM GENERAL REVENUE FUND . . . . .	4,000,000

2165 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	1,166,128
FROM WELFARE TRANSITION TRUST FUND .	5,449
FROM SPECIAL EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	23

2166 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	244,536
FROM WELFARE TRANSITION TRUST FUND .	5,770
FROM SPECIAL EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	505

2167 DATA PROCESSING SERVICES	
SOUTHWOOD SHARED RESOURCE CENTER	
FROM EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	367,013
FROM WELFARE TRANSITION TRUST FUND .	197,855

TOTAL: WORKFORCE DEVELOPMENT	
FROM GENERAL REVENUE FUND . . . . .	4,050,000
FROM TRUST FUNDS . . . . .	362,282,758
TOTAL POSITIONS . . . . .	659.50
TOTAL ALL FUNDS . . . . .	366,332,758

## REEMPLOYMENT ASSISTANCE PROGRAM

APPROVED SALARY RATE	21,255,747	
2168 SALARIES AND BENEFITS	POSITIONS	592.00
FROM EMPLOYMENT SECURITY		
ADMINISTRATION TRUST FUND . . . . .		32,561,664

2169 OTHER PERSONAL SERVICES	
FROM EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	6,964,926

2170 EXPENSES	
FROM EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	16,543,530

2171 OPERATING CAPITAL OUTLAY	
FROM EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	304,795

2172 SPECIAL CATEGORIES	
GRANTS AND AIDS - CONTRACTED SERVICES	
FROM EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	49,137,971
FROM SPECIAL EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	2,000,000

2173 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	391,609

2174 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM EMPLOYMENT SECURITY	
ADMINISTRATION TRUST FUND . . . . .	247,888

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2175	QUALIFIED EXPENDITURE CATEGORY REEMPLOYMENT ASSISTANCE CLAIMS AND BENEFITS SYSTEM FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .	1,193,648
2176	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .	2,744,735
TOTAL: REEMPLOYMENT ASSISTANCE PROGRAM FROM TRUST FUNDS . . . . .		112,090,766
	TOTAL POSITIONS . . . . .	592.00
	TOTAL ALL FUNDS . . . . .	112,090,766

WORKFORCE FLORIDA, INC.

	APPROVED SALARY RATE	749,292	
2177	SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND . . .	9.00	909,004
2178	SPECIAL CATEGORIES WORKFORCE FLORIDA INC. OPERATIONS FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . . FROM WELFARE TRANSITION TRUST FUND . FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		1,365,263 1,032,598 534,001
2179	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .		7,508
2180	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .		2,133
2181	SPECIAL CATEGORIES QUICK RESPONSE TRAINING FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		9,150,000
2182	SPECIAL CATEGORIES INCUMBENT WORKER TRAINING PROGRAM FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		2,000,000
TOTAL: WORKFORCE FLORIDA, INC. FROM TRUST FUNDS . . . . .			15,000,507
	TOTAL POSITIONS . . . . .	9.00	
	TOTAL ALL FUNDS . . . . .		15,000,507

REEMPLOYMENT ASSISTANCE APPEALS COMMISSION

	APPROVED SALARY RATE	2,592,091	
2183	SALARIES AND BENEFITS POSITIONS FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .	43.00	3,325,080
2184	SPECIAL CATEGORIES REEMPLOYMENT ASSISTANCE APPEALS COMMISSION - OPERATIONS FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		765,371
2185	SPECIAL CATEGORIES		

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	RISK MANAGEMENT INSURANCE FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		12,358
2186	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .		15,308
TOTAL: REEMPLOYMENT ASSISTANCE APPEALS COMMISSION FROM TRUST FUNDS . . . . .			4,118,117
	TOTAL POSITIONS . . . . .	43.00	
	TOTAL ALL FUNDS . . . . .		4,118,117

PROGRAM: COMMUNITY DEVELOPMENT

COMMUNITY PLANNING

	APPROVED SALARY RATE	1,938,783	
2187	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . . FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . . FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . . FROM TOURISM PROMOTIONAL TRUST FUND . . . . .	38.00	1,860,810 135,625 149,252 106,824 246,920 74,630 95,520
2188	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	17,903	82,280 11,888
2189	EXPENSES FROM GENERAL REVENUE FUND . . . . .  FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . . FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . .	189,415	17,320 126,000 25,000 8,565
2190	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	1,328	500
2191	SPECIAL CATEGORIES GRANTS AND AIDS - BLACK BUSINESS LOAN PROGRAM FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND . . . . .		2,225,000
2192	SPECIAL CATEGORIES HISPANIC BUSINESS INITIATIVE FUND OUTREACH PROGRAM FROM STATE ECONOMIC ENHANCEMENT AND DEVELOPMENT TRUST FUND . . . . .		775,000
2192A	SPECIAL CATEGORIES GRANTS AND AIDS - ECONOMIC GARDENING - UNIVERSITY OF CENTRAL FLORIDA		

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FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . 1,000,000

Funds provided in Specific Appropriation 2192A from the State Economic Enhancement and Development Trust Fund are for the Economic Gardening Technical Assistance Program.

2193 SPECIAL CATEGORIES  
GRANTS AND AIDS - CONTRACTED SERVICES  
FROM FEDERAL GRANTS TRUST FUND . . . 1,122,000

2194 SPECIAL CATEGORIES  
GRANTS AND AIDS - ECONOMIC DEVELOPMENT  
PROGRAMS  
FROM GENERAL REVENUE FUND . . . . . 10,000,000

Pursuant to the provisions of section 498 of chapter 2011-142, Laws of Florida, the Department of Economic Opportunity must use the funds provided in Specific Appropriation 2194 to execute a contract with the Office of Economic Development and Engagement within the University of West Florida for the charitable purpose of developing and implementing an innovative economic development program for promoting research and development, commercialization of research, economic diversification, and job creation in a Disproportionally Affected County.

2195 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 9,682  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . 1,765  
FROM FEDERAL GRANTS TRUST FUND . . . 336  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 1,684

2196 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM GENERAL REVENUE FUND . . . . . 18,977  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . 1,349  
FROM FEDERAL GRANTS TRUST FUND . . . 747  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 242  
FROM SPECIAL EMPLOYMENT SECURITY  
ADMINISTRATION TRUST FUND . . . . . 337

2197 SPECIAL CATEGORIES  
RURAL COMMUNITY DEVELOPMENT  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . 360,000  
FROM ECONOMIC DEVELOPMENT TRUST  
FUND . . . . . 810,000

2198 SPECIAL CATEGORIES  
GRANTS AND AIDS - TECHNICAL AND PLANNING  
ASSISTANCE  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 1,200,000

2199 DATA PROCESSING SERVICES  
SOUTHWOOD SHARED RESOURCE CENTER  
FROM GENERAL REVENUE FUND . . . . . 2,967

2200 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
SPACE, DEFENSE, AND RURAL INFRASTRUCTURE  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . 1,600,000

TOTAL: COMMUNITY PLANNING  
FROM GENERAL REVENUE FUND . . . . . 12,101,082  
FROM TRUST FUNDS . . . . . 10,178,784

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TOTAL POSITIONS . . . . . 38.00  
TOTAL ALL FUNDS . . . . . 22,279,866

## HOUSING AND COMMUNITY DEVELOPMENT

APPROVED SALARY RATE 2,284,069

2201 SALARIES AND BENEFITS POSITIONS 52.00  
FROM GENERAL REVENUE FUND . . . . . 507,900  
FROM FLORIDA SMALL CITIES  
COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM FUND . . . . . 1,243,168  
FROM FEDERAL GRANTS TRUST FUND . . . 1,295,141  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 126,044

2202 OTHER PERSONAL SERVICES  
FROM FLORIDA SMALL CITIES  
COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM FUND . . . . . 30,000  
FROM FEDERAL GRANTS TRUST FUND . . . 85,000  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 5,000

2203 EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 73,643  
FROM FLORIDA SMALL CITIES  
COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM FUND . . . . . 399,364  
FROM FEDERAL GRANTS TRUST FUND . . . 308,159  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 43,620

2204 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND . . . . . 960  
FROM FLORIDA SMALL CITIES  
COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM FUND . . . . . 1,656  
FROM FEDERAL GRANTS TRUST FUND . . . 2,550

2205 SPECIAL CATEGORIES  
GRANTS AND AIDS - COMMUNITY SERVICES BLOCK  
GRANTS  
FROM FEDERAL GRANTS TRUST FUND . . . 21,876,498

2206 SPECIAL CATEGORIES  
GRANTS AND AIDS - COMMUNITY DEVELOPMENT  
BLOCK GRANT (CDBG) - SMALL CITIES  
FROM FLORIDA SMALL CITIES  
COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM FUND . . . . . 30,000,000

2207 SPECIAL CATEGORIES  
GRANTS AND AIDS - HOME ENERGY ASSISTANCE  
FROM FEDERAL GRANTS TRUST FUND . . . 78,100,000

2208 SPECIAL CATEGORIES  
GRANTS AND AIDS - WEATHERIZATION  
ASSISTANCE PROGRAM (WAP)  
FROM FEDERAL GRANTS TRUST FUND . . . 6,000,000

2209 SPECIAL CATEGORIES  
GRANTS AND AIDS - WEATHERIZATION  
ASSISTANCE PROGRAM (WAP) - LOW INCOME  
HOUSING ENERGY ASSISTANCE PROGRAM (LIHEAP)  
FROM FEDERAL GRANTS TRUST FUND . . . 12,000,000

2210 SPECIAL CATEGORIES  
GRANTS AND AIDS - CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 480  
FROM FLORIDA SMALL CITIES  
COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM FUND . . . . . 722,322  
FROM FEDERAL GRANTS TRUST FUND . . . 365,000

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FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 8,080

2210A SPECIAL CATEGORIES

GRANTS AND AIDS - HOUSING AND COMMUNITY  
DEVELOPMENT PROJECTS  
FROM GENERAL REVENUE FUND . . . . . 19,584,000

From the nonrecurring general revenue funds provided in Specific Appropriation 2210A, \$1,000,000 is allocated to the City of Miami for public infrastructure improvements within the Miami Design District located in the Enterprise Zone. The state contribution is contingent upon the City of Miami and/or Miami-Dade County providing a fifty percent match in either the form of a cash contribution or a capital project that benefits the area.

The remaining funds provided in Specific Appropriation 2210A are allocated as follows:

Metropolitan Ministries Transitional Family Housing Project (Pasco County).....	1,300,000
Salvation Army Transitional Housing Project (Polk County)...	500,000
Torrey Island Master Plan.....	75,000
City of Frostproof - Workforce Infrastructure.....	500,000
Florida Conservation and Technology Park.....	2,500,000
North Bay Village - John F. Kennedy Causeway.....	125,000
Mossy Head Industrial Park Infrastructure (Walton County)...	1,800,000
Rowing Center - Sarasota County.....	5,000,000
Hernando County - Rogers Park.....	750,000
Hernando County - Broadband Network.....	2,000,000
City of Hialeah - Fuel Station Improvements.....	234,000
IMG Academy.....	2,300,000
Village of Biscayne Park - Village Hall Renovation.....	500,000
Building Homes for Heroes.....	1,000,000

2211 SPECIAL CATEGORIES

RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 3,159  
FROM FLORIDA SMALL CITIES  
COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM FUND . . . . . 9,685  
FROM FEDERAL GRANTS TRUST FUND . . . . . 8,774  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 487

2212 SPECIAL CATEGORIES

TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM GENERAL REVENUE FUND . . . . . 4,536  
FROM FLORIDA SMALL CITIES  
COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM FUND . . . . . 6,465  
FROM FEDERAL GRANTS TRUST FUND . . . . . 7,885  
FROM GRANTS AND DONATIONS TRUST  
FUND . . . . . 958

2213 DATA PROCESSING SERVICES

SOUTHWOOD SHARED RESOURCE CENTER  
FROM FLORIDA SMALL CITIES  
COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM FUND . . . . . 10,954

TOTAL: HOUSING AND COMMUNITY DEVELOPMENT

FROM GENERAL REVENUE FUND . . . . . 20,174,678  
FROM TRUST FUNDS . . . . . 152,656,810

TOTAL POSITIONS . . . . . 52.00  
TOTAL ALL FUNDS . . . . . 172,831,488

PROGRAM: STRATEGIC BUSINESS DEVELOPMENT

STRATEGIC BUSINESS DEVELOPMENT

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From the funds provided in Specific Appropriations 2215 through 2233, the Department of Economic Opportunity must competitively procure and execute a contract for an independent third-party to verify that each business that receives an economic development incentive satisfies all of the requirements of the incentive agreement, including job creation numbers. These comprehensive performance audit functions must include reviewing: 100 percent of all incentive claims, including audit confirmations; procedures used to verify incentive eligibility; and the department's records for accuracy and completeness. The independent third-party contractor must perform all functions and conduct all of the activities necessary to verify compliance with the performance terms of economic development incentive contracts. If there is insufficient operating budget authority in Specific Appropriation 2224 to pay for the independent third-party contractor, the department may submit a budget amendment in accordance with chapter 216, Florida Statutes, to transfer funds provided in Specific Appropriation 2220, or any other operating appropriation category within this budget entity, to implement the comprehensive performance audits.

APPROVED SALARY RATE 1,420,785

2215	SALARIES AND BENEFITS	POSITIONS	23.00
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND . . . . .		855,168
	FROM FLORIDA INTERNATIONAL TRADE		
	AND PROMOTION TRUST FUND . . . . .		361,304
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND . . . . .		307,172
	FROM TOURISM PROMOTIONAL TRUST		
	FUND . . . . .		344,354
2216	OTHER PERSONAL SERVICES		
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND . . . . .		121,886
	FROM FLORIDA INTERNATIONAL TRADE		
	AND PROMOTION TRUST FUND . . . . .		9,691
	FROM TOURISM PROMOTIONAL TRUST		
	FUND . . . . .		14,717
2217	EXPENSES		
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND . . . . .		252,635
	FROM FLORIDA INTERNATIONAL TRADE		
	AND PROMOTION TRUST FUND . . . . .		77,540
	FROM SPECIAL EMPLOYMENT SECURITY		
	ADMINISTRATION TRUST FUND . . . . .		12,923
	FROM TOURISM PROMOTIONAL TRUST		
	FUND . . . . .		80,846
2218	OPERATING CAPITAL OUTLAY		
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND . . . . .		9,975
	FROM FLORIDA INTERNATIONAL TRADE		
	AND PROMOTION TRUST FUND . . . . .		5,512
	FROM TOURISM PROMOTIONAL TRUST		
	FUND . . . . .		8,859
2220	LUMP SUM		
	ECONOMIC DEVELOPMENT TOOLS		
	FROM GENERAL REVENUE FUND . . . . .	9,790,352	
	FROM STATE ECONOMIC ENHANCEMENT		
	AND DEVELOPMENT TRUST FUND . . . . .		31,909,648
	FROM ECONOMIC DEVELOPMENT TRUST		
	FUND . . . . .		3,800,000

Except as otherwise provided below, funds provided in Specific Appropriation 2220 are provided for the Qualified Target Industry (QTI) Tax Refund, Qualified Defense Contractor and Space Flight Business Tax Refund, QTI Tax Refund - Brownfield Redevelopment Bonus, Brownfield Redevelopment Tax Refund, High Impact Performance Incentive Grant, Quick Action Closing, Innovation Incentive programs, and transportation facilities, and only for projects that meet the eligibility requirements of law. These funds shall not be released for any other purpose and may only be disbursed when projects meet the contracted performance

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requirements. Funds provided in Specific Appropriation 2220 from the Economic Development Trust Fund represent local matching funds.

If the Department of Economic Opportunity determines, in consultation with the Executive Office of the Governor, that state funds for an approved Quick Action Closing or Innovation Incentive project should be held in an escrow account outside of the state treasury, the department must provide quarterly reports, within 10 business days after the end of the quarter, regarding all escrow activity and the repayment of any interest to the appropriate fund in the state treasury. Such report must include the anticipated payment date(s) of all funds held in escrow.

From the State Economic Enhancement and Development trust funds provided in Specific Appropriation 2220, \$500,000 is allocated to the Florida Manufacturing Extension Partnership for the purpose of leveraging federal and private resources for the support and delivery of services provided to the manufacturing community to provide economic stimulus through job creation and retention and assist Florida manufacturers to become more efficient and globally competitive.

Funds provided in Specific Appropriation 2220 from the State Economic Enhancement and Development Trust Fund may be allocated, as necessary, to cover the costs of the contract with an independent third-party to conduct comprehensive performance audits for all economic development incentive agreements.

2221 SPECIAL CATEGORIES  
GRANTS AND AIDS - INSTITUTE FOR THE  
COMMERCIALIZATION OF PUBLIC RESEARCH  
FROM GENERAL REVENUE FUND . . . . . 1,000,000  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . . 4,500,000

From the funds in Specific Appropriation 2221, \$1,000,000 of nonrecurring general revenue funds and \$3,500,000 from the State Economic Enhancement and Development Trust Fund is contingent upon Senate Bill 546 or similar legislation becoming law.

2222 SPECIAL CATEGORIES  
GRANTS AND AID - FLORIDA DEFENSE SUPPORT  
TASK FORCE  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . . 4,000,000

2223 SPECIAL CATEGORIES  
GRANTS AND AIDS - ADVOCATING INTERNATIONAL  
RELATIONSHIPS  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . . 600,000

The recurring funds provided in Specific Appropriation 2223 from the State Economic Enhancement and Development Trust Fund are allocated as follows:

CAMACOL - Florida Trade and Exhibition Center..... 400,000  
Southeast US/Japan Association & Florida/Korea Economic  
Cooperation Committee..... 200,000

2223A SPECIAL CATEGORIES  
ECONOMIC DEVELOPMENT PROJECTS  
FROM GENERAL REVENUE FUND . . . . . 7,450,000  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . . 2,000,000

The nonrecurring general revenue funds provided in Specific Appropriation 2223A are allocated as follows:

West Orange County Economic Development Business Center..... 1,000,000  
National Entrepreneur Center - Orlando..... 600,000  
Bethune-Cookman University Economic Development Consortium.. 250,000  
Tampa Bay Innovation Center - St. Petersburg Technology  
Incubator..... 400,000  
Urban League - Regional Urban Entrepreneurship / Small  
Business Development Technical Capacity Assistance..... 1,200,000

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Clearwater Aquarium Film Project..... 4,000,000

The nonrecurring State Economic Enhancement and Development trust funds provided in Specific Appropriation 2223A are allocated to the Florida Institute of Technology - Space Exploration Research Lab.

2224 SPECIAL CATEGORIES  
GRANTS AND AIDS - CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 250,000  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . . 791,405  
FROM FLORIDA INTERNATIONAL TRADE  
AND PROMOTION TRUST FUND . . . . . 9,769  
FROM TOURISM PROMOTIONAL TRUST  
FUND . . . . . 7,358

2225 SPECIAL CATEGORIES  
GRANTS AND AIDS - ENTERPRISE FLORIDA  
PROGRAM  
FROM GENERAL REVENUE FUND . . . . . 950,000  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . . 8,600,000  
FROM FLORIDA INTERNATIONAL TRADE  
AND PROMOTION TRUST FUND . . . . . 5,000,000  
FROM PROFESSIONAL SPORTS  
DEVELOPMENT TRUST FUND . . . . . 3,500,000

From the International Trade and Promotion trust funds provided in Specific Appropriation 2225, \$4,900,000 is allocated for international programs and \$100,000 is provided to establish and maintain an international office in Tel Aviv, Israel.

From the nonrecurring general revenue funds provided in Specific Appropriation 2225, \$600,000 is allocated for international offices in Japan and China.

From the nonrecurring general revenue funds provided in Specific Appropriation 2225, \$350,000 is allocated to continue the Florida Export Diversification and Expansion programs.

2226 SPECIAL CATEGORIES  
GRANTS AND AIDS - MILITARY BASE PROTECTION  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . . 1,000,000

Funds in Specific Appropriation 2226 are allocated as follows:

Military Base Protection..... 150,000  
Defense Reinvestment..... 850,000

2226A SPECIAL CATEGORIES  
GRANTS AND AIDS - REGIONAL PLANNING  
COUNCILS  
FROM GENERAL REVENUE FUND . . . . . 2,500,000

Funds in Specific Appropriation 2226A are provided to the Regional Planning Councils, 75 percent of which must be divided equally among the councils, and 25 percent of which must be allocated according to population. The funds must be used to implement the Florida Five-Year Strategic Plan for Economic Development, address problems of greater than local concern, and provide technical assistance to local governments, economic development organizations, and other stakeholders.

2227 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . . 1,347  
FROM FLORIDA INTERNATIONAL TRADE  
AND PROMOTION TRUST FUND . . . . . 404  
FROM SPECIAL EMPLOYMENT SECURITY  
ADMINISTRATION TRUST FUND . . . . . 539  
FROM TOURISM PROMOTIONAL TRUST  
FUND . . . . . 673



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2228 SPECIAL CATEGORIES  
GRANTS AND AIDS - VISIT FLORIDA  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . 38,145,322  
FROM TOURISM PROMOTIONAL TRUST  
FUND . . . . . 25,354,678

2229 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . 7,270  
FROM FLORIDA INTERNATIONAL TRADE  
AND PROMOTION TRUST FUND . . . . . 2,256  
FROM SPECIAL EMPLOYMENT SECURITY  
ADMINISTRATION TRUST FUND . . . . . 1,347  
FROM TOURISM PROMOTIONAL TRUST  
FUND . . . . . 2,119

2230 SPECIAL CATEGORIES  
GRANTS AND AIDS - SPACE FLORIDA  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . 12,500,000

From the funds in Specific Appropriation 2230, \$1,000,000 of recurring State Economic Enhancement and Development trust funds is provided to support collaborative research, development, and commercialization of projects related to aerospace and other technology and life sciences as further described through a Memorandum of Understanding (MOU) which Space Florida is authorized to enter into with the Ministry of Industry, Trade and Labor of the State of Israel.

From the funds in Specific Appropriation 2230, \$1,500,000 of recurring funds from the State Economic Enhancement and Development Trust Fund shall be used to market and promote the space tourism industry in the State of Florida. Funds may also be used to support marketing and promotion initiatives undertaken by businesses engaged in or relating to the space tourism industry in the State of Florida, which shall include but not be limited to Spaceflight entities as defined in section 331.501, Florida Statutes, and entities related to launch and landing sites or launch and landing facilities. No later than February 3, 2014, Space Florida shall submit a report to the Governor, the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Department of Economic Opportunity which shall include at a minimum: an overview of the marketing initiatives executed; consumer reach of the marketing initiatives executed; methods, strategies, and messages utilized; total expenditures; and total impact achieved, financial and otherwise, to the space tourism industry in the State of Florida.

2230A SPECIAL CATEGORIES  
GRANTS AND AIDS - SPACE FLORIDA -  
AEROSPACE INDUSTRY FINANCING, BUSINESS  
DEVELOPMENT AND INFRASTRUCTURE NEEDS  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . 7,000,000

2232 DATA PROCESSING SERVICES  
SOUTHWOOD SHARED RESOURCE CENTER  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . 5,933  
FROM FLORIDA INTERNATIONAL TRADE  
AND PROMOTION TRUST FUND . . . . . 1,905  
FROM SPECIAL EMPLOYMENT SECURITY  
ADMINISTRATION TRUST FUND . . . . . 6,315  
FROM TOURISM PROMOTIONAL TRUST  
FUND . . . . . 1,816

2233 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND  
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY  
SPACE, DEFENSE, AND RURAL INFRASTRUCTURE  
FROM STATE ECONOMIC ENHANCEMENT  
AND DEVELOPMENT TRUST FUND . . . . 1,600,000

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TOTAL: STRATEGIC BUSINESS DEVELOPMENT  
FROM GENERAL REVENUE FUND . . . . . 21,940,352  
FROM TRUST FUNDS . . . . . 152,812,686  
TOTAL POSITIONS . . . . . 23.00  
TOTAL ALL FUNDS . . . . . 174,753,038

TOTAL: ECONOMIC OPPORTUNITY, DEPARTMENT OF  
FROM GENERAL REVENUE FUND . . . . . 58,868,649  
FROM TRUST FUNDS . . . . . 832,650,849  
TOTAL POSITIONS . . . . . 1,621.00  
TOTAL ALL FUNDS . . . . . 891,519,498  
TOTAL APPROVED SALARY RATE . . . . 67,236,045

FINANCIAL SERVICES, DEPARTMENT OF  
PROGRAM: OFFICE OF CHIEF FINANCIAL OFFICER AND  
ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,559,645

2234 SALARIES AND BENEFITS POSITIONS 140.00  
FROM ADMINISTRATIVE TRUST FUND . . . 9,127,896

2235 OTHER PERSONAL SERVICES  
FROM ADMINISTRATIVE TRUST FUND . . . 27,801

2236 EXPENSES  
FROM ADMINISTRATIVE TRUST FUND . . . 1,359,766

2237 OPERATING CAPITAL OUTLAY  
FROM ADMINISTRATIVE TRUST FUND . . . 10,000

2238 SPECIAL CATEGORIES  
ACQUISITION OF MOTOR VEHICLES  
FROM ADMINISTRATIVE TRUST FUND . . . 790,217

From the funds provided in Specific Appropriation 2238, the Department of Financial Services may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles, unless it is determined by the Chief Financial Officer that the vehicle replacement is a critical safety issue, or based on an emergency or unforeseen circumstances as provided for in section 287.14(3), Florida Statutes. Law enforcement motor vehicles are excluded from this provision.

2239 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM ADMINISTRATIVE TRUST FUND . . . 427,325

2240 SPECIAL CATEGORIES  
OPERATION OF MOTOR VEHICLES  
FROM ADMINISTRATIVE TRUST FUND . . . 3,500

2241 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM ADMINISTRATIVE TRUST FUND . . . 119,367

2242 SPECIAL CATEGORIES  
TENANT BROKER COMMISSIONS  
FROM ADMINISTRATIVE TRUST FUND . . . 60,000

2243 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM ADMINISTRATIVE TRUST FUND . . . 118,268

2244 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT

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FROM ADMINISTRATIVE TRUST FUND . . . 52,271

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES  
FROM TRUST FUNDS . . . . . 12,096,411

TOTAL POSITIONS . . . . . 140.00

TOTAL ALL FUNDS . . . . . 12,096,411

## LEGAL SERVICES

APPROVED SALARY RATE 4,634,397

2245 SALARIES AND BENEFITS POSITIONS 93.00  
FROM ADMINISTRATIVE TRUST FUND . . . 6,044,965

2246 OTHER PERSONAL SERVICES  
FROM ADMINISTRATIVE TRUST FUND . . . 279,388

2247 EXPENSES  
FROM ADMINISTRATIVE TRUST FUND . . . 680,736

2248 OPERATING CAPITAL OUTLAY  
FROM ADMINISTRATIVE TRUST FUND . . . 3,639

2249 SPECIAL CATEGORIES  
TRANSFER TO DIVISION OF ADMINISTRATIVE  
HEARINGS  
FROM ADMINISTRATIVE TRUST FUND . . . 381,933

2250 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM ADMINISTRATIVE TRUST FUND . . . 253,306

2251 SPECIAL CATEGORIES  
HOLOCAUST VICTIMS ASSISTANCE  
ADMINISTRATION  
FROM INSURANCE REGULATORY TRUST  
FUND . . . . . 308,007

2252 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM ADMINISTRATIVE TRUST FUND . . . 21,679

2253 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM ADMINISTRATIVE TRUST FUND . . . 51,361

2254 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM ADMINISTRATIVE TRUST FUND . . . 29,068

TOTAL: LEGAL SERVICES  
FROM TRUST FUNDS . . . . . 8,054,082

TOTAL POSITIONS . . . . . 93.00

TOTAL ALL FUNDS . . . . . 8,054,082

## INFORMATION TECHNOLOGY

APPROVED SALARY RATE 6,502,281

2255 SALARIES AND BENEFITS POSITIONS 131.00  
FROM ADMINISTRATIVE TRUST FUND . . . 9,172,288

From the funds provided in Specific Appropriations 2255, 2257, 2258, 2259, and 2264, four positions with associated salary rate of 231,409 and \$713,167 from the Administrative Trust Fund are provided to staff and implement the Florida Accountability Contract Tracking System. These funds are contingent upon House Bill 5401 or similar legislation relating to the Florida Accountability Contract Tracking System, becoming law.

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2256 OTHER PERSONAL SERVICES  
FROM ADMINISTRATIVE TRUST FUND . . . 98,834

2257 EXPENSES  
FROM ADMINISTRATIVE TRUST FUND . . . 3,371,378

2258 OPERATING CAPITAL OUTLAY  
FROM ADMINISTRATIVE TRUST FUND . . . 1,044,120

2259 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM ADMINISTRATIVE TRUST FUND . . . 7,303,458

2260 SPECIAL CATEGORIES  
OPERATION OF MOTOR VEHICLES  
FROM ADMINISTRATIVE TRUST FUND . . . 2,900

2261 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM ADMINISTRATIVE TRUST FUND . . . 32,673

2262 SPECIAL CATEGORIES  
DEFERRED-PAYMENT COMMODITY CONTRACTS  
FROM ADMINISTRATIVE TRUST FUND . . . 184,076

2263 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM ADMINISTRATIVE TRUST FUND . . . 21,275

2264 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM ADMINISTRATIVE TRUST FUND . . . 45,644

2264A QUALIFIED EXPENDITURE CATEGORY  
UNCLAIMED PROPERTY MANAGEMENT INFORMATION  
SYSTEM POSITIONS 4.00  
FROM ADMINISTRATIVE TRUST FUND . . . 405,360

2265 DATA PROCESSING SERVICES  
SOUTHWOOD SHARED RESOURCE CENTER  
FROM ADMINISTRATIVE TRUST FUND . . . 1,616

2266 DATA PROCESSING SERVICES  
NORTHWEST REGIONAL DATA CENTER (NWRDC)  
FROM ADMINISTRATIVE TRUST FUND . . . 44,783

The funds provided in Specific Appropriation 2266 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL: INFORMATION TECHNOLOGY  
FROM TRUST FUNDS . . . . . 21,728,405

TOTAL POSITIONS . . . . . 135.00

TOTAL ALL FUNDS . . . . . 21,728,405

## CONSUMER ADVOCATE

APPROVED SALARY RATE 479,372

2267 SALARIES AND BENEFITS POSITIONS 5.00  
FROM INSURANCE REGULATORY TRUST  
FUND . . . . . 531,769

2268 OTHER PERSONAL SERVICES  
FROM INSURANCE REGULATORY TRUST  
FUND . . . . . 115,229

2269 EXPENSES  
FROM INSURANCE REGULATORY TRUST

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FUND . . . . .	49,127	
2270 OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND . . . . .	4,000	
2271 SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND . . . . .	20,471	
2272 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND . . . . .	1,442	
2273 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND . . . . .	1,138	
2274 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND . . . . .	1,866	
TOTAL: CONSUMER ADVOCATE FROM TRUST FUNDS . . . . .	725,042	
TOTAL POSITIONS . . . . .	5.00	
TOTAL ALL FUNDS . . . . .	725,042	

## INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE

APPROVED SALARY RATE	4,917,539	
2275 SALARIES AND BENEFITS POSITIONS 107.00 FROM GENERAL REVENUE FUND . . . . .	6,136,712	
FROM ADMINISTRATIVE TRUST FUND . . . . .	458,292	
2276 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	5,000	
2277 EXPENSES FROM GENERAL REVENUE FUND . . . . .	1,564,138	
FROM ADMINISTRATIVE TRUST FUND . . . . .	168,513	
2278 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .	104,880	
2279 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	2,668,816	
FROM ADMINISTRATIVE TRUST FUND . . . . .	2,181,500	

From the funds in Specific Appropriation 2279, \$1,750,000 from the Administrative Trust Fund is provided to the Department of Financial Services to contract with an independent third party consulting firm with experience in planning and/or managing public sector technology projects to complete a study of the Florida Accounting Information Resource Subsystem (FLAIR), and provide a recommendation to replace or enhance FLAIR. The study shall also include an assessment of the feasibility of implementing an Enterprise Resource Planning system for the State of Florida. The study should include an inventory of all systems interfacing with FLAIR and assess the advantages and disadvantages of replacing: (1) FLAIR; (2) FLAIR and the Cash Management Subsystem (CMS); and (3) FLAIR, CMS, and the procurement and personnel information subsystems. The purpose of the study is to identify and recommend replacement or enhancement options for consideration and shall include all specific changes needed in the Florida Statutes and financial business practices. The study shall be submitted to the Governor, President of the Senate, and Speaker of the House of

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Representatives.		
2280 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	13,468	
FROM ADMINISTRATIVE TRUST FUND . . . . .		1,260
2281 SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM GENERAL REVENUE FUND . . . . .	85,914	
FROM ADMINISTRATIVE TRUST FUND . . . . .		25,000
2282 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	3,824	
2283 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	34,233	
FROM ADMINISTRATIVE TRUST FUND . . . . .		2,593
TOTAL: INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE FROM GENERAL REVENUE FUND . . . . .	10,616,985	
FROM TRUST FUNDS . . . . .		2,837,158
TOTAL POSITIONS . . . . .	107.00	
TOTAL ALL FUNDS . . . . .		13,454,143

## PROGRAM: TREASURY

## DEPOSIT SECURITY

APPROVED SALARY RATE	963,124	
2284 SALARIES AND BENEFITS POSITIONS 23.00 FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND . . . . .		1,448,155
2285 OTHER PERSONAL SERVICES FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND . . . . .		1,500
2286 EXPENSES FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND . . . . .		247,113
2287 OPERATING CAPITAL OUTLAY FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND . . . . .		1,783
2288 SPECIAL CATEGORIES CONTRACTED SERVICES FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND . . . . .		80,205
2289 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND . . . . .		14,255
2290 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND . . . . .		2,616
2291 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND . . . . .		7,484

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TOTAL: DEPOSIT SECURITY  
FROM TRUST FUNDS . . . . . 1,803,111

TOTAL POSITIONS . . . . . 23.00

TOTAL ALL FUNDS . . . . . 1,803,111

## STATE FUNDS MANAGEMENT AND INVESTMENT

APPROVED SALARY RATE 1,183,429

2292 SALARIES AND BENEFITS POSITIONS 28.50  
FROM TREASURY ADMINISTRATIVE AND  
INVESTMENT TRUST FUND . . . . . 1,681,240

2293 OTHER PERSONAL SERVICES  
FROM TREASURY ADMINISTRATIVE AND  
INVESTMENT TRUST FUND . . . . . 17,500

2294 EXPENSES  
FROM TREASURY ADMINISTRATIVE AND  
INVESTMENT TRUST FUND . . . . . 249,846

2295 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM TREASURY ADMINISTRATIVE AND  
INVESTMENT TRUST FUND . . . . . 948,785

2297 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM TREASURY ADMINISTRATIVE AND  
INVESTMENT TRUST FUND . . . . . 9,098

TOTAL: STATE FUNDS MANAGEMENT AND INVESTMENT  
FROM TRUST FUNDS . . . . . 2,906,469

TOTAL POSITIONS . . . . . 28.50

TOTAL ALL FUNDS . . . . . 2,906,469

## SUPPLEMENTAL RETIREMENT PLAN

APPROVED SALARY RATE 437,759

2298 SALARIES AND BENEFITS POSITIONS 12.00  
FROM TREASURY ADMINISTRATIVE AND  
INVESTMENT TRUST FUND . . . . . 645,034

2299 OTHER PERSONAL SERVICES  
FROM TREASURY ADMINISTRATIVE AND  
INVESTMENT TRUST FUND . . . . . 20,100

2300 EXPENSES  
FROM TREASURY ADMINISTRATIVE AND  
INVESTMENT TRUST FUND . . . . . 108,828

2301 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM TREASURY ADMINISTRATIVE AND  
INVESTMENT TRUST FUND . . . . . 252

2302 SPECIAL CATEGORIES  
DEFERRED COMPENSATION ADMINISTRATIVE  
SERVICES  
FROM TREASURY ADMINISTRATIVE AND  
INVESTMENT TRUST FUND . . . . . 950,000

2303 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM TREASURY ADMINISTRATIVE AND  
INVESTMENT TRUST FUND . . . . . 1,905

2304 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT

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SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM TREASURY ADMINISTRATIVE AND  
INVESTMENT TRUST FUND . . . . . 3,706

TOTAL: SUPPLEMENTAL RETIREMENT PLAN  
FROM TRUST FUNDS . . . . . 1,729,825

TOTAL POSITIONS . . . . . 12.00

TOTAL ALL FUNDS . . . . . 1,729,825

## PROGRAM: FINANCIAL ACCOUNTABILITY FOR PUBLIC FUNDS

STATE FINANCIAL INFORMATION AND STATE AGENCY  
ACCOUNTING

APPROVED SALARY RATE 8,794,935

2305 SALARIES AND BENEFITS POSITIONS 184.00  
FROM GENERAL REVENUE FUND . . . . . 10,469,312  
FROM ADMINISTRATIVE TRUST FUND . . . . . 1,268,576

From the funds provided in Specific Appropriations 2305, 2307, and 2315, five positions with associated salary rate of 262,209, and \$398,365 from the General Revenue Fund are provided for enhanced accountability and oversight of agency journal transfers and the completion of quarterly reports regarding journal transfer audits. The reports shall include the number of journal transfers audited and the number of agency deficiencies found by audit that required correction. The information provided in the reports shall be in sufficient detail as to indicate the type of journal transfer audited and the deficiencies found by the type of journal transfer. In addition, the reports shall include examples of agency deficiencies and recommendations for improvements which may include statutory or rule changes required to ensure proper accounting of state resources. The reports shall be provided to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee and the Executive Office of the Governor on a quarterly basis. The first report shall be due January 31, 2014, for the period October 1, 2013, through December 31, 2013, and for each quarter thereafter.

2306 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 22,994  
FROM ADMINISTRATIVE TRUST FUND . . . . . 127,420

2307 EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 1,336,157  
FROM ADMINISTRATIVE TRUST FUND . . . . . 129,451

2308 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND . . . . . 27,000

2309 SPECIAL CATEGORIES  
POSTCONVICTION CAPITAL COLLATERAL CASES -  
REGISTRY ATTORNEYS  
FROM ADMINISTRATIVE TRUST FUND . . . . . 1,615,996

The funds in Specific Appropriation 2309 shall be placed in reserve if House Bill 7083 or similar legislation, which transfers the payment for post-conviction capital collateral cases to the Justice Administrative Commission, becomes law.

2310 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 605,949

From the funds in Specific Appropriation 2310, up to \$50,000 shall be used to contract for the independent verification of tobacco settlement receipts received by the state.

2311 SPECIAL CATEGORIES  
OPERATION OF MOTOR VEHICLES  
FROM GENERAL REVENUE FUND . . . . . 3,100

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2312	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND . . .	55,791	
2313	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND . . . . .	700	
2314	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	5,122	
	FROM ADMINISTRATIVE TRUST FUND . . .	3,805	
2315	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	58,244	
	FROM ADMINISTRATIVE TRUST FUND . . .	2,425	
2316	SPECIAL CATEGORIES		
	TRANSFER TO THE PRISON INDUSTRY		
	ENHANCEMENT (PIE) PROGRAM		
	FROM PRISON INDUSTRIES TRUST FUND .	750,000	

Funds in Specific Appropriation 2316 are provided for transfer to the Prison Industry Enhancement Program. Funds in the Prison Industries Trust Fund may be expended by the corporation for allowable expenditures under sections 946.522 and 946.523, Florida Statutes. Such funds may be paid by warrants drawn by the Chief Financial Officer upon receipt of a corporate resolution that has been duly authorized by the board of directors of the corporation, authorized under part II of chapter 946, Florida Statutes.

TOTAL: STATE FINANCIAL INFORMATION AND STATE AGENCY			
ACCOUNTING			
	FROM GENERAL REVENUE FUND . . . . .	12,528,578	
	FROM TRUST FUNDS . . . . .		3,953,464
	TOTAL POSITIONS . . . . .	184.00	
	TOTAL ALL FUNDS . . . . .		16,482,042

## RECOVERY AND RETURN OF UNCLAIMED PROPERTY

	APPROVED SALARY RATE	2,517,900	
2317	SALARIES AND BENEFITS POSITIONS	64.00	
	FROM UNCLAIMED PROPERTY TRUST FUND .		3,242,394
2318	OTHER PERSONAL SERVICES		
	FROM UNCLAIMED PROPERTY TRUST FUND .		180,000
2319	EXPENSES		
	FROM UNCLAIMED PROPERTY TRUST FUND .		854,255
2320	OPERATING CAPITAL OUTLAY		
	FROM UNCLAIMED PROPERTY TRUST FUND .		7,500
2321	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM UNCLAIMED PROPERTY TRUST FUND .		226,794
2322	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM UNCLAIMED PROPERTY TRUST FUND .		9,143
2323	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM UNCLAIMED PROPERTY TRUST FUND .		7,024
2324	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		

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	FROM UNCLAIMED PROPERTY TRUST FUND .		21,131
TOTAL: RECOVERY AND RETURN OF UNCLAIMED PROPERTY			
	FROM TRUST FUNDS . . . . .		4,548,241
	TOTAL POSITIONS . . . . .	64.00	
	TOTAL ALL FUNDS . . . . .		4,548,241
PROGRAM: FIRE MARSHAL			
COMPLIANCE AND ENFORCEMENT			
	APPROVED SALARY RATE	2,675,107	
2325	SALARIES AND BENEFITS POSITIONS	67.00	
	FROM INSURANCE REGULATORY TRUST		
	FUND . . . . .		3,518,377
2326	OTHER PERSONAL SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND . . . . .		15,339
2327	EXPENSES		
	FROM INSURANCE REGULATORY TRUST		
	FUND . . . . .		577,479
2328	OPERATING CAPITAL OUTLAY		
	FROM INSURANCE REGULATORY TRUST		
	FUND . . . . .		9,144
2329	SPECIAL CATEGORIES		
	ELECTRONIC COMMERCE FEES FOR COLLECTION OF		
	REVENUE		
	FROM INSURANCE REGULATORY TRUST		
	FUND . . . . .		13,200
2330	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND . . . . .		85,205
2331	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM INSURANCE REGULATORY TRUST		
	FUND . . . . .		33,700
2332	SPECIAL CATEGORIES		
	SUPPLEMENTAL FIREFIGHTERS COMPENSATION		
	FROM INSURANCE REGULATORY TRUST		
	FUND . . . . .		8,000
2333	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INSURANCE REGULATORY TRUST		
	FUND . . . . .		13,242
2334	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM INSURANCE REGULATORY TRUST		
	FUND . . . . .		21,462
TOTAL: COMPLIANCE AND ENFORCEMENT			
	FROM TRUST FUNDS . . . . .		4,295,148
	TOTAL POSITIONS . . . . .	67.00	
	TOTAL ALL FUNDS . . . . .		4,295,148
FIRE AND ARSON INVESTIGATIONS			
	APPROVED SALARY RATE	5,871,680	
2335	SALARIES AND BENEFITS POSITIONS	124.00	

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	FROM INSURANCE REGULATORY TRUST FUND . . . . .	7,740,644	
2336	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND . . . . .	19,028	
2337	EXPENSES FROM INSURANCE REGULATORY TRUST FUND . . . . .	1,674,938	
2338	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND . . . . .	82,409	
2339	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND . . . . .	175,374	
2340	SPECIAL CATEGORIES ON-CALL FEES FROM INSURANCE REGULATORY TRUST FUND . . . . .	350,000	
2341	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND . . . . .	133,900	
2342	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM INSURANCE REGULATORY TRUST FUND . . . . .	103,124	
2343	SPECIAL CATEGORIES SUPPLEMENTAL FIREFIGHTERS COMPENSATION FROM INSURANCE REGULATORY TRUST FUND . . . . .	8,000	
2344	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND . . . . .	26,081	
2345	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND . . . . .	40,545	
TOTAL: FIRE AND ARSON INVESTIGATIONS FROM TRUST FUNDS . . . . .		10,354,043	
	TOTAL POSITIONS . . . . .	124.00	
	TOTAL ALL FUNDS . . . . .	10,354,043	
PROFESSIONAL TRAINING AND STANDARDS			
	APPROVED SALARY RATE . . . . .	1,146,822	
2346	SALARIES AND BENEFITS . . . . . POSITIONS . . . . . FROM INSURANCE REGULATORY TRUST FUND . . . . .	1,599,404	29.00
2347	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND . . . . .	200,000	
2348	EXPENSES FROM INSURANCE REGULATORY TRUST FUND . . . . .	506,845	

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2349	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND . . . . .	23,294	
2350	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM INSURANCE REGULATORY TRUST FUND . . . . .	13,200	
2351	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND . . . . .	280,008	
2352	SPECIAL CATEGORIES DOMESTIC SECURITY FROM INSURANCE REGULATORY TRUST FUND . . . . .	50	
2353	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND . . . . .	17,900	
2354	SPECIAL CATEGORIES SUPPLEMENTAL FIREFIGHTERS COMPENSATION FROM INSURANCE REGULATORY TRUST FUND . . . . .	14,500	
2355	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND . . . . .	26,519	
2356	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND . . . . .	12,437	
2357	FIXED CAPITAL OUTLAY STATE FIRE COLLEGE-BUILDING REPAIR AND MAINTENANCE FROM INSURANCE REGULATORY TRUST FUND . . . . .	163,000	
TOTAL: PROFESSIONAL TRAINING AND STANDARDS FROM TRUST FUNDS . . . . .		2,857,157	
	TOTAL POSITIONS . . . . .	29.00	
	TOTAL ALL FUNDS . . . . .	2,857,157	
FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES			
	APPROVED SALARY RATE . . . . .	852,002	
2358	SALARIES AND BENEFITS . . . . . POSITIONS . . . . . FROM INSURANCE REGULATORY TRUST FUND . . . . .	1,171,950	16.00
2359	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND . . . . .	20,102	
2360	EXPENSES FROM INSURANCE REGULATORY TRUST FUND . . . . .	263,454	
2361	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND . . . . .	191,000	

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2362	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND . . . . .	189,189	
2363	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND . . . . .	1,300	
2364	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND . . . . .	375,858	
2365	SPECIAL CATEGORIES SUPPLEMENTAL FIREFIGHTERS COMPENSATION FROM INSURANCE REGULATORY TRUST FUND . . . . .	7,500	
2366	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND . . . . .	4,985	
2367	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND . . . . .	6,130	
2367A	FIXED CAPITAL OUTLAY STATE ARSON LABORATORY - BUILDING REPAIR AND MAINTENANCE FROM INSURANCE REGULATORY TRUST FUND . . . . .	25,000	
TOTAL: FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES FROM TRUST FUNDS . . . . .		2,256,468	
	TOTAL POSITIONS . . . . .	16.00	
	TOTAL ALL FUNDS . . . . .	2,256,468	
PROGRAM: STATE PROPERTY AND CASUALTY CLAIMS			
STATE SELF-INSURED CLAIMS ADJUSTMENT			
	APPROVED SALARY RATE	4,122,948	
2368	SALARIES AND BENEFITS POSITIONS STATE RISK MANAGEMENT TRUST FUND . .	113.00	
		5,722,536	
2369	OTHER PERSONAL SERVICES STATE RISK MANAGEMENT TRUST FUND . .	153,349	
2370	EXPENSES STATE RISK MANAGEMENT TRUST FUND . .	960,235	
2371	OPERATING CAPITAL OUTLAY STATE RISK MANAGEMENT TRUST FUND . .	5,405	
2372	SPECIAL CATEGORIES CONTRACTED SERVICES STATE RISK MANAGEMENT TRUST FUND . .	14,159,650	
2373	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES - OFFICE OF THE ATTORNEY GENERAL STATE RISK MANAGEMENT TRUST FUND . .	6,302,284	
2374	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES STATE RISK MANAGEMENT TRUST FUND . .	18,001,020	

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2375	SPECIAL CATEGORIES EXCESS INSURANCE AND CLAIM SERVICE STATE RISK MANAGEMENT TRUST FUND . .	13,700,000	
2375A	SPECIAL CATEGORIES RISK MANAGEMENT INFORMATION CLAIMS SYSTEM STATE RISK MANAGEMENT TRUST FUND . .	2,225,000	
2376	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE STATE RISK MANAGEMENT TRUST FUND . .	111,961	
2377	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT STATE RISK MANAGEMENT TRUST FUND . .	14,031	
2378	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT STATE RISK MANAGEMENT TRUST FUND . .	36,263	
TOTAL: STATE SELF-INSURED CLAIMS ADJUSTMENT FROM TRUST FUNDS . . . . .		61,391,734	
	TOTAL POSITIONS . . . . .	113.00	
	TOTAL ALL FUNDS . . . . .	61,391,734	
PROGRAM: LICENSING AND CONSUMER PROTECTION			
INSURANCE COMPANY REHABILITATION AND LIQUIDATION			
	APPROVED SALARY RATE	431,201	
2379	SALARIES AND BENEFITS POSITIONS FROM INSURANCE REGULATORY TRUST FUND . . . . .	7.00	
		572,014	
2380	OTHER PERSONAL SERVICES FROM INSURANCE REGULATORY TRUST FUND . . . . .	34,771	
2381	EXPENSES FROM INSURANCE REGULATORY TRUST FUND . . . . .	119,364	
2382	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND . . . . .	1,120	
2383	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND . . . . .	232,517	
2384	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND . . . . .	2,020	
2385	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND . . . . .	2,503	
TOTAL: INSURANCE COMPANY REHABILITATION AND LIQUIDATION FROM TRUST FUNDS . . . . .		964,309	
	TOTAL POSITIONS . . . . .	7.00	
	TOTAL ALL FUNDS . . . . .	964,309	

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	APPROVED SALARY RATE	4,823,932	
2386	SALARIES AND BENEFITS	POSITIONS	122.00
	FROM INSURANCE REGULATORY TRUST		
	FUND		6,362,733
2387	OTHER PERSONAL SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		3,938
2388	EXPENSES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		1,041,029
2389	OPERATING CAPITAL OUTLAY		
	FROM INSURANCE REGULATORY TRUST		
	FUND		2,500
2390	SPECIAL CATEGORIES		
	ELECTRONIC COMMERCE FEES FOR COLLECTION OF		
	REVENUE		
	FROM INSURANCE REGULATORY TRUST		
	FUND		1,100,000
2391	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		838,892
2392	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		5,200
2393	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INSURANCE REGULATORY TRUST		
	FUND		118,593
2394	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INSURANCE REGULATORY TRUST		
	FUND		15,534
2395	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM INSURANCE REGULATORY TRUST		
	FUND		45,866
TOTAL: LICENSURE, SALES APPOINTMENT AND OVERSIGHT			
	FROM TRUST FUNDS		9,534,285
	TOTAL POSITIONS	122.00	
	TOTAL ALL FUNDS		9,534,285

## INSURANCE FRAUD

	APPROVED SALARY RATE	9,183,754	
2396	SALARIES AND BENEFITS	POSITIONS	191.00
	FROM INSURANCE REGULATORY TRUST		
	FUND		12,177,553
2397	OTHER PERSONAL SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		45,000
2398	EXPENSES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		1,913,317

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	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND		102,850
2399	OPERATING CAPITAL OUTLAY		
	FROM INSURANCE REGULATORY TRUST		
	FUND		1,700
2400	SPECIAL CATEGORIES		
	TRANSFER TO JUSTICE ADMINISTRATION		
	COMMISSION FOR PROSECUTION OF PIP FRAUD		
	FROM INSURANCE REGULATORY TRUST		
	FUND		1,411,326
Funds in Specific Appropriation 2400 are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals dedicated solely to the prosecution of insurance fraud cases in Duval, Orange, Miami-Dade, Hillsborough, Palm Beach, and Broward counties. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of insurance fraud.			
2401	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		214,617
	FROM FEDERAL LAW ENFORCEMENT TRUST		
	FUND		116,150
2402	SPECIAL CATEGORIES		
	OPERATION OF MOTOR VEHICLES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		96,600
2403	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INSURANCE REGULATORY TRUST		
	FUND		169,508
2404	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM INSURANCE REGULATORY TRUST		
	FUND		202,496
2405	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INSURANCE REGULATORY TRUST		
	FUND		46,047
2406	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM INSURANCE REGULATORY TRUST		
	FUND		64,072
TOTAL: INSURANCE FRAUD			
	FROM TRUST FUNDS		16,561,236
	TOTAL POSITIONS	191.00	
	TOTAL ALL FUNDS		16,561,236

## CONSUMER ASSISTANCE

	APPROVED SALARY RATE	4,767,296	
2407	SALARIES AND BENEFITS	POSITIONS	119.00
	FROM INSURANCE REGULATORY TRUST		
	FUND		6,103,413
2408	OTHER PERSONAL SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		85,231
2409	EXPENSES		



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	FROM INSURANCE REGULATORY TRUST FUND . . . . .	997,935
2410	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND . . . . .	2,200
2410A	SPECIAL CATEGORIES TRANSFER TO FLORIDA CATASTROPHIC STORM RISK MANAGEMENT CENTER AT FLORIDA STATE UNIVERSITY FROM INSURANCE REGULATORY TRUST FUND . . . . .	750,000

Funds in Specific Appropriation 2410A are provided to study the storm worthiness and characteristics for the estimated probable maximum loss of buildings within the state university system and meet the requirements set forth in section 1004.647, Florida Statutes. The center is also directed to produce a report on alternative methods for managing the size of the Florida Hurricane Catastrophe Fund. The center shall coordinate its research efforts with the State Board of Administration. The report shall be submitted to the President of the Senate, Speaker of the House of Representatives, the Governor and Cabinet Officers by December 1, 2013.

2411	SPECIAL CATEGORIES CONTRACTED SERVICES FROM INSURANCE REGULATORY TRUST FUND . . . . .	645,374
2412	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM INSURANCE REGULATORY TRUST FUND . . . . .	1,500
2413	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND . . . . .	101,921
2414	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM INSURANCE REGULATORY TRUST FUND . . . . .	7,824
2415	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM INSURANCE REGULATORY TRUST FUND . . . . .	39,743
TOTAL: CONSUMER ASSISTANCE FROM TRUST FUNDS . . . . .		8,735,141
	TOTAL POSITIONS . . . . .	119.00
	TOTAL ALL FUNDS . . . . .	8,735,141
FUNERAL AND CEMETERY SERVICES		
	APPROVED SALARY RATE	1,032,727
2416	SALARIES AND BENEFITS POSITIONS FROM REGULATORY TRUST FUND . . . . .	23.00 1,386,741
2417	OTHER PERSONAL SERVICES FROM REGULATORY TRUST FUND . . . . .	55,000
2418	EXPENSES FROM REGULATORY TRUST FUND . . . . .	285,210
2419	OPERATING CAPITAL OUTLAY FROM REGULATORY TRUST FUND . . . . .	9,500

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2420	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM REGULATORY TRUST FUND . . . . .	14,100
2421	SPECIAL CATEGORIES CONTRACTED SERVICES FROM REGULATORY TRUST FUND . . . . .	99,549
2422	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM REGULATORY TRUST FUND . . . . .	8,700
2423	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM REGULATORY TRUST FUND . . . . .	9,570
2424	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM REGULATORY TRUST FUND . . . . .	2,962
2425	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM REGULATORY TRUST FUND . . . . .	12,156
TOTAL: FUNERAL AND CEMETERY SERVICES FROM TRUST FUNDS . . . . .		1,883,488
	TOTAL POSITIONS . . . . .	23.00
	TOTAL ALL FUNDS . . . . .	1,883,488
PUBLIC ASSISTANCE FRAUD		
	APPROVED SALARY RATE	4,291,185
2426	SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM INSURANCE REGULATORY TRUST FUND . . . . .	62.00 150,049 1,981,175 1,894,608
2427	OTHER PERSONAL SERVICES FROM FEDERAL GRANTS TRUST FUND . . . FROM INSURANCE REGULATORY TRUST FUND . . . . .	113,544 124,256
2428	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . . FROM INSURANCE REGULATORY TRUST FUND . . . . .	47,011 444,758
2429	OPERATING CAPITAL OUTLAY FROM INSURANCE REGULATORY TRUST FUND . . . . .	20,000
2430	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL GRANTS TRUST FUND . . . FROM INSURANCE REGULATORY TRUST FUND . . . . .	61,055 186,363
2431	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM FEDERAL GRANTS TRUST FUND . . .	20,000
2432	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM INSURANCE REGULATORY TRUST FUND . . . . .	13,162
2433	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT	

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	FROM FEDERAL GRANTS TRUST FUND . . .	480	
	FROM INSURANCE REGULATORY TRUST FUND . . . . .	9,820	
2434	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM FEDERAL GRANTS TRUST FUND . . .	22,924	
	FROM INSURANCE REGULATORY TRUST FUND . . . . .	17,056	
2435	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM FEDERAL GRANTS TRUST FUND . . .	5,000	
	FROM INSURANCE REGULATORY TRUST FUND . . . . .	10,000	
TOTAL: PUBLIC ASSISTANCE FRAUD			
	FROM TRUST FUNDS . . . . .	5,121,261	
	TOTAL POSITIONS . . . . .	62.00	
	TOTAL ALL FUNDS . . . . .	5,121,261	

## PROGRAM: WORKERS' COMPENSATION

## WORKERS' COMPENSATION

	APPROVED SALARY RATE	11,581,906	
2436	SALARIES AND BENEFITS POSITIONS	296.00	
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND . . . . .	15,300,363	
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND . . . . .	891,202	
2437	OTHER PERSONAL SERVICES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND . . . . .	554,410	
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND . . . . .	17,550	
2438	EXPENSES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND . . . . .	3,294,361	
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND . . . . .	128,070	
2439	OPERATING CAPITAL OUTLAY FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND . . . . .	100,021	
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND . . . . .	16,851	
2440	SPECIAL CATEGORIES ELECTRONIC COMMERCE FEES FOR COLLECTION OF REVENUE FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND . . . . .	188,000	
2441	SPECIAL CATEGORIES TRANSFER TO DISTRICT COURTS OF APPEAL - WORKERS' COMPENSATION APPEALS FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND . . . . .	1,780,920	

Funds in Specific Appropriation 2441 are provided for transfer to the First District Court of Appeal for workload associated with workers' compensation appeals and the workers' compensation appeals unit.

2442	SPECIAL CATEGORIES TRANSFER TO THE UNIVERSITY OF SOUTH FLORIDA - OCCUPATIONAL SAFETY GRANT MATCH FROM WORKERS' COMPENSATION		
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	ADMINISTRATION TRUST FUND . . . . .	250,000	
2443	SPECIAL CATEGORIES TRANSFER TO JUSTICE ADMINISTRATION COMMISSION FOR PROSECUTION OF WORKERS' COMPENSATION FRAUD FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND . . . . .	547,723	
The funds in Specific Appropriation 2443 from the Workers' Compensation Administration Trust Fund are provided for transfer to the Justice Administrative Commission for the specific purpose of funding attorneys and paralegals in the Eleventh, Thirteenth, Fifteenth, and Seventeenth Judicial Circuits for the prosecution of workers' compensation insurance fraud. These funds may not be used for any purpose other than the funding of attorney and paralegal positions that prosecute crimes of workers' compensation fraud.			
2444	SPECIAL CATEGORIES CONTRACTED SERVICES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND . . . . .	2,376,789	
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND . . . . .	86,360	
2445	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND . . . . .	44,800	
2446	SPECIAL CATEGORIES PURCHASED CLIENT SERVICES FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND . . . . .	2,400,000	
2447	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND . . . . .	345,048	
2448	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND . . . . .	69,320	
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND . . . . .	1,080	
2449	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND . . . . .	103,422	
	FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND . . . . .	6,605	
TOTAL: WORKERS' COMPENSATION			
	FROM TRUST FUNDS . . . . .	28,502,895	
	TOTAL POSITIONS . . . . .	296.00	
	TOTAL ALL FUNDS . . . . .	28,502,895	

## PROGRAM: FINANCIAL SERVICES COMMISSION

## OFFICE OF INSURANCE REGULATION

## COMPLIANCE AND ENFORCEMENT - INSURANCE

From the funds in Specific Appropriations 2450 through 2465, the Office of Insurance Regulation shall submit a report that provides a detailed listing of all rate filings submitted during Fiscal Year 2012-2013 for personal lines property residential coverage. For each such filing, the report shall include: (1) the name of the company submitting the filing; (2) the date the filing was submitted to the Office of Insurance

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Regulation; (3) the overall rate change requested; (4) the name of the Office of Insurance Regulation actuary responsible for reviewing the filing; (5) the number of days from the date of the original submission to the final disposition of the rate filing; (6) whether the submitted filing was approved as submitted, approved at a different rate level, disapproved in its entirety, or found to be incomplete or withdrawn; (7) if a rate was approved, the overall rate level which was approved; (8) if the rate was denied; the specific basis for the denial; and (9) if a rate filing was withdrawn and resubmitted, it shall be identified as part of the initial rate filing for purposes of this report.

The report shall be submitted to the chair of the Senate Appropriations Committee and the chair of the House Appropriations Committee by September 1, 2013.

The Office of Insurance Regulation shall review Florida law and regulations to determine whether there are adequate protections for purchasers of life insurance policies in the secondary life insurance market to ensure that this market continues to exist for Florida seniors. The Office of Insurance Regulation shall issue a report on the findings to the legislature by December 1, 2013.

	APPROVED SALARY RATE	12,092,778	
2450	SALARIES AND BENEFITS	POSITIONS	254.00
	FROM INSURANCE REGULATORY TRUST		
	FUND		15,770,323
2451	OTHER PERSONAL SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		375,000
From the funds in Specific Appropriation 2451, \$250,000 shall be held in reserve. The Office of Insurance Regulation may submit budget amendments in accordance with Chapter 216, Florida Statutes, requesting release of the funds upon submission of a detailed operational work plan and spending plan. The plan for release of funds must demonstrate an increase in workload and provide the specific statutory requirements that will be accomplished with use of the funds.			
2452	EXPENSES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		2,419,239
2453	OPERATING CAPITAL OUTLAY		
	FROM INSURANCE REGULATORY TRUST		
	FUND		35,000
2454	SPECIAL CATEGORIES		
	FLORIDA PUBLIC HURRICANE LOSS MODEL -		
	OFFICE OF INSURANCE REGULATION		
	FROM INSURANCE REGULATORY TRUST		
	FUND		588,639

The funds in Specific Appropriation 2454 may be utilized to promote and enhance collaborative research among State Universities. The Florida Public Hurricane Loss Model located at Florida International University may consult with the private sector and the Florida Catastrophic Storm Risk Management Center located at The Florida State University to enhance the marketability, viability, and applications of the Florida Public Hurricane Loss Model. To ensure the Office of Insurance Regulation (Office) has the ability to accurately calculate hurricane risk and project catastrophic losses, nothing interferes with or supersedes the Office's authority to enter into agreements with Florida International University.

2454A	SPECIAL CATEGORIES		
	TRANSFER TO FLORIDA INTERNATIONAL		
	UNIVERSITY - ENHANCEMENTS TO THE FLORIDA		
	PUBLIC HURRICANE LOSS MODEL		
	FROM INSURANCE REGULATORY TRUST		
	FUND		1,543,300

Funds in Specific Appropriation 2454A shall be transferred to Florida

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International University for the purpose of enhancing the capability of the Florida Public Hurricane Loss Model to include windstorm and flood damage resulting from hurricanes. Florida International University shall update the Florida Public Hurricane Loss Model in coordination with the Office of Insurance Regulation; the Division of Emergency Management; the Florida Catastrophic Storm Risk Management Center, the Center for Ocean-Atmospheric Prediction Studies, and the Meteorology Department at Florida State University; the Civil and Coastal Engineering Department at the University of Florida; the Florida Institute of Technology; and the National Oceanic & Atmospheric Administration.

2455	SPECIAL CATEGORIES		
	FINANCIAL EXAMINATION CONTRACTS - PROPERTY		
	AND CASUALTY EXAMINATIONS		
	FROM INSURANCE REGULATORY TRUST		
	FUND		4,651,763
2456	SPECIAL CATEGORIES		
	FINANCIAL EXAMINATION CONTRACTS - LIFE AND		
	HEALTH EXAMINATIONS		
	FROM INSURANCE REGULATORY TRUST		
	FUND		275,000
2457	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		688,016
2458	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM INSURANCE REGULATORY TRUST		
	FUND		262,960
2459	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INSURANCE REGULATORY TRUST		
	FUND		18,989
2460	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM INSURANCE REGULATORY TRUST		
	FUND		89,117
TOTAL: COMPLIANCE AND ENFORCEMENT - INSURANCE			
FROM TRUST FUNDS			26,717,346
TOTAL POSITIONS		254.00	
TOTAL ALL FUNDS			26,717,346

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	2,003,039	
2461	SALARIES AND BENEFITS	POSITIONS	34.00
	FROM INSURANCE REGULATORY TRUST		
	FUND		2,488,890
2462	EXPENSES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		93,543
2463	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM INSURANCE REGULATORY TRUST		
	FUND		117,710
2464	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM INSURANCE REGULATORY TRUST		
	FUND		8,414

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2465	SPECIAL CATEGORIES				FROM ADMINISTRATIVE TRUST FUND . . .		498,957
	TRANSFER TO DEPARTMENT OF MANAGEMENT				FROM FEDERAL LAW ENFORCEMENT TRUST		
	SERVICES - HUMAN RESOURCES SERVICES				FUND . . . . .		51,758
	PURCHASED PER STATEWIDE CONTRACT						
	FROM INSURANCE REGULATORY TRUST			2477	OPERATING CAPITAL OUTLAY		
	FUND . . . . .		12,206		FROM ADMINISTRATIVE TRUST FUND . . .		10,600
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES				2478	SPECIAL CATEGORIES		
	FROM TRUST FUNDS . . . . .		2,720,763		CONTRACTED SERVICES		
					FROM ADMINISTRATIVE TRUST FUND . . .		36,354
	TOTAL POSITIONS . . . . .	34.00		2479	SPECIAL CATEGORIES		
	TOTAL ALL FUNDS . . . . .		2,720,763		RISK MANAGEMENT INSURANCE		
OFFICE OF FINANCIAL REGULATION					FROM ADMINISTRATIVE TRUST FUND . . .		21,275
SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM				2480	SPECIAL CATEGORIES		
	APPROVED SALARY RATE	6,689,585			LEASE OR LEASE-PURCHASE OF EQUIPMENT		
					FROM ADMINISTRATIVE TRUST FUND . . .		15,809
2466	SALARIES AND BENEFITS	POSITIONS	114.00	2481	SPECIAL CATEGORIES		
	FROM FINANCIAL INSTITUTIONS				TRANSFER TO DEPARTMENT OF MANAGEMENT		
	REGULATORY TRUST FUND . . . . .		8,339,640		SERVICES - HUMAN RESOURCES SERVICES		
2467	OTHER PERSONAL SERVICES				PURCHASED PER STATEWIDE CONTRACT		
	FROM FINANCIAL INSTITUTIONS				FROM ADMINISTRATIVE TRUST FUND . . .		21,110
	REGULATORY TRUST FUND . . . . .		872,000	TOTAL: FINANCIAL INVESTIGATIONS			
2468	EXPENSES				FROM TRUST FUNDS . . . . .		3,219,030
	FROM FINANCIAL INSTITUTIONS						
	REGULATORY TRUST FUND . . . . .		1,740,552		TOTAL POSITIONS . . . . .	39.00	
2469	OPERATING CAPITAL OUTLAY				TOTAL ALL FUNDS . . . . .		3,219,030
	FROM FINANCIAL INSTITUTIONS			EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	REGULATORY TRUST FUND . . . . .		7,130		APPROVED SALARY RATE	1,283,524	
2470	SPECIAL CATEGORIES			2482	SALARIES AND BENEFITS	POSITIONS	16.00
	CONTRACTED SERVICES				FROM ADMINISTRATIVE TRUST FUND . . .		1,698,316
	FROM FINANCIAL INSTITUTIONS			2483	OTHER PERSONAL SERVICES		
	REGULATORY TRUST FUND . . . . .		367,012		FROM ADMINISTRATIVE TRUST FUND . . .		250,000
2471	SPECIAL CATEGORIES			2484	EXPENSES		
	RISK MANAGEMENT INSURANCE				FROM ADMINISTRATIVE TRUST FUND . . .		418,948
	FROM FINANCIAL INSTITUTIONS			2485	SPECIAL CATEGORIES		
	REGULATORY TRUST FUND . . . . .		39,228		CONTRACTED SERVICES		
2472	SPECIAL CATEGORIES				FROM ADMINISTRATIVE TRUST FUND . . .		61,048
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			2486	SPECIAL CATEGORIES		
	FROM FINANCIAL INSTITUTIONS				RISK MANAGEMENT INSURANCE		
	REGULATORY TRUST FUND . . . . .		28,872		FROM ADMINISTRATIVE TRUST FUND . . .		16,289
2473	SPECIAL CATEGORIES			2487	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT				LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	SERVICES - HUMAN RESOURCES SERVICES				FROM ADMINISTRATIVE TRUST FUND . . .		10,004
	PURCHASED PER STATEWIDE CONTRACT			2488	SPECIAL CATEGORIES		
	FROM FINANCIAL INSTITUTIONS				TRANSFER TO DEPARTMENT OF MANAGEMENT		
	REGULATORY TRUST FUND . . . . .		40,096		SERVICES - HUMAN RESOURCES SERVICES		
TOTAL: SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM					PURCHASED PER STATEWIDE CONTRACT		
	FROM TRUST FUNDS . . . . .		11,434,530		FROM ADMINISTRATIVE TRUST FUND . . .		14,629
				2489	DATA PROCESSING SERVICES		
	TOTAL POSITIONS . . . . .	114.00			REGULATORY ENFORCEMENT AND LICENSING		
	TOTAL ALL FUNDS . . . . .		11,434,530		SYSTEM - OFFICE OF FINANCIAL REGULATION		
FINANCIAL INVESTIGATIONS					FROM ADMINISTRATIVE TRUST FUND . . .		1,367,365
	APPROVED SALARY RATE	2,118,735		TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
2474	SALARIES AND BENEFITS	POSITIONS	39.00		FROM TRUST FUNDS . . . . .		3,836,599
	FROM ADMINISTRATIVE TRUST FUND . . .		2,557,846				
2475	OTHER PERSONAL SERVICES				TOTAL POSITIONS . . . . .	16.00	
	FROM ADMINISTRATIVE TRUST FUND . . .		5,321		TOTAL ALL FUNDS . . . . .		3,836,599
2476	EXPENSES			FINANCE REGULATION			

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	APPROVED SALARY RATE	4,873,680		
2490	SALARIES AND BENEFITS POSITIONS FROM REGULATORY TRUST FUND . . . . .	92.00	6,010,388	
2491	OTHER PERSONAL SERVICES FROM REGULATORY TRUST FUND . . . . .		200,000	
2492	EXPENSES FROM REGULATORY TRUST FUND . . . . .		952,494	
2493	OPERATING CAPITAL OUTLAY FROM REGULATORY TRUST FUND . . . . .		5,631	
2494	SPECIAL CATEGORIES CONTRACTED SERVICES FROM REGULATORY TRUST FUND . . . . .		3,241,565	
2495	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM REGULATORY TRUST FUND . . . . .		37,232	
2496	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM REGULATORY TRUST FUND . . . . .		34,995	
2497	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM REGULATORY TRUST FUND . . . . .		37,534	
TOTAL: FINANCE REGULATION FROM TRUST FUNDS . . . . .				10,519,839
	TOTAL POSITIONS . . . . .	92.00		
	TOTAL ALL FUNDS . . . . .		10,519,839	
SECURITIES REGULATION				
	APPROVED SALARY RATE	4,760,063		
2498	SALARIES AND BENEFITS POSITIONS FROM REGULATORY TRUST FUND . . . . .	96.00	6,231,383	
2499	OTHER PERSONAL SERVICES FROM ANTI-FRAUD TRUST FUND . . . . . FROM REGULATORY TRUST FUND . . . . .		32,538 4,466	
2500	EXPENSES FROM ANTI-FRAUD TRUST FUND . . . . . FROM REGULATORY TRUST FUND . . . . .		62,885 677,423	
2501	OPERATING CAPITAL OUTLAY FROM ANTI-FRAUD TRUST FUND . . . . . FROM REGULATORY TRUST FUND . . . . .		24,528 4,566	
2502	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ANTI-FRAUD TRUST FUND . . . . . FROM REGULATORY TRUST FUND . . . . .		80,049 349,500	
2503	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM REGULATORY TRUST FUND . . . . .		29,586	
2504	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM REGULATORY TRUST FUND . . . . .		27,253	
2505	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES			

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	PURCHASED PER STATEWIDE CONTRACT FROM REGULATORY TRUST FUND . . . . .			31,951
TOTAL: SECURITIES REGULATION FROM TRUST FUNDS . . . . .				
	TOTAL POSITIONS . . . . .	96.00		
	TOTAL ALL FUNDS . . . . .			7,556,128
TOTAL: FINANCIAL SERVICES, DEPARTMENT OF FROM GENERAL REVENUE FUND . . . . .				
	FROM TRUST FUNDS . . . . .		23,145,563	278,843,608
	TOTAL POSITIONS . . . . .	2,605.50		
	TOTAL ALL FUNDS . . . . .			301,989,171
	TOTAL APPROVED SALARY RATE . . . . .	121,592,345		
GOVERNOR, EXECUTIVE OFFICE OF THE PROGRAM: GENERAL OFFICE				
EXECUTIVE DIRECTION AND SUPPORT SERVICES				
2506	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	124.00 8,401,369		208,695
2507	LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - EXECUTIVE/ADMINISTRATION FROM GENERAL REVENUE FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .		2,401,259	488,033
2508	LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - WASHINGTON OFFICE FROM GENERAL REVENUE FUND . . . . .		116,858	
2509	SPECIAL CATEGORIES CONTINGENT - DISCRETIONARY FROM GENERAL REVENUE FUND . . . . .		29,244	
2510	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .		42,336	8,843
2511	SPECIAL CATEGORIES CHILD ABUSE PREVENTION FROM GENERAL REVENUE FUND . . . . .		150,000	
2512	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .		43,914	1,066
2513	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM GENERAL REVENUE FUND . . . . .		110,197	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .				11,295,177 706,637
	TOTAL POSITIONS . . . . .	124.00		
	TOTAL ALL FUNDS . . . . .			12,001,814
LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND				

SECTION 6 - GENERAL GOVERNMENT  
SPECIFIC  
APPROPRIATION  
BUDGETING SUBSYSTEM

2514	SALARIES AND BENEFITS	POSITIONS	48.00	
	FROM PLANNING AND BUDGETING SYSTEM			
	TRUST FUND . . . . .			4,329,307
2515	LUMP SUM			
	LEGISLATIVE APPROPRIATION SYSTEM/PLANNING			
	AND BUDGETING SUBSYSTEM			
	FROM PLANNING AND BUDGETING SYSTEM			
	TRUST FUND . . . . .			1,231,236
2516	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM PLANNING AND BUDGETING SYSTEM			
	TRUST FUND . . . . .			18,978
2517	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM PLANNING AND BUDGETING SYSTEM			
	TRUST FUND . . . . .			14,501
2518	DATA PROCESSING SERVICES			
	OTHER DATA PROCESSING SERVICES			
	FROM PLANNING AND BUDGETING SYSTEM			
	TRUST FUND . . . . .			21,150
2519	DATA PROCESSING SERVICES			
	SOUTHWOOD SHARED RESOURCE CENTER			
	FROM PLANNING AND BUDGETING SYSTEM			
	TRUST FUND . . . . .			309
2520	DATA PROCESSING SERVICES			
	NORTHWEST REGIONAL DATA CENTER (NWRDC)			
	FROM PLANNING AND BUDGETING SYSTEM			
	TRUST FUND . . . . .			3,418
TOTAL: LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND				
BUDGETING SUBSYSTEM				
FROM TRUST FUNDS . . . . .				5,618,899
TOTAL POSITIONS . . . . .				48.00
TOTAL ALL FUNDS . . . . .				5,618,899
EXECUTIVE PLANNING AND BUDGETING				
2521	SALARIES AND BENEFITS	POSITIONS	104.00	
	FROM GENERAL REVENUE FUND . . . . .			8,474,456
2522	LUMP SUM			
	EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE			
	OF PLANNING AND BUDGETING			
	FROM GENERAL REVENUE FUND . . . . .			762,371
2523	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .			41,118
2524	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .			36,328
TOTAL: EXECUTIVE PLANNING AND BUDGETING				
FROM GENERAL REVENUE FUND . . . . .				9,314,273
TOTAL POSITIONS . . . . .				104.00
TOTAL ALL FUNDS . . . . .				9,314,273

PROGRAM: EMERGENCY MANAGEMENT

SECTION 6 - GENERAL GOVERNMENT  
SPECIFIC  
APPROPRIATION  
EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE

The Division of Emergency Management must submit quarterly status reports on the outstanding obligations for each open federally declared disaster event to the Executive Office of the Governor, the chair of the Senate Appropriations Committee, and the chair of the House Appropriations Committee.				
	APPROVED SALARY RATE			6,631,042
2525	SALARIES AND BENEFITS	POSITIONS	153.00	
	FROM ADMINISTRATIVE TRUST FUND . . .			1,124,395
	FROM EMERGENCY MANAGEMENT			
	PREPAREDNESS AND ASSISTANCE TRUST			
	FUND . . . . .			2,121,370
	FROM FEDERAL GRANTS TRUST FUND . . .			3,013,075
	FROM GRANTS AND DONATIONS TRUST			
	FUND . . . . .			465,881
	FROM OPERATING TRUST FUND . . . . .			677,476
	FROM U.S. CONTRIBUTIONS TRUST FUND .			1,370,966
2526	OTHER PERSONAL SERVICES			
	FROM ADMINISTRATIVE TRUST FUND . . .			300,000
	FROM EMERGENCY MANAGEMENT			
	PREPAREDNESS AND ASSISTANCE TRUST			
	FUND . . . . .			596,494
	FROM FEDERAL GRANTS TRUST FUND . . .			603,098
	FROM GRANTS AND DONATIONS TRUST			
	FUND . . . . .			14,360
	FROM OPERATING TRUST FUND . . . . .			12,925
2527	EXPENSES			
	FROM ADMINISTRATIVE TRUST FUND . . .			310,446
	FROM EMERGENCY MANAGEMENT			
	PREPAREDNESS AND ASSISTANCE TRUST			
	FUND . . . . .			717,894
	FROM FEDERAL GRANTS TRUST FUND . . .			985,026
	FROM GRANTS AND DONATIONS TRUST			
	FUND . . . . .			823,761
	FROM OPERATING TRUST FUND . . . . .			201,756
	FROM U.S. CONTRIBUTIONS TRUST FUND .			698,253
2528	AID TO LOCAL GOVERNMENTS			
	DISASTER PREPAREDNESS PLANNING AND			
	ADMINISTRATION			
	FROM FEDERAL GRANTS TRUST FUND . . .			5,856,802
2529	OPERATING CAPITAL OUTLAY			
	FROM ADMINISTRATIVE TRUST FUND . . .			15,400
	FROM EMERGENCY MANAGEMENT			
	PREPAREDNESS AND ASSISTANCE TRUST			
	FUND . . . . .			9,775
	FROM FEDERAL GRANTS TRUST FUND . . .			11,865
	FROM GRANTS AND DONATIONS TRUST			
	FUND . . . . .			4,500
	FROM OPERATING TRUST FUND . . . . .			4,650
2530	SPECIAL CATEGORIES			
	ACQUISITION OF MOTOR VEHICLES			
	FROM EMERGENCY MANAGEMENT			
	PREPAREDNESS AND ASSISTANCE TRUST			
	FUND . . . . .			60,000
	FROM FEDERAL GRANTS TRUST FUND . . .			60,000
2531	SPECIAL CATEGORIES			
	GRANTS AND AIDS - PAYMENT FLORIDA WING/			
	CIVIL AIR PATROL			
	FROM EMERGENCY MANAGEMENT			
	PREPAREDNESS AND ASSISTANCE TRUST			
	FUND . . . . .			49,500
2531A	SPECIAL CATEGORIES			
	GRANTS AND AIDS - STATE AND LOCAL			
	IMPLEMENTATION GRANT PROGRAM			

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APPROPRIATION

	FROM FEDERAL GRANTS TRUST FUND . . .	151,020
2532	SPECIAL CATEGORIES CONTRACTED SERVICES FROM ADMINISTRATIVE TRUST FUND . . . FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . . FROM OPERATING TRUST FUND . . . . . FROM U.S. CONTRIBUTIONS TRUST FUND .	223,163  377,737 356,385 259,965 37,382 89,824
2541	SPECIAL CATEGORIES GRANTS AND AIDS - EMERGENCY MANAGEMENT PROGRAMS FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND . . . . .	7,189,061
2542	SPECIAL CATEGORIES GRANTS AND AIDS - STATE DOMESTIC PREPAREDNESS PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	304,369
2543	SPECIAL CATEGORIES GRANTS AND AID - REPETITIVE FLOOD CLAIMS PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	3,337,857
2545	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM ADMINISTRATIVE TRUST FUND . . .  FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . . FROM OPERATING TRUST FUND . . . . . FROM U.S. CONTRIBUTIONS TRUST FUND .	14,636  26,846 42,255 113,852 6,645 10,344
2546	SPECIAL CATEGORIES GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS - ADMINISTRATIVE FROM FEDERAL GRANTS TRUST FUND . . .	4,519,278
From the funds provided in Specific Appropriation 2546, \$250,000 is allocated to contract with a not-for-profit corporation to conduct a statewide public education campaign on television and radio to promote hurricane preparedness. State funds must be matched on a 3 to 1 basis for this purpose.		
2547	SPECIAL CATEGORIES COMMISSION ON COMMUNITY SERVICE FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND . . . . .	370,988
2548	SPECIAL CATEGORIES STATEWIDE HURRICANE PREPAREDNESS AND PLANNING FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	2,064,539 421,219 100,971
2548A	SPECIAL CATEGORIES GRANTS AND AIDS - PUBLIC ASSISTANCE	

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	FROM GRANTS AND DONATIONS TRUST FUND . . . . . FROM U.S. CONTRIBUTIONS TRUST FUND .	11,282,930 131,131,487
2548B	SPECIAL CATEGORIES PUBLIC ASSISTANCE - STATE OPERATIONS FROM GRANTS AND DONATIONS TRUST FUND . . . . . FROM U.S. CONTRIBUTIONS TRUST FUND .	2,234,583 5,879,267
2548C	SPECIAL CATEGORIES GRANTS AND AIDS - HAZARD MITIGATION FROM GRANTS AND DONATIONS TRUST FUND . . . . . FROM U.S. CONTRIBUTIONS TRUST FUND .	528,554 89,137,076
2548D	SPECIAL CATEGORIES HAZARD MITIGATION - STATE OPERATIONS FROM GRANTS AND DONATIONS TRUST FUND . . . . . FROM U.S. CONTRIBUTIONS TRUST FUND .	1,243,300 4,633,833
2548E	SPECIAL CATEGORIES DISASTER ACTIVITY - STATE OBLIGATIONS FROM GRANTS AND DONATIONS TRUST FUND . . . . .	280,000
2548F	SPECIAL CATEGORIES GRANTS AND AIDS - SEVERE REPETITIVE LOSS PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	2,073,221
2549	SPECIAL CATEGORIES GRANTS AND AIDS - PREDISASTER MITIGATION FROM FEDERAL GRANTS TRUST FUND . . .	7,776,842
2550	SPECIAL CATEGORIES GRANTS AND AIDS - HURRICANE LOSS MITIGATION FROM GRANTS AND DONATIONS TRUST FUND . . . . .	6,892,389
Grants and Donations Trust Funds in the following Specific Appropriations reflect the transfer of \$7,000,000 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.555(7), Florida Statutes, as follows:		
	Salaries and Benefits (SA #2525).....	51,351
	Expenses (SA #2527).....	40,580
	Operating Capital Outlay (SA #2529).....	1,000
	Contracted Services (SA #2532).....	2,055
	Risk Management Services (SA #2545).....	689
	Transfer to DMS - Human Resources Services (SA #2552).....	281
	Southwood Shared Resource Center (SA #2570).....	1,142
	Grants and Aids - Hurricane Loss Mitigation (SA # 2550)...	6,892,389
	Indirect Costs.....	10,513
These funds must be used for Hurricane Loss Mitigation programs as specified in section 215.559, Florida Statutes. The funds allocated in section 215.559(2) (a), Florida Statutes, must be distributed directly to Tallahassee Community College for the uses described in section 215.559(2) (b), Florida Statutes.		
2551	SPECIAL CATEGORIES GRANTS AND AIDS - FLOOD MITIGATION ASSISTANCE PROGRAM FROM FEDERAL GRANTS TRUST FUND . . .	6,017,700
2552	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . . FROM EMERGENCY MANAGEMENT	7,734

SECTION 6 - GENERAL GOVERNMENT  
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APPROPRIATION

	PREPAREDNESS AND ASSISTANCE TRUST FUND . . . . .	15,859	
	FROM FEDERAL GRANTS TRUST FUND . . .	26,029	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	24,926	
	FROM OPERATING TRUST FUND . . . . .	4,138	
	FROM U.S. CONTRIBUTIONS TRUST FUND .	27,246	
2553	SPECIAL CATEGORIES FLORIDA HAZARDOUS MATERIALS PLANNING PROGRAM FROM OPERATING TRUST FUND . . . . .	966,597	
2554	SPECIAL CATEGORIES HAZARDOUS MATERIALS EMERGENCY PLANNING GRANT FROM FEDERAL GRANTS TRUST FUND . . .	772,742	
2554A	SPECIAL CATEGORIES GRANTS AND AIDS - DEEPWATER HORIZON - STATE OPERATIONS FROM GRANTS AND DONATIONS TRUST FUND . . . . .	64,280	
2554B	SPECIAL CATEGORIES GRANTS AND AIDS - DEEPWATER HORIZON - PASS THROUGH OF STATE AND FEDERAL FUNDS TO LOCAL GOVERNMENTS FROM GRANTS AND DONATIONS TRUST FUND . . . . .	711,304	
2570	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM ADMINISTRATIVE TRUST FUND . . .	25,115	
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND . . . . .	57,248	
	FROM FEDERAL GRANTS TRUST FUND . . .	85,540	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	58,225	
	FROM OPERATING TRUST FUND . . . . .	14,348	
	FROM U.S. CONTRIBUTIONS TRUST FUND .	82,987	
2571	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY EMERGENCY MANAGEMENT CRITICAL FACILITY NEEDS FROM GENERAL REVENUE FUND . . . . .	800,000	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .	3,000,000	

Funds in Specific Appropriation 2571 from the Grants and Donations Trust Fund reflect the transfer of \$3,000,000 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.555(7)(c), Florida Statutes. These funds shall be used to retrofit existing facilities used as public hurricane shelters as specified in section 215.559(1)(b), Florida Statutes.

Funds in Specific Appropriation 2571 from the General Revenue Fund are provided to the City of Palm Bay to assist in the construction of the Regional Emergency Services Domestic Preparedness Training Center.

TOTAL: EMERGENCY PREVENTION, PREPAREDNESS AND RESPONSE			
FROM GENERAL REVENUE FUND . . . . .	800,000		
FROM TRUST FUNDS . . . . .		315,183,504	
TOTAL POSITIONS . . . . .	153.00		
TOTAL ALL FUNDS . . . . .		315,983,504	
TOTAL: GOVERNOR, EXECUTIVE OFFICE OF THE			
FROM GENERAL REVENUE FUND . . . . .	21,409,450		
FROM TRUST FUNDS . . . . .		321,509,040	

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	TOTAL POSITIONS . . . . .	429.00	
	TOTAL ALL FUNDS . . . . .		342,918,490
	TOTAL APPROVED SALARY RATE . . . .	6,631,042	
	HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF		
	PROGRAM: ADMINISTRATIVE SERVICES		
	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	APPROVED SALARY RATE	10,465,161	
2572	SALARIES AND BENEFITS POSITIONS	252.00	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		14,205,272
	FROM LAW ENFORCEMENT TRUST FUND . .		142,348
2573	OTHER PERSONAL SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		89,196
2574	EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		952,857
	FROM LAW ENFORCEMENT TRUST FUND . .		7,516
2575	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		125,478
2576	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		189,967
2577	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		1,323,893
2578	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		122,236
2579	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		84,169
2580	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		67,880
2581	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		91,298
2582	FIXED CAPITAL OUTLAY SPECIAL PROJECTS AND IMPROVEMENTS - ADMINISTRATIVE SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		3,198,321
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
FROM TRUST FUNDS . . . . .			20,600,431
TOTAL POSITIONS . . . . .	252.00		
TOTAL ALL FUNDS . . . . .			20,600,431



SECTION 6 - GENERAL GOVERNMENT  
SPECIFIC  
APPROPRIATION

PROGRAM: FLORIDA HIGHWAY PATROL

## HIGHWAY SAFETY

APPROVED SALARY RATE	97,359,431	
2583 SALARIES AND BENEFITS	POSITIONS	2,157.00
FROM HIGHWAY SAFETY OPERATING		
TRUST FUND . . . . .		132,500,105
FROM LAW ENFORCEMENT TRUST FUND . .		365,601
2584 OTHER PERSONAL SERVICES		
FROM HIGHWAY SAFETY OPERATING		
TRUST FUND . . . . .		7,637,467
FROM FEDERAL GRANTS TRUST FUND . . .		330,000
FROM LAW ENFORCEMENT TRUST FUND . .		69,000
2585 EXPENSES		
FROM HIGHWAY SAFETY OPERATING		
TRUST FUND . . . . .		7,505,880
FROM FEDERAL GRANTS TRUST FUND . . .		202,370
FROM LAW ENFORCEMENT TRUST FUND . .		65,475
FROM FEDERAL LAW ENFORCEMENT TRUST		
FUND . . . . .		195,923
2586 OPERATING CAPITAL OUTLAY		
FROM HIGHWAY SAFETY OPERATING		
TRUST FUND . . . . .		428,505
FROM FEDERAL GRANTS TRUST FUND . . .		372,000
FROM FEDERAL LAW ENFORCEMENT TRUST		
FUND . . . . .		252,572
2587 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM HIGHWAY SAFETY OPERATING		
TRUST FUND . . . . .		10,958,762
2588 SPECIAL CATEGORIES		
FLORIDA HIGHWAY PATROL COMMUNICATION		
SYSTEMS		
FROM HIGHWAY SAFETY OPERATING		
TRUST FUND . . . . .		5,407,500
FROM FEDERAL LAW ENFORCEMENT TRUST		
FUND . . . . .		777,275

To maximize the state's investment in computer aided dispatch and maintain continuity of services, the Department may continue the contract with the current computer aided dispatch provider previously selected by competitive procurement to maintain computer aided dispatch services until the new computer aided dispatch is fully implemented.

2588A SPECIAL CATEGORIES		
GRANTS AND AIDS - STATE AND LOCAL		
IMPLEMENTATION GRANT PROGRAM		
FROM HIGHWAY SAFETY OPERATING		
TRUST FUND . . . . .		4,882,980
2589 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM HIGHWAY SAFETY OPERATING		
TRUST FUND . . . . .		1,778,977
FROM GAS TAX COLLECTION TRUST FUND .		258,609
FROM LAW ENFORCEMENT TRUST FUND . .		50,000
2590 SPECIAL CATEGORIES		
OPERATION OF MOTOR VEHICLES		
FROM HIGHWAY SAFETY OPERATING		
TRUST FUND . . . . .		16,754,350
2591 SPECIAL CATEGORIES		
AUXILLIARY UNIFORMS AND EQUIPMENT		
FROM HIGHWAY SAFETY OPERATING		

SECTION 6 - GENERAL GOVERNMENT  
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APPROPRIATION

TRUST FUND . . . . . 138,238

2592 SPECIAL CATEGORIES  
OVERTIME

FROM HIGHWAY SAFETY OPERATING	
TRUST FUND . . . . .	10,225,000
FROM FEDERAL GRANTS TRUST FUND . . .	537,129

From the funds in Specific Appropriation 2592, \$5,125,000 is provided for the State Overtime Action Response (SOAR) Program, \$4,100,000 is provided for payment of incidental overtime, and \$1,000,000 is for the Court Overtime Pay program for the Florida Highway Patrol.

2593 SPECIAL CATEGORIES	
PAYMENT OF DEATH AND DISMEMBERMENT CLAIMS	
FROM HIGHWAY PATROL INSURANCE	
TRUST FUND . . . . .	325,995

2594 SPECIAL CATEGORIES	
RISK MANAGEMENT INSURANCE	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND . . . . .	6,077,356

2595 SPECIAL CATEGORIES	
SALARY INCENTIVE PAYMENTS	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND . . . . .	1,397,348

2596 SPECIAL CATEGORIES	
TRANSFER TO HIGHWAY PATROL INSURANCE TRUST	
FUND	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND . . . . .	325,995

2597 SPECIAL CATEGORIES	
DEFERRED-PAYMENT COMMODITY CONTRACTS	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND . . . . .	2,219,213

2598 SPECIAL CATEGORIES	
LEASE OR LEASE-PURCHASE OF EQUIPMENT	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND . . . . .	105,960

2599 SPECIAL CATEGORIES	
MOBILE DATA TERMINAL SYSTEM	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND . . . . .	1,478,410

2600 SPECIAL CATEGORIES	
TRANSFER TO DEPARTMENT OF MANAGEMENT	
SERVICES - HUMAN RESOURCES SERVICES	
PURCHASED PER STATEWIDE CONTRACT	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND . . . . .	776,247

2601 FIXED CAPITAL OUTLAY	
MAINTENANCE, REPAIRS AND CONSTRUCTION -	
STATEWIDE	
FROM HIGHWAY SAFETY OPERATING	
TRUST FUND . . . . .	400,500

TOTAL: HIGHWAY SAFETY	
FROM TRUST FUNDS . . . . .	214,800,742

TOTAL POSITIONS . . . . .	2,157.00
TOTAL ALL FUNDS . . . . .	214,800,742

## EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,743,774

2602 SALARIES AND BENEFITS POSITIONS 24.00

SECTION 6 - GENERAL GOVERNMENT SPECIFIC APPROPRIATION				SECTION 6 - GENERAL GOVERNMENT SPECIFIC APPROPRIATION			
	FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		2,330,367	2616	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		1,508,511
2603	EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		257,585	2617	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		2,140,514
2604	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		8,000	2619	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		2,154,397
2605	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		19,838	2620	SPECIAL CATEGORIES OVERTIME FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		2,175,173
2606	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		4,135	2621	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		829,885
2607	SPECIAL CATEGORIES OPERATION OF MOTOR VEHICLES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		7,790	2622	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		218,240
2608	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		76,214	2623	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		23,020
2609	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		20,315	2624	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		101,425
2610	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		3,150	TOTAL: MOTOR CARRIER COMPLIANCE FROM TRUST FUNDS . . . . .			31,217,226
2611	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		8,601	TOTAL POSITIONS . . . . .	294.00		
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM TRUST FUNDS . . . . .			2,735,995	TOTAL ALL FUNDS . . . . .			31,217,226
TOTAL POSITIONS . . . . .	24.00			PROGRAM: MOTORIST SERVICES			
TOTAL ALL FUNDS . . . . .			2,735,995	MOTORIST SERVICES			
MOTOR CARRIER COMPLIANCE				No funds are provided in Specific Appropriation 2625 through 2636 for Fiscal Year 2013-2014 with regards to existing contracts, leases or other contractual obligations, with the exception of those contracts required to maintain state property, until disposal of such property held by the state or any of its agencies and entities associated with the closure of the Gainesville (D10) and Sebring (M08) Driver License offices are complete.			
APPROVED SALARY RATE	12,146,800			No funds are provided in Specific Appropriation 2625 through 2636 for Fiscal Year 2013-14 to make payments for the use of property after October 31, 2013, on any existing contracts, lease or other contractual obligations held by the state or any of its agencies and entities associated with the closure of the Clermont (G04) Driver License office.			
2612	SALARIES AND BENEFITS POSITIONS 294.00 FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		17,857,328	No funds are provided in Specific Appropriation 2625 through 2636 for Fiscal Year 2013-14 to make payments for the use of property after December 6, 2013, on any existing contracts, lease or other contractual obligations held by the state or any of its agencies and entities associated with the closure of the Winter Springs (G06) Driver License office.			
2613	OTHER PERSONAL SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		15,689	No funds are provided in Specific Appropriation 2625 through 2636 for			
2614	EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		2,463,531				
2615	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .		1,729,513				

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Fiscal Year 2013-14 to make payments for the use of property after January 31, 2014, on any existing contracts, lease or other contractual obligations held by the state or any of its agencies and entities associated with the closure of the Haines City (L04) Driver License office.

No funds are provided in Specific Appropriation 2625 through 2636 for Fiscal Year 2013-14 to make payments for the use of property after April 16, 2014, on any existing contracts, lease or other contractual obligations held by the state or any of its agencies and entities associated with the closure of the Orlando-East (G02) Driver License office.

APPROVED SALARY RATE 46,787,487

2625	SALARIES AND BENEFITS	POSITIONS	1,526.00
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	62,480,910	
	FROM FEDERAL GRANTS TRUST FUND . . .	172,854	
	FROM GAS TAX COLLECTION TRUST FUND .	2,891,375	
2626	OTHER PERSONAL SERVICES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	794,604	
	FROM FEDERAL GRANTS TRUST FUND . . .	886,291	
	FROM GAS TAX COLLECTION TRUST FUND .	11,438	
2627	EXPENSES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	11,079,080	
	FROM FEDERAL GRANTS TRUST FUND . . .	390,335	
	FROM GAS TAX COLLECTION TRUST FUND .	333,509	
2628	OPERATING CAPITAL OUTLAY		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	234,866	
	FROM FEDERAL GRANTS TRUST FUND . . .	840,034	
	FROM GAS TAX COLLECTION TRUST FUND .	5,001	
2629	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,000,000	
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	2,833,857	
	FROM FEDERAL GRANTS TRUST FUND . . .	839,726	
	FROM GAS TAX COLLECTION TRUST FUND .	3,040	

From the funds in Specific Appropriation 2629, \$1,000,000 of nonrecurring general revenue funds is provided for the Driver Courtesy and Safety Public Education Campaign. The department may contract for professional services to implement a public education campaign to increase awareness of the passage of new laws relating to texting while driving and driving in the right lane, including information regarding the consequences of violating these laws.

2629A	SPECIAL CATEGORIES		
	DOMESTIC SECURITY		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	1,433,411	
2630	SPECIAL CATEGORIES		
	AUTOMATED UNIFORM TRAFFIC ACCOUNTING		
	SYSTEM		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	913,905	
2631	SPECIAL CATEGORIES		
	PAYMENT TO OUTSIDE CONTRACTOR		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	6,299,454	
2632	SPECIAL CATEGORIES		
	PURCHASE OF DRIVER LICENSES		

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	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	11,088,304	
2633	SPECIAL CATEGORIES		
	GRANTS AND AIDS - PURCHASE OF LICENSE		
	PLATES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	6,575,197	
2634	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	1,377,984	
	FROM GAS TAX COLLECTION TRUST FUND .	55,119	
2635	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	238,586	
2636	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	84,488	
	FROM GAS TAX COLLECTION TRUST FUND .	8,000	
2637	SPECIAL CATEGORIES		
	TRANSFER TO TRANSPORTATION SECURITY		
	ADMINISTRATION AND FLORIDA DEPARTMENT OF		
	LAW ENFORCEMENT FOR BACKGROUND CHECKS		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	1,532,656	
2638	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	588,158	
2639	FIXED CAPITAL OUTLAY		
	MAINTENANCE, REPAIRS AND CONSTRUCTION -		
	STATEWIDE		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	207,056	
TOTAL:	MOTORIST SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,000,000	
	FROM TRUST FUNDS . . . . .		114,199,238
	TOTAL POSITIONS . . . . .	1,526.00	
	TOTAL ALL FUNDS . . . . .		115,199,238

PROGRAM: KIRKMAN DATA CENTER

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 8,262,918

2640	SALARIES AND BENEFITS	POSITIONS	166.00
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	10,525,749	
2641	OTHER PERSONAL SERVICES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	262,740	
2642	EXPENSES		
	FROM HIGHWAY SAFETY OPERATING		
	TRUST FUND . . . . .	4,057,266	
	FROM GAS TAX COLLECTION TRUST FUND .	213,265	
	FROM LAW ENFORCEMENT TRUST FUND . .	3,752	
2643	OPERATING CAPITAL OUTLAY		

SECTION 6 - GENERAL GOVERNMENT  
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	FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .	352,931
2644	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . . FROM GAS TAX COLLECTION TRUST FUND . . . . .	2,485,500 17,333
2645	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .	72,220
2646	SPECIAL CATEGORIES TAX COLLECTOR NETWORK - COUNTY SYSTEMS FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .	6,231,491
2647	SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .	1,293,034
2648	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .	2,571
2649	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .	62,948
2650	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .	1,066,914
2651	DATA PROCESSING SERVICES NORTHWOOD SHARED RESOURCE CENTER FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .	2,716,090
2651A	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC) FROM HIGHWAY SAFETY OPERATING TRUST FUND . . . . .	983
The funds provided in Specific Appropriation 2651A shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.		
TOTAL: INFORMATION TECHNOLOGY	FROM TRUST FUNDS . . . . .	29,364,787
	TOTAL POSITIONS . . . . .	166.00
	TOTAL ALL FUNDS . . . . .	29,364,787
TOTAL: HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF	FROM GENERAL REVENUE FUND . . . . .	1,000,000
	FROM TRUST FUNDS . . . . .	412,918,419
	TOTAL POSITIONS . . . . .	4,419.00
	TOTAL ALL FUNDS . . . . .	413,918,419
	TOTAL APPROVED SALARY RATE . . . . .	176,765,571

## LEGISLATIVE BRANCH

## SENATE

2652 LUMP SUM

SECTION 6 - GENERAL GOVERNMENT  
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APPROPRIATION

	SENATE FROM GENERAL REVENUE FUND . . . . .	49,190,339
	HOUSE OF REPRESENTATIVES	
2653	LUMP SUM HOUSE FROM GENERAL REVENUE FUND . . . . .	56,111,298
	LEGISLATIVE SUPPORT SERVICES	
2654	LUMP SUM LEGISLATIVE SUPPORT SERVICES - SENATE FROM GENERAL REVENUE FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . . FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND . . . . .	23,763,768 971,090 148,379
2655	LUMP SUM LEGISLATIVE SUPPORT SERVICES - HOUSE FROM GENERAL REVENUE FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . . FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND . . . . .	23,866,959 954,906 143,709
2656	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . . FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND . . . . .	407,028 2,827 403
	TOTAL: LEGISLATIVE SUPPORT SERVICES FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .	48,037,755 2,221,314
	TOTAL ALL FUNDS . . . . .	50,259,069
	OFFICE OF PUBLIC COUNSEL	
2657	LUMP SUM PUBLIC COUNSEL FROM GENERAL REVENUE FUND . . . . .	2,349,357
2658	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	2,182
	TOTAL: OFFICE OF PUBLIC COUNSEL FROM GENERAL REVENUE FUND . . . . .	2,351,539
	TOTAL ALL FUNDS . . . . .	2,351,539
	ETHICS, COMMISSION ON	
2659	LUMP SUM LOBBY REGISTRATION FROM EXECUTIVE BRANCH LOBBY REGISTRATION TRUST FUND . . . . .	214,867
2660	LUMP SUM ETHICS COMMISSION FROM GENERAL REVENUE FUND . . . . .	2,384,464
From the funds in Specific Appropriation 2660, \$80,000 is contingent upon House Bill 7131 or similar legislation becoming law.		
2661	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND . . . . .	52,991

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2662 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 2,991  
FROM EXECUTIVE BRANCH LOBBY  
REGISTRATION TRUST FUND . . . . . 269  
  
TOTAL: ETHICS, COMMISSION ON  
FROM GENERAL REVENUE FUND . . . . . 2,440,446  
FROM TRUST FUNDS . . . . . 215,136  
  
TOTAL ALL FUNDS . . . . . 2,655,582

AUDITOR GENERAL

2663 LUMP SUM  
AUDITOR GENERAL  
FROM GENERAL REVENUE FUND . . . . . 34,680,793  
  
2664 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM GENERAL REVENUE FUND . . . . . 96,583  
  
TOTAL: AUDITOR GENERAL  
FROM GENERAL REVENUE FUND . . . . . 34,777,376  
  
TOTAL ALL FUNDS . . . . . 34,777,376  
  
TOTAL: LEGISLATIVE BRANCH  
FROM GENERAL REVENUE FUND . . . . . 192,908,753  
FROM TRUST FUNDS . . . . . 2,436,450  
  
TOTAL ALL FUNDS . . . . . 195,345,203

LOTTERY, DEPARTMENT OF THE

PROGRAM: LOTTERY OPERATIONS

APPROVED SALARY RATE 17,364,826  
  
2665 SALARIES AND BENEFITS POSITIONS 420.00  
FROM OPERATING TRUST FUND . . . . . 25,312,087  
  
2666 OTHER PERSONAL SERVICES  
FROM OPERATING TRUST FUND . . . . . 80,000  
  
2667 EXPENSES  
FROM OPERATING TRUST FUND . . . . . 5,475,451

From the funds provided in Specific Appropriations 2667, 2668, and 2670, the Department of the Lottery shall report the net amount of ticket revenue generated due to the implementation of the mobile sales tool that would not have otherwise occurred. The report shall also include the actual efficiencies generated through the tool's implementation. The report shall be provided to the chair of the Senate Appropriations Subcommittee on General Government, the chair of the House Government Operations Appropriations Subcommittee, and the Executive Office of the Governor's Office of Policy and Budget on a quarterly basis. The first report shall be due 30 days following the first quarter of complete deployment of the mobile sales tool, and quarterly thereafter.

2668 OPERATING CAPITAL OUTLAY  
FROM OPERATING TRUST FUND . . . . . 394,885  
  
2669 SPECIAL CATEGORIES  
ACQUISITION OF MOTOR VEHICLES  
FROM OPERATING TRUST FUND . . . . . 340,000

From the funds provided in Specific Appropriation 2669, the Department of the Lottery may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the secretary that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as

SECTION 6 - GENERAL GOVERNMENT  
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APPROPRIATION

provided in section 287.14(3), Florida Statutes.

2670 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM OPERATING TRUST FUND . . . . . 3,778,061  
  
2671 SPECIAL CATEGORIES  
INSTANT TICKET PURCHASE  
FROM OPERATING TRUST FUND . . . . . 42,375,800

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2671, in the event instant ticket sales are greater than the projected sales used to calculate the amount appropriated.

2672 SPECIAL CATEGORIES  
ADVERTISING AGENCY FEES  
FROM OPERATING TRUST FUND . . . . . 2,756,945  
  
2673 SPECIAL CATEGORIES  
PAID ADVERTISING AND PROMOTION  
FROM OPERATING TRUST FUND . . . . . 34,793,508

From the funds provided in Specific Appropriation 2673, the Department of the Lottery shall not expend in excess of \$200,000 for the development, publication, and distribution of any report by the department for the purpose of carrying out the provisions of section 24.1215, Florida Statutes.

2674 SPECIAL CATEGORIES  
TERMINAL GAMES FEES  
FROM OPERATING TRUST FUND . . . . . 28,995,788

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2674 in the event terminal sales are greater than the projected sales used to calculate the amount appropriated.

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2674 to acquire up to 500 additional ticket terminals. Prior to the submission of any budget amendment that increases the size of the lottery retailer network, the Revenue Estimating Conference shall determine if sales will increase sufficiently to cover the cost of the terminals, offset any losses to the existing network, and generate additional revenue that benefits the state. The budget amendments will be contingent upon the agency's submission of a plan that includes not only a positive Revenue Estimating Conference impact analysis, but also identifies the specific terminal needs and a plan for distribution of the additional terminals.

2675 SPECIAL CATEGORIES  
LOTTERY INSTANT TICKET VENDING MACHINES  
FROM OPERATING TRUST FUND . . . . . 5,010,600

The Department of the Lottery is authorized to submit budget amendments

in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2675 to acquire additional instant ticket vending machines. Prior to the submission of any amendment that increases the number of instant ticket vending machines, the Revenue Estimating Conference shall determine if sales will increase sufficiently to cover the cost of the machines and generate additional revenue that benefits the state. The budget amendments will be contingent upon the agency's submission of a plan that includes not only a positive Revenue Estimating Conference impact analysis, but also identifies the specific instant ticket machine needs and a plan for distribution of the additional machines.

2676 SPECIAL CATEGORIES  
LOTTERY FULL SERVICE VENDING MACHINES  
FROM OPERATING TRUST FUND . . . . . 1,565,000

SECTION 6 - GENERAL GOVERNMENT  
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From the funds provided in Specific Appropriation 2676, the Department of the Lottery shall report the net amount of ticket sale revenue generated by each full service vending machine, and in total for all machines. The report shall include the amount of full service vending machine revenue that replaced the amount of counter ticket sale revenue. The report shall be provided to the chair of the Senate Appropriations Subcommittee on General Government, the chair of the House Government Operations Appropriations Subcommittee, and the Executive Office of the Governor's Office of Policy and Budget on a quarterly basis. The department shall submit a report on July 31, 2013, for the ticket sales activity for the period April 1, 2013, through June 30, 2013, and quarterly thereafter.

2677	SPECIAL CATEGORIES RETAILER INCENTIVES FROM OPERATING TRUST FUND . . . . .	2,325,000	
2678	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND . . . . .	208,568	
2679	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM OPERATING TRUST FUND . . . . .	14,060	
2680	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM OPERATING TRUST FUND . . . . .	120,000	
2681	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND . . . . .	375,000	
2682	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND . . . . .	147,142	
2683	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM OPERATING TRUST FUND . . . . .	23,020	
TOTAL: PROGRAM: LOTTERY OPERATIONS FROM TRUST FUNDS . . . . .		154,090,915	
	TOTAL POSITIONS . . . . .	420.00	
	TOTAL ALL FUNDS . . . . .	154,090,915	
TOTAL: LOTTERY, DEPARTMENT OF THE FROM TRUST FUNDS . . . . .		154,090,915	
	TOTAL POSITIONS . . . . .	420.00	
	TOTAL ALL FUNDS . . . . .	154,090,915	
	TOTAL APPROVED SALARY RATE . . . .	17,364,826	

## MANAGEMENT SERVICES, DEPARTMENT OF

## PROGRAM: ADMINISTRATION PROGRAM

## EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	4,894,353	
2684	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . . FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND . . . . .	79.00 150,898 6,354,771 1,220	
2685	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .	38,329	
2686	EXPENSES		

SECTION 6 - GENERAL GOVERNMENT  
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APPROPRIATION

	FROM GENERAL REVENUE FUND . . . . .	41,497	
	FROM ADMINISTRATIVE TRUST FUND . . .		693,683
2687	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND . . .		9,688
2688	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM ADMINISTRATIVE TRUST FUND . . .		14,497
2689	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . . FROM OPERATING TRUST FUND . . . . .	81,800	106,600 50,000
2690	SPECIAL CATEGORIES MAIL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		113,424
2691	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . .	301	111,758
2692	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM ADMINISTRATIVE TRUST FUND . . .		1,150,000
2693	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM ADMINISTRATIVE TRUST FUND . . .		12,427
2694	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . .	735	31,282
2695	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM GENERAL REVENUE FUND . . . . . FROM ADMINISTRATIVE TRUST FUND . . . FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND . . . . .	20,084	209,467 1,907
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .		295,315	8,899,053
	TOTAL POSITIONS . . . . .	79.00	
	TOTAL ALL FUNDS . . . . .		9,194,368

## STATE EMPLOYEE LEASING

	APPROVED SALARY RATE	110,210	
2696	SALARIES AND BENEFITS POSITIONS FROM ADMINISTRATIVE TRUST FUND . . .	2.00	228,315
2697	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM ADMINISTRATIVE TRUST FUND . . .		802
TOTAL: STATE EMPLOYEE LEASING FROM TRUST FUNDS . . . . .			229,117
	TOTAL POSITIONS . . . . .	2.00	
	TOTAL ALL FUNDS . . . . .		229,117

SECTION 6 - GENERAL GOVERNMENT  
SPECIFIC  
APPROPRIATION  
PROGRAM: FACILITIES PROGRAM

FACILITIES MANAGEMENT

From the funds provided in Specific Appropriation 2698 through 2718, the Department of Management Services shall complete a study that examines options for leasing to other state agencies the square footage located at the Northwood Centre that is currently occupied by the Northwood Shared Resource Center and leased by the Department of Children and Family Services through lease number 720:0139. The study must include the costs for any renovations that would be required to modify this space in order to accommodate its use by a state agency or state agencies. The department shall submit the study to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget by November 1, 2013.

APPROVED SALARY RATE		9,270,775	
2698	SALARIES AND BENEFITS	POSITIONS	281.00
	FROM SUPERVISION TRUST FUND		12,942,721
2699	OTHER PERSONAL SERVICES		
	FROM SUPERVISION TRUST FUND		517,000
2700	EXPENSES		
	FROM SUPERVISION TRUST FUND		4,502,810
2701	OPERATING CAPITAL OUTLAY		
	FROM SUPERVISION TRUST FUND		73,727
2702	SPECIAL CATEGORIES		
	TRANSFER TO THE FLORIDA DEPARTMENT OF LAW		
	ENFORCEMENT - CAPITOL POLICE		
	FROM SUPERVISION TRUST FUND		5,937,982
2703	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,733,343	
	FROM SUPERVISION TRUST FUND		8,895,794
From the funds in Specific Appropriation 2703, \$1,733,343 in nonrecurring general revenue funds is provided for the evaluation and adjustment of energy-consuming systems in state-owned office buildings and necessary repairs in order to improve efficiency and reduce energy costs. Of that amount, \$1,583,343 shall be placed into reserve to be released in accordance with chapter 216, Florida Statutes, upon submission of a project plan to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget. The project plan must document the projected breakeven return on investment and list the facilities to be evaluated.			
2704	SPECIAL CATEGORIES		
	DEPARTMENT OF MANAGEMENT SERVICES		
	PROVISIONS FOR FACILITIES SECURITY		
	FROM SUPERVISION TRUST FUND		1,148,387
2705	SPECIAL CATEGORIES		
	INTERIOR REFURBISHMENT - LEASE SPACE		
	FROM SUPERVISION TRUST FUND		1,406,157
2706	SPECIAL CATEGORIES		
	MASTER LEASE SPACE TENANT IMPROVEMENT		
	FUNDS		
	FROM OPERATING TRUST FUND		1,535,738

Funds in Specific Appropriation 2706 shall be placed in reserve until the department submits to the chair of the Senate Appropriations Subcommittee on General Government and the chair of the House Government Operations Appropriations Subcommittee an updated project plan that includes, but is not limited to, all expenditures related to the proposed projects and the associated funding sources. The plan shall also include: a prioritization of all outstanding requests by agencies

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for improvement projects in spaces leased under the Tallahassee area private sector master leases; all out-year projects required to improve and maintain the leased space for the duration of the 15-year leases; and an explanation of why improvements are required or not required for each fiscal year. No earlier than 14 days after submission of the plan to the legislative committees, the department may request the release of the funds pursuant to the provisions of chapter 216, Florida Statutes.

2707	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM SUPERVISION TRUST FUND		394,386
2708	SPECIAL CATEGORIES		
	STATE UTILITY PAYMENTS		
	FROM SUPERVISION TRUST FUND		19,348,977
The department is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2708, in the event utility costs exceed the amount appropriated.			
2709	SPECIAL CATEGORIES		
	FACILITIES POOL OFFICE-SPACE		
	RECONFIGURATION		
	FROM SUPERVISION TRUST FUND		4,371,679
Funds in Specific Appropriation 2709 shall be placed in reserve until the department submits to the Legislative Budget Commission a project plan that includes, but is not limited to, the agencies that are affected by the reconfiguration of facilities pool office space, details on how the updated office space will meet the needs of the agencies relocating to the reconfigured space, the estimated savings to be achieved, and any additional costs that may be incurred in the out-years related to this issue. The department may request the release of the funds upon submission of the project plan for approval by the Legislative Budget Commission pursuant to the provisions of chapter 216, Florida Statutes.			
2710	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM SUPERVISION TRUST FUND		1,657,550
2711	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM SUPERVISION TRUST FUND		82,261
2712	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM SUPERVISION TRUST FUND		91,737
2713	SPECIAL CATEGORIES		
	STATE CAPITOL - MAINTENANCE AND REPAIRS		
	FROM SUPERVISION TRUST FUND		50,000
2714	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM SUPERVISION TRUST FUND		70,759
2715	FIXED CAPITAL OUTLAY		
	COMPLIANCE WITH THE AMERICANS WITH		
	DISABILITIES ACT		
	FROM GENERAL REVENUE FUND	1,485,750	
	FROM SUPERVISION TRUST FUND		1,000,000
2716	FIXED CAPITAL OUTLAY		
	LIFE SAFETY CODE COMPLIANCE PROJECTS		
	STATEWIDE - DMS MGD		
	FROM GENERAL REVENUE FUND	1,285,600	
	FROM SUPERVISION TRUST FUND		160,000
2717	FIXED CAPITAL OUTLAY		
	STATEWIDE CAPITAL DEPRECIATION - GENERAL -		
	DMS MGD		

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FROM GENERAL REVENUE FUND . . . . .	21,548,478
FROM PUBLIC FACILITIES FINANCING	
TRUST FUND . . . . .	2,500,000
FROM SUPERVISION TRUST FUND . . . . .	4,387,781

Funds in Specific Appropriation 2717 shall be held in reserve contingent upon the submission of a project plan to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor detailing the request for building repair, code correction, and other deficiency projects. The project plan must include all high priority deficiency issues and all issues affecting life, health and safety. The project plan shall also include the facility, location, and estimated cost for each project and shall be submitted by August 1, 2013. The department shall request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.

2718	FIXED CAPITAL OUTLAY		
	DEBT SERVICE		
	FROM FLORIDA FACILITIES POOL		
	CLEARING TRUST FUND . . . . .	38,255,689	
TOTAL: FACILITIES MANAGEMENT			
	FROM GENERAL REVENUE FUND . . . . .	26,053,171	
	FROM TRUST FUNDS . . . . .		109,331,135
	TOTAL POSITIONS . . . . .	281.00	
	TOTAL ALL FUNDS . . . . .		135,384,306

## BUILDING CONSTRUCTION

Funds provided in Specific Appropriations 2719 through 2725 from the Architects Incidental Trust Fund are based on an assessment against each fixed capital outlay appropriation in which the Department of Management Services serves as the owner-representative on behalf of the state. The assessments for appropriations made for the 2013-2014 fiscal year shall be calculated in accordance with the formula submitted by the department to the Executive Office of the Governor on October 7, 1991, as required by chapter 91-193, Laws of Florida.

	APPROVED SALARY RATE	528,835	
2719	SALARIES AND BENEFITS	POSITIONS	10.00
	FROM ARCHITECTS INCIDENTAL TRUST		
	FUND . . . . .		717,452
2720	EXPENSES		
	FROM ARCHITECTS INCIDENTAL TRUST		
	FUND . . . . .		120,434
2721	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ARCHITECTS INCIDENTAL TRUST		
	FUND . . . . .		46,341
2722	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ARCHITECTS INCIDENTAL TRUST		
	FUND . . . . .		15,872
2723	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM ARCHITECTS INCIDENTAL TRUST		
	FUND . . . . .		1,613
2724	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM ARCHITECTS INCIDENTAL TRUST		
	FUND . . . . .		3,359
2725	DATA PROCESSING SERVICES		

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	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM ARCHITECTS INCIDENTAL TRUST		
	FUND . . . . .		2,608
TOTAL: BUILDING CONSTRUCTION			
	FROM TRUST FUNDS . . . . .		907,679
	TOTAL POSITIONS . . . . .	10.00	
	TOTAL ALL FUNDS . . . . .		907,679
PROGRAM: SUPPORT PROGRAM			
FEDERAL PROPERTY ASSISTANCE			
	APPROVED SALARY RATE	141,876	
2726	SALARIES AND BENEFITS	POSITIONS	5.00
	FROM SURPLUS PROPERTY REVOLVING		
	TRUST FUND . . . . .		234,467
2727	EXPENSES		
	FROM SURPLUS PROPERTY REVOLVING		
	TRUST FUND . . . . .		63,231
2728	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM SURPLUS PROPERTY REVOLVING		
	TRUST FUND . . . . .		6,379
2729	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM SURPLUS PROPERTY REVOLVING		
	TRUST FUND . . . . .		854
2730	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM SURPLUS PROPERTY REVOLVING		
	TRUST FUND . . . . .		1,526
2731	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM SURPLUS PROPERTY REVOLVING		
	TRUST FUND . . . . .		1,240
TOTAL: FEDERAL PROPERTY ASSISTANCE			
	FROM TRUST FUNDS . . . . .		307,697
	TOTAL POSITIONS . . . . .	5.00	
	TOTAL ALL FUNDS . . . . .		307,697
MOTOR VEHICLE AND WATERCRAFT MANAGEMENT			
	APPROVED SALARY RATE	333,595	
2732	SALARIES AND BENEFITS	POSITIONS	6.00
	FROM OPERATING TRUST FUND . . . . .		468,706
2733	EXPENSES		
	FROM OPERATING TRUST FUND . . . . .		65,174
2734	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM OPERATING TRUST FUND . . . . .		293,332
2735	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM OPERATING TRUST FUND . . . . .		808
2736	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM OPERATING TRUST FUND . . . . .		1,247



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2737	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM OPERATING TRUST FUND . . . . .		2,749	
2738	SPECIAL CATEGORIES			
	PAYMENT OF EXPENSES FROM SALE OF AGENCY VEHICLES			
	FROM OPERATING TRUST FUND . . . . .		725,000	
2739	DATA PROCESSING SERVICES			
	SOUTHWOOD SHARED RESOURCE CENTER			
	FROM OPERATING TRUST FUND . . . . .		18,144	
TOTAL: MOTOR VEHICLE AND WATERCRAFT MANAGEMENT FROM TRUST FUNDS . . . . .				1,575,160
	TOTAL POSITIONS . . . . .	6.00		
	TOTAL ALL FUNDS . . . . .		1,575,160	

## PURCHASING OVERSIGHT

	APPROVED SALARY RATE	2,735,616		
2740	SALARIES AND BENEFITS	POSITIONS	47.00	
	FROM OPERATING TRUST FUND . . . . .			3,652,464
2741	OTHER PERSONAL SERVICES			
	FROM OPERATING TRUST FUND . . . . .			10,000
2742	EXPENSES			
	FROM OPERATING TRUST FUND . . . . .			356,384
2743	OPERATING CAPITAL OUTLAY			
	FROM OPERATING TRUST FUND . . . . .			15,859
2744	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM OPERATING TRUST FUND . . . . .			91,267
2745	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM OPERATING TRUST FUND . . . . .			27,424
2746	SPECIAL CATEGORIES			
	CONTRACTED LEGAL SERVICES			
	FROM OPERATING TRUST FUND . . . . .			30,000
2747	SPECIAL CATEGORIES			
	WEB-BASED E-PROCUREMENT SYSTEM			
	FROM OPERATING TRUST FUND . . . . .			11,255,892

From the funds in Specific Appropriation 2747, the Department of Management Services shall prepare a report on a quarterly basis on the utilization of the MyFloridaMarketPlace System. The report shall include, but not be limited to: the utilization by agency, plans for increasing utilization of the MyFloridaMarketPlace System, the amount of funds spent by agency, estimated spending in future quarters and the estimated return on investment for the MyFloridaMarketPlace System. The quarterly report shall be provided to the chair of the Senate Appropriations Subcommittee on General Government, the chair of the House Government Operations Appropriations Subcommittee and the Executive Office of the Governor's Office of Policy and Budget. The Department of Management Services shall submit the first report on October 31, 2013, for the period of July 1, 2013, through September 30, 2013, and for each quarter thereafter.

2748	SPECIAL CATEGORIES			
	PROJECT MANAGEMENT PROFESSIONAL - TRAINING			
	FROM OPERATING TRUST FUND . . . . .		60,000	
2749	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			

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	FROM OPERATING TRUST FUND . . . . .			4,000
2750	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM OPERATING TRUST FUND . . . . .			15,156
2751	SPECIAL CATEGORIES			
	TRANSFER TO THE DEPARTMENT OF FINANCIAL SERVICES			
	FROM OPERATING TRUST FUND . . . . .			350,000
2752	DATA PROCESSING SERVICES			
	SOUTHWOOD SHARED RESOURCE CENTER			
	FROM OPERATING TRUST FUND . . . . .			129,748
TOTAL: PURCHASING OVERSIGHT FROM TRUST FUNDS . . . . .				15,998,194
	TOTAL POSITIONS . . . . .	47.00		
	TOTAL ALL FUNDS . . . . .			15,998,194

## OFFICE OF SUPPLIER DIVERSITY

	APPROVED SALARY RATE	206,638		
2753	SALARIES AND BENEFITS	POSITIONS	6.00	
	FROM OPERATING TRUST FUND . . . . .			310,457
2754	EXPENSES			
	FROM OPERATING TRUST FUND . . . . .			55,996
2754A	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM OPERATING TRUST FUND . . . . .			11,573
2755	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM OPERATING TRUST FUND . . . . .			3,117
2755A	SPECIAL CATEGORIES			
	MATCHMAKER CONFERENCE			
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .			200,000
2756	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM OPERATING TRUST FUND . . . . .			3,278
2757	DATA PROCESSING SERVICES			
	SOUTHWOOD SHARED RESOURCE CENTER			
	FROM OPERATING TRUST FUND . . . . .			9,464
TOTAL: OFFICE OF SUPPLIER DIVERSITY FROM TRUST FUNDS . . . . .				593,885
	TOTAL POSITIONS . . . . .	6.00		
	TOTAL ALL FUNDS . . . . .			593,885

## PRIVATE PRISON MONITORING

To improve vendor oversight and contract management, the department shall ensure that private prisons resolve any violations cited by the Department of Corrections related to security, infirmary, and contraband operations audits. The department must, through attrition of staff, hire managers and contract monitors with adult corrections expertise. The department must provide relevant training as recommended by the Department of Corrections to all current and future staff responsible for overseeing the private prisons, including training in prison safety and security procedures, inmate manipulation resistance, defensive tactics, and contraband detection and control.

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	APPROVED SALARY RATE	686,037		
2758	SALARIES AND BENEFITS	POSITIONS	14.00	
	FROM GENERAL REVENUE FUND		953,241	
2759	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		15,200	
2760	EXPENSES			
	FROM GENERAL REVENUE FUND		76,814	
2761	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		3,890	
2762	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		13,056	
2763	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		1,885	
2764	SPECIAL CATEGORIES			
	CONTRACTED LEGAL SERVICES			
	FROM GENERAL REVENUE FUND		23,169	
2765	SPECIAL CATEGORIES			
	ADMINISTRATIVE OVERHEAD			
	FROM GENERAL REVENUE FUND		103,673	
2766	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND		1,267	
2767	SPECIAL CATEGORIES			
	PRIVATE PRISONS - MAINTENANCE AND REPAIR			
	REIMBURSEMENT			
	FROM OPERATING TRUST FUND		959,588	
2768	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND		4,462	
2769	DATA PROCESSING SERVICES			
	SOUTHWOOD SHARED RESOURCE CENTER			
	FROM GENERAL REVENUE FUND		6,044	
TOTAL:	PRIVATE PRISON MONITORING			
	FROM GENERAL REVENUE FUND		1,202,701	
	FROM TRUST FUNDS			959,588
	TOTAL POSITIONS	14.00		
	TOTAL ALL FUNDS		2,162,289	

## WORKFORCE PROGRAMS

## PROGRAM: INSURANCE BENEFITS ADMINISTRATION

	APPROVED SALARY RATE	1,250,847		
2770	SALARIES AND BENEFITS	POSITIONS	22.00	
	FROM PRETAX BENEFITS TRUST FUND		361,262	
	FROM STATE EMPLOYEES LIFE			
	INSURANCE TRUST FUND		20,413	
	FROM STATE EMPLOYEES HEALTH			
	INSURANCE TRUST FUND		1,302,349	
	FROM STATE EMPLOYEES DISABILITY			
	INSURANCE TRUST FUND		26,717	
2771	OTHER PERSONAL SERVICES			
	FROM PRETAX BENEFITS TRUST FUND		2,500	

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	FROM STATE EMPLOYEES HEALTH			
	INSURANCE TRUST FUND			140,772
2772	EXPENSES			
	FROM PRETAX BENEFITS TRUST FUND			48,832
	FROM STATE EMPLOYEES LIFE			
	INSURANCE TRUST FUND			1,984
	FROM STATE EMPLOYEES HEALTH			
	INSURANCE TRUST FUND			294,096
	FROM STATE EMPLOYEES DISABILITY			
	INSURANCE TRUST FUND			2,875
2773	OPERATING CAPITAL OUTLAY			
	FROM PRETAX BENEFITS TRUST FUND			10,000
	FROM STATE EMPLOYEES HEALTH			
	INSURANCE TRUST FUND			10,000
2774	SPECIAL CATEGORIES			
	TRANSFER TO DIVISION OF ADMINISTRATIVE			
	HEARINGS			
	FROM STATE EMPLOYEES HEALTH			
	INSURANCE TRUST FUND			46,492
2775	SPECIAL CATEGORIES			
	POST PAYMENT CLAIMS AUDIT SERVICES			
	FROM STATE EMPLOYEES HEALTH			
	INSURANCE TRUST FUND			400,000
The department is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2775 in the event the contractor identifies claim overpayments that result in compensation that exceeds the amount appropriated.				
2776	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM PRETAX BENEFITS TRUST FUND			348,505
	FROM STATE EMPLOYEES HEALTH			
	INSURANCE TRUST FUND			1,599,157
From the funds provided in Specific Appropriation 2776, the department shall use certified or licensed professionals who are providing solicited services to other clients when contracting with benefit or actuarial consultants.				
2777	SPECIAL CATEGORIES			
	ADMINISTRATIVE SERVICES ONLY CONTRACT FOR			
	HEALTH INSURANCE			
	FROM STATE EMPLOYEES HEALTH			
	INSURANCE TRUST FUND			51,100,000
The department is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2777 in the event administrative service payments for health insurance exceed the amount of budget authority appropriated.				
2778	SPECIAL CATEGORIES			
	PRESCRIPTION DRUG CLAIMS ADMINISTRATION			
	FROM STATE EMPLOYEES HEALTH			
	INSURANCE TRUST FUND			287,280
2779	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM PRETAX BENEFITS TRUST FUND			5,861
	FROM STATE EMPLOYEES LIFE			
	INSURANCE TRUST FUND			1,020
	FROM STATE EMPLOYEES HEALTH			
	INSURANCE TRUST FUND			18,090
	FROM STATE EMPLOYEES DISABILITY			
	INSURANCE TRUST FUND			509
2780	SPECIAL CATEGORIES			
	CONTRACTED LEGAL SERVICES			
	FROM STATE EMPLOYEES HEALTH			

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	INSURANCE TRUST FUND . . . . .	50,000	
2781	SPECIAL CATEGORIES PAYMENT OF EMPLOYER CONTRIBUTIONS TO HEALTH SAVINGS ACCOUNT CUSTODIAN FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND . . . . .	786,443	
2782	SPECIAL CATEGORIES CONTRACTED BANK SERVICES FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND . . . . .	79,000	
2783	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND . . . . .	4,435	
2784	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM PRETAX BENEFITS TRUST FUND . . FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND . . . . . FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND . . . . . FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND . . . . .	3,960 276 10,898 131	
2785	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM PRETAX BENEFITS TRUST FUND . . FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND . . . . . FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND . . . . . FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND . . . . .	2,401 507 6,031 938	
TOTAL: PROGRAM: INSURANCE BENEFITS ADMINISTRATION FROM TRUST FUNDS . . . . .		56,973,734	
	TOTAL POSITIONS . . . . .	22.00	
	TOTAL ALL FUNDS . . . . .	56,973,734	
PROGRAM: RETIREMENT BENEFITS ADMINISTRATION			
	APPROVED SALARY RATE . . . . .	7,526,130	
2786	SALARIES AND BENEFITS . . . . .	193.00	
	FROM GENERAL REVENUE FUND . . . . .	704,199	
	FROM OPERATING TRUST FUND . . . . .	9,596,956	
	FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND . . . . .	138,783	
	FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND . . . . .	753,759	
	FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND . . . . .	40,402	

From the funds provided in Specific Appropriation 2786, the department shall expend available cash balances from the Police and Firefighter's Premium Tax Trust Fund prior to the use of general revenue funds.

Funds provided in Specific Appropriations 2786 through 2796 from the Optional Retirement Program Trust Fund are based on an assessment of .01 percent of the participants' salaries and shall be used only for administration of the Optional Retirement Program.

2787	OTHER PERSONAL SERVICES FROM OPERATING TRUST FUND . . . . .	6,029	
2788	EXPENSES FROM OPERATING TRUST FUND . . . . .	3,108,741	

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	FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND . . . . .	16,133	
	FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND . . . . .	83,389	
	FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND . . . . .	11,370	
2789	OPERATING CAPITAL OUTLAY FROM OPERATING TRUST FUND . . . . .	100,000	
2790	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM OPERATING TRUST FUND . . . . .	39,993	
2791	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND . . . . . FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND . . . . .	4,184,919 75,500	
	FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND . . . . .	191,355	
	FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND . . . . .	30,000	
2792	SPECIAL CATEGORIES OVERTIME FROM OPERATING TRUST FUND . . . . .	122,571	
2793	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND . . . . .	54,497	
2794	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM OPERATING TRUST FUND . . . . .	159,872	
2795	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND . . . . . FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND . . . . .	23,571 2,000	
2796	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND . . . . . FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND . . . . .	56,016 567	
	FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND . . . . .	4,040	
	FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND . . . . .	224	
2797	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM OPERATING TRUST FUND . . . . .	294,944	
2798	PENSIONS AND BENEFITS DISABILITY BENEFITS TO JUSTICES AND JUDGES FROM GENERAL REVENUE FUND . . . . .	724,959	
2799	PENSIONS AND BENEFITS FLORIDA NATIONAL GUARD FROM GENERAL REVENUE FUND . . . . .	16,541,709	
2800	PENSIONS AND BENEFITS STATE OFFICERS AND EMPLOYEES (NON- CONTRIBUTORY) FROM GENERAL REVENUE FUND . . . . .	533,071	
2801	PENSIONS AND BENEFITS		

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TEACHER'S SPECIAL PENSIONS  
FROM GENERAL REVENUE FUND . . . . . 2,300

TOTAL: PROGRAM: RETIREMENT BENEFITS ADMINISTRATION  
FROM GENERAL REVENUE FUND . . . . . 18,506,238  
FROM TRUST FUNDS . . . . . 19,095,631

TOTAL POSITIONS . . . . . 193.00  
TOTAL ALL FUNDS . . . . . 37,601,869

## PROGRAM: STATE PERSONNEL POLICY ADMINISTRATION

APPROVED SALARY RATE 1,034,918

2802 SALARIES AND BENEFITS POSITIONS 15.00  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 1,288,558

Funds provided in Specific Appropriations 2802 through 2817 from the State Personnel System Trust Fund are based upon a human resources services assessment to state entities at the following rates:

FTE \$343.75  
OPS \$119.21  
Justice Administrative Commission \$261.60  
State Court System \$226.21  
County Health Department \$261.60

2802A OTHER PERSONAL SERVICES  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 5,000

2803 EXPENSES  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 119,225

2804 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 22,576

2805 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 10,566

2806 SPECIAL CATEGORIES  
CONTRACTED LEGAL SERVICES  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 100,000

2807 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 1,691

2808 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 7,091

2809 DATA PROCESSING SERVICES  
SOUTHWOOD SHARED RESOURCE CENTER  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 13,926

TOTAL: PROGRAM: STATE PERSONNEL POLICY ADMINISTRATION  
FROM TRUST FUNDS . . . . . 1,568,633

TOTAL POSITIONS . . . . . 15.00  
TOTAL ALL FUNDS . . . . . 1,568,633

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PROGRAM: PEOPLE FIRST

APPROVED SALARY RATE 953,685

2810 SALARIES AND BENEFITS POSITIONS 15.00  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 1,281,270

2811 EXPENSES  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 104,832

2812 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 522,575

From the funds in Specific Appropriation 2812, \$500,000 in nonrecurring funds is provided for the analysis and development of a business case to determine the most feasible and cost-effective means of providing human resource services. The analysis shall include all business case components identified in section 287.0571, Florida Statutes, including a detailed operational analysis of both the existing People First system and delivery model; a comprehensive risk analysis, staffing analysis, and cost-benefit analysis for each available option; and a transition plan for the recommended option and for potential insourcing of services if that option is recommended. The recommendations shall be based on industry trends and best practices for both the suggested delivery model, human resource services provided, and technology system to support an efficient and effective self-service environment. The business case and transition plans shall be provided to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget by February 1, 2014.

2813 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 9,323

2814 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 1,860

2815 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 6,258

2816 SPECIAL CATEGORIES  
HUMAN RESOURCES SERVICES / STATEWIDE  
CONTRACT  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 36,092,972

2817 DATA PROCESSING SERVICES  
SOUTHWOOD SHARED RESOURCE CENTER  
FROM STATE PERSONNEL SYSTEM TRUST  
FUND . . . . . 9,265

TOTAL: PROGRAM: PEOPLE FIRST  
FROM TRUST FUNDS . . . . . 38,028,355

TOTAL POSITIONS . . . . . 15.00  
TOTAL ALL FUNDS . . . . . 38,028,355

## PROGRAM: TECHNOLOGY PROGRAM

TELECOMMUNICATIONS SERVICES

APPROVED SALARY RATE 3,845,421

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2818	SALARIES AND BENEFITS	POSITIONS	71.00	
	FROM COMMUNICATIONS WORKING			
	CAPITAL TRUST FUND . . . . .			4,798,875
	FROM EMERGENCY COMMUNICATIONS			
	NUMBER E911 SYSTEM TRUST . . . . .			354,109
2819	OTHER PERSONAL SERVICES			
	FROM COMMUNICATIONS WORKING			
	CAPITAL TRUST FUND . . . . .			74,268
	FROM EMERGENCY COMMUNICATIONS			
	NUMBER E911 SYSTEM TRUST . . . . .			84,290
2820	EXPENSES			
	FROM COMMUNICATIONS WORKING			
	CAPITAL TRUST FUND . . . . .			718,070
	FROM EMERGENCY COMMUNICATIONS			
	NUMBER E911 SYSTEM TRUST . . . . .			514,632
2821	AID TO LOCAL GOVERNMENTS			
	DISTRIBUTIONS TO COUNTIES - WIRELESS 911			
	TELEPHONE SYSTEMS			
	FROM EMERGENCY COMMUNICATIONS			
	NUMBER E911 SYSTEM TRUST . . . . .			70,020,273
2822	AID TO LOCAL GOVERNMENTS			
	DISTRIBUTIONS TO SERVICE PROVIDERS -			
	WIRELESS 911 TELEPHONE SYSTEMS			
	FROM EMERGENCY COMMUNICATIONS			
	NUMBER E911 SYSTEM TRUST . . . . .			15,484,846
2823	AID TO LOCAL GOVERNMENTS			
	DISTRIBUTIONS TO COUNTIES - NON-WIRELESS			
	E911			
	FROM EMERGENCY COMMUNICATIONS			
	NUMBER E911 SYSTEM TRUST . . . . .			50,030,674
2824	OPERATING CAPITAL OUTLAY			
	FROM COMMUNICATIONS WORKING			
	CAPITAL TRUST FUND . . . . .			92,159
	FROM EMERGENCY COMMUNICATIONS			
	NUMBER E911 SYSTEM TRUST . . . . .			3,600
2825	SPECIAL CATEGORIES			
	CENTREX AND SUNCOM PAYMENTS			
	FROM COMMUNICATIONS WORKING			
	CAPITAL TRUST FUND . . . . .			108,035,421

The department is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2825, in the event that payments for telecommunications services exceed the amount appropriated.

2826	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM COMMUNICATIONS WORKING			
	CAPITAL TRUST FUND . . . . .			2,510,625
	FROM FEDERAL GRANTS TRUST FUND . . .			1,392,228
	FROM EMERGENCY COMMUNICATIONS			
	NUMBER E911 SYSTEM TRUST . . . . .			420,827

From the funds in Specific Appropriation 2826, \$500,000 in nonrecurring funds is provided from the Communications Working Capital Trust Fund for the Department of Management Services to complete a business case as defined in s. 287.0571, Florida Statutes, for the competitive solicitation of the SUNCOM Network as defined in s. 282.0041, Florida Statutes. The business case shall include analyzing options for (1) providing local and long-distance communications services to state agencies that include the transmission of all types of telecommunications signals, including, but not limited to, voice, data, video, image, and radio; and (2) complying with the provisions in s. 282.703, Florida Statutes. The business case shall include all components identified in s. 287.0517, Florida Statutes; however, if the department deems a component as being non-applicable to the business

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case, the department must provide the documentation that validates the non-application of the component. The department shall submit the business case to the chair of the Senate Appropriations Committee, the chair of the House Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget by February 1, 2014.			
2826A	SPECIAL CATEGORIES		
	FLORIDA INFORMATION RESOURCE NETWORK/ DISTRICT BANDWIDTH SUPPORT		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND . . . . .		7,695,335
The funds in Specific Appropriation 2826A are provided for the payment of invoices and billings associated with the District Bandwidth Support in accordance with Specific Appropriation 102A. The department is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2826A in the event that payments for district bandwidth support exceed the amount appropriated.			
2827	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND . . . . .		13,855
2828	SPECIAL CATEGORIES		
	CONTRACTED LEGAL SERVICES		
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST . . . . .		92,159
2829	SPECIAL CATEGORIES		
	NTIA - BROADBAND SERVICES DEPLOYMENT- AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,206,678
From the funds provided in Specific Appropriation 2829, the department shall expedite the use of federal funds awarded and available as part of the State Broadband Data and Development Grant in order to advance broadband internet service throughout the state. In carrying out its authority granted in section 364.0135, Florida Statutes, relating to the promotion of broadband deployment, the department shall not expend in excess of 10 percent of grant funds for the cost of management and oversight of the grant.			
2830	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND . . . . .		1,989
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST . . . . .		1,149
2831	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND . . . . .		23,120
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST . . . . .		771
2832	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND . . . . .		412,198
	FROM EMERGENCY COMMUNICATIONS		
	NUMBER E911 SYSTEM TRUST . . . . .		3,214
TOTAL: TELECOMMUNICATIONS SERVICES			
	FROM TRUST FUNDS . . . . .		263,985,365
	TOTAL POSITIONS . . . . .	71.00	
	TOTAL ALL FUNDS . . . . .		263,985,365

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WIRELESS SERVICES

	APPROVED SALARY RATE	733,332	
2833	SALARIES AND BENEFITS	POSITIONS	11.00
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		883,377
2834	OTHER PERSONAL SERVICES		
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		20,000
2835	EXPENSES		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		7,723
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		264,146
2836	OPERATING CAPITAL OUTLAY		
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		22,000
2837	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		3,600,000
2837A	SPECIAL CATEGORIES		
	FLORIDA INTEROPERABILITY NETWORK		
	FROM GENERAL REVENUE FUND		1,595,000
	From the funds in Specific Appropriation 2837A, \$1,595,000 is provided for the Florida Interoperability Network only to provide funding, if needed, in excess of available federal funding to support and maintain the Florida Interoperability Network.		
2837B	SPECIAL CATEGORIES		
	MUTUAL AID BUILD-OUT		
	FROM GENERAL REVENUE FUND		1,950,000
	From the funds in Specific Appropriation 2837B, \$1,950,000 is provided for the Mutual Aid Buildout only to provide funding, if needed, in excess of available federal funding to support and maintain the Mutual Aid Buildout.		
2839	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		526
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		1,309
2840	SPECIAL CATEGORIES		
	STATEWIDE LAW ENFORCEMENT RADIO SYSTEM		
	CONTRACT PAYMENT		
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		18,220,000
2841	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		1,394
2842	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM COMMUNICATIONS WORKING		
	CAPITAL TRUST FUND		693
	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		3,645
2843	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		

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	FROM LAW ENFORCEMENT RADIO SYSTEM		
	TRUST FUND		2,069
	TOTAL: WIRELESS SERVICES		
	FROM GENERAL REVENUE FUND		3,545,000
	FROM TRUST FUNDS		23,026,882
	TOTAL POSITIONS		
	TOTAL ALL FUNDS		11.00
	26,571,882		
	PROGRAM: SOUTHWOOD SHARED RESOURCE CENTER		
	SOUTHWOOD SHARED RESOURCE CENTER		
	APPROVED SALARY RATE	6,574,437	
2844	SALARIES AND BENEFITS	POSITIONS	126.25
	FROM WORKING CAPITAL TRUST FUND		8,766,651
2845	OTHER PERSONAL SERVICES		
	FROM WORKING CAPITAL TRUST FUND		45,600
2846	EXPENSES		
	FROM WORKING CAPITAL TRUST FUND		3,458,236
2847	OPERATING CAPITAL OUTLAY		
	FROM WORKING CAPITAL TRUST FUND		114,250
2848	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM WORKING CAPITAL TRUST FUND		16,630,790
2850	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM WORKING CAPITAL TRUST FUND		17,023
2851	SPECIAL CATEGORIES		
	ADMINISTRATIVE OVERHEAD		
	FROM WORKING CAPITAL TRUST FUND		125,000
2852	SPECIAL CATEGORIES		
	DATA PROCESSING CONTRACTS FOR DATA CENTER		
	FROM WORKING CAPITAL TRUST FUND		808,150
2853	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM WORKING CAPITAL TRUST FUND		1,423,187
2854	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM WORKING CAPITAL TRUST FUND		1,280,528
2855	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM WORKING CAPITAL TRUST FUND		45,529
	TOTAL: SOUTHWOOD SHARED RESOURCE CENTER		
	FROM TRUST FUNDS		32,714,944
	TOTAL POSITIONS		
	TOTAL ALL FUNDS		126.25
	32,714,944		
	PROGRAM: PUBLIC EMPLOYEES RELATIONS COMMISSION		
	PUBLIC EMPLOYEES RELATIONS		
	APPROVED SALARY RATE	1,716,297	
2856	SALARIES AND BENEFITS	POSITIONS	26.00
	FROM GENERAL REVENUE FUND		1,304,871
	FROM PUBLIC EMPLOYEES RELATIONS		
	COMMISSION TRUST FUND		1,198,292

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2857	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	149,277		
	FROM PUBLIC EMPLOYEES RELATIONS			
	COMMISSION TRUST FUND . . . . .		53,628	
2858	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .	57,094		
	FROM PUBLIC EMPLOYEES RELATIONS			
	COMMISSION TRUST FUND . . . . .		354,664	
2859	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND . . . . .	37,399		
	FROM PUBLIC EMPLOYEES RELATIONS			
	COMMISSION TRUST FUND . . . . .		5,721	
2860	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	35,070		
	FROM PUBLIC EMPLOYEES RELATIONS			
	COMMISSION TRUST FUND . . . . .		32,500	
2861	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .	7,593		
	FROM PUBLIC EMPLOYEES RELATIONS			
	COMMISSION TRUST FUND . . . . .		11,508	
2862	SPECIAL CATEGORIES			
	ADMINISTRATIVE OVERHEAD			
	FROM GENERAL REVENUE FUND . . . . .	34,314		
2863	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .	5,835		
	FROM PUBLIC EMPLOYEES RELATIONS			
	COMMISSION TRUST FUND . . . . .		4,786	
2864	DATA PROCESSING SERVICES			
	SOUTHWOOD SHARED RESOURCE CENTER			
	FROM GENERAL REVENUE FUND . . . . .	13,760		
	FROM PUBLIC EMPLOYEES RELATIONS			
	COMMISSION TRUST FUND . . . . .		5,255	
TOTAL: PUBLIC EMPLOYEES RELATIONS				
	FROM GENERAL REVENUE FUND . . . . .	1,645,213		
	FROM TRUST FUNDS . . . . .		1,666,354	
	TOTAL POSITIONS . . . . .	26.00		
	TOTAL ALL FUNDS . . . . .		3,311,567	
PROGRAM: COMMISSION ON HUMAN RELATIONS				
HUMAN RELATIONS				
	APPROVED SALARY RATE	2,093,764		
2865	SALARIES AND BENEFITS			
	POSITIONS	50.50		
	FROM GENERAL REVENUE FUND . . . . .	2,011,839		
	FROM OPERATING TRUST FUND . . . . .		900,717	
2866	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	40,000		
	FROM OPERATING TRUST FUND . . . . .		1,040	
2867	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .	19,946		
	FROM OPERATING TRUST FUND . . . . .		255,284	
2868	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND . . . . .	11,736		
	FROM OPERATING TRUST FUND . . . . .		5,000	

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2869	SPECIAL CATEGORIES			
	TRANSFER TO DIVISION OF ADMINISTRATIVE			
	HEARINGS			
	FROM GENERAL REVENUE FUND . . . . .		765,367	
2870	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .		53,506	
	FROM OPERATING TRUST FUND . . . . .			16,000
2871	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .		33,013	
	FROM OPERATING TRUST FUND . . . . .			25,003
2872	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM OPERATING TRUST FUND . . . . .			49,163
2873	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .		17,513	
	FROM OPERATING TRUST FUND . . . . .			4,430
2874	DATA PROCESSING SERVICES			
	SOUTHWOOD SHARED RESOURCE CENTER			
	FROM OPERATING TRUST FUND . . . . .			5,318
TOTAL: HUMAN RELATIONS				
	FROM GENERAL REVENUE FUND . . . . .		2,952,920	
	FROM TRUST FUNDS . . . . .			1,261,955
	TOTAL POSITIONS . . . . .		50.50	
	TOTAL ALL FUNDS . . . . .			4,214,875
PROGRAM: NORTHWOOD SHARED RESOURCE CENTER				
NORTHWOOD SHARED RESOURCE CENTER				
	APPROVED SALARY RATE	5,356,360		
2875	SALARIES AND BENEFITS			
	POSITIONS	100.00		
	FROM WORKING CAPITAL TRUST FUND . .			7,047,299
2876	OTHER PERSONAL SERVICES			
	FROM WORKING CAPITAL TRUST FUND . .			197,967
2877	EXPENSES			
	FROM WORKING CAPITAL TRUST FUND . .			814,935
2878	OPERATING CAPITAL OUTLAY			
	FROM WORKING CAPITAL TRUST FUND . .			24,084
2879	SPECIAL CATEGORIES			
	COMPUTER RELATED EXPENSES			
	FROM WORKING CAPITAL TRUST FUND . .			14,312,841
2880	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM WORKING CAPITAL TRUST FUND . .			5,482,459
2881	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM WORKING CAPITAL TRUST FUND . .			12,954
2882	SPECIAL CATEGORIES			
	ADMINISTRATIVE OVERHEAD			
	FROM WORKING CAPITAL TRUST FUND . .			125,000
2883	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			

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	FROM WORKING CAPITAL TRUST FUND . .	1,465,100	
2884	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM WORKING CAPITAL TRUST FUND . .	35,314	
2885	DATA PROCESSING SERVICES CHILDREN AND FAMILIES DATA CENTER FROM WORKING CAPITAL TRUST FUND . .	198,551	
2886	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM WORKING CAPITAL TRUST FUND . .	536	
TOTAL:	NORTHWOOD SHARED RESOURCE CENTER FROM TRUST FUNDS . . . . .	29,717,040	
	TOTAL POSITIONS . . . . .	100.00	
	TOTAL ALL FUNDS . . . . .	29,717,040	

ADMINISTRATIVE HEARINGS

PROGRAM: ADJUDICATION OF DISPUTES

	APPROVED SALARY RATE	5,358,435	
2887	SALARIES AND BENEFITS POSITIONS 65.00 FROM OPERATING TRUST FUND . . . . .	6,663,641	
2888	OTHER PERSONAL SERVICES FROM OPERATING TRUST FUND . . . . .	18,082	
2889	EXPENSES FROM OPERATING TRUST FUND . . . . .	1,025,647	
2890	OPERATING CAPITAL OUTLAY FROM OPERATING TRUST FUND . . . . .	65,000	
2891	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND . . . . .	186,495	
2892	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND . . . . .	53,748	
2893	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND . . . . .	31,500	
2894	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND . . . . .	21,920	
TOTAL:	PROGRAM: ADJUDICATION OF DISPUTES FROM TRUST FUNDS . . . . .	8,066,033	
	TOTAL POSITIONS . . . . .	65.00	
	TOTAL ALL FUNDS . . . . .	8,066,033	

PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF  
COMPENSATION CLAIMS

	APPROVED SALARY RATE	9,334,992	
2895	SALARIES AND BENEFITS POSITIONS 176.00 FROM OPERATING TRUST FUND . . . . .	12,255,447	
2896	OTHER PERSONAL SERVICES FROM OPERATING TRUST FUND . . . . .	17,836	

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2897	EXPENSES FROM OPERATING TRUST FUND . . . . .	2,735,743	
2898	OPERATING CAPITAL OUTLAY FROM OPERATING TRUST FUND . . . . .	25,916	
2899	SPECIAL CATEGORIES CONTRACTED SERVICES FROM OPERATING TRUST FUND . . . . .	1,023,324	
2900	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND . . . . .	76,896	
2901	SPECIAL CATEGORIES CONTRACTED LEGAL SERVICES FROM OPERATING TRUST FUND . . . . .	1,279	
2902	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM OPERATING TRUST FUND . . . . .	83,000	
2903	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM OPERATING TRUST FUND . . . . .	63,861	
TOTAL:	PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS FROM TRUST FUNDS . . . . .	16,283,302	
	TOTAL POSITIONS . . . . .	176.00	
	TOTAL ALL FUNDS . . . . .	16,283,302	
TOTAL:	MANAGEMENT SERVICES, DEPARTMENT OF FROM GENERAL REVENUE FUND . . . . .	54,200,558	
	FROM TRUST FUNDS . . . . .	631,189,736	
	TOTAL POSITIONS . . . . .	1,320.75	
	TOTAL ALL FUNDS . . . . .	685,390,294	
	TOTAL APPROVED SALARY RATE . . . . .	64,686,553	

MILITARY AFFAIRS, DEPARTMENT OF

PROGRAM: READINESS AND RESPONSE

DRUG INTERDICTION AND PREVENTION

2904	EXPENSES FROM FEDERAL GRANTS TRUST FUND . . .	75,000	
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND . . . . .	305,000	
2905	OPERATING CAPITAL OUTLAY FROM FEDERAL LAW ENFORCEMENT TRUST FUND . . . . .	200,000	
2906	SPECIAL CATEGORIES PROJECTS, CONTRACTS AND GRANTS FROM FEDERAL GRANTS TRUST FUND . . .	6,600,000	
2907	SPECIAL CATEGORIES CONTRACTED SERVICES FROM FEDERAL LAW ENFORCEMENT TRUST FUND . . . . .	10,000	
2908	SPECIAL CATEGORIES MAINTENANCE AND OPERATIONS CONTRACTS FROM FEDERAL LAW ENFORCEMENT TRUST FUND . . . . .	10,000	



## SECTION 6 - GENERAL GOVERNMENT

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## TOTAL: DRUG INTERDICTION AND PREVENTION

FROM TRUST FUNDS . . . . . 7,200,000

TOTAL ALL FUNDS . . . . . 7,200,000

## MILITARY READINESS AND RESPONSE

APPROVED SALARY RATE 3,943,688

2909 SALARIES AND BENEFITS POSITIONS 108.00  
FROM GENERAL REVENUE FUND . . . . . 4,330,485  
FROM CAMP BLANDING MANAGEMENT  
TRUST FUND . . . . . 1,114,996

2910 OTHER PERSONAL SERVICES  
FROM CAMP BLANDING MANAGEMENT  
TRUST FUND . . . . . 18,172

2911 EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 4,690,563  
FROM CAMP BLANDING MANAGEMENT  
TRUST FUND . . . . . 98,551

2912 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND . . . . . 162,810

2913 SPECIAL CATEGORIES  
ACQUISITION OF MOTOR VEHICLES  
FROM GENERAL REVENUE FUND . . . . . 15,000  
FROM CAMP BLANDING MANAGEMENT  
TRUST FUND . . . . . 63,678

2914 SPECIAL CATEGORIES  
NATIONAL GUARD TUITION ASSISTANCE  
FROM GENERAL REVENUE FUND . . . . . 3,472,525

2915 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 333,500  
FROM CAMP BLANDING MANAGEMENT  
TRUST FUND . . . . . 25,000

2916 SPECIAL CATEGORIES  
MAINTENANCE AND OPERATIONS CONTRACTS  
FROM GENERAL REVENUE FUND . . . . . 171,000  
FROM CAMP BLANDING MANAGEMENT  
TRUST FUND . . . . . 155,000

2917 SPECIAL CATEGORIES  
RISK MANAGEMENT INSURANCE  
FROM CAMP BLANDING MANAGEMENT  
TRUST FUND . . . . . 192,016

2918 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM GENERAL REVENUE FUND . . . . . 31,715  
FROM CAMP BLANDING MANAGEMENT  
TRUST FUND . . . . . 8,259

2919 FIXED CAPITAL OUTLAY  
FLORIDA READINESS CENTERS REVITALIZATION  
PLAN - STATEWIDE  
FROM GENERAL REVENUE FUND . . . . . 15,000,000

TOTAL: MILITARY READINESS AND RESPONSE  
FROM GENERAL REVENUE FUND . . . . . 28,207,598  
FROM TRUST FUNDS . . . . . 1,675,672

TOTAL POSITIONS . . . . . 108.00  
TOTAL ALL FUNDS . . . . . 29,883,270

## EXECUTIVE DIRECTION AND SUPPORT SERVICES

## SECTION 6 - GENERAL GOVERNMENT

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APPROVED SALARY RATE 1,786,230

2920 SALARIES AND BENEFITS POSITIONS 26.00  
FROM GENERAL REVENUE FUND . . . . . 2,333,202

2921 OTHER PERSONAL SERVICES  
FROM GENERAL REVENUE FUND . . . . . 54,533

2922 EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 698,104

2923 OPERATING CAPITAL OUTLAY  
FROM GENERAL REVENUE FUND . . . . . 108,126

2924 SPECIAL CATEGORIES  
ACQUISITION OF MOTOR VEHICLES  
FROM GENERAL REVENUE FUND . . . . . 25,000

2925 SPECIAL CATEGORIES  
INFORMATION TECHNOLOGY  
FROM GENERAL REVENUE FUND . . . . . 48,437

2926 SPECIAL CATEGORIES  
LEGAL SERVICES CONTRACT  
FROM GENERAL REVENUE FUND . . . . . 5,000

2927 SPECIAL CATEGORIES  
CONTRACTED SERVICES  
FROM GENERAL REVENUE FUND . . . . . 30,200

2928 SPECIAL CATEGORIES  
MAINTENANCE AND OPERATIONS CONTRACTS  
FROM GENERAL REVENUE FUND . . . . . 22,000

2929 SPECIAL CATEGORIES  
LEASE OR LEASE-PURCHASE OF EQUIPMENT  
FROM GENERAL REVENUE FUND . . . . . 10,000

2930 SPECIAL CATEGORIES  
WORKER'S COMPENSATION FOR STATE ACTIVE  
DUTY - FLORIDA NATIONAL GUARD  
FROM GENERAL REVENUE FUND . . . . . 150,436

2931 SPECIAL CATEGORIES  
TRANSFER TO DEPARTMENT OF MANAGEMENT  
SERVICES - HUMAN RESOURCES SERVICES  
PURCHASED PER STATEWIDE CONTRACT  
FROM GENERAL REVENUE FUND . . . . . 9,185

2932 DATA PROCESSING SERVICES  
SOUTHWOOD SHARED RESOURCE CENTER  
FROM GENERAL REVENUE FUND . . . . . 1,080

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES  
FROM GENERAL REVENUE FUND . . . . . 3,495,303

TOTAL POSITIONS . . . . . 26.00

TOTAL ALL FUNDS . . . . . 3,495,303

## FEDERAL/STATE COOPERATIVE AGREEMENTS

APPROVED SALARY RATE 9,273,939

2933 SALARIES AND BENEFITS POSITIONS 284.00  
FROM GENERAL REVENUE FUND . . . . . 418,943  
FROM FEDERAL GRANTS TRUST FUND . . . . . 12,012,570

2934 OTHER PERSONAL SERVICES  
FROM FEDERAL GRANTS TRUST FUND . . . . . 87,000

2935 EXPENSES  
FROM GENERAL REVENUE FUND . . . . . 221,540  
FROM FEDERAL GRANTS TRUST FUND . . . . . 12,296,329

SECTION 6 - GENERAL GOVERNMENT  
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2936	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND . . .	731,250	
2937	FOOD PRODUCTS		
	FROM FEDERAL GRANTS TRUST FUND . . .	450,000	
2938	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM FEDERAL GRANTS TRUST FUND . . .	793,500	
2939	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	2,943,150	
	FROM FEDERAL GRANTS TRUST FUND . . .	6,847,240	

From the funds in Specific Appropriation 2939, \$1,750,000 of nonrecurring general revenue funds is provided for the Forward March Program, and \$750,000 of nonrecurring general revenue funds is provided for the About Face Program.

2941	SPECIAL CATEGORIES		
	MAINTENANCE AND OPERATIONS CONTRACTS		
	FROM FEDERAL GRANTS TRUST FUND . . .	920,000	
2942	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM FEDERAL GRANTS TRUST FUND . . .	30,000	
2943	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM FEDERAL GRANTS TRUST FUND . . .	99,737	
2944	FIXED CAPITAL OUTLAY		
	DESIGN - INFANTRY SQUAD BATTLE COURSE		
	FROM FEDERAL GRANTS TRUST FUND . . .	500,000	
2945	FIXED CAPITAL OUTLAY		
	DESIGN - MODIFIED RECORD FIRE RANGE		
	FROM FEDERAL GRANTS TRUST FUND . . .	500,000	
TOTAL:	FEDERAL/STATE COOPERATIVE AGREEMENTS		
	FROM GENERAL REVENUE FUND . . . . .	3,583,633	
	FROM TRUST FUNDS . . . . .	35,267,626	
	TOTAL POSITIONS . . . . .	284.00	
	TOTAL ALL FUNDS . . . . .	38,851,259	
TOTAL:	MILITARY AFFAIRS, DEPARTMENT OF		
	FROM GENERAL REVENUE FUND . . . . .	35,286,534	
	FROM TRUST FUNDS . . . . .	44,143,298	
	TOTAL POSITIONS . . . . .	418.00	
	TOTAL ALL FUNDS . . . . .	79,429,832	
	TOTAL APPROVED SALARY RATE . . . .	15,003,857	

## PUBLIC SERVICE COMMISSION

## PROGRAM: COMMISSIONERS AND ADMINISTRATIVE SERVICES

## PUBLIC SERVICE COMMISSIONERS

	APPROVED SALARY RATE	1,474,002	
2946	SALARIES AND BENEFITS		
	POSITIONS	18.00	
	FROM REGULATORY TRUST FUND . . . . .	1,937,488	
2947	EXPENSES		
	FROM REGULATORY TRUST FUND . . . . .	357,979	
2948	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		

SECTION 6 - GENERAL GOVERNMENT  
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	FROM REGULATORY TRUST FUND . . . . .	6,859	
2949	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM REGULATORY TRUST FUND . . . . .	4,042	
2950	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM REGULATORY TRUST FUND . . . . .	5,789	
TOTAL:	PUBLIC SERVICE COMMISSIONERS		
	FROM TRUST FUNDS . . . . .	2,312,157	
	TOTAL POSITIONS . . . . .	18.00	
	TOTAL ALL FUNDS . . . . .	2,312,157	

## EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	3,094,618	
2951	SALARIES AND BENEFITS		
	POSITIONS	61.00	
	FROM REGULATORY TRUST FUND . . . . .	4,022,522	
2952	OTHER PERSONAL SERVICES		
	FROM REGULATORY TRUST FUND . . . . .	97,258	
2953	EXPENSES		
	FROM REGULATORY TRUST FUND . . . . .	1,134,337	
2954	OPERATING CAPITAL OUTLAY		
	FROM REGULATORY TRUST FUND . . . . .	266,200	
2954A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM REGULATORY TRUST FUND . . . . .	72,055	

From the funds provided in Specific Appropriation 2954A, the Public Service Commission may purchase one or more motor vehicles for replacement when the mileage of a vehicle is in excess of 150,000 miles unless it is determined by the executive director that the vehicle replacement is a critical safety issue, or based on emergency or unforeseen circumstances as provided in section 287.14(3), Florida Statutes.

2955	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE		
	HEARINGS		
2956	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM REGULATORY TRUST FUND . . . . .	263,067	
2957	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM REGULATORY TRUST FUND . . . . .	15,270	
2958	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM REGULATORY TRUST FUND . . . . .	26,065	
2959	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM REGULATORY TRUST FUND . . . . .	45,699	
2960	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM REGULATORY TRUST FUND . . . . .	24,884	
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM TRUST FUNDS . . . . .	5,974,356	

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TOTAL POSITIONS . . . . .	61.00	
TOTAL ALL FUNDS . . . . .		5,974,356

## LEGAL SERVICES

APPROVED SALARY RATE	1,719,578	
2961 SALARIES AND BENEFITS POSITIONS	30.00	
FROM REGULATORY TRUST FUND . . . . .		2,225,423
2962 OTHER PERSONAL SERVICES		
FROM REGULATORY TRUST FUND . . . . .		17,000
2963 EXPENSES		
FROM REGULATORY TRUST FUND . . . . .		373,024
2964 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM REGULATORY TRUST FUND . . . . .		37,955
2965 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM REGULATORY TRUST FUND . . . . .		6,741
2966 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM REGULATORY TRUST FUND . . . . .		10,937
TOTAL: LEGAL SERVICES		
FROM TRUST FUNDS . . . . .		2,671,080
TOTAL POSITIONS . . . . .	30.00	
TOTAL ALL FUNDS . . . . .		2,671,080

PROGRAM: UTILITY REGULATION AND CONSUMER  
ASSISTANCE

## UTILITY REGULATION

APPROVED SALARY RATE	7,267,365	
2967 SALARIES AND BENEFITS POSITIONS	153.00	
FROM REGULATORY TRUST FUND . . . . .		9,503,321
2968 OTHER PERSONAL SERVICES		
FROM REGULATORY TRUST FUND . . . . .		86,330
2969 EXPENSES		
FROM REGULATORY TRUST FUND . . . . .		1,422,801
2970 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM REGULATORY TRUST FUND . . . . .		181,968
2971 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM REGULATORY TRUST FUND . . . . .		33,466
2972 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM REGULATORY TRUST FUND . . . . .		50,652
2973 SPECIAL CATEGORIES		
STATE OPERATIONS - AMERICAN RECOVERY AND		
REINVESTMENT ACT OF 2009		
FROM REGULATORY TRUST FUND . . . . .		350,000
TOTAL: UTILITY REGULATION		
FROM TRUST FUNDS . . . . .		11,628,538

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TOTAL POSITIONS . . . . .	153.00	
TOTAL ALL FUNDS . . . . .		11,628,538

## AUDITING AND PERFORMANCE ANALYSIS

APPROVED SALARY RATE	1,498,442	
2974 SALARIES AND BENEFITS POSITIONS	31.00	
FROM REGULATORY TRUST FUND . . . . .		1,961,367
2975 EXPENSES		
FROM REGULATORY TRUST FUND . . . . .		407,153
2976 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM REGULATORY TRUST FUND . . . . .		12,955
2977 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM REGULATORY TRUST FUND . . . . .		6,960
2978 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT		
SERVICES - HUMAN RESOURCES SERVICES		
PURCHASED PER STATEWIDE CONTRACT		
FROM REGULATORY TRUST FUND . . . . .		10,937
TOTAL: AUDITING AND PERFORMANCE ANALYSIS		
FROM TRUST FUNDS . . . . .		2,399,372
TOTAL POSITIONS . . . . .	31.00	
TOTAL ALL FUNDS . . . . .		2,399,372
TOTAL: PUBLIC SERVICE COMMISSION		
FROM TRUST FUNDS . . . . .		24,985,503
TOTAL POSITIONS . . . . .	293.00	
TOTAL ALL FUNDS . . . . .		24,985,503
TOTAL APPROVED SALARY RATE . . . . .	15,054,005	

## REVENUE, DEPARTMENT OF

## PROGRAM: ADMINISTRATIVE SERVICES PROGRAM

## EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	13,250,649	
2979 SALARIES AND BENEFITS POSITIONS	258.00	
FROM GENERAL REVENUE FUND . . . . .		9,498,340
FROM FEDERAL GRANTS TRUST FUND . . . . .		5,579,494
FROM OPERATING TRUST FUND . . . . .		2,210,365
2980 OTHER PERSONAL SERVICES		
FROM OPERATING TRUST FUND . . . . .		73,740
2981 EXPENSES		
FROM GENERAL REVENUE FUND . . . . .		355,008
FROM FEDERAL GRANTS TRUST FUND . . . . .		461,726
FROM OPERATING TRUST FUND . . . . .		1,342,466
2982 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND . . . . .		6,929
FROM OPERATING TRUST FUND . . . . .		17,985
2983 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE		
HEARINGS		
FROM FEDERAL GRANTS TRUST FUND . . . . .		1,459,995
FROM OPERATING TRUST FUND . . . . .		829,105
2984 SPECIAL CATEGORIES		
CONTRACTED SERVICES		

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	FROM GENERAL REVENUE FUND . . . . .	198,161	
	FROM FEDERAL GRANTS TRUST FUND . . .		281,028
	FROM OPERATING TRUST FUND . . . . .		1,428,170
2985	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	70,864	
	FROM FEDERAL GRANTS TRUST FUND . . .		8,466
	FROM OPERATING TRUST FUND . . . . .		78,259
2986	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	16,864	
2987	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	1,443,673	
	FROM FEDERAL GRANTS TRUST FUND . . .		151,046
	FROM OPERATING TRUST FUND . . . . .		238,087
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	11,589,839	
	FROM TRUST FUNDS . . . . .		14,159,932
	TOTAL POSITIONS . . . . .	258.00	
	TOTAL ALL FUNDS . . . . .		25,749,771
PROPERTY TAX OVERSIGHT			
	APPROVED SALARY RATE	7,592,451	
3004A	SALARIES AND BENEFITS POSITIONS	169.00	
	FROM GENERAL REVENUE FUND . . . . .	10,032,820	
	FROM CERTIFICATION PROGRAM TRUST		
	FUND . . . . .		196,469
3004B	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	21,170	
3004C	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	885,509	
3004D	AID TO LOCAL GOVERNMENTS		
	AERIAL PHOTOGRAPHY AND MAPPING		
	FROM GENERAL REVENUE FUND . . . . .	400,000	
	FROM CERTIFICATION PROGRAM TRUST		
	FUND . . . . .		876,266
From the funds in Specific Appropriation 3004D, \$400,000 in nonrecurring general revenue funds is provided to the Department of Revenue to fund aerial photography and mapping for counties with a population of 50,000 or less.			
3004E	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	16,012	
3004F	SPECIAL CATEGORIES		
	PROPERTY APPRAISER AND TAX COLLECTOR		
	CERTIFICATION PROGRAM		
	FROM CERTIFICATION PROGRAM TRUST		
	FUND . . . . .		485,000
3004G	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	284,062	
3004H	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	132,811	
3004I	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		

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	FROM GENERAL REVENUE FUND . . . . .	22,000	
3004J	SPECIAL CATEGORIES		
	FISCALLY CONSTRAINED COUNTIES -		
	CONSERVATION LANDS		
	FROM GENERAL REVENUE FUND . . . . .	250,000	
3004K	SPECIAL CATEGORIES		
	FISCALLY CONSTRAINED COUNTIES		
	FROM GENERAL REVENUE FUND . . . . .	23,750,000	
TOTAL:	PROPERTY TAX OVERSIGHT		
	FROM GENERAL REVENUE FUND . . . . .	35,794,384	
	FROM TRUST FUNDS . . . . .		1,557,735
	TOTAL POSITIONS . . . . .	169.00	
	TOTAL ALL FUNDS . . . . .		37,352,119
CHILD SUPPORT ENFORCEMENT			
	APPROVED SALARY RATE	72,080,140	
3037A	SALARIES AND BENEFITS POSITIONS	2,288.00	
	FROM GENERAL REVENUE FUND . . . . .	32,528,606	
	FROM CHILD SUPPORT ENFORCEMENT		
	APPLICATION AND PROGRAM REVENUE		
	TRUST FUND . . . . .		1,375,348
	FROM FEDERAL GRANTS TRUST FUND . . .		66,075,247
3037B	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	83,293	
	FROM CHILD SUPPORT ENFORCEMENT		
	APPLICATION AND PROGRAM REVENUE		
	TRUST FUND . . . . .		163,200
	FROM FEDERAL GRANTS TRUST FUND . . .		733,861
3037C	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	8,692,081	
	FROM CHILD SUPPORT ENFORCEMENT		
	APPLICATION AND PROGRAM REVENUE		
	TRUST FUND . . . . .		13,336
	FROM FEDERAL GRANTS TRUST FUND . . .		17,282,150
3037D	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	191,329	
	FROM FEDERAL GRANTS TRUST FUND . . .		542,974
3037E	SPECIAL CATEGORIES		
	TRANSFER GENERAL REVENUE TO CHILD SUPPORT		
	ENFORCEMENT		
	FROM GENERAL REVENUE FUND . . . . .	2,241,987	
3037F	SPECIAL CATEGORIES		
	CHILD SUPPORT ENFORCEMENT ANNUAL FEE		
	FROM GENERAL REVENUE FUND . . . . .	2,080,000	
3037G	SPECIAL CATEGORIES		
	PURCHASE OF SERVICES - CHILD SUPPORT		
	ENFORCEMENT		
	FROM GENERAL REVENUE FUND . . . . .	17,149,864	
	FROM CHILD SUPPORT INCENTIVE TRUST		
	FUND . . . . .		32,858,286
	FROM CHILD SUPPORT ENFORCEMENT		
	APPLICATION AND PROGRAM REVENUE		
	TRUST FUND . . . . .		1,082,222
	FROM CLERK OF THE COURT CHILD		
	SUPPORT ENFORCEMENT COLLECTION		
	SYSTEM TRUST FUND . . . . .		1,057,098
	FROM FEDERAL GRANTS TRUST FUND . . .		68,429,729

From the funds in Specific Appropriation 3037G, up to \$85,000 from the Child Support Enforcement Application and Program Revenue Trust Fund and \$165,000 from the Federal Grants Trust Fund is provided to the Department of Revenue to fund the revision of the child support

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guideline schedules, which will be conducted by the Office of Economic and Demographic Research. From the funds provided for this purpose, the department shall reimburse the Office of Economic and Demographic Research for contractual costs incurred to propose a revised Florida child support guideline schedule. The proposed revised guideline schedule shall more accurately reflect the costs of raising children in Florida, to ensure that the parents who are ordered to pay support do not fall below the federal poverty level by paying child support, and be based on parent-child time-sharing arrangements. A final report is due to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2014. The Office of Economic and Demographic Research may contract with a state university or a nationally recognized organization for the purpose of collecting and analyzing the economic data necessary for the development of the new child support guidelines.

3037H	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .	327,058		
	FROM FEDERAL GRANTS TRUST FUND . . .		634,877	
3037I	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND . . . . .	98,994		
	FROM FEDERAL GRANTS TRUST FUND . . .		192,164	
3037J	FINANCIAL ASSISTANCE PAYMENTS			
	CHILD SUPPORT INCENTIVE PAYMENTS -			
	POLITICAL SUBDIVISIONS			
	FROM CHILD SUPPORT INCENTIVE TRUST			
	FUND . . . . .		750,000	
3037K	DATA PROCESSING SERVICES			
	SOUTHWOOD SHARED RESOURCE CENTER			
	FROM GENERAL REVENUE FUND . . . . .	67,250		
	FROM FEDERAL GRANTS TRUST FUND . . .		130,560	
3037L	DATA PROCESSING SERVICES			
	NORTHWEST REGIONAL DATA CENTER (NWRDC)			
	FROM GENERAL REVENUE FUND . . . . .	188,544		
	FROM FEDERAL GRANTS TRUST FUND . . .		365,996	
The funds provided in Specific Appropriation 3037L shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.				
TOTAL:	CHILD SUPPORT ENFORCEMENT			
	FROM GENERAL REVENUE FUND . . . . .	63,649,006		
	FROM TRUST FUNDS . . . . .		191,687,048	
	TOTAL POSITIONS . . . . .	2,288.00		
	TOTAL ALL FUNDS . . . . .		255,336,054	

GENERAL TAX ADMINISTRATION

	APPROVED SALARY RATE	88,006,496		
3073A	SALARIES AND BENEFITS	POSITIONS	2,248.00	
	FROM GENERAL REVENUE FUND . . . . .		72,790,628	
	FROM FEDERAL GRANTS TRUST FUND . . .		18,420,439	
	FROM OPERATING TRUST FUND . . . . .		28,116,412	
3073B	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	6,292		
	FROM OPERATING TRUST FUND . . . . .		43,708	
3073C	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .	3,171,980		
	FROM FEDERAL GRANTS TRUST FUND . . .		4,440,366	
	FROM OPERATING TRUST FUND . . . . .		14,692,322	
3073D	AID TO LOCAL GOVERNMENTS			
	EMERGENCY DISTRIBUTIONS			

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	FROM LOCAL GOVERNMENT HALF-CENT			
	SALES TAX CLEARING TRUST FUND . . .			17,207,042
3073E	AID TO LOCAL GOVERNMENTS			
	INMATE SUPPLEMENTAL DISTRIBUTION			
	FROM LOCAL GOVERNMENT HALF-CENT			
	SALES TAX CLEARING TRUST FUND . . .			592,958
3073F	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND . . . . .	64,556		
	FROM FEDERAL GRANTS TRUST FUND . . .		27,701	
	FROM OPERATING TRUST FUND . . . . .		473,081	
3073G	SPECIAL CATEGORIES			
	ONE STOP BUSINESS REGISTRATION PORTAL			
	FROM GENERAL REVENUE FUND . . . . .	712,408		
3073H	SPECIAL CATEGORIES			
	ADMINISTRATION OF UNEMPLOYMENT			
	COMPENSATION TAX			
	FROM FEDERAL GRANTS TRUST FUND . . .			387,700
3073I	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	2,993,292		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,357,735	
	FROM OPERATING TRUST FUND . . . . .		2,737,152	
3073J	SPECIAL CATEGORIES			
	PURCHASE OF SERVICES - COLLECTION AGENCIES			
	FROM OPERATING TRUST FUND . . . . .			1,500,000
3073K	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .	905,887		
	FROM OPERATING TRUST FUND . . . . .			499,674
3073L	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND . . . . .	214,749		
	FROM OPERATING TRUST FUND . . . . .			127,251
TOTAL:	GENERAL TAX ADMINISTRATION			
	FROM GENERAL REVENUE FUND . . . . .	80,859,792		
	FROM TRUST FUNDS . . . . .			90,623,541
	TOTAL POSITIONS . . . . .	2,248.00		
	TOTAL ALL FUNDS . . . . .			171,483,333
PROGRAM: INFORMATION SERVICES PROGRAM				
INFORMATION TECHNOLOGY				
	APPROVED SALARY RATE	7,443,040		
3074	SALARIES AND BENEFITS	POSITIONS	170.00	
	FROM GENERAL REVENUE FUND . . . . .		4,639,927	
	FROM FEDERAL GRANTS TRUST FUND . . .		1,539,426	
	FROM OPERATING TRUST FUND . . . . .		3,739,769	
3075	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	172,260		
	FROM FEDERAL GRANTS TRUST FUND . . .		82,328	
	FROM OPERATING TRUST FUND . . . . .		29,252	
3076	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .	1,000		
	FROM FEDERAL GRANTS TRUST FUND . . .		218,073	
	FROM OPERATING TRUST FUND . . . . .		2,049,004	
3077	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND . . . . .	2,233		
	FROM FEDERAL GRANTS TRUST FUND . . .		227,029	
	FROM OPERATING TRUST FUND . . . . .		277,752	

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3078	SPECIAL CATEGORIES CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	681,257		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,977,349	
	FROM OPERATING TRUST FUND . . . . .		2,117,614	
3079	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .	4,404		
	FROM FEDERAL GRANTS TRUST FUND . . .		16,479	
	FROM OPERATING TRUST FUND . . . . .		18,346	
3080	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM FEDERAL GRANTS TRUST FUND . . .		7,100	
	FROM OPERATING TRUST FUND . . . . .		240,000	
3081	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	74,714		
	FROM OPERATING TRUST FUND . . . . .		139,709	
3082	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER			
	FROM GENERAL REVENUE FUND . . . . .	444,071		
	FROM OPERATING TRUST FUND . . . . .		1,917,629	
3083	DATA PROCESSING SERVICES NORTHWEST REGIONAL DATA CENTER (NWRDC)			
	FROM GENERAL REVENUE FUND . . . . .	225,168		
	FROM OPERATING TRUST FUND . . . . .		193,665	

The funds provided in Specific Appropriation 3083 shall not be utilized for any costs related to the potential expansion of floor space operated and managed by the Northwest Regional Data Center.

TOTAL:	INFORMATION TECHNOLOGY			
	FROM GENERAL REVENUE FUND . . . . .	6,245,034		
	FROM TRUST FUNDS . . . . .		14,790,524	
	TOTAL POSITIONS . . . . .	170.00		
	TOTAL ALL FUNDS . . . . .		21,035,558	
TOTAL:	REVENUE, DEPARTMENT OF			
	FROM GENERAL REVENUE FUND . . . . .	198,138,055		
	FROM TRUST FUNDS . . . . .		312,818,780	
	TOTAL POSITIONS . . . . .	5,133.00		
	TOTAL ALL FUNDS . . . . .		510,956,835	
	TOTAL APPROVED SALARY RATE . . . .	188,372,776		

STATE, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY AND  
ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE	4,924,107		
3084	SALARIES AND BENEFITS POSITIONS	93.00		
	FROM GENERAL REVENUE FUND . . . . .	4,636,761		
	FROM FEDERAL GRANTS TRUST FUND . . .		1,141,451	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		417,350	
	FROM RECORDS MANAGEMENT TRUST FUND .		79,314	
3085	OTHER PERSONAL SERVICES			
	FROM FEDERAL GRANTS TRUST FUND . . .		12,661	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		67,733	
3086	EXPENSES			

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	FROM GENERAL REVENUE FUND . . . . .	725,205		
	FROM FEDERAL GRANTS TRUST FUND . . .			6,555
3087	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND . . . . .	1,250		
3088	SPECIAL CATEGORIES CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	28,640		
3089	SPECIAL CATEGORIES LITIGATION EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .	500,000		
3090	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .	24,445		
3091	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND . . . . .	28,529		
3092	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .	27,540		
	FROM FEDERAL GRANTS TRUST FUND . . .			3,942
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .			274
3093	DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	15,000		
3094	DATA PROCESSING SERVICES NORTHWOOD SHARED RESOURCE CENTER			
	FROM GENERAL REVENUE FUND . . . . .	868,246		
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	6,855,616		
	FROM TRUST FUNDS . . . . .			1,729,280
	TOTAL POSITIONS . . . . .	93.00		
	TOTAL ALL FUNDS . . . . .			8,584,896
PROGRAM:	ELECTIONS			
	ELECTIONS			
	APPROVED SALARY RATE	2,024,832		
3095	SALARIES AND BENEFITS POSITIONS	54.00		
	FROM GENERAL REVENUE FUND . . . . .	1,003,469		
	FROM FEDERAL GRANTS TRUST FUND . . .			1,798,005
3096	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	87,150		
	FROM FEDERAL GRANTS TRUST FUND . . .			300,000
3097	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .	740,950		
	FROM FEDERAL GRANTS TRUST FUND . . .			604,437
3097A	AID TO LOCAL GOVERNMENTS SPECIAL ELECTIONS			
	FROM GENERAL REVENUE FUND . . . . .	500,000		
3098	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND . . . . .	10,086		
	FROM FEDERAL GRANTS TRUST FUND . . .			3,125
3099	SPECIAL CATEGORIES VOTING SYSTEMS ASSISTANCE			

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	FROM FEDERAL GRANTS TRUST FUND . . .	525,000	
3100	SPECIAL CATEGORIES STATEWIDE VOTER REGISTRATION SYSTEM - HELP AMERICA VOTE ACT (HAVA) FROM FEDERAL GRANTS TRUST FUND . . .	2,787,751	
3101	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . .	283,541 300,058	
3102	SPECIAL CATEGORIES ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES FROM FEDERAL GRANTS TRUST FUND . . .	800,000	
3103	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	88,381	
3104	SPECIAL CATEGORIES ELECTION FRAUD PREVENTION FROM GENERAL REVENUE FUND . . . . .	445,379	
3105	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	29,669	
3106	SPECIAL CATEGORIES GRANTS AND AIDS - FEDERAL ELECTION ACTIVITIES (HELP AMERICA VOTE ACT) FROM FEDERAL GRANTS TRUST FUND . . .	2,000,000	

Funds in Specific Appropriation 3106 shall be distributed to county supervisors of elections to be used for election administration activities such as voter education; pollworker training; standardizing elections results reporting; or other federal election administrative activities as approved by the Department of State.

County supervisors of elections will receive funds only after providing the Department of State a detailed description of the programs that will be implemented. Funds distributed to county supervisors of elections require a certification from the county that matching funds will be provided in an amount equal to fifteen percent of the amount to be received from the state.

To be eligible, a county must segregate federal funds and required county matching dollars in a separate account established to hold only such funds. Funds in this account must be used only for the activities for which the funds were received. Funds shall remain in the account to be used for the same purposes for subsequent years or until such funds are expended. Supervisors of elections shall report to the Department of State any unspent funds remaining on June 30 of each fiscal year.

3107	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . .	8,357 5,905	
3108	DATA PROCESSING SERVICES SOUTHWOOD SHARED RESOURCE CENTER FROM GENERAL REVENUE FUND . . . . .	66,014	
3109	DATA PROCESSING SERVICES NORTHWOOD SHARED RESOURCE CENTER FROM FEDERAL GRANTS TRUST FUND . . .	39,823	
TOTAL: ELECTIONS	FROM GENERAL REVENUE FUND . . . . . FROM TRUST FUNDS . . . . .	3,262,996 9,164,104	

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	TOTAL POSITIONS . . . . .	54.00	
	TOTAL ALL FUNDS . . . . .		12,427,100
	PROGRAM: HISTORICAL RESOURCES		
	HISTORICAL RESOURCES PRESERVATION AND EXHIBITION		
	APPROVED SALARY RATE	1,876,003	
3110	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	51.00 1,032,054	321,073 1,294,944
3111	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	59,317	336,251 1,262,019
3112	EXPENSES FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	226,941	471,690 920,608
3113	OPERATING CAPITAL OUTLAY FROM FEDERAL GRANTS TRUST FUND . . .		15,625
3114	LUMP SUM HISTORIC PROPERTIES MAINTENANCE FROM GENERAL REVENUE FUND . . . . .	200,000	
3115	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . . FROM GRANTS AND DONATIONS TRUST FUND . . . . .	226,275	39,245 236,162
3116	SPECIAL CATEGORIES GRANTS AND AIDS - HISTORIC PRESERVATION GRANTS FROM GENERAL REVENUE FUND . . . . . FROM FEDERAL GRANTS TRUST FUND . . .	9,094,523	118,250

Funds from the General Revenue Fund in Specific Appropriation 3116, shall be allocated as follows:

Golden Gate Building Interior Renovations, Martin County....	200,000
Calhoun County Historic Courthouse Renovation and Repairs...	649,000
City of Port St. Joe, Historic Cape San Blas Lighthouse Complex Rescue and Relocation Project.....	325,000
Ximenez-Patio House Museum Restoration, St. Johns County....	300,000
St. Augustine Historical Documentary Film.....	500,000
Government House Phase II Renovations, City of St. Augustine	1,000,000
Alcazar Hotel/Lightner Museum Restoration, City of St. Augustine.....	750,000
Chinsegut Hill Historic Plantation - The Manor House Restoration.....	1,500,000
Historic Properties - 40 St. George Street - St. Augustine..	750,000
Captain Hendry House Rehabilitation - LaBelle.....	43,000
Historic Hendry County Courthouse.....	1,500,000
Fannye Ponder House - St. Petersburg.....	78,750
Historic Preservation Small Matching Grants - Statewide....	1,398,773
Joseph Franklin House - Leon County.....	100,000

3117	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	39,512	
3118	SPECIAL CATEGORIES		

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	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	9,088	
	FROM FEDERAL GRANTS TRUST FUND . . .		3,610
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		11,553
3119	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	10,933	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,032
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		8,498
3120	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GRANTS AND DONATIONS TRUST		
	FUND . . . . .		34,746
3121	FIXED CAPITAL OUTLAY		
	THE GROVE - REPAIR/MAINTENANCE/ADA		
	COMPLIANCE - DMS MGD		
	FROM GENERAL REVENUE FUND . . . . .	250,000	

The funds in Specific Appropriation 3121 are for the continued repair and rehabilitation of The Grove historic property. This funding is in addition to any other appropriations in this Act for Phase II renovations of The Grove property.

3122	FIXED CAPITAL OUTLAY		
	FACILITIES REPAIRS AND MAINTENANCE		
	FROM GENERAL REVENUE FUND . . . . .	100,000	
3122A	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND		
	NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	GRANTS AND AIDS - SPECIAL CATEGORIES -		
	ACQUISITION, RESTORATION OF HISTORIC		
	PROPERTIES		
	FROM GENERAL REVENUE FUND . . . . .	1,898,874	

Funds in Specific Appropriation 3122A shall be allocated as follows:

Stephen Foster Carillon Tower Restoration.....	347,000
Completion of Historic Roof - Archbold Biological Station...	348,724
Bok Tower Gardens Tower Restoration - Phase V, The Bok Tower	
Gardens Foundation.....	350,000
Restoration of the Annie Pheiffer Chapel, Florida Southern	
College.....	350,000
Buckland House Restoration - Duval.....	103,150
Flagler College, Ponce de Leon Dining Hall/Hotel Ponce de	
Leon, St. Augustine.....	400,000

TOTAL: HISTORICAL RESOURCES PRESERVATION AND EXHIBITION		
FROM GENERAL REVENUE FUND . . . . .	13,147,517	
FROM TRUST FUNDS . . . . .		5,076,306
TOTAL POSITIONS . . . . .	51.00	
TOTAL ALL FUNDS . . . . .		18,223,823

## PROGRAM: CORPORATIONS

## COMMERCIAL RECORDINGS AND REGISTRATIONS

	APPROVED SALARY RATE	3,515,749	
3123	SALARIES AND BENEFITS	POSITIONS	104.00
	FROM GENERAL REVENUE FUND . . . . .		4,763,688
3125	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .		1,758,802
3126	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .		7,140

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3127	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .		144,462
3128	SPECIAL CATEGORIES		
	RICO ACT - ALIEN CORPORATIONS		
	FROM GENERAL REVENUE FUND . . . . .		254,947
3129	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .		27,946
3130	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .		5,880
3131	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		
	SERVICES - HUMAN RESOURCES SERVICES		
	PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .		39,773
3132	DATA PROCESSING SERVICES		
	SOUTHWOOD SHARED RESOURCE CENTER		
	FROM GENERAL REVENUE FUND . . . . .		26,673
TOTAL: COMMERCIAL RECORDINGS AND REGISTRATIONS			
	FROM GENERAL REVENUE FUND . . . . .		7,029,311
	TOTAL POSITIONS . . . . .	104.00	
	TOTAL ALL FUNDS . . . . .		7,029,311

## PROGRAM: LIBRARY AND INFORMATION SERVICES

## LIBRARY, ARCHIVES AND INFORMATION SERVICES

	APPROVED SALARY RATE	2,788,197	
3133	SALARIES AND BENEFITS	POSITIONS	70.00
	FROM GENERAL REVENUE FUND . . . . .		1,250,229
	FROM FEDERAL GRANTS TRUST FUND . . .		1,370,056
	FROM RECORDS MANAGEMENT TRUST FUND .		1,043,902
3134	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	73,251	
	FROM FEDERAL GRANTS TRUST FUND . . .		213,770
	FROM RECORDS MANAGEMENT TRUST FUND .		52,412
3135	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	1,626,831	
	FROM FEDERAL GRANTS TRUST FUND . . .		320,574
	FROM RECORDS MANAGEMENT TRUST FUND .		554,778
3136	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - LIBRARY COOPERATIVES		
	FROM GENERAL REVENUE FUND . . . . .	1,500,000	
3136A	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - SUPPLEMENTAL LIBRARY		
	GRANTS		
	FROM GENERAL REVENUE FUND . . . . .	250,000	

The nonrecurring funds in Specific Appropriation 3136A shall be used to fund a research and development grant for the Orange County Library.

3137	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - LIBRARY GRANTS		
	FROM GENERAL REVENUE FUND . . . . .	22,298,834	
	FROM FEDERAL GRANTS TRUST FUND . . .		2,400,606
3138	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	24,960	
	FROM FEDERAL GRANTS TRUST FUND . . .		40,498



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	FROM RECORDS MANAGEMENT TRUST FUND .		9,740	
3139	SPECIAL CATEGORIES CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	126,764		
	FROM FEDERAL GRANTS TRUST FUND . . .		494,687	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		100,000	
	FROM RECORDS MANAGEMENT TRUST FUND .		187,059	
3140	SPECIAL CATEGORIES LIBRARY RESOURCES			
	FROM GENERAL REVENUE FUND . . . . .	484,388		
	FROM FEDERAL GRANTS TRUST FUND . . .		3,167,945	
3141	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .	37,877		
3142	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND . . . . .	18,101		
	FROM FEDERAL GRANTS TRUST FUND . . .		7,308	
	FROM RECORDS MANAGEMENT TRUST FUND .		3,724	
3143	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .	17,221		
	FROM FEDERAL GRANTS TRUST FUND . . .		8,752	
	FROM RECORDS MANAGEMENT TRUST FUND .		8,160	
TOTAL: LIBRARY, ARCHIVES AND INFORMATION SERVICES				
	FROM GENERAL REVENUE FUND . . . . .	27,708,456		
	FROM TRUST FUNDS . . . . .		9,983,971	
	TOTAL POSITIONS . . . . .	70.00		
	TOTAL ALL FUNDS . . . . .		37,692,427	
PROGRAM: CULTURAL AFFAIRS				
CULTURAL AFFAIRS				
	APPROVED SALARY RATE	1,204,553		
3144	SALARIES AND BENEFITS POSITIONS	35.00		
	FROM GENERAL REVENUE FUND . . . . .	530,076		
	FROM FEDERAL GRANTS TRUST FUND . . .		532,781	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		666,594	
3145	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	14,163		
	FROM FEDERAL GRANTS TRUST FUND . . .		117	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		81,244	
3146	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .	156,370		
	FROM FEDERAL GRANTS TRUST FUND . . .		24,568	
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		676,418	
3147	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - ARTS GRANTS			
	FROM FEDERAL GRANTS TRUST FUND . . .		232,231	
3147A	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - CULTURAL GRANTS			
	FROM GENERAL REVENUE FUND . . . . .	200,000		

From the funds in Specific Appropriation 3147A, \$200,000 of nonrecurring general revenue funds are provided for the Actor's

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	Playhouse Performing Arts Program in the City of Coral Gables.			
3148	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .		675	
3148A	SPECIAL CATEGORIES GRANTS AND AIDS - CULTURE BUILDS FLORIDA			
	FROM GENERAL REVENUE FUND . . . . .		830,523	
3149	SPECIAL CATEGORIES GRANTS AND AIDS - CULTURAL AND MUSEUM GRANTS			
	FROM GENERAL REVENUE FUND . . . . .		7,700,000	
From the funds in Specific Appropriation 3149, \$2,700,000 of nonrecurring general revenue funds shall be allocated as follows:				
	Clearwater Marine Aquarium.....		1,000,000	
	Bay of Pigs Museum.....		1,000,000	
	Coral Gables Museum.....		200,000	
	Military Museum of South Florida - Miami-Dade.....		500,000	
3149A	SPECIAL CATEGORIES GRANTS AND AIDS - FLORIDA AFRICAN-AMERICAN HERITAGE PRESERVATION NETWORK			
	FROM GENERAL REVENUE FUND . . . . .		300,000	
3149B	SPECIAL CATEGORIES GRANTS AND AIDS - BLACK CULTURAL TOURISM ENHANCEMENT COMMISSION			
	FROM GENERAL REVENUE FUND . . . . .		1,000,000	
The nonrecurring general revenue funds appropriated in Specific Appropriation 3149B, for the Black Cultural Tourism Enhancement Commission, are contingent upon Senate Bill 442 or similar legislation becoming law. A portion of the funds shall be used for administrative and staff support, travel reimbursements, and additional financial assistance as set forth in Senate Bill 442 or similar legislation that becomes law.				
3150	SPECIAL CATEGORIES CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .		90,818	
	FROM FEDERAL GRANTS TRUST FUND . . .			18,000
3151	SPECIAL CATEGORIES GRANTS AND AIDS - FLORIDA ENDOWMENT FOR THE HUMANITIES			
	FROM GENERAL REVENUE FUND . . . . .		350,000	
3152	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .		10,683	
3152A	SPECIAL CATEGORIES FLORIDA HOLOCAUST MUSEUM - ST. PETERSBURG			
	FROM GENERAL REVENUE FUND . . . . .		750,000	
3153	SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND . . . . .		2,094	
	FROM FEDERAL GRANTS TRUST FUND . . .			321
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .			5,796
3154	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .		11,519	
	FROM FEDERAL GRANTS TRUST FUND . . .			1,782
3155	FIXED CAPITAL OUTLAY MUSEUM OF FLORIDA HISTORY PERMANENT			

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EXHIBIT	
FROM GENERAL REVENUE FUND . . . . .	1,000,000
3155A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - SPECIAL CATEGORIES - CULTURAL FACILITIES PROGRAM FROM GENERAL REVENUE FUND . . . . .	4,928,000
The nonrecurring general revenue funds in Specific Appropriation 3155A, shall be allocated as follows:	
Frank Lloyd Wright Tourism and Education Center, Florida	
Southern College.....	750,000
Miami Science Museum.....	100,000
Naples Botanical Gardens.....	500,000
Historic Cocoa Village Playhouse.....	500,000
Murray Studio Theater at Ruth Eckerd Hall.....	500,000
Holocaust Documentation and Education Center.....	500,000
Tampa Bay Performing Arts Center.....	500,000
Florida Arts, Inc., Lee County.....	328,000
Capitol Theatre Renovation - Clearwater.....	1,000,000
Museum of Science and Industry - Science Technology Engineering Arts & Mathematics Zone Development.....	250,000
TOTAL: CULTURAL AFFAIRS	
FROM GENERAL REVENUE FUND . . . . .	17,874,921
FROM TRUST FUNDS . . . . .	2,239,852
TOTAL POSITIONS . . . . .	35.00
TOTAL ALL FUNDS . . . . .	20,114,773
TOTAL: STATE, DEPARTMENT OF	
FROM GENERAL REVENUE FUND . . . . .	75,878,817
FROM TRUST FUNDS . . . . .	28,193,513
TOTAL POSITIONS . . . . .	407.00
TOTAL ALL FUNDS . . . . .	104,072,330
TOTAL APPROVED SALARY RATE . . . . .	16,333,441
TOTAL OF SECTION 6	
FROM GENERAL REVENUE FUND . . . . .	993,834,000
FROM TRUST FUNDS . . . . .	3,461,877,538
TOTAL POSITIONS . . . . .	18,735.50
TOTAL ALL FUNDS . . . . .	4,455,711,538

## SECTION 7 - JUDICIAL BRANCH

The moneys contained herein are appropriated from the named funds to the State Courts System as the amounts to be used to pay salaries, other operational expenditures and fixed capital outlay.

## STATE COURT SYSTEM

The funds provided in Specific Appropriations 3156 through 3225 shall not be used to fund any facility study or architectural/engineering study to assist in planning for the current or future needs of the Second District Court of Appeal.

## PROGRAM: SUPREME COURT

## COURT OPERATIONS - SUPREME COURT

APPROVED SALARY RATE	5,848,635
3156 SALARIES AND BENEFITS POSITIONS	97.00
FROM GENERAL REVENUE FUND . . . . .	2,991,331
FROM STATE COURTS REVENUE TRUST FUND . . . . .	4,403,930

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3157 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND . . . . .	223,576
3158 EXPENSES FROM GENERAL REVENUE FUND . . . . .	709,252
3159 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND . . . . .	19,371
3160 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND . . . . .	340,039
3161 SPECIAL CATEGORIES DISCRETIONARY FUNDS OF THE CHIEF JUSTICE FROM GENERAL REVENUE FUND . . . . .	15,000
Funds in Specific Appropriation 3161 may be spent at the discretion of the Chief Justice to carry out the official duties of the court. These funds shall be disbursed by the Chief Financial Officer upon receipt of vouchers authorized by the Chief Justice.	
3162 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND . . . . .	88,705
3163 SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND . . . . .	8,044
3164 SPECIAL CATEGORIES SUPREME COURT LAW LIBRARY FROM GENERAL REVENUE FUND . . . . .	248,018
3165 SPECIAL CATEGORIES LEASE OR LEASE-PURCHASE OF EQUIPMENT FROM GENERAL REVENUE FUND . . . . .	46,468
3166 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND . . . . .	23,242
3167 FIXED CAPITAL OUTLAY FACILITY REPAIRS, RENOVATIONS AND IMPROVEMENTS FOR STATE COURTS - DMS MGD FROM GENERAL REVENUE FUND . . . . .	4,869,455
TOTAL: COURT OPERATIONS - SUPREME COURT	
FROM GENERAL REVENUE FUND . . . . .	9,582,501
FROM TRUST FUNDS . . . . .	4,403,930
TOTAL POSITIONS . . . . .	97.00
TOTAL ALL FUNDS . . . . .	13,986,431

## EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE	8,879,510
3168 SALARIES AND BENEFITS POSITIONS	174.50
FROM GENERAL REVENUE FUND . . . . .	2,512,594
FROM ADMINISTRATIVE TRUST FUND . . . . .	319,354
FROM STATE COURTS REVENUE TRUST FUND . . . . .	6,343,649
FROM COURT EDUCATION TRUST FUND . . . . .	1,157,812
FROM FEDERAL GRANTS TRUST FUND . . . . .	1,191,390
3169 OTHER PERSONAL SERVICES	
FROM GENERAL REVENUE FUND . . . . .	878,184
FROM ADMINISTRATIVE TRUST FUND . . . . .	225,104
FROM COURT EDUCATION TRUST FUND . . . . .	105,540
FROM FEDERAL GRANTS TRUST FUND . . . . .	115,003

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3170	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	1,375,304	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		284,676
	FROM COURT EDUCATION TRUST FUND . . . . .		1,904,449
	FROM FEDERAL GRANTS TRUST FUND . . . . .		507,704
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		142,355
3171	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	584,837	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		50,000
	FROM COURT EDUCATION TRUST FUND . . . . .		10,000
	FROM FEDERAL GRANTS TRUST FUND . . . . .		111,376
3172	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	228,930	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		151,000
	FROM COURT EDUCATION TRUST FUND . . . . .		106,105
	FROM FEDERAL GRANTS TRUST FUND . . . . .		400,195
	FROM GRANTS AND DONATIONS TRUST FUND . . . . .		102,000
3173	SPECIAL CATEGORIES		
	FLORIDA CASES SOUTHERN 2ND REPORTER		
	FROM GENERAL REVENUE FUND . . . . .	589,570	
3174	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	39,009	
3175	SPECIAL CATEGORIES		
	COMPUTER SUBSCRIPTION SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	181,450	
3176	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	23,943	
	FROM COURT EDUCATION TRUST FUND . . . . .		7,500
	FROM FEDERAL GRANTS TRUST FUND . . . . .		2,500
3177	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND . . . . .	42,056	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		215
	FROM COURT EDUCATION TRUST FUND . . . . .		4,017
	FROM FEDERAL GRANTS TRUST FUND . . . . .		4,104
3178	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	1,844,617	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		150,000
	FROM FEDERAL GRANTS TRUST FUND . . . . .		80,000
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	8,300,494	
	FROM TRUST FUNDS . . . . .		13,476,048
	TOTAL POSITIONS . . . . .	174.50	
	TOTAL ALL FUNDS . . . . .		21,776,542
ADMINISTERED FUNDS - JUDICIAL			
COURT OPERATIONS - ADMINISTERED FUNDS			
3178A	AID TO LOCAL GOVERNMENTS		
	SMALL COUNTY COURTHOUSE FACILITIES		
	FROM GENERAL REVENUE FUND . . . . .	500,000	

From the funds in Specific Appropriation 3178A, \$500,000 in nonrecurring general revenue funds is provided for the restoration of

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small county historic courthouses.

	Clay.....	300,000	
	Bradford.....	200,000	
3179	SPECIAL CATEGORIES		
	DUE PROCESS CONTINGENCY FUND		
	POSITIONS	18.00	
The positions authorized in Specific Appropriation 3179 shall be held in reserve as a contingency in the event the state courts determine that some portion of Article V due process services needs to be shifted from a contractual basis to an employee model in one or more judicial circuits. The Chief Justice of the Supreme Court may request transfer of these positions to the salaries and benefits appropriation category within any of the state courts budget entities, consistent with requests for transfers of funds into those same budget entities. Such transfers are subject to the notice, review, and objection provisions of section 216.177, Florida Statutes.			
PROGRAM: DISTRICT COURTS OF APPEAL			
COURT OPERATIONS - APPELLATE COURTS			
	APPROVED SALARY RATE	28,143,009	
3180	SALARIES AND BENEFITS	POSITIONS	433.00
	FROM GENERAL REVENUE FUND . . . . .		19,202,576
	FROM ADMINISTRATIVE TRUST FUND . . . . .		1,615,272
	FROM STATE COURTS REVENUE TRUST FUND . . . . .		14,618,707
3181	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .		66,767
3182	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	3,017,154	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		94,669
3183	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	85,364	
	FROM ADMINISTRATIVE TRUST FUND . . . . .		27,000
3184	SPECIAL CATEGORIES		
	COMPENSATION TO RETIRED JUDGES		
	FROM GENERAL REVENUE FUND . . . . .	51,790	
3185	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	681,645	
From the funds in Specific Appropriation 3185, \$32,000 in recurring general revenue funds is provided to the Second District Court of Appeal to address minimum security requirements and day-to-day operating needs for the facility.			
3186	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	93,012	
3187	SPECIAL CATEGORIES		
	DISTRICT COURT OF APPEAL LAW LIBRARY		
	FROM GENERAL REVENUE FUND . . . . .	162,797	
3188	SPECIAL CATEGORIES		
	LEASE OR LEASE-PURCHASE OF EQUIPMENT		
	FROM GENERAL REVENUE FUND . . . . .	62,686	
3189	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		

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	FROM GENERAL REVENUE FUND . . . . .	96,572	
	FROM ADMINISTRATIVE TRUST FUND . . .		2,163
3190	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	171,100	
3191	FIXED CAPITAL OUTLAY		
	AIR CONDITIONING SYSTEM REFRESH - DMS MGD		
	FROM GENERAL REVENUE FUND . . . . .	327,462	
The funds in Specific Appropriation 3191 are provided to the Second District Court of Appeal for the replacement of air handlers.			
3191A	FIXED CAPITAL OUTLAY		
	FACILITY STUDY		
	FROM GENERAL REVENUE FUND . . . . .	50,000	
From the funds in Specific Appropriation 3191A, \$50,000 in nonrecurring general revenue funds is provided to the state courts to contract for an architectural and engineering study of the Fourth District Court of Appeal facility to address ADA compliance and court security issues.			
3192	FIXED CAPITAL OUTLAY		
	DISTRICT COURT OF APPEALS-HVAC RENOVATIONS- AGENCY MANAGED		
	FROM GENERAL REVENUE FUND . . . . .	122,624	
3193	FIXED CAPITAL OUTLAY		
	FACILITIES REPAIRS AND MAINTENANCE		
	FROM GENERAL REVENUE FUND . . . . .	19,239	
3193A	FIXED CAPITAL OUTLAY		
	PAVED SURFACE MAINTENANCE AND REPAIR STATEWIDE - DMS MGD		
	FROM GENERAL REVENUE FUND . . . . .	30,450	
The funds in Specific Appropriation 3193A are provided to the Second District Court of Appeal to reconstruct its driveway.			
3194	FIXED CAPITAL OUTLAY		
	ROOF REPLACEMENT AND REPAIRS - STATEWIDE		
	FROM GENERAL REVENUE FUND . . . . .	75,000	
TOTAL: COURT OPERATIONS - APPELLATE COURTS			
	FROM GENERAL REVENUE FUND . . . . .	24,316,238	
	FROM TRUST FUNDS . . . . .		16,357,811
	TOTAL POSITIONS . . . . .	433.00	
	TOTAL ALL FUNDS . . . . .		40,674,049

## PROGRAM: TRIAL COURTS

The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall evaluate the effectiveness of Florida's post-adjudicatory drug courts. The review shall assess performance based on program output metrics (e.g., program completion), cost metrics (e.g., cost per successful completion), and outcome metrics (e.g., re-arrest and re-incarceration rates of program participants). The report shall also compare program performance across the 8 post-adjudicatory drug court programs and identify reasons that performance may vary across programs. The report shall include recommendations for improving the effectiveness of these programs. OPPAGA shall report its findings and recommendations to the Speaker of the House of Representatives and the President of the Senate by January 13, 2014.

## COURT OPERATIONS - CIRCUIT COURTS

	APPROVED SALARY RATE	191,071,773	
3195	SALARIES AND BENEFITS	POSITIONS	2,951.00
	FROM GENERAL REVENUE FUND . . . . .	178,572,246	
	FROM ADMINISTRATIVE TRUST FUND . . .		68,001
	FROM STATE COURTS REVENUE TRUST		

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	FUND . . . . .		55,427,546
	FROM FEDERAL GRANTS TRUST FUND . . .		5,758,336
3196	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	578,835	
	FROM FEDERAL GRANTS TRUST FUND . . .		125,748
3197	EXPENSES		
	FROM GENERAL REVENUE FUND . . . . .	7,425,664	
	FROM ADMINISTRATIVE TRUST FUND . . .		3,928
	FROM FEDERAL GRANTS TRUST FUND . . .		110,616
3198	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND . . . . .	376,883	
3200	SPECIAL CATEGORIES		
	CIVIL TRAFFIC INFRACTION HEARING OFFICERS		
	FROM GENERAL REVENUE FUND . . . . .	2,123,854	
3201	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILD ADVOCACY CENTERS		
	FROM GENERAL REVENUE FUND . . . . .	3,738,240	
From the funds in Specific Appropriation 3201, \$3,500,000 in nonrecurring general revenue funds shall be distributed to the 25 Children's Advocacy Centers throughout Florida based on the proportion of children served by each center during calendar year 2012. This funding may not be used to supplant local government reductions in Children's Advocacy Center funding. Any reductions in local government funding for the centers shall result in the withholding of funds appropriated in this line item.			
The Florida Network of Children's Advocacy Centers may spend up to \$25,000 in this line item for contract monitoring and oversight.			
3202	SPECIAL CATEGORIES		
	COMPENSATION TO RETIRED JUDGES		
	FROM GENERAL REVENUE FUND . . . . .	2,219,249	
3203	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	7,033,534	
From the funds in Specific Appropriation 3203, \$600,000 in nonrecurring general revenue funds shall be distributed to Okaloosa, Pasco, Pinellas, and Clay counties and \$150,000 in recurring general revenue funds shall be distributed to Alachua County to create, pursuant to ss. 948.08(7)(a) and 948.16 (2)(a), F.S., felony and/or misdemeanor pretrial veterans' treatment intervention programs to address the substance abuse and mental health treatment needs of veterans and service members charged with criminal offenses.			

3203A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND . . . . .	44,150	

From the funds in Specific Appropriation 3203A, \$44,150 in nonrecurring general revenue funds is provided to update the criminal justice information system for the Village of Virginia Gardens.

3204	SPECIAL CATEGORIES		
	DOMESTIC VIOLENCE OFFENDER MONITORING PROGRAM		
	FROM GENERAL REVENUE FUND . . . . .	316,000	

From the funds in Specific Appropriation 3204, \$316,000 in nonrecurring general revenue is distributed to the Eighteenth Judicial Circuit to continue its program to protect victims of domestic violence with Active Global Positioning Satellite (GPS) technology.

3205	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND . . . . .	1,254,424	

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3206	SPECIAL CATEGORIES			
	STATEWIDE GRAND JURY - EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .	143,310		
3207	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND . . . . .	169,374		
3208	SPECIAL CATEGORIES			
	MEDIATION/ARBITRATION SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	3,307,332		
3209	SPECIAL CATEGORIES			
	STATE COURTS DUE PROCESS COSTS			
	FROM GENERAL REVENUE FUND . . . . .	20,265,532		
	FROM ADMINISTRATIVE TRUST FUND . . .		1,104,930	
	FROM STATE COURTS REVENUE TRUST			
	FUND . . . . .		500,000	
3210	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .	639,795		
	FROM FEDERAL GRANTS TRUST FUND . . .		31,930	
3211	DATA PROCESSING SERVICES			
	OTHER DATA PROCESSING SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	97,902		
TOTAL:	COURT OPERATIONS - CIRCUIT COURTS			
	FROM GENERAL REVENUE FUND . . . . .	228,306,324		
	FROM TRUST FUNDS . . . . .		63,131,035	
	TOTAL POSITIONS . . . . .	2,951.00		
	TOTAL ALL FUNDS . . . . .		291,437,359	
COURT OPERATIONS - COUNTY COURTS				
	APPROVED SALARY RATE	54,968,832		
3212	SALARIES AND BENEFITS			
	POSITIONS	644.00		
	FROM GENERAL REVENUE FUND . . . . .	64,711,749		
	FROM STATE COURTS REVENUE TRUST			
	FUND . . . . .		6,260,334	
3213	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .	3,123,912		
3214	SPECIAL CATEGORIES			
	ADDITIONAL COMPENSATION FOR COUNTY JUDGES			
	FROM GENERAL REVENUE FUND . . . . .	75,000		
3215	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .	204,000		
3216	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .	99,016		
3217	SPECIAL CATEGORIES			
	LEASE OR LEASE-PURCHASE OF EQUIPMENT			
	FROM GENERAL REVENUE FUND . . . . .	93,252		
3218	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .	140,613		
TOTAL:	COURT OPERATIONS - COUNTY COURTS			
	FROM GENERAL REVENUE FUND . . . . .	68,447,542		
	FROM TRUST FUNDS . . . . .		6,260,334	

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	TOTAL POSITIONS . . . . .	644.00		
	TOTAL ALL FUNDS . . . . .			74,707,876
PROGRAM: JUDICIAL QUALIFICATIONS COMMISSION				
JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS				
	APPROVED SALARY RATE	306,608		
3219	SALARIES AND BENEFITS			
	POSITIONS	5.00		
	FROM GENERAL REVENUE FUND . . . . .		385,029	
3220	EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .		148,338	
3221	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND . . . . .		1,638	
3222	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND . . . . .		190,475	
3223	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND . . . . .		673	
3224	SPECIAL CATEGORIES			
	LITIGATION EXPENSES			
	FROM GENERAL REVENUE FUND . . . . .		181,294	
Funds in Specific Appropriation 3224 are to be used only for case expenditures associated with the filing and prosecution of formal charges. These costs shall consist of attorney's fees, court reporting fees, investigators' fees, and similar charges associated with the adjudicatory process.				
3225	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT			
	SERVICES - HUMAN RESOURCES SERVICES			
	PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND . . . . .		1,087	
TOTAL:	JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS			
	FROM GENERAL REVENUE FUND . . . . .		908,534	
	TOTAL POSITIONS . . . . .	5.00		
	TOTAL ALL FUNDS . . . . .			908,534
TOTAL:	STATE COURT SYSTEM			
	FROM GENERAL REVENUE FUND . . . . .		340,361,633	
	FROM TRUST FUNDS . . . . .			103,629,158
	TOTAL POSITIONS . . . . .	4,322.50		
	TOTAL ALL FUNDS . . . . .			443,990,791
	TOTAL APPROVED SALARY RATE . . . .	289,218,367		
TOTAL OF SECTION 7				
	FROM GENERAL REVENUE FUND . . . . .		340,361,633	
	FROM TRUST FUNDS . . . . .			103,629,158
	TOTAL POSITIONS . . . . .	4,322.50		
	TOTAL ALL FUNDS . . . . .			443,990,791

## SECTION 8. SALARIES AND BENEFITS - FISCAL YEAR 2013-2014

## Statement of Purpose:

This section provides instructions for implementing the Fiscal Year 2013-2014 salary and benefit adjustments provided in this act. All allocations, distributions and uses of these funds are to be made in

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 strict accordance with the provisions of this act.

References to "eligible" employees refer to employees who are, at a minimum, meeting their required performance standards, if applicable. If an ineligible employee achieves performance standards subsequent to the salary increase implementation date but on or before the end of the fiscal year, the employee may receive an increase; however, such increase shall be effective on the date the employee becomes eligible but not retroactively. In addition, any salary increase or bonus provided under this section shall be pro-rated based on the full-time equivalency of the employee's position. Employees classified as being other personnel services employees are not eligible for an increase or bonus.

#### Pay Grade and Pay Band Adjustments

It is the intent of the Legislature that the minimums for each pay grade and pay band shall not be adjusted during the 2013-2014 fiscal year and that the maximums for each pay grade and pay band shall be adjusted upward by 6.0 percent, effective July 1, 2013. In addition, the intent is for all eligible employees to receive the increases specified herein, even if they exceed the cap.

#### (1) EMPLOYEE AND OFFICER COMPENSATION

(a) For purposes of this subsection (1), "competitive pay adjustment" means:

1. For employees with a base rate of pay of \$40,000 or less on September 30, 2013, an annual increase of \$1,400.

2. For employees with a base rate of pay greater than \$40,000 on September 30, 2013, an annual increase of \$1,000; provided however, in no instance shall an employee's base rate of pay be increased to an annual amount less than \$41,400.

For the purpose of determining the applicable increase for part-time employees, the full-time equivalent value of the base rate of pay on September 30, 2013, shall be used; but the amount of the annual increase for a part-time employee shall be proportional to the full-time equivalency of the employee's position.

#### (b) CAREER SERVICE AND EMPLOYEES SUBJECT TO CAREER SERVICE

Funds are provided in Specific Appropriation 1950A for pay increases for all eligible employees represented by: (1) the Florida Police Benevolent Association, (2) the Teamsters Local Union No. 2011, (3) the Florida Nurses Association, (4) the American Federation of State County, and Municipal Employees, Council 79, and (5) the Florida State Fire Service Association, as well as all other eligible Career Service employees not included in a represented collective bargaining unit. Funds are to be distributed as follows:

Effective October 1, 2013, funds are provided to grant all eligible unit and non-unit Career Service employees a competitive pay adjustment.

#### (c) FLORIDA BOARD OF EDUCATION AND BOARD OF GOVERNORS

##### 1. Generally

Effective October 1, 2013, from the funds in Specific Appropriation 1950A, funds are provided to grant each eligible employee of the State University System whose position is funded by Education and General (E&G) Funds a competitive pay adjustment contingent upon all other eligible university employees receiving the competitive pay adjustment. No funds in Specific Appropriation 1950A have been provided for salary increases for personnel employed by developmental research schools associated with the universities.

##### 2. Graduate Assistants

Effective October 1, 2013, from the funds in Specific Appropriation 1950A, funds are provided to grant each eligible graduate assistant and graduate health profession assistant a competitive pay adjustment.

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#### (d) EXEMPT FROM CAREER SERVICE

##### 1. Elected officers and full-time members of commissions:

The elected officers, members of commissions, and designated employees shall be paid at the annual rate, listed below, for the 2013-2014 fiscal year; however, these salaries may be reduced on a voluntary basis.

	7/1/13	10/1/13
=====		
Governor.....	\$ 130,273	130,273
Lieutenant Governor.....	124,851	124,851
Chief Financial Officer.....	128,972	128,972
Attorney General.....	128,972	128,972
Agriculture, Commissioner of.....	128,972	128,972
Supreme Court Justice.....	161,200	162,200
Judges - District Courts of Appeal.....	153,140	154,140
Judges - Circuit Courts.....	145,080	146,080
Judges - County Courts.....	137,020	138,020
State Attorneys.....	153,140	154,140
Public Defenders.....	153,140	154,140
Commissioner - Public Service Commission.....	130,036	131,036
Public Employees Relations Commission Chair.....	95,789	96,789
Public Employees Relations Commission Commissioners	45,362	45,862
Commissioner - Parole and Probation.....	90,724	91,724
Criminal Conflict and Civil Regional Counsels.....	98,000	99,000
=====		

None of the officers, commission members, or employees whose salaries have been fixed in this section shall receive any supplemental salary or benefits from any county or municipality.

##### 2. Senior Management Service and Selected Exempt Service:

Effective, October 1, 2013, funds are provided in Specific Appropriation 1950A to grant each eligible employee of the Senior Management Service and each eligible unit and non-unit employee of the Select Exempt Service a competitive pay adjustment.

#### (e) CAREER SERVICE EXEMPT AND THE FLORIDA NATIONAL GUARD:

Effective October 1, 2013, funds are provided in Specific Appropriation 1950A to grant each eligible employee a competitive pay adjustment, and in lieu thereof and effective July 1, 2013, to grant the military personnel of the Florida National Guard on full-time military duty with The Department of Military Affairs a pay raise to comply with s. 250.10(1), F.S.

#### (f) JUDICIAL:

Effective October 1, 2013, funds are provided in Specific Appropriation 1950A to grant each eligible employee a competitive pay adjustment.

#### (g) LOTTERY EXECUTIVE MANAGEMENT SERVICE AND LOTTERY EXEMPT SERVICE:

Effective October 1, 2013, funds are provided in Specific Appropriation 1950A to grant each eligible Lottery Executive Management Service and each unit and non-unit Lottery Exempt Service employee a competitive pay adjustment.

#### (h) FLORIDA SCHOOL FOR THE DEAF AND BLIND:

Effective October 1, 2013, funds are provided in Specific Appropriation 1950A to grant each eligible non-career service employee of the School for the Deaf and Blind a competitive pay adjustment. Distribution of the funds for unit employees shall be pursuant to the negotiated collective bargaining agreement, and distribution of the funds for non-unit employees shall be at the discretion of the board of trustees.

#### (2) SPECIAL PAY ISSUES:

(a) 1. For purposes of this subsection (2), "law enforcement employee" means: (1) each eligible unit employee in the law enforcement collective bargaining unit, special agent collective bargaining unit and Florida

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Highway Patrol collective bargaining unit; (2) each eligible non-unit employee who is a sworn law enforcement officer and is in the command staff for those unit employees; and, (3) each eligible employee of the Fish and Wildlife Commission, Department of Highway Safety and Motor

Vehicles and Department of Law Enforcement employed in class code 8407 (Regional Duty Officer), 8410 (Duty Officer), 8411 (Duty Officer Supervisor), and 8417 (Communications Training Officer).

2. Effective July 1, 2013, from funds in Specific Appropriation 1950A:

a. Each law enforcement employee with less than 5 years of state service as a law enforcement employee shall receive a special pay adjustment of 3.0 percent on each employee's June 30, 2013 base rate of pay.

b. Each law enforcement employee with 5 or more years of state service as a law enforcement employee shall receive a special pay adjustment of 5.0 percent on each employee's June 30, 2013, base rate of pay.

(b) Funds are provided in Specific Appropriation 1950A to allow each agency head, including the Chief Justice of the Supreme Court and the Board of Governors, to provide discretionary one-time lump sum bonuses of \$600 to eligible permanent employees in order to recruit, retain and reward quality personnel as provided in s. 110.1245(2), Florida Statutes, or pursuant to a policy adopted by the Board of Governors for state university employees or by the Chief Justice for judicial branch employees, which is consistent with those statutory requirements.

(3) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE

(a) State Life Insurance and State Disability Insurance

Funds are provided in each agency's budget to continue paying the state share of the current State Life Insurance Program and the State Disability Insurance Program premiums.

(b) State Health Insurance Plans and Benefits

1. For the period July 1, 2013, through June 30, 2014, the Department of Management Services shall continue within the State Group Insurance Program a State Group Health Insurance Standard Plan, a State Group Insurance High Deductible Plan, State Group Health Maintenance Organization Standard Plans and State Group Health Maintenance Organization High Deductible Plans.

2. For the period July 1, 2013, through June 30, 2014, the benefits provided under each of the plans shall be those benefits as provided in the current State Employees' PPO Plan Group Health Insurance Plan Booklet and Benefit Document, current Health Maintenance Organization contracts and benefit documents, and other such health benefits as approved by the Legislature.

3. The high deductible health plans shall continue to include an integrated Health Savings Account (HSA). Such plans and accounts shall be administered in accordance with the requirements and limitations of federal provisions related to the Medicare Prescription Drug Improvement, and Modernization Act of 2003. The state shall make a monthly contribution to an employee's health savings account as authorized in section 110.123(12), Florida Statutes.

(c) State Health Insurance Premiums for the Period July 1, 2013, through June 30, 2014.

1. State Paid Premiums

a. For the coverage period beginning July 1, 2013, through March 31, 2014, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies shall continue at \$537.74 per month for individual coverage and \$1,149.14 per month for family coverage.

b. For the coverage period beginning April 1, 2014, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies shall increase, effective March

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1, 2014, from \$537.74 to \$591.52 per month for individual coverage and from \$1,149.14 to \$1,264.06 for family coverage.

c. Funds are provided in each state agency and university's budget to continue paying the State Group Health Insurance Program premiums for the fiscal year. Funds are provided in Specific Appropriation 1950A for distribution to agencies to pay the incremental cost of the premium increase, effective March 1, 2014.

d. The agencies shall continue to pay premiums on behalf of employees who have enhanced benefits, including those employees participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code, and those employees filling positions with "agency pay-all" benefits.

i. For the coverage period beginning July 1, 2013, through March 31, 2014, the state share of the State Group Insurance Premiums to the executive, legislative and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall be \$579.40 per month for individual coverage and \$1,299.14 per month for family coverage.

ii. For the coverage period beginning April 1, 2014, the state share of the State Group Health Insurance Program premiums to the executive, legislative, and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall increase, effective March 1, 2014, from \$579.40 to \$637.34 per month for individual coverage and from \$1,299.14 to \$1,429.06 per month for family coverage.

iii. For the coverage period beginning July 1, 2013, to March 31, 2014, the state share of the State Group Health Insurance Program premiums to the executive, legislative and executive branch agencies, for each employee participating in the Spouse Program shall be \$649.58 per month for family coverage.

iv. For the coverage period beginning April 1, 2014, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies for employees participating in the Spouse Program shall increase, effective March 1, 2014, from \$649.58 to \$714.55 per month for family coverage.

2. Premiums Paid by Employees

a. For the coverage period July 1, 2013, through June 30, 2014, the employee's share of the health insurance premiums for the standard plans shall continue at \$50 per month for individual coverage and \$180 per month for family coverage.

b. For the coverage period July 1, 2013, through June 30, 2014, the employee's share of the health insurance premium for the high deductible health plans shall continue at \$15 per month for individual coverage and \$64.30 per month for family coverage.

c. For the coverage period July 1, 2013, through June 30, 2014, the employee's share of the health insurance premiums for the standard plans and the high deductible health plans shall continue at \$8.34 for individual coverage and \$30 per month for family coverage for employees filling positions with "agency payroll" benefits.

d. For the coverage period July 1, 2013, through June 30, 2014, the employee's share of the health insurance premiums for the standard plans and the high deductible plans shall continue at \$15 per month for each employee participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code.

3. Premiums paid by Medicare Participants

a. For the coverage period July 1, 2013, through March 31, 2014, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall continue to be \$326.92 for "one eligible," \$942.64 for "one under/one over," and \$653.84 for "both eligible."

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b. For the coverage period beginning April 1, 2014, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall increase, effective March 1, 2014, from \$326.92 to \$359.61 for "one eligible," from \$942.64 to \$1036.90 for "one under/one over," and from \$653.84 to \$719.22 for "both eligible."

c. For the coverage period July 1, 2013, through March 31, 2014, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall continue to be \$246.43 for "one eligible," \$771.99 for "one under/one over," and \$492.85 for "both eligible."

d. For the coverage period beginning April 1, 2014, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall increase, effective March 1, 2014, from \$246.43 to \$271.07 for "one eligible," from \$771.99 to \$849.19 for "one under/one over," and from \$492.85 to \$542.15 for "both eligible."

e. Effective July 1, 2013, for the coverage period beginning August 1, 2013, the monthly premiums for Medicare participants enrolled in a Health Maintenance Organization Standard Plan or High Deductible Health Plan shall be equal to the negotiated monthly premium for the selected state-contracted Health Maintenance Organization.

## 4. Premiums paid by Early Retirees

a. Effective July 1, 2013, for the coverage period beginning August 1, 2013, an "early retiree" participating in the State Group Health Insurance Standard Plan shall pay a monthly premium equal to 100 percent of the total premium charged (state and employee contributions) for an active employee participating in the standard plan.

b. Effective July 1, 2013, for the coverage period August 1, 2013 through March 31, 2014, an "early retiree" participating in the State Group Health Insurance High Deductible Plan shall pay a monthly premium equal to \$511.08 for individual coverage and \$1,130.11 for family coverage.

c. For the coverage period beginning April 1, 2014, the monthly premium for an early retiree participating in the State Group Health Insurance High Deductible Plan shall increase, effective March 1, 2014, from \$511.08 to \$564.86 for individual coverage and from \$1,130.11 to \$1,245.03 for family coverage.

## 5. Premiums paid by COBRA participants

a. Effective July 1, 2013, for the coverage period beginning August 1, 2013, a COBRA participant participating in the State Group Health Insurance Program shall continue to pay a premium equal to 102 percent of the total premium charged (state and employee contributions) for an active employee participating in the Program.

(d) Under the State Employees' Prescription Drug Program, the following shall apply:

1. Supply limits shall continue as provided in section 110.12315, Florida Statutes.

2. For the period July 1, 2013, through June 30, 2014, co-payments for the State Group Health Insurance Standard Plan shall be as follows:

- a. \$7 co-payment for generic drugs with card;
- b. \$30 for preferred brand name drug with card;
- c. \$50 for nonpreferred brand name drug with card;
- d. \$14 for generic mail-order drug;
- e. \$60 for preferred brand name mail order drug;
- f. \$100 for nonpreferred brand name mail order drug.

3. For the period July 1, 2013, through June 30, 2014, coinsurance for the State Group Health Insurance High Deductible Plan shall continue as provided in section 110.12315(7), Florida Statutes.

4. Effective July 1, 2013, and notwithstanding the provisions of subparagraph 2, to the contrary, for the purpose of encouraging an

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individual to change from brand name drugs to generic drugs, the department may continue to waive co-payments for a six month supply of a generic statin or a generic proton pump inhibitor.

5. The Department of Management Services shall maintain the preferred brand name drug list to be used in the administration of the State Employees' Prescription Drug Program.

6. The Department of Management Services shall maintain a listing of certain maintenance drugs that must be filled through mail order by participants of the Preferred Provider Organization option only. Effective July 1, 2013, those drugs on the maintenance list may initially be filled three times in a retail pharmacy; thereafter, any covered prescriptions must be filled through mail order, unless the Department of Management Services develops a program per Senate Bill 1802 to allow retail pharmacies to provide 90 day prescriptions for such drugs. This paragraph is contingent upon Senate Bill 1802 or similar legislation becoming law.

(e) The State Employees' Prescription Drug Program shall provide coverage for smoking cessation prescription drugs; however, members shall be responsible for appropriate co-payments and deductibles when applicable. The smoking cessation prescription drug benefit shall be limited to up to a six month supply within any plan year and maximum lifetime benefit of no more than nine months supplied.

## (4) OTHER BENEFITS

(a) The following items shall be implemented in accordance with the provisions of this act and with the applicable negotiated collective bargaining agreement:

1. The state shall provide up to six (6) credit hours of tuition-free courses per term at a state university, state college or community college to full-time employees on a space available basis as authorized by law.

2. The state shall continue to reimburse, at current levels, for replacement of personal property.

3. Each agency, at the discretion of the agency head, may expend funds provided in this act for bar dues and for legal education courses for employees who are required to be a member of the Florida Bar as a condition of employment.

4. The state shall continue to provide, at current levels, clothing allowances and uniform maintenance and shoe allowances.

(b) All state branches, departments, and agencies which have established or approved personnel policies for the payment of accumulated and unused annual leave, shall not provide payment which exceeds a maximum of 480 hours of actual payment to each employee for accumulated and unused annual leave.

(c) Upon termination of employees in the Senior Management Service, Selected Exempt Service, or positions with comparable benefits, payments for unused annual leave credits accrued on the member's last anniversary date shall be prorated at 1/12th of the last annual amount credited for each month, or portion thereof, worked subsequent to the member's last anniversary date.

## (5) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS

The following pay additives and other incentive programs are authorized for the 2013-2014 fiscal year from existing agency resources consistent with provisions of sections 110.2035 and 216.251, Florida Statutes, the applicable rules promulgated by the Department of Management Services, and negotiated collective bargaining agreements.

(a) Each agency is authorized to continue to pay, at the levels in effect on June 30, 2007, on-call fees and shift differentials as necessary to perform normal operations of the agency.

(b) Each agency that had a training program in existence on June 30,



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2006, which included granting pay additives to participating employees, is authorized to continue such training program for the 2013-2014 fiscal year. Such additives shall be granted under the provisions of the law, administrative rules, and collective bargaining agreements.

(c) The Department of Corrections may continue to grant hazardous duty pay additives, as necessary, to those employees assigned to the Department of Corrections institutions' Rapid Response Teams (including the baton, shotgun, and chemical agent teams) and the Correctional Emergency Response Teams.

(d) The Fish and Wildlife Conservation Commission may continue to grant temporary special duty pay additives to law enforcement officers who perform additional duties as K-9 handlers, as regional recruiters/media coordinators and as breath test operators/inspectors.

(e) The Fish and Wildlife Conservation Commission and the Department of Highway Safety and Motor Vehicles are authorized to grant critical market pay additives to employees residing in and assigned to Lee County, Collier County, or Monroe County, at the levels that the employing agency granted salary increases for similar purposes prior to July 1, 2006. These pay additives shall be granted only during the time in which the employee resides in, and is assigned to duties within, those counties. In no instance may the employee receive an adjustment to the employee's base rate of pay and a critical market pay additive based on the employee residing in and being assigned in the specified counties.

(f) The Department of Transportation is authorized to continue its training program for employees in the areas of transportation engineering, right-of-way acquisition, relocation benefits administration, right-of-way property management, real estate appraisal, and business valuation under the same guidelines established for the training program prior to June 30, 2006.

(g) The Department of Highway Safety and Motor Vehicles is authorized to continue to grant a pay additive of \$162.50 per pay period for law enforcement officers assigned to the Office of Motor Carrier Compliance who maintain certification by the Commercial Vehicle Safety Alliance.

(h) Each agency is authorized to continue to grant temporary special duties pay additives to employees assigned additional duties as a result of another employee being absent from work pursuant to the Family Medical Leave Act or authorized military leave. The notification process described in section 110.2035(6)(c), Florida Statutes, does not apply to additives authorized in this paragraph.

(i) Each agency is authorized to grant merit pay increases based on the employee's exemplary performance as evidenced by a performance evaluation conducted pursuant to chapter 60L-35, Florida Administrative Code, or a similar performance evaluation applicable to other pay plans. The Chief Justice may exempt judicial branch employees from the performance evaluation requirements of this paragraph.

(j) Contingent upon the availability of funds and at the agency head's discretion, each agency is authorized to grant a temporary special duties pay additive, of up to 15 percent of the employee's base rate of pay, to each employee temporarily deployed to a facility or area closed due to emergency conditions from another area of the state that is not closed.

(6) COLLECTIVE BARGAINING

(a) All collective bargaining issues at impasse between the State of Florida and AFSCME Council 79, the Federation of Public Employees, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, the Teamsters Local Union No. 2011, and the Florida Nurses Association relating to wages and other economic issues shall be resolved herein pursuant to the instructions provided under Item "(1) EMPLOYEE AND OFFICER COMPENSATION", Item "(2) Special Pay Issues", Item "(4) OTHER BENEFITS", and Item "(5) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS" and any legislation enacted to implement this act.

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All collective bargaining issues at impasse between the State of Florida and AFSCME Council 79, the Federation of Public Employees, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, the Teamsters Local Union No. 2011, and the Florida Nurses Association relating to insurance benefits shall be resolved herein pursuant to the instructions provided under Item "(3) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE" and the relevant provisions of any legislation enacted to implement this act.

SECTION 9. The Chief Financial Officer is hereby authorized to transfer using nonoperating budget authority \$344,770,913 from the General Revenue Fund to the Public Education Capital Outlay and Debt Service Trust Fund by July 31, 2013.

SECTION 10. Pursuant to section 1013.40, Florida Statutes, the specified Florida College System colleges are authorized to acquire or construct the following facilities from non-PECO sources, which could require general revenue funds for operation and maintenance. If existing facilities are part of these projects, each such building or site must be certified to be free of asbestos or other hazardous materials before the stated college may acquire or expend construction funds on the facility. If the property to be acquired is not adjacent to an existing approved center or campus, then all necessary approvals from the State Board of Education must be received before any funds may be expended to acquire the property.

1. Eastern Florida State College - Acquire land for future growth and development from local funds at the State Board of Education approved Melbourne Campus.

2. Eastern Florida State College - Construct additional classroom and support space from local funds at the State Board of Education approved Palm Bay Campus.

3. Broward College - Construct a Science Building from local funds at the State Board of Education approved South (Pembroke Pines) Campus.

4. Broward College - Acquire instructional and support space at the Coral Springs Center from local funds as an annex of the State Board of Education approved North (Coconut Creek) Campus.

5. Broward College - Acquire additional instructional and support space through the lease transfer of facilities from Florida Atlantic University at the State Board of Education approved Downtown Center.

6. Edison State College - Acquire land for future growth and development from local funds at the State Board of Education approved Lee (Ft. Myers) Campus.

7. Hillsborough Community College - Construct additional laboratory and support space in the Workforce Building (1401) from local funds at the State Board of Education approved Ybor City Campus Training Center.

8. Hillsborough Community College - Acquire land/facility (1409) and remodel/renovate facility for laboratory, related and support space and parking from local funds at the State Board of Education approved Ybor City Campus Training Center.

9. Indian River State College - Acquire additional instructional and support space through the lease transfer of facilities from Florida Atlantic University at the State Board of Education approved St. Lucie West Center (also known as Ken Pruitt Campus).

10. Palm Beach State College - Construct a Multipurpose Classroom and Support Services Building (Phase I) from local funds at the State Board of Education approved West Central (Loxahatchee Groves) Campus.

11. Pasco-Hernando Community College - Acquire land for future growth and development from local funds at the State Board of Education approved Spring Hill Center.

12. Polk State College - Acquire land/facilities and construct/remodel/renovate facilities for administrative offices,

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meeting rooms, support space, and parking, from local funds, for a new District Office special purpose center, subject to State Board of Education approval.

13. St. Johns River State College - Acquire relocatable facilities for use as classrooms, lab and support space, from local funds, for the State Board of Education approved Palatka Campus, Orange Park Campus, and St. Augustine Campus.

14. St. Johns River State College - Acquire land for future growth and development from local funds at the State Board of Education approved Orange Park Campus.

15. St. Petersburg College - Acquire relocatable facilities for use as classrooms, lab and support space, from local funds, for the State Board of Education approved Seminole Campus.

16. St. Petersburg College - Construct additional instructional, office and related space in the Technology Learning Center Building (51) from local funds at the State Board of Education approved Seminole Campus.

17. Seminole State College of Florida - Acquire land with or without facilities and construct/remodel/renovate facilities for offices, meeting rooms, an auditorium, support space, and parking, utilizing private-public partnership funding, as an annex of the State Board of Education approved Main (Sanford/ Lake Mary) Campus.

18. State College of Florida, Manatee-Sarasota - Acquire land for future growth and development of a new center using local funds, to be located in northern Manatee County, subject to State Board of Education approval.

19. State College of Florida, Manatee-Sarasota - Acquire land/facilities and construct/remodel/renovate facilities for classrooms, labs, offices, meeting rooms, support space, recreation, athletics, and parking, from local funds at the State Board of Education approved Bradenton Campus.

20. Valencia College - Acquire land/facilities and construct/remodel/renovate facilities for administrative offices, meeting rooms, support space, and parking, from local funds at the State Board of Education approved District Office Center (formerly known as the Downtown Center).

SECTION 11. Pursuant to section 1013.74 and section 1013.78, Florida Statutes, the following facilities may be constructed or acquired from non-appropriated sources, which upon completion will require general revenue funds for operation.

1. University of Florida - Equine Sports Performance Complex - This project is to construct a new 12,000 gsf pole-type facility with performance gates to assess lameness in large animals. Building will be located at the southwest corner of the existing Veterinary Medicine Facilities.

2. University of Florida - Orthopedics and Sports Medicine Institute PT Expansion - Enlargement of the Physical Therapy Unit of the UF Orthopedics & Sports Medicine Institute.

3. University of Florida - Records Storage Building - new records storage building for main campus.

4. University of Florida - Institute of Food and Agricultural Sciences - Conference Center (addition) - will add approximately 7,000 gsf to the existing conference center.

5. University of Florida (IFAS) - Communications Services - Updated facilities for communications and marketing initiatives. (Approx. 6,500 gsf)

6. University of Florida (IFAS) - Research lab - Updated facilities needed to perform testing, approx. 6,000 gsf.

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7. University of Florida (IFAS) - Plant Diagnostics Lab - Updated facilities needed to perform testing, approx. 6,000 gsf.

8. University of Florida (IFAS) - Austin Cary Memorial Forest Learning Center - Replacement UF/IFAS - facility, previous center destroyed by fire.

9. Florida State University - Minor Projects for FSU Facilities - Minor E & G projects totaling less than 30,000 gsf, under \$5 million in total costs.

10. Florida State University - Thagard Building - The Center for Academic Retention and Excellence will be relocated to the Thagard building, which previously housed non-E&G clinic space.

11. Florida State University - Rodrick Shaw Building - Formerly the Telecommunications Office, this function has been moved off-campus. The existing space is being turned over for academic support purposes, and the entire facility will now consist of E & G eligible space.

12. Florida State University - CAPS Dielectrics Lab - Construction of a lab to study dielectric properties.

13. Florida State University - CAPS Medium Voltage Lab - Construction of a lab to study medium voltage components for electrical power.

14. University of South Florida - Property Acquisition - Purchase of building/property adjacent to the St. Pete campus for university use, 10,000 gsf.

15. Florida Atlantic University - Louis & Anne Green Memory Center Addition - Addition of classrooms to support the existing College of Nursing Memory Center Program. (8,000 gsf)

16. University of Central Florida - Innovative Center - Offices, 14,000 gsf

17. University of Central Florida - Research Pavilion - Offices, 1,000 gsf

18. University of Central Florida - Orlando Tech Center - Offices, 26,000 gsf, replaces previous leased office space at the University Tech Center, and the University Tower sites.

19. University of Central Florida - Morgridge International Reading Center - New 17,000 gsf facility for the Morgridge International Reading Center, part of UCF's College of Education, serves as a resource for the art, craft and science of teaching reading. Its purpose is to advance international literacy through research, collaboration and community involvement.

20. Florida International University - Jewish Museum of Florida - Acquisition via donation, historic facility will be used for teaching at 4 colleges. Approved as a site by the Board of Governors September 2012. 13,000 gsf.

21. Florida International University - Wolfsonian Downtown - Acquisition via donation, space is associated with FIU existing Wolfsonian Museum collections, 20,000 gsf, property valued at between \$2 - \$3 million, not including the value of the collection housed at this site.

22. New College of Florida - International & Area Studies Building - Phase I - Faculty offices, student advising, admissions and financial aid functions. 6,500 gsf.

23. New College of Florida - Open Air Classroom - Thatched roof, open air classroom supporting biology, marine biology and environmental studies, 800 gsf.

24. University of North Florida - Property Acquisition - Purchase of building/property adjacent and/or near the main campus for university use as campus support space, 70,000 gsf.

SECTION 12. The sum of \$18,700,000 from the General Revenue Fund in

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Specific Appropriation 78 of chapter 2012-118, Laws of Florida, for Voluntary Prekindergarten Program is hereby reverted.

SECTION 13. The sum of \$9,040,220 from the General Revenue Fund in Specific Appropriation 85 of chapter 2012-118, Laws of Florida, for Class Size Reduction is hereby reverted.

SECTION 14. The unexpended balance or \$520,203, whichever is less, in nonrecurring General Revenue Funds in Specific Appropriation 87C of chapter 2012-118, Laws of Florida, for AVID Highlands County, is hereby reverted and reappropriated for Fiscal Year 2013-2014 to the Department of Education for the same purpose.

SECTION 15. The unexpended balance of funds provided to the Department of Education in Specific Appropriation 99 from the Federal Grants Trust Fund for Strategic Education Initiatives and Section 23 for Race to the Top Strategic Education Initiatives and Statewide Longitudinal Data Systems in chapter 2012-118, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2013-2014 to the Department of Education for the same purpose.

SECTION 16. The unexpended balance of funds provided to the Department of Education in Specific Appropriation 100 from the Federal Grants Trust Fund and Section 24 of chapter 2012-118, Laws of Florida, for the Partnership for Assessment of Readiness for Colleges and Careers is hereby reverted and reappropriated for Fiscal Year 2013-2014 to the Department of Education for the same purpose.

SECTION 17. The unexpended balance of funds provided to the Department of Education in Specific Appropriation 97 from the Federal Grants Trust Fund for grants funded by the American Recovery and Reinvestment Act of 2009 in chapter 2012-118, Laws of Florida, are hereby reverted and reappropriated for Fiscal Year 2013-14 for the purpose of the original appropriation within the Department of Education.

SECTION 18. The unexpended balance of funds provided to the Office of Early Learning for the State Early Childhood Advisory Council in Specific Appropriations 81 and 82 of chapter 2012-118, Laws of Florida, is hereby reverted and reappropriated for Fiscal Year 2013-2014 to the Office of Early Learning for the same purpose.

SECTION 19. The unexpended balance of funds in Specific Appropriations 76 and 82A of chapter 2012-118, Laws of Florida, provided to the Office of Early Learning in the Department of Education for the Early Learning Information System is hereby reverted and is reappropriated for Fiscal Year 2013-2014 to the Education Technology and Information Services category within the Office of Early Learning. The reappropriated funds shall be put in budget reserve and, after submitting a budget amendment, may be released at the end of the 14-day consultation period if no formal objection is filed, pursuant to Chapter 216.177 Florida Statutes.

SECTION 20. There is hereby appropriated \$14,127,092 in nonrecurring funds from the Grants and Donations Trust Fund and \$5,017,760 in nonrecurring funds from the Refugee Assistance Trust Fund to the Agency for Health Care Administration to cover Fiscal Year 2012-2013 Medicaid Program costs. This section shall take effect upon becoming law.

SECTION 21. From the funds appropriated in Specific Appropriations 193, 207, 211, and 215 of chapter 2012-118, Laws of Florida, that are held in reserve in the Agency for Health Care Administration, \$191,001,407 from the General Revenue Fund and \$310,216,466 from the Medical Care Trust Fund shall revert immediately. This section shall take effect upon becoming law.

SECTION 22. There is hereby appropriated \$337,462,030 in nonrecurring funds from the Medical Care Trust Fund to the Agency for Health Care Administration to cover the costs resulting from increased reimbursement rates for primary care services provided to eligible Medicaid recipients for Fiscal Year 2012-2013. This section shall take effect upon becoming law.

SECTION 23. There is hereby appropriated \$25,384,092 in nonrecurring funds from the Grants and Donations Trust Fund and \$34,668,172 in nonrecurring funds from the Medical Care Trust Fund to the Agency for

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Health Care Administration to fund hospital inpatient and outpatient rates to allowable limits for Fiscal Year 2012-2013 based on Fiscal Year 2012-2013 executed letters of agreements for buy backs and exemptions, for any hospital that has local funds available for intergovernmental transfers. The payments under this section are contingent upon the state share being provided through grants and donations from state, county, or other governmental funds on or before July 31, 2013. The payment to a hospital shall be paid in a lump sum prior to September 30, 2013. Any payment made pursuant to this paragraph shall not be considered a rate adjustment under section 409.905(5)(c), Florida Statutes. The agency shall not include these payments in the calculation of capitation rates for Health Maintenance Organizations or the shared saving for Provider Service Networks in effect for the 2012-2013 fiscal year unless the nonfederal share is provided through grants and donations from state, county or other governmental funds. Medicaid managed care entities are not required to pay hospitals any amount to reflect this one-time payment. Hospitals may not consider lump sum payment when determining its Medicaid rate as defined under contract or pursuant to sections 409.9128(5)(d) or 641.513(6)(d), Florida Statutes. This section shall take effect upon becoming law.

SECTION 24. The sum of \$60,000,000 in nonrecurring funds is appropriated from the Medical Care Trust Fund for the 2012-2013 fiscal year to provide special Medicaid payments for services provided by Jackson Health System (JHS). Contingent on federal approval, the Agency for Health Care Administration shall use Certified Public Expenditures (CPEs) as the state share to claim additional Federal Financial Participation (FFP) for reimbursement of uncompensated care costs in excess of the Low Income Pool (LIP) payments for JHS during allowable prior years, provided such expenditures do not count as spending under the LIP's maximum of \$1 billion and provided such expenditures do not impact prior years' payments or intergovernmental transfers. The agency shall submit a proposed methodology to the Centers for Medicare and Medicaid Services (CMS) no later than June 28, 2013. The agency is authorized and directed to implement federally approved payment methods as long as these retrospective payments do not result in a requirement for additional state matching funds, intergovernmental transfers or redistribution of prior year LIP payments. This section shall take effect upon this act becoming law.

SECTION 25. There is hereby appropriated \$1,559,895 in nonrecurring funds from the Grants and Donations Trust Fund and \$2,130,418 in nonrecurring funds from the Medical Care Trust Fund to the Agency for Health Care Administration to restore reductions made to the July 1, 2012 Medicaid inpatient and outpatient reimbursement for Memorial Regional Hospital, Memorial Hospital- West, Memorial Hospital- Miramar, Memorial Hospital- Pembroke Pines, and Health Central. The Agency for Health Care Administration will make these payments in one lump sum to the hospitals and shall not change the hospitals' individual Medicaid rates and shall not have an impact on the Medicaid managed care capitated rates that were set using the July 1, 2012 Medicaid inpatient and outpatient rates. Payments under this section are contingent on the state share being provided through grants and donations from state, county or other governmental funds. This section shall become effective upon becoming law.

SECTION 26. There is hereby appropriated to the Agency for Persons with Disabilities \$17,020,370 in nonrecurring General Revenue Funds and \$23,245,468 in nonrecurring funds from the Operations and Maintenance Trust Fund to cover Fiscal Year 2012-2013 Home and Community Based Services Waiver costs. This section shall take effect upon becoming law.

SECTION 27. The unexpended balance of funds provided to the Agency for Persons with Disabilities in Specific Appropriation 250 of chapter 2012-118, Laws of Florida, for the ARC of Florida shall revert and is appropriated for Fiscal Year 2013-2014 to the agency for the same purpose.

SECTION 28. There is hereby appropriated to the Department of Children and Families \$17,493,066 in nonrecurring funds from the General Revenue Fund and \$3,166,980 in nonrecurring funds from the Welfare Transition Trust Fund to cover Fiscal Year 2012-2013 Cash Assistance costs. This section shall take effect upon becoming law.

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SECTION 29. The sum of \$1,400,000 is appropriated in nonrecurring funds from the Federal Grants Trust Fund in the Department of Children and Families for the 2012-2013 fiscal year to the Community Based Care lead agencies for maintenance adoption subsidies. This section is effective upon becoming law.

SECTION 30. The sum of \$300,000 from unexpended funds in Specific Appropriation 342 of chapter 2012-118, Laws of Florida, provided to the Department of Children and Families for operational costs for the Florida Civil Commitment Center shall revert immediately and is hereby appropriated for Fiscal Year 2013-2014 to the Department of Children and Families in the Grants and Aids - Contracted Services category for the same purpose. This section shall take effect upon becoming law.

SECTION 31. The sum of \$3,540,601 from unexpended funds in Specific Appropriation 296 of chapter 2012-118, Laws of Florida, provided to the Department of Children and Families for programming changes to the Florida Safe Families Network system (FSFN) to meet federal Statewide Automated Child Welfare Information system (SACWIS) requirements, shall revert immediately and is appropriated for Fiscal Year 2013-2014 for the same purpose. Funding for Fiscal Year 2013-2014 shall be as follows: \$663,226 from the Federal Grants Trust Fund; \$884,243 from the Welfare Transition Trust Fund; \$511,781 from the Operations and Maintenance Trust Fund; and \$454,500 from the Social Services Trust Fund from the Computer Related Expenses category within the Support Services Program; and \$1,001,290 from the Welfare Transition Trust Fund and \$25,561 from the Social Services Block Grant Trust Fund from the Grants and Aids - Child Protection category within the Family Safety Program. This section shall take effect on becoming law.

SECTION 32. The sum of \$730,600 from the Operations and Maintenance Trust Fund in Specific Appropriation 612, of Chapter 2012-118, Laws of Florida, provided to the Department of Veterans Affairs shall revert immediately. This section shall take effect upon becoming law.

SECTION 33. The sum of \$8,328,934 from nonrecurring general revenue funds is hereby appropriated to the Department of Corrections for Fiscal Year 2012-2013 due to the revised Criminal Justice Estimating Conference prison population forecast that increased the average daily population from 99,257 to 100,137. This section is effective upon becoming law.

SECTION 34. The sum of \$10,878,804 from nonrecurring general revenue funds is hereby appropriated to the Department of Corrections for Fiscal Year 2012-2013 to restore funding associated with privatization efforts in Region IV that did not occur. This section is effective upon becoming law.

SECTION 35. The sum of \$14,077,646 from nonrecurring general revenue funds is hereby appropriated to the Department of Corrections for Fiscal Year 2012-2013 to restore savings associated with healthcare privatization efforts not being realized. This section is effective upon becoming a law.

SECTION 36. There is hereby appropriated the sum of \$693,912 in nonrecurring trust fund authority to the State Courts Revenue Trust Fund in the State Courts Due Process Cost category within the State Court System. Funds shall be used for Fiscal Year 2012-2013 court ordered payments for attorney fees in criminal conflict cases in excess of the flat fee established in law as specified in line item 828 of the Fiscal Year 2012-2013 General Appropriations Act. This section is effective upon becoming law.

SECTION 37. The sum of \$16,600,000 in nonrecurring general revenue funds is hereby appropriated to the Clerks of the Court Trust Fund within the Justice Administrative Commission to cover Fiscal Year 2012-2013 trust fund deficits. This section is effective upon becoming law.

SECTION 38. The sum of \$10,007,308 from nonrecurring general revenue funds is hereby appropriated to the Department of Corrections for Fiscal Year 2012-2013 to address the department's projected current year operational deficits. This section is effective upon becoming a law.

SECTION 39. From the funds appropriated in Specific Appropriation 758

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of chapter 2012-118, Laws of Florida, the sum of \$30,500,000 in reserve shall revert to the General Revenue Fund. This section is effective upon becoming law.

SECTION 40. The unexpended balance of funds provided in Section 6, chapter 2012-155, Laws of Florida, for the relocation of victims of sexual battery as provided in s. 960.199, Florida Statutes, is hereby reverted and reappropriated for Fiscal Year 2013-2014 to the Department of Legal Affairs for the same purpose.

SECTION 41. The unexpended balance of funds provided in Specific Appropriation 1333, chapter 2012-118, Laws of Florida, for the Council on the Social Status of Black Men and Boys, is hereby reverted and reappropriated for Fiscal Year 2013-2014 to the Department of Legal Affairs for the same purpose.

SECTION 42. Specific Appropriation 834 of chapter 2012-118, Laws of Florida, is hereby reduced by \$801,658 in nonrecurring general revenue. There is hereby appropriated the sum of \$641,658 in nonrecurring general revenue to the Criminal Conflict and Civil Regional Counsel - First District in Fiscal Year 2012-2013. There is hereby appropriated the sum of \$160,000 in nonrecurring general revenue to the Criminal Conflict and Civil Regional Counsel - Second District in Fiscal Year 2012-2013. This section is effective upon becoming law.

SECTION 43. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2013-0544 as submitted on April 8, 2013, by the Governor on behalf of the Department of Corrections for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2012-2013 consistent with the amendment. This section is effective upon becoming law.

SECTION 44. The unexpended balance of funds appropriated in sections 48 and 49 of chapter 2012-118, Laws of Florida, and subsequently distributed to the Department of Law Enforcement pursuant to EOG #B2013-0005, is hereby reverted and reappropriated for Fiscal Year 2013-14 for the purpose of the original appropriation within the Department of Law Enforcement.

SECTION 45. The unexpended balance of funds provided to the Department of Law Enforcement for domestic security issues in Specific Appropriation 2026A of Chapter 2012-118, Laws of Florida, and subsequently distributed to the Department of Law Enforcement pursuant to budget amendment EOG #B2013-0014, is hereby reverted and reappropriated for Fiscal Year 2013-14 for the purpose of the original appropriation within the Department of Law Enforcement.

SECTION 46. The unexpended balance of funds provided to the Department of Agriculture and Consumer Services pursuant to budget amendment EOG #B2013-0213 for storm damages associated with Tropical Storm Debby, shall revert and is appropriated for Fiscal Year 2013-2014 to the Department of Agriculture and Consumer Services for the same purpose.

SECTION 47. The unexpended balance of funds provided to the Department of Agriculture and Consumer Services for domestic security issues in Specific Appropriation 2026A of chapter 2012-118, Laws of Florida, and subsequently distributed to the Department of Agriculture and Consumer Services pursuant to budget amendment EOG #B2013-0014, shall revert and is appropriated for Fiscal Year 2013-2014 to the Department of Agriculture and Consumer Services for the same purpose.

SECTION 48. The unexpended balance of funds in the Coastal Protection Trust Fund provided to the Department of Environmental Protection in section 57, chapter 2012-118, Laws of Florida, by BP for Natural Resource Damage Assessment shall revert on June 30, 2013, and is appropriated for Fiscal Year 2013-2014 to the Department of Environmental Protection for the same purpose.

SECTION 49. The unexpended balance from Specific Appropriation 1717A of chapter 2005-70, Laws of Florida, provided to the Lake Mary Jess Stormwater Improvement Project shall revert and is appropriated for the Fiscal Year 2013-2014 for the Boggy Creek Basin Baffle Boxes project.

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SECTION 50. The unexpended balance of funds provided in Specific Appropriations 1857 and 1859 of chapter 2007-72, Laws of Florida, transferred from the Department of Environmental Protection to the Suwannee River Water Management District for the implementation of projects utilizing innovative, cost effective, biologically based nutrient control technologies in the Suwannee River Surface Water Improvement Initiative shall be returned to the department and is appropriated for Fiscal Year 2013-2014 to the Department of Environmental Protection for distribution to Lee County for nitrogen and phosphorus reduction utilizing innovative, cost-effective, biologically based, nutrient control technologies.

SECTION 51. The Department of Environmental Protection will assume control of the Silver Springs attraction in Marion County effective at midnight on September 30, 2013. Thereafter, the department will manage Silver Springs as a state park. Amendment One to Amended and Restated Lease No. 4022A dated January 23, 2013, by and between the Board of Trustees of the Internal Improvement Fund of the State of Florida (the State) and Festival Fun Parks LLC (Festival Fun), requires Festival Fun to spend not less than \$4 million for certain capital improvements and repairs prior to the expiration of Festival Fun's lease, and requires Festival Fun to deliver payment to the State for any unspent portion of the \$4 million at the expiration of Festival Fun's lease. All of the unspent portion of such funds shall be deposited in the Internal Improvement Trust Fund of the Department of Environmental Protection and is appropriated to the Division of Recreation and Parks in the Department of Environmental Protection for Fiscal Year 2013-2014 for Fixed Capital Outlay - Silver River Park Development to complete such improvements and repairs.

SECTION 52. The Department of Environmental Protection is authorized to transfer \$10,000,000 from the Water Management Lands Trust Fund, \$18,000,000 from the Land Acquisition Trust Fund, \$5,000,000 from the Internal Improvement Trust Fund and \$5,000,000 from the Solid Waste Management Trust Fund to the Save Our Everglades Trust Fund for the Comprehensive Everglades Restoration Plan pursuant to section 216.181(12) Florida Statutes.

SECTION 53. The Department of Environmental Protection is authorized to transfer \$10,000,000 from the Land Acquisition Trust Fund to the Florida Forever Trust Fund for land acquisitions that protect military installations against encroachment pursuant to section 216.181(12) Florida Statutes.

SECTION 54. The sums from unexpended funds in the Specific Appropriations/Laws of Florida listed and provided to the Department of Environmental Protection for the following beach projects shall revert immediately.

A. The sum of \$225,607 from unexpended funds in Specific Appropriation 1696 of chapter 2005-70, Laws of Florida, provided to the Department of Environmental Protection for the Fort Walton Beach Restoration Project.

B. The sum of \$165,134 from unexpended funds in Specific Appropriation 1796 of chapter 2006-25, Laws of Florida, provided to the Department of Environmental Protection for the Fort Walton Beach Restoration Project.

C. The sum of \$174,222 from unexpended funds in Specific Appropriation 1796 of chapter 2006-25, Laws of Florida, provided to the Department of Environmental Protection for the Panama City Beaches Shore Protection Project.

D. The sum of \$2,918,005 from unexpended funds in Specific Appropriation 1796 of chapter 2006-25, Laws of Florida, provided to the Department of Environmental Protection for the Ft. Walton Beach Dune Restoration Project.

E. The sum of \$2,407,965 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for the Ft. Walton Beach Restoration Project.

F. The sum of \$245,310 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for statewide beach restoration projects.

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G. The sum of \$196,808 from unexpended funds in Specific Appropriation 1748 of chapter 2008-152, Laws of Florida, provided to the Department of Environmental Protection for the Anna Maria Island Beach Nourishment Project.

H. The sum of \$2,928,325 from unexpended funds in Specific Appropriation 1748 of chapter 2008-152, Laws of Florida, provided to the Department of Environmental Protection for the Singer Island Shore Protection Project.

I. The sum of \$171,803 from unexpended funds in Specific Appropriation 1748 of chapter 2008-152, Laws of Florida, provided to the Department of Environmental Protection for the Ft. Walton Beach Restoration Project.

J. The sum of \$132,334 from unexpended funds in Specific Appropriation 1748 of chapter 2008-152, Laws of Florida, provided to the Department of Environmental Protection for statewide beach restoration projects.

K. The sum of \$526,999 from unexpended funds in Specific Appropriation 1695 of chapter 2009-81, Laws of Florida, provided to the Department of Environmental Protection for the Singer Island Shore Protection Project.

L. The sum of \$471,666 from unexpended funds in Specific Appropriation 1695 of chapter 2009-81, Laws of Florida, provided to the Department of Environmental Protection for the Ft. Walton Beach Restoration Project.

M. The sum of \$121,130 from unexpended funds in Specific Appropriation 1695 of chapter 2009-81, Laws of Florida, provided to the Department of Environmental Protection for statewide beach restoration projects.

From the total sum of funds reverted in this section, there is appropriated \$3,116,092 in nonrecurring funds from the General Revenue Fund and \$7,569,216 in nonrecurring funds from the Ecosystem Management and Restoration Trust Fund for the purpose of providing funds to the Department of Environmental Protection for the Beach Management Funding Assistance program for Fiscal Year 2013-2014. These funds are in addition to the funds provided in Specific Appropriation 1626.

Funds in Specific Appropriation 1626 and this section are provided to fund the Department of Environmental Protection's Beach Management Funding Assistance Program (BMFAP) for the Fiscal Year 2013-2014 fiscal year.

All funds shall be provided for those congressionally-authorized beach nourishment projects eligible for significant federal cost-sharing, specifically those experiencing storm damages from Hurricane Sandy and Tropical Storm Debby that have been determined to be eligible for 100 percent federal rehabilitation assistance funding for sand losses. Those projects include only: North/South Reaches-Brevard County Shore Protection Project, Ft. Pierce Shore Protection Project, Martin County Shore Protection Project, Jupiter/Carlin Segment-Palm Beach County Shore Protection Project, Delray Beach Shore Protection Project, North Boca Raton Shore Protection Project, and Segment II-Broward County Shore Protection Project, Treasure Island Segment-Pinellas County Shore Protection Project, Gasparilla Island-Lee County Shore Protection Project, Captiva/Sanibel Island Beach Nourishment, and Anna Maria Island-Manatee County Shore Protection Project. Total project costs and federal/non-federal cost-shares have been determined by the U.S. Army Corps of Engineers as part of favorable Project Implementation Reports (PIR). State matching dollars shall be used only for construction of the full project construction profile, if needed, and monitoring for all the above named projects.

Funds shall also be provided for federally-authorized beach projects included in the department's BMFAP that maximize federal funds and address storm damages. These projects include only: Venice Beach Segment-Sarasota County Shore Protection Project, Ocean Ridge Segment-Palm Beach County Shore Protection Project, and Long Key Segment-Pinellas County Shore Protection Project.

The funding provided for those projects reflects the ranking of local government funding requests and the department's Fiscal Year 2013-2014 project priority list; however, it also takes into account recent storm

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damages and storm impacts on project designs and costs. To address future situations, the department shall make recommendations as to how current statutory ranking criteria should be modified to accommodate storm damage and other beach impacts, as well as current department processing procedures and timetables for local government funding requests, in annual project rankings. The department's recommendations shall be provided to the President of the Senate and the Speaker of the House of Representatives no later than January 1, 2014.

Funding for post-construction project monitoring shall not exceed 50 percent of the department's request. Priority shall be given to projects in the BMFAP and other highly ranked projects in the department's funding request for other than first-year needs.

Funds shall be provided for engineering costs for the Collier County Beach Nourishment Project as part of the BMFAP.

From the funds in Specific Appropriation 1626 and this section, \$1,992,800 is provided for the three highest ranked inlet management projects in the BMFAP. These include St. Lucie Inlet IMP Implementation, Lake Worth Inlet Bypassing, and Sebastian IMP Implementation. From any unobligated state share balance, the department may use up to \$300,000 for regional sand source management.

Funds shall also be provided for non-federal beach nourishment and dune restoration projects damaged by Hurricane Sandy, as an alternative to FEMA funding, with a 50 percent local cost share. These projects include only: Mid-Reach and South County beaches/dunes in Brevard County; Wabasso/Sector III and Sebastian dune repair in Indian River County; South St. Lucie Dune Restoration in St. Lucie County; Jupiter Island Beach Nourishment and Bathtub Beach restoration in Martin County; Singer Island dune project, and Coral Cove Dune Nourishment in Palm Beach County; and Deerfield Beach in Broward County.

SECTION 55. The unexpended balance of funds provided to the Department of Financial Services in sections 61 and 62, chapter 2012-118, Laws of Florida, for strengthening domestic security shall revert and is appropriated for Fiscal Year 2013-2014 to the department for the same purpose.

SECTION 56. The unexpended balance of funds provided in Specific Appropriation 2026A of chapter 2012-118, Laws of Florida, and distributed to the Department of Financial Services in EOG #B2013-0014 for strengthening domestic security shall revert and is appropriated for Fiscal Year 2013-2014 to the department for its original purpose.

SECTION 57. The sum of \$1,500,000 from the unexpended funds provided from the Administrative Trust Fund to the Department of Financial Services for the Florida Accounting Information Resource Subsystem business case in Specific Appropriation 2360 of chapter 2012-118, Laws of Florida, shall immediately revert.

SECTION 58. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2013-0546 as submitted on April 05, 2013, by the Governor on behalf of the Department of the Lottery for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2012-2013 consistent with the amendment. This section is effective upon becoming law.

SECTION 59. The unexpended balance of funds provided to the Department of Management Services in section 67, chapter 2012-118, Laws of Florida, for the Florida Interoperability Network Sustainment and Maintenance shall revert and is reappropriated for Fiscal Year 2013-2014 to the department for the same purpose.

SECTION 60. The unexpended balance of funds provided in Specific Appropriation 2026A of chapter 2012-118, Laws of Florida, and distributed to the Department of Management Services in EOG B2013-0014 shall revert and is reappropriated for Fiscal Year 2013-2014 to the department for its original purpose.

SECTION 61. The unexpended balance of funds provided to the Department of Revenue in Specific Appropriation 3085 of chapter 2012-118, Laws of

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Florida, for the One-Stop Business Registration Portal shall revert and is reappropriated for Fiscal Year 2013-2014 to the department for the same purpose.

SECTION 62. The sum of \$545,000 from the unexpended balance of funds in Specific Appropriation 3071 of chapter 2012-118, Laws of Florida, provided to the Department of Revenue for the Child Support Enforcement Automated Management System (CAMS), shall revert and is reappropriated for Fiscal Year 2013-2014 to the department for payment of four CAMS Implementation Deliverables pending final federal certification.

SECTION 63. The unexpended balance of funds provided to the Department of Economic Opportunity in sections 69, 72, and 75 of chapter 2012-118, Laws of Florida, for the Reemployment Assistance Claims and Benefits Information System, that reverted and were appropriated in the Expenses, Operating Capital Outlay, and Grants and Aids - Contracted Services appropriation categories for Fiscal Year 2012-2013 for the same purpose, shall revert and are appropriated for Fiscal Year 2013-2014 to the Department of Economic Opportunity for the same purpose.

SECTION 64. The unexpended balance of funds provided to the Department of Economic Opportunity in sections 69, 72, and 75 of chapter 2012-118, Laws of Florida, for the Reemployment Assistance Claims and Benefits Information System, that reverted and were appropriated in the Qualified Expenditure Category for that project for Fiscal Year 2012-2013 for the same purpose, shall revert and are appropriated for Fiscal Year 2013-2014 to the Department of Economic Opportunity for the same purpose.

SECTION 65. The unexpended balance of funds provided to the Department of Economic Opportunity in Specific Appropriation 2265 of chapter 2012-118, Laws of Florida, and subsequently allocated by budget amendments EOG #B2013-0186 and EOG# B2013-0323, for the Reemployment Assistance Claims and Benefits Information System, and funds remaining in the Qualified Expenditure Category for that project, shall revert and are appropriated for Fiscal Year 2013-2014 to the Department of Economic Opportunity for the same purpose.

SECTION 66. The unexpended balance of general revenue funds provided to the Department of Economic Opportunity in Specific Appropriation 2314 of chapter 2012-118, Laws of Florida, for Economic Development Tools in the Qualified Expenditure Category, shall revert immediately.

SECTION 67. The unexpended balance of funds provided for Fiscal Year 2012-2013 to the Department of Economic Opportunity in section 76 of chapter 2012-118, Laws of Florida, including any funds remaining in unbudgeted reserve, for the contract executed with the Economic Development Commission of Florida's Space Coast for the charitable purpose of developing and implementing an innovative economic development program for promoting research and development, commercialization of research, economic diversification, and job creation in a "disproportionally affected community" in Brevard County, including the unreleased balance of funds held in reserve, shall revert and are appropriated for Fiscal Year 2013-2014 to the Department of Economic Opportunity for the same purpose.

SECTION 68. The unexpended balance of funds provided for Fiscal Year 2012-2013 to the Department of Economic Opportunity in section 73 of chapter 2012-118, Laws of Florida, including the unreleased balance of funds held in reserve, for the State Small Business Credit Initiative shall revert and is appropriated for Fiscal Year 2013-2014 to the Department of Economic Opportunity for the same purpose.

SECTION 69. The unexpended balance of funds provided to the Department of Economic Opportunity pursuant to budget amendments EOG #B2013-0249 and EOG #B2013-0385 for a federal National Emergency Grant related to Tropical Storm Debby shall revert and is appropriated for Fiscal Year 2013-2014 to the Department of Economic Opportunity for the same purpose.

SECTION 70. The sum of \$31,088,873 is appropriated from the Employment Security Administration Trust Fund to the Department of Economic Opportunity for Fiscal Year 2012-2013 to cover expenditures made in the Grants and Aids - Regional Workforce Board appropriation category. This

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section is effective upon this act becoming law.

SECTION 71. Notwithstanding the provisions of subsection (4) of section 53 of chapter 2010-147, Laws of Florida, \$2,850,000 of the unexpended balance of General Revenue funds provided for the Local Government Distressed Area Matching Grant Program shall revert immediately and are appropriated for Fiscal Year 2013-2014 to the Department of Economic Opportunity for the Quick Response Training Program.

SECTION 72. The unexpended balance of funds from the State Economic Enhancement and Development Trust Fund provided to the Department of Economic Opportunity in Specific Appropriation 2304A of chapter 2012-118, Laws of Florida, and subsequently allocated by budget amendment #B2013-0042 for the Quick Action Closing Fund and Innovation Incentive Fund programs, including any funds remaining in reserve, shall revert and are appropriated for Fiscal Year 2013-2014 to the Department of Economic Opportunity for the same purpose.

SECTION 73. The sum of \$2,500,000 from the unexpended funds provided from the General Revenue Fund to the Executive Office of the Governor for the Transparency Florida System in Specific Appropriation 2556 of chapter 2012-118, Laws of Florida, shall immediately revert.

SECTION 74. The unexpended balance of funds provided for domestic security projects in Administered Funds in Specific Appropriation 2026A of chapter 2012-118, Laws of Florida, to the Division of Emergency Management, that was subsequently allocated to the division in budget amendment EOG #B2013-0014, and the unexpended balance of funds provided for Fiscal Year 2012-2013 to the division in section 78 of chapter 2012-118, Laws of Florida, for domestic security projects, shall revert and are appropriated for Fiscal Year 2013-2014 to the Division of Emergency Management for the same purpose.

SECTION 75. The unexpended balance of funds provided to the Division of Emergency Management for federal Emergency Management Performance grants in Specific Appropriations 2579 and 2599 of chapter 2012-118, Laws of Florida, as adjusted by budget amendment EOG #2013-0041, and the unexpended balance of funds provided for Fiscal Year 2012-2013 to the division in section 79 of chapter 2012-118, Laws of Florida, shall revert and are appropriated for Fiscal Year 2013-2014 to the Division of Emergency Management for the same purpose.

SECTION 76. The unexpended balance of state funds appropriated to the Office of Motor Carrier Compliance in the Department of Highway Safety and Motor Vehicles in Specific Appropriations 2673 through 2678 and 2679 through 2683 in Fiscal Year 2012-2013 shall, upon reversion, be deposited into the State Transportation Trust Fund in the Department of Transportation by a nonoperating transfer.

SECTION 77. The unexpended balance of funds provided to the Department of Highway Safety and Motor Vehicles in Specific Appropriation 2704, Tax Collector Network - County Systems, of chapter 2012-118 Laws of Florida, shall revert and is reappropriated for the 2013-2014 fiscal year for the same purpose.

SECTION 78. Upon completion of procurement of a vendor for the computer aided dispatch project during Fiscal Year 2013-14, the Department of Highway Safety and Motor Vehicles is authorized to submit a budget amendment for approval by the Legislative Budget Commission to increase budget as needed for the new contract.

SECTION 79. The sum of \$85,635 is appropriated from the General Revenue Fund to the Department of State for the 2012-2013 fiscal year for a library grant to the Okaloosa County Library. This section shall be effective upon becoming law.

SECTION 80. The unexpended balance of general revenue funds appropriated to the Department of State in Specific Appropriation 3148A of chapter 2012-118, Laws of Florida, shall revert immediately and is appropriated for Fiscal Year 2013-2014 for the purpose of continuing Phase II of the repair and maintenance of the Grove Historic Property.

SECTION 81. The unexpended balance of funds provided pursuant to chapter 2012-118, section 84, Laws of Florida, and approved budget

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amendment: EOG #2009-0082, dated April 15, 2009, for the Transportation Infrastructure - American Recovery and Reinvestment Act of 2009 (088825) appropriation category in the Department of Transportation, shall revert immediately and is appropriated for Fiscal Year 2013-2014 to the department for the same purpose.

SECTION 82. The unexpended balance of funds provided to the Department of Transportation in Specific Appropriation 1906 and 1907 of chapter 2012-118, Laws of Florida, for the Florida Permanent Reference Network Issue, shall revert immediately and is appropriated for Fiscal Year 2013-2014 to the department for the same purpose.

SECTION 83. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2013-0557 as submitted on April 22, 2013, by the Governor on behalf of the Agency for Persons with Disabilities for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2012-2013 consistent with the amendment. This section is effective upon becoming law.

SECTION 84. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2013-0495 as submitted on March 26, 2013, by the Governor on behalf of the Department of Agriculture and Consumer Services for approval by the Legislative Budget Commission for Fiscal Year 2012-2013. The Governor shall modify the approved operating budget for Fiscal Year 2012-2013 consistent with the amendment. This section is effective upon becoming law.

SECTION 85. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2013-0504 as submitted on April 22, 2013, by the Governor on behalf of the Department of Children and Families for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2012-2013 consistent with the amendment. This section is effective upon becoming law.

SECTION 86. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2013-0518 as submitted on April 22, 2013, by the Governor on behalf of the Department of Children and Families for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2012-2013 consistent with the amendment. This section is effective upon becoming law.

SECTION 87. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2013-0550 as submitted on April 22, 2013, by the Governor on behalf of the Department of Children and Families for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2012-2013 consistent with the amendment. This section is effective upon becoming law.

SECTION 88. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2013-0538 as submitted by the Governor on April 23, 2013, on behalf of the Department of Economic Opportunity for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2012-2013 consistent with the amendment. This section is effective upon becoming law.

SECTION 89. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2013-0568 as submitted by the Governor on April 23, 2013, on behalf of the Department of Economic Opportunity for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2012-2013 consistent with the amendment. This section is effective upon becoming law.

SECTION 90. The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2013-0470 as submitted by the Governor on behalf of the Division of Emergency Management for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year

SECTION 90  
SPECIFIC  
APPROPRIATION

2012-2013 consistent with the amendment. This section is effective upon becoming law.

SECTION 91. Effective upon becoming law, the nonrecurring sums of \$317,687 from general revenue and \$2,024,542 from trust funds are hereby reduced from each agency's budget for Fiscal Year 2012-2013, as a result of savings achieved through the Real Estate Initiative, as follows:

AGENCY FOR HEALTH CARE ADMINISTRATION	
General Revenue.....	1,915
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION	
Trust Funds.....	147,956
DEPARTMENT OF ECONOMIC OPPORTUNITY	
Trust Funds.....	1,500
DEPARTMENT OF EDUCATION-BLIND SERVICES	
Trust Funds.....	20,587
DEPARTMENT OF EDUCATION-STATE BOARD OF EDUCATION	
Trust Funds.....	158,908
DEPARTMENT OF ELDER AFFAIRS	
General Revenue.....	91,142
EXECUTIVE OFFICE OF THE GOVERNOR	
General Revenue.....	5,600
DEPARTMENT OF HEALTH	
Trust Funds.....	923,510
PUBLIC SERVICE COMMISSION	
Trust Funds.....	92,173
DEPARTMENT OF REVENUE	
General Revenue.....	219,030
Trust Funds.....	673,908

SECTION 92. Effective upon becoming law, the nonrecurring sums of \$1,192,308 from general revenue and \$2,496,610 from trust funds are hereby reduced from each agency's budget for Fiscal Year 2012-2013, as a result of savings achieved through the Vendor Management Initiative, as follows:

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION	
Trust Funds.....	90,718
DEPARTMENT OF EDUCATION-STATE BOARD OF EDUCATION	
General Revenue.....	1,174,062
Trust Funds.....	922,477
DEPARTMENT OF ELDER AFFAIRS	
General Revenue.....	4,182
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Trust Funds.....	1,450,530
EXECUTIVE OFFICE OF THE GOVERNOR	
General Revenue.....	438
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES	
Trust Funds.....	16,505
DEPARTMENT OF JUVENILE JUSTICE	
General Revenue.....	12,814
DEPARTMENT OF MILITARY AFFAIRS	
Trust Funds.....	16,380
DEPARTMENT OF STATE	
General Revenue.....	812

SECTION 93. Pursuant to section 215.32(2)(b)4.a., Florida Statutes, \$385,330,000 from unobligated cash balance amounts specified from the following trust funds shall be transferred to the General Revenue Fund for Fiscal Year 2013-2014:

DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Inland Protection Trust.....	21,000,000
Solid Waste Management Trust Fund.....	2,000,000
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION	
Division of Florida Condominiums, Timeshares and Mobile	
Homes Trust Fund.....	4,500,000
Professional Regulation Trust Fund.....	1,000,000
DEPARTMENT OF FINANCIAL SERVICES	
Anti-Fraud Trust Fund.....	3,200,000
Financial Institutions Regulatory Trust Fund.....	1,500,000
Insurance Regulatory Trust Fund.....	7,800,000
Regulatory Trust Fund/Office of Financial Regulation.....	3,000,000

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APPROPRIATION

## AGENCY FOR HEALTH CARE ADMINISTRATION

Health Care Trust Fund.....	5,000,000
Grants and Donations Trust Fund.....	90,000,000
DEPARTMENT OF HEALTH	
Medical Quality Assurance Trust Fund.....	10,300,000
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES	
Highway Safety Operating Trust Fund.....	7,000,000
DEPARTMENT OF ECONOMIC OPPORTUNITY	
Local Government Housing Trust Fund.....	151,400,000
State Housing Trust Fund.....	52,730,000
State Economic Enhancement and Development Trust Fund.....	24,900,000

Funds specified above from each trust fund shall be transferred in four equal installments on a quarterly basis during the fiscal year, except for funds from the Local Government Housing Trust Fund and the State Housing Trust Fund, which shall transfer fifty percent by March 1, 2014, and fifty percent by June 30, 2014.

SECTION 94. The Chief Financial Officer is hereby authorized to transfer \$214,500,000 from the General Revenue Fund to the Budget Stabilization Fund for Fiscal Year 2013-2014 as required by section 215.32(2)(c), Florida Statutes.

SECTION 95. Any section of this act, or any appropriation herein contained, if found to be invalid shall in no way affect other sections or specific appropriations contained in this act.

SECTION 96. Except as otherwise provided herein, this act shall take effect July 1, 2013, or upon becoming law, whichever occurs later; however, if this act becomes law after July 1, 2013, then it shall operate retroactively to July 1, 2013.

## TOTAL THIS GENERAL APPROPRIATION ACT

FROM GENERAL REVENUE FUND . . . . .	26,828,114,375
FROM TRUST FUNDS . . . . .	47,664,456,441
TOTAL POSITIONS . . . . .	114,481,50
TOTAL ALL FUNDS . . . . .	74,492,570,816
TOTAL APPROVED SALARY RATE . . . . .	4,796,891,671

On motion by Senator Negron, the Conference Committee Report on **SB 1500** was adopted. **SB 1500** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

## Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

## Nays—None

## DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the



disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers, Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 1500** which comes before the Senate floor for a vote on May 3, 2013.

Therefore, I believe that, because Caregivers, Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

*Senator Don Gaetz, 1st District*

## RECESS

On motion by Senator Thrasher, the Senate recessed at 6:04 p.m. to reconvene upon call of the President.

## EVENING SESSION

The Senate was called to order by President Gaetz at 6:43 p.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

## MOTION

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 8:00 p.m.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for CS for HB 1159 as further amended, and requests the concurrence of the Senate.

*Robert L. "Bob" Ward, Clerk*

**CS for CS for HB 1159**—A bill to be entitled An act relating to health care facilities; amending s. 395.003, F.S.; authorizing certain specialty-licensed children's hospitals to provide obstetrical services under certain circumstances; amending s. 408.036, F.S.; providing for expedited review of certificate-of-need for licensed skilled nursing facilities in qualifying retirement communities; providing criteria for expedited review for licensed skilled nursing homes in qualifying retirement communities; limiting the number of beds per retirement community that can be added through expedited review; providing for severability; providing an effective date.

**House Amendment 1 (400799) (with title amendment) to Senate Amendment 1 (885832)**—Remove lines 196-257 of the amendment and insert:

Section 6. Subsection (6) of section 395.003, Florida Statutes, is amended to read:

395.003 Licensure; denial, suspension, and revocation.—

(6)(a) A specialty hospital may not provide any service or regularly serve any population group beyond those services or groups specified in its license. A specialty-licensed children's hospital that is authorized to provide pediatric cardiac catheterization and pediatric open-heart surgery services may provide cardiovascular service to adults who, as children, were previously served by the hospital for congenital heart disease, or to those patients who are referred for a specialized procedure only for congenital heart disease by an adult hospital, without obtaining additional licensure as a provider of adult cardiovascular services. The agency may request documentation as needed to support patient selection and treatment. This subsection does not apply to a specialty-licensed children's hospital that is already licensed to provide adult cardiovascular services.

(b) *A specialty-licensed children's hospital that has licensed neonatal intensive care unit beds and is located in a county with a population of 1,750,000 or more may provide obstetrical services, in accordance with the pertinent guidelines promulgated by the American College of Obstetricians and Gynecologists and with verification of guidelines and compliance with internal safety standards by the Voluntary Review for Quality of Care Program of the American College of Obstetricians and Gynecologists and in compliance with the agency's rules pertaining to the obstetrical department in a hospital and offer healthy mothers all necessary critical care equipment, services, and the capability of providing up to 10 beds for labor and delivery care, which services are restricted to the diagnosis, care, and treatment of pregnant women of any age who have documentation by an examining physician that includes information regarding:*

*1. At least one fetal characteristic or condition diagnosed intra-utero that would characterize the pregnancy or delivery as high risk including structural abnormalities of the digestive, central nervous, and cardiovascular systems and disorders of genetic malformations and skeletal dysplasia, acute metabolic emergencies, and babies of mothers with rheumatologic disorders; or*

*2. Medical advice or a diagnosis indicating that the fetus may require at least one perinatal intervention.*

*This paragraph shall not preclude a specialty-licensed children's hospital from complying with s. 395.1041 or the Emergency Medical Treatment and Active Labor Act, 42 U.S.C. 1395dd.*

Section 7. Sections 8 and 9 of this act may be cited as the "Cancer Treatment Fairness Act."

Section 8. Effective July 1, 2014, and applicable to policies issued or renewed on or after that date, section 627.42391, Florida Statutes, is created to read:

627.42391 Insurance policies; cancer treatment parity; orally administered cancer treatment medications.—

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

(a) "Cancer treatment medication" means medication prescribed by a treating physician who determines that the medication is medically necessary to kill or slow the growth of cancerous cells in a manner consistent with nationally accepted standards of practice.

(b) "Cost sharing" includes copayments, coinsurance, dollar limits, and deductibles imposed on the covered person.

(c) "Grandfathered health plan" has the same meaning as provided in 42 U.S.C. s. 18011 and is subject to the conditions for maintaining status as a grandfathered health plan as specified in 45 C.F.R. s. 147.140.

(2) *An individual or group insurance policy delivered, issued for delivery, renewed, amended, or continued in this state that provides medical, major medical, or similar comprehensive coverage and includes coverage for cancer treatment medications must also cover prescribed, orally administered cancer treatment medications and may not apply cost-sharing requirements for orally administered cancer treatment medications that are less favorable to the covered person than cost-shar-*

ing requirements for intravenous or injected cancer treatment medications covered under the policy or contract.

(3) An insurer providing a policy or contract described in subsection (2) and any participating entity through which the insurer offers health services may not:

(a) Vary the terms of the policy in effect on July 1, 2014, to avoid compliance with this section.

(b) Provide any incentive, including, but not limited to, a monetary incentive, or impose treatment limitations to encourage a covered person to accept less than the minimum protections available under this section.

(c) Penalize a health care practitioner or reduce or limit the compensation of a health care practitioner for recommending or providing services or care to a covered person as required under this section.

(d) Provide any incentive, including, but not limited to, a monetary incentive, to induce a health care practitioner to provide care or services that do not comply with this section.

(e) Change the classification of any intravenous or injected cancer treatment medication or increase the amount of cost sharing applicable to any intravenous or injected cancer treatment medication in effect on the effective date of this section in order to achieve compliance with this section.

(4) This section does not apply to grandfathered health plans or to Medicare supplement, dental, vision, long-term care, disability, accident only, specified disease policies, or other supplemental limited-benefit plans.

Notwithstanding this section, if the cost-sharing requirements for intravenous or injected cancer treatment medications under the policy or contract are less than \$50 per month, then the cost-sharing requirements for orally administered cancer treatment medications may be up to \$50 per month.

Section 9. Effective July 1, 2014, and applicable to policies issued or renewed on or after that date, section 641.313, Florida Statutes, is created to read:

**641.313 Health maintenance contracts; cancer treatment parity; orally administered cancer treatment medications.—**

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

(a) “Cancer treatment medication” means medication prescribed by a treating physician who determines that the medication is medically necessary to kill or slow the growth of cancerous cells in a manner consistent with nationally accepted standards of practice.

(b) “Cost sharing” includes copayments, coinsurance, dollar limits, and deductibles imposed on the covered person.

(c) “Grandfathered health plan” has the same meaning as provided in 42 U.S.C. s. 18011 and is subject to the conditions for maintaining status as a grandfathered health plan as specified in 45 C.F.R. s. 147.140.

(2) A health maintenance contract delivered, issued for delivery, renewed, amended, or continued in this state that provides medical, major medical, or similar comprehensive coverage and includes coverage for cancer treatment medications must also cover prescribed, orally administered cancer treatment medications and may not apply cost-sharing requirements for orally administered cancer treatment medications that are less favorable to the covered person than cost-sharing requirements for intravenous or injected cancer treatment medications covered under the contract.

(3) A health maintenance organization providing a contract described in subsection (2) and any participating entity through which the health maintenance organization offers health services may not:

(a) Vary the terms of the policy in effect on July 1, 2014, to avoid compliance with this section.

(b) Provide any incentive, including, but not limited to, a monetary incentive, or impose treatment limitations to encourage a covered person to accept less than the minimum protections available under this section.

(c) Penalize a health care practitioner or reduce or limit the compensation of a health care practitioner for recommending or providing services or care to a covered person as required under this section.

(d) Provide any incentive, including, but not limited to, a monetary incentive, to induce a health care practitioner to provide care or services that do not comply with this section.

(e) Change the classification of any intravenous or injected cancer treatment medication or increase the amount of cost sharing applicable to any intravenous or injected cancer treatment medication in effect on the effective date of this section in order to achieve compliance with this section.

(4) This section does not apply to grandfathered health plans or to Medicare supplement, dental, vision, long-term care, disability, accident only, specified disease policies, or other supplemental limited-benefit plans.

Notwithstanding this section, if the cost-sharing requirements for intravenous or injected cancer treatment medications under the contract are less than \$50 per month, then the cost-sharing requirements for orally administered cancer treatment medications may be up to \$50 per month.

Section 10. Notwithstanding s. 893.055, Florida Statutes, for the 2013-2014 fiscal year, the sum of \$500,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Health for the general administration of the prescription drug monitoring program.

Section 11. Except as otherwise provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Remove lines 264-288 of the amendment and insert: A bill to be entitled An act relating to health care; amending s. 395.4001, F.S.; revising the definition of the terms “level II trauma center” and “trauma center”; amending s. 395.401, F.S.; making conforming changes; amending s. 395.4025, F.S.; establishing criteria for designating Level II trauma centers in areas with limited access to trauma center services; amending s. 400.9905, F.S.; revising a definition; amending s. 408.036, F.S.; providing for expedited review of certificate-of-need for licensed skilled nursing facilities in qualifying retirement communities; providing criteria for expedited review for licensed skilled nursing homes in qualifying retirement communities; limiting the number of beds per retirement community that can be added through expedited review; amending s. 395.003, F.S.; authorizing certain specialty-licensed children’s hospitals to provide obstetrical services under certain circumstances; providing a short title; creating ss. 627.42391 and 641.313, F.S.; providing definitions; requiring that an individual or group insurance policy or contract or a health maintenance contract that provides coverage for cancer treatment medications provide coverage for orally administered cancer treatment medications; requiring that an individual or group insurance policy or contract or a health maintenance contract provide coverage for orally administered cancer treatment medications on a basis no less favorable than that required by the policy or contract for intravenously administered or injected cancer treatment medications; excluding grandfathered health plans and other specified types of health care policies and supplemental limited-benefit plans from coverage and from coverage and cost-sharing requirements; prohibiting insurers, health maintenance organizations, and certain other entities from engaging in specified actions to avoid compliance with this act; providing limits on certain cost-sharing requirements; providing an appropriation to the Department of Health to fund the administration of the prescription drug monitoring program; providing effective dates.

Pursuant to Rule 7.1(1), there being no objection, consideration of the following late-filed amendment was allowed:

Senators Bullard and Sobel offered the following amendment which was moved by Senator Bullard and failed:

**Senate Amendment 1 (392132) (with title amendment) to House Amendment 1 (400799) to Senate Amendment 1 (885832)**—Delete lines 5-52.

And the title is amended as follows:

Delete lines 198-201 and insert: through expedited review; providing a short title;

On motion by Senator Hays, the Senate concurred in **House Amendment 1 (400799) to Senate Amendment 1 (885832)** as amended.

**CS for CS for HB 1159** passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Richter
Abruzzo	Galvano	Ring
Altman	Gardiner	Sachs
Bean	Gibson	Simmons
Benacquisto	Grimsley	Simpson
Bradley	Hays	Smith
Brandes	Hukill	Sobel
Braynon	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Montford	
Evers	Negron	

Nays—2

Garcia	Margolis
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The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments 1 and 4, refused to concur in Senate Amendment 3 and requests the Senate to recede therefrom, and passed CS/HB 7129 as further amended, and request the concurrence of the Senate.

*Robert L. "Bob" Ward, Clerk*

**CS for HB 7129**—A bill to be entitled An act relating to residential services for children; amending s. 409.175, F.S.; revising the definition of the term "boarding school"; providing accreditation requirements for boarding schools; establishing reporting requirements for boarding schools during the accreditation process; authorizing the Department of Children and Families to impose administrative sanctions or civil remedies when residential group care is provided without a license; requiring background screening for boarding school personnel; requiring boarding schools to follow standard school schedules, holiday breaks, and summer recesses; revising residency requirements; amending s. 409.176, F.S.; requiring notification of qualified associations for specified violations; providing for fines; providing an effective date.

**Senate Amendment 3 (137184) (with title amendment)**—Between lines 147 and 148 insert:

Section 3. Paragraph (i) is added to subsection (1) of section 163.506, Florida Statutes, to read:

163.506 Local government neighborhood improvement districts; creation; advisory council; dissolution.—

(1) After a local planning ordinance has been adopted authorizing the creation of local government neighborhood improvement districts,

the local governing body of a municipality or county may create local government neighborhood improvement districts by the enactment of a separate ordinance for each district, which ordinance:

(i) *Authorizes the district to borrow money, contract loans, and issue bonds, certificates, warrants, notes, or other evidence of indebtedness to finance the undertaking of a capital or other project for a purpose permitted by the State Constitution and this part, and to pledge the funds, credit, property, and special assessment power of the district for the payment of such debts and bonds. Bonds that are issued under this paragraph must be authorized by resolution of the board, by resolution of the governing body of the municipality or county. Bonds may be issued in one or more series and shall bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form, registered or not, with or without coupon, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and subject to such terms of redemption, with or without premium, be secured in such manner, and have such other characteristics as may be provided by such resolution or trust indenture or mortgage issued pursuant thereto.*

And the title is amended as follows:

Between lines 16 and 17 insert: amending s. 163.506, F.S.; providing that an ordinance that creates a neighborhood improvement district may authorize the district to exercise certain powers, in addition to those already granted to such districts; specifying such powers; conditioning the exercise of those powers on resolution and referendum;

On motion by Senator Joyner, the Senate receded from **Senate Amendment 3 (137184)**.

**CS for HB 7129** passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Montford
Abruzzo	Flores	Negron
Altman	Galvano	Richter
Bean	Garcia	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher

Nays—None

## REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

Ms. Debbie Brown  
Secretary, The Florida Senate

May 3, 2013

Dear Secretary Brown:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the following appointments and the appointments were left pending and were not acted on by the Senate upon adjournment of the 2013 Regular Session of the Florida Legislature:

*Office and Appointment*

Florida Building Commission

*For Term  
Ending*

<i>Office and Appointment</i>		<i>For Term</i>	Senate upon adjournment of the 2013 Regular Session of the Florida
Appointee:	Meyer, Elizabeth	<i>Ending</i>	Legislature:
		02/07/2017	
		<i>Office and Appointment</i>	<i>For Term</i>
			<i>Ending</i>
Board of Chiropractic Medicine			
Appointee:	Shreeve, Michael West	10/31/2014	Citrus County Hospital Board
			Appointee: Bays, Michael D.
			07/07/2016
Florida Commission on Community Service			The following executive appointments were referred to the Senate
Appointees:	Graham, Carol	09/14/2013	Committee on Ethics and Elections for action pursuant to Rule 12.7 of
	Rovira-Forino, Maritza	09/14/2014	the Rules of the Florida Senate. The Senate Committee on Ethics and
	Seevers, Sarah E.	09/14/2014	Elections considered and recommended confirmation of the following
State Board of Education			appointments and the appointees were not acted on by the Senate upon
Appointee:	Colon, John A.	12/31/2014	adjournment of the 2013 Regular Session of the Florida Legislature:
			<i>For Term</i>
Education Practices Commission			<i>Ending</i>
Appointee:	Williamson, Troy	08/18/2016	<i>Office and Appointment</i>
Interim State Surgeon General			
Appointee:	Harris, Steven L.	Pleasure of Governor	Citrus County Hospital Board
			Appointee: Priselac, Robert J.
			07/03/2015
Florida Inland Navigation District			Board of Veterinary Medicine
Appointees:	Blow, John Carl	01/09/2017	Appointee: Johnson, Connie M.
	Chappell, Tyler	01/09/2017	10/31/2013
	Cuozzo, Donald J.	01/09/2017	The following executive appointment was referred to the Senate Ap-
	Dritenbas, Paul U.	01/09/2017	propriations Subcommittee on Criminal and Civil Justice, the Senate
	Isiminger, Charles C.	01/09/2015	Committee on Criminal Justice, and Senate Committee on Ethics and
	McCabe, Susanne D.	01/09/2017	Elections for action pursuant to Rule 12.7 of the Rules of the Florida
	Netts, Jonathan S.	01/09/2015	Senate. The Senate Appropriations Subcommittee on Criminal and Civil
	Williams, Lynn	01/09/2017	Justice, the Senate Committee on Criminal Justice, and the Senate
Board of Massage Therapy			Committee on Ethics and Elections considered and recommended con-
Appointee:	Buckley, Joy	10/31/2015	firmation of the following appointment and the appointee was not acted
Board of Medicine			on by the Senate upon adjournment of the 2013 Regular Session of the
Appointee:	Shugarman, Richard G.	10/31/2015	Florida Legislature:
			<i>For Term</i>
			<i>Ending</i>
Board of Occupational Therapy Practice			<i>Office and Appointment</i>
Appointees:	McKenzie, Tammy R.	10/31/2016	
	Roeck-Simmons, Heidi	10/31/2015	Secretary of Corrections
	Watson, Carol Marie	10/31/2015	Appointee: Crews, Michael D.
			Pleasure of Governor
Florida Prepaid College Board			The following executive appointment was referred to the Senate
Appointee:	Champion, Robert C.	06/30/2014	Committee on Commerce and Tourism, the Senate Committee on
Florida Real Estate Appraisal Board			Community Affairs, and the Senate Committee on Ethics and Elections
Appointee:	Simmons, Matthew S.	10/31/2015	for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The
Florida Real Estate Commission			Senate Committee on Commerce and Tourism, the Senate Committee on
Appointees:	Enzor, Roger P.	10/31/2015	Community Affairs, and the Senate Committee on Ethics and Elections
	Furst, Darla Ann	10/31/2016	considered and recommended confirmation of the following appointment
Central Florida Regional Planning Council, Region 7			and the appointee was not acted on by the Senate upon adjournment of
Appointee:	Posey, Elvie	10/01/2013	the 2013 Regular Session of the Florida Legislature:
			<i>For Term</i>
			<i>Ending</i>
Reemployment Assistance Appeals Commission			<i>Office and Appointment</i>
Appointee:	Finnegan, Joseph D.	06/30/2015	
Governing Board of the South Florida Water Manage-			Executive Director, Department of Economic Opportu-
ment District			nity
Appointees:	Hutchcraft, Mitchel A.	03/01/2017	Appointee: Panuccio, Jesse
	Powers, Kevin P.	03/01/2017	Pleasure of Governor
Governing Board of the Southwest Florida Water Man-			The following executive appointments were referred to the Senate
agement District			Committee on Education and the Senate Committee on Ethics and
Appointee:	Beruff, Carlos	03/01/2017	Elections for action pursuant to Rule 12.7 of the Rules of the Florida
Governing Board of the Suwannee River Water Man-			Senate. The Senate Committee on Education and the Senate Committee
agement District			on Ethics and Elections did not consider the following appointments and
Appointee:	Sanchez, Virginia Marsh	03/01/2017	the appointees were not acted on by the Senate upon adjournment of the
			2013 Regular Session of the Florida Legislature:
			<i>For Term</i>
			<i>Ending</i>
			<i>Office and Appointment</i>
The following executive appointment was referred to the Senate			
Committee on Ethics and Elections for action pursuant to Rule 12.7 of			Board of Trustees, Florida A & M University
the Rules of the Florida Senate. The Senate Committee on Ethics and			Appointee: Gilzean, Glenton, Jr.
Elections temporarily postponed consideration of the appointment and			01/06/2018
no recommendation was made and the appointee was not acted on by the			Board of Trustees, Florida Polytechnic University
			Appointees: Bostick, R. Mark
			06/30/2015
			Brown, William M.
			11/07/2017
			Caruncho, Joseph L., Sr.
			06/30/2014

*Office and Appointment*

	<i>For Term Ending</i>
Featherman, Sandra	07/15/2015
Gidel, Robert H.	06/30/2017
Hallion, Richard P., Jr.	07/15/2014
Hammack, Scott J.	06/30/2015
Hyman, Kevin M.	06/30/2015
Martin, Frank T.	07/15/2015
Stork, Robert W.	06/30/2014
Wilson, Donald H.	07/15/2014

The following executive appointment was referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Education did not consider the following appointment. The Senate Committee on Ethics and Elections considered and recommended confirmation of the following appointment and the appointee was not acted on by the Senate upon adjournment of the 2013 Regular Session of the Florida Legislature:

*Office and Appointment*

	<i>For Term Ending</i>
State Board of Education	
Appointee: Armas, Ada Gonzalez	12/31/2016

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation considered and recommended the following appointment. The Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was not acted on by the Senate upon adjournment of the 2013 Regular Session of the Florida Legislature:

*Office and Appointment*

	<i>For Term Ending</i>
Governing Board of the St. Johns River Water Management District	
Appointee: Roberts, Frederick N., Jr.	03/01/2015

The following executive appointment was referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Education and the Senate Committee on Ethics and Elections considered and recommended the following appointment and the appointee was not acted on by the Senate upon adjournment of the 2013 Regular Session of the Florida Legislature:

*Office and Appointment*

	<i>For Term Ending</i>
State Board of Education	
Appointee: Padget, John R.	12/31/2016

The following executive appointment was referred to the Senate Committee on Health Policy and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Health Policy considered and recommended the following appointment. The Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was not acted on by the Senate upon adjournment of the 2013 Regular Session of the Florida Legislature:

*Office and Appointment*

	<i>For Term Ending</i>
State Surgeon General	
Appointee: Armstrong, John H.	Pleasure of Governor

Respectfully submitted,  
Jack Latvala, Chairman

*For Term  
Ending*  
Ms. Debbie Brown  
Secretary, The Florida Senate

May 3, 2013

Dear Secretary Brown:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the appointments because the term of the appointees had expired:

*Office and Appointment*

	<i>For Term Ending</i>
Board of Acupuncture	
Appointee: Teisinger, Mary Katherine	10/31/2012
Florida State Boxing Commission	
Appointee: Lopez, Marco A.	09/30/2012
Florida Building Code Administrators and Inspectors Board	
Appointees: Dudley, Fred R.	10/31/2012
Francis, Wayne A.	10/31/2012
Florida Building Commission	
Appointees: Dean, Nanette	04/05/2013
Frank, Charles L.	03/11/2013
Capital Collateral Regional Counsel - Middle Region	
Appointee: Jennings, John "Bill" W.	09/30/2012
Capital Collateral Regional Counsel - Southern Region	
Appointee: Dupree, Neal A.	09/30/2012
Florida Citrus Commission	
Appointees: Haycock, Michael W.	06/30/2012
Hollingsworth, Vernon C. III	06/30/2012
Horrisberger, James S.	06/30/2012
Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling	
Appointee: Gillespy, Susan J.	10/31/2012
Florida Commission on Community Service	
Appointees: Barber, Chucha S.	09/14/2012
Karlinsky, Autumn	09/14/2012
Nappo, Frank L.	09/14/2012
Construction Industry Licensing Board	
Appointees: Beall, Kristin	10/31/2012
Watts, Jacqueline A.	10/31/2012
Board of Dentistry	
Appointee: Cabanzon, Catherine	10/31/2012
Board of Hearing Aid Specialists	
Appointee: Polhill, Leanne E.	10/31/2012
Juvenile Welfare Board of Pinellas County	
Appointee: Neri, Raymond H.	08/07/2012
Participant Local Government Advisory Council	
Appointee: Scott, Barbara T.	01/13/2013
Board of Pilot Commissioners	
Appointees: Frudaker, Richard N.	10/31/2012
Smith, Thayer C., Jr.	10/31/2012
Trueba, Carlos M.	10/31/2012
Board of Podiatric Medicine	
Appointee: Evans, Chester A.	10/31/2012
Board of Psychology	
Appointees: Aufderheide, Dean H.	10/31/2012
Koehnemann, Neda C.	10/31/2012
Florida Real Estate Appraisal Board	
Appointee: McKee, Tamara J.	10/31/2012

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Withlacoochee Regional Planning Council, Region 5 Appointees: Craig, Avis Marie Selph, Walter E.	10/01/2012 10/01/2012	Governing Board of the Southwest Florida Water Management District Appointee: Mann, George W. III	03/01/2013
Central Florida Regional Planning Council, Region 7 Appointee: Tuck, Andy	10/01/2012	Governing Board of the Suwannee River Water Management District Appointee: Johns, Virginia H.	03/01/2013
Tampa Bay Regional Planning Council, Region 8 Appointees: Kinsler, Angeleah C. Nunez, Andres E., Jr.	10/01/2012 10/01/2012	Respectfully submitted, Jack Latvala, Chairman	
Southwest Florida Regional Planning Council, Region 9 Appointees: Karau, Melvin E. Perry, Thomas C., Jr.	10/01/2012 10/01/2012	Ms. Debbie Brown Secretary, The Florida Senate	May 3, 2013
South Florida Regional Planning Council, Region 11 Appointee: Wallace, Paul R.	10/01/2012	Dear Secretary Brown:	
State Retirement Commission Appointee: Bethel, Harry L.	12/31/2012	The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the appointments because the term of the appointees had expired:	
Big Cypress Basin Board of the South Florida Water Management District Appointee: Vaughn, John Wesley, Jr.	03/01/2013		<i>For Term Ending</i>
Board of Trustees, New College of Florida Appointee: Skestos, George A.	01/06/2013	<i>Office and Appointment</i>	
Board of Trustees, University of North Florida Appointee: Franklin, Fred D., Jr.	01/06/2013	Florida Real Estate Appraisal Board Appointee: Boyd, Joseph Robert, Jr.	10/31/2012
The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the appointments because the appointees resigned:		North Central Florida Regional Planning Council, Region 3 Appointee: Collett, Thomas D.	10/01/2012
		Withlacoochee Regional Planning Council, Region 5 Appointee: Smith, Whitney S.	10/01/2012
<i>Office and Appointment</i>	<i>For Term Ending</i>	Tampa Bay Regional Planning Council, Region 8 Appointee: Waller, Charles D.	10/01/2012
Executive Director, Department of Economic Opportunity Appointee: Deutsch, Hunting F.	Pleasure of Governor	Treasure Coast Regional Planning Council, Region 10 Appointee: Hall, William M.	10/01/2012
Board of Governors of the State University System Appointee: Parker, Ava L.	01/06/2013	The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the appointments because the appointees resigned:	
Florida Prepaid College Board Appointee: O'Rourke, John G.	06/30/2014		<i>For Term Ending</i>
State Retirement Commission Appointee: Spitzer, Zane F. III	12/31/2015	<i>Office and Appointment</i>	
The following executive appointment was referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections temporarily postponed consideration of the appointment. The Senate did not consider the appointment because the appointee resigned:		Board of Trustees of Daytona State College Appointee: Tanner, John W.	05/31/2014
		Board of Trustees of Florida State College at Jacksonville Appointees: Burnett, Douglas Delaney, Kevin F. McCollum, James E.	05/31/2014 05/31/2015 05/31/2015
<i>Office and Appointment</i>	<i>For Term Ending</i>	Board of Trustees of Pasco-Hernando Community College Appointee: Burke, Kathy A.	05/31/2015
Citrus County Hospital Board Appointee: Davis, Ervin Eugene	07/08/2014	Board of Trustees of St. Johns River State College Appointee: Webb, Mary Ellen	05/31/2015
The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections did not consider the appointments because the terms of the following appointees have expired:		Board of Trustees of St. Petersburg College Appointee: North, Timothy O.	05/31/2015
		Secretary of Corrections Appointee: Tucker, Kenneth S.	Pleasure of Governor
		Board of Dentistry Appointee: Edinger, Debra S.	10/31/2013
		Director, Agency for Persons with Disabilities	

*Office and Appointment*

Appointee: Hansen, Michael P.

*For Term  
Ending  
Pleasure of  
Governor*

Senate. The Senate Committee on Transportation and the Senate Committee on Ethics and Elections did not consider the appointment because the appointee resigned:

*Office and Appointment**For Term  
Ending*

Board of Governors of the State University System

Appointee: Caruncho, Joseph L., Sr.

01/06/2019

Florida Transportation Commission

Appointee: Lautenbach, Ned C.

09/30/2015

East Central Florida Regional Planning Council, Region 6

Appointee: Mercer, Atlee E.

10/01/2012

The following executive appointments were referred to the Senate Committee on Transportation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Transportation and the Senate Committee on Ethics and Elections considered and recommended confirmation of the appointments and the Senate did not consider the appointments because the appointees resigned:

*Office and Appointment**For Term  
Ending*

Treasure Coast Regional Planning Council, Region 10

Appointee: Stork, Robert W.

10/01/2013

Florida Transportation Commission

Appointees: Marono, Manuel L.  
Tuck, Andy09/30/2015  
09/30/2014

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections did not consider the following appointments and the appointees were not acted on by the Senate upon adjournment of the 2013 Regular Session of the Florida Legislature:

*Office and Appointment**For Term  
Ending*

Board of Landscape Architecture

Appointees: Marshall, Elizabeth Barno  
Pape, Michael E.10/31/2013  
10/31/2013

The following executive appointments were referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Education and the Senate Committee on Ethics and Elections did not consider the appointments because the appointees resigned:

*Office and Appointment**For Term  
Ending*

Board of Pilot Commissioners

Appointees: Frudaker, Richard N.  
Smith, Thayer C., Jr.10/31/2016  
10/31/2016

Director, Office of Early Learning

Appointee: Jurado, Melody "Mel"

Pleasure of  
Governor

Jacksonville Port Authority

Appointee: Gaffney, Reginald

09/30/2015

The following executive appointment was referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections temporarily postponed consideration of the appointment and no recommendation was made because the appointee resigned:

*Office and Appointment**For Term  
Ending*

Big Cypress Basin Board of the South Florida Water Management District

Appointee: Barber, Frederick T. III

03/01/2014

State Board of Education

Appointee: Desai, Akshay M.

12/31/2014

Board of Trustees, University of Central Florida

Appointee: Crofton, Meg G.

01/06/2016

Board of Trustees, University of Florida

Appointee: Levine, Alan M.

01/06/2016

The following executive appointment was referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections temporarily postponed consideration of the appointment and no recommendation was made and the appointment was not acted on by the Senate upon adjournment of the 2013 Regular Session of the Florida Legislature:

*Office and Appointment**For Term  
Ending*

Board of Trustees of Valencia College

Appointee: Cabrera-Morris, M. Bertica

05/31/2015

The following executive appointment was referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Education and the Senate Committee on Ethics and Elections considered and recommended confirmation of the following appointment and the appointee was not acted on by the Senate upon adjournment of the 2013 Regular Session of the Florida Legislature:

*Office and Appointment**For Term  
Ending*

Board of Trustees, University of Florida

Appointee: Heekin, William Michael

01/06/2016

The following executive appointment was referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Ethics and Elections considered and recommended confirmation of the following appointment and was not acted on by the Senate upon adjournment of the 2013 Regular Session of the Florida Legislature:

*Office and Appointment**For Term  
Ending*

Board of Pilot Commissioners

Appointee: Sams, Matthew T.

10/31/2013

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections did not consider the appointments because the appointees resigned:

*Office and Appointment**For Term  
Ending*

Environmental Regulation Commission

Appointee: Grandin, Susan C.

07/01/2015

Governing Board of the South Florida Water Management District

*Office and Appointment*  
Appointee: DeLisi, Daniel

*For Term Ending*  
03/01/2015

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections considered and recommended the following appointments and the appointees were not acted on by the Senate upon adjournment of the 2013 Regular Session of the Florida Legislature:

*Office and Appointment*

Governing Board of the Southwest Florida Water Management District

Appointees: Joerger, Albert G. 03/01/2015  
Tharp, Douglas B. 03/01/2015

Please be advised that the Florida Senate took no action on the above named appointments during the 2013 Regular Session and the 2012 Regular Session. Therefore, the failure to consider the appointments are noted in the pages of the Journal of the Senate in accordance with s. 114.05(1)(f), Florida Statutes.

Respectfully submitted,  
Jack Latvala, Chairman

Ms. Debbie Brown  
Secretary, The Florida Senate

May 3, 2013

Dear Secretary Brown:

Please be advised that the following appointments were not received by the Florida Senate for consideration in the 2013 Regular Session. Therefore, pursuant to s. 114.05(1)(e), F.S., the Senate took no action on these appointments during the regular session immediately following the effective date of the appointment.

*Office and Appointment*

*For Term Ending*

Board of Directors, Enterprise Florida, Inc.  
Appointee: Dorworth, Christopher E. 05/30/2012

Florida Housing Finance Corporation  
Appointee: Sanchez, Jose M. 04/23/2012

Board of Occupational Therapy Practice  
Appointee: Spafford, James F. 02/21/2013

Board of Physical Therapy Practice  
Appointee: Pettie, Christina L. 02/21/2013

Florida Prepaid College Board  
Appointee: Hogan, Patrick T. 02/22/2013

Central Florida Regional Planning Council, Region 7  
Appointees: Goodman, Marshall 02/01/2012  
Goodman, Marshall 02/06/2013

Please be advised that the following appointments were not received by the Florida Senate for consideration in the 2013 Regular Session. Therefore, pursuant to s. 114.05(1)(f), F.S., the Senate took no action on these appointments during the regular session immediately following the effective date of the appointment.

*Office and Appointment*

*For Term Ending*

Board of Landscape Architecture  
Appointees: Lambeth, Charles Christopher 04/23/2012  
Lambeth, Charles Christopher 02/06/2013

Withlacoochee Regional Planning Council, Region 5

*Office and Appointment*  
Appointee: Murray, Edward W. 04/23/2012

Southwest Florida Regional Planning Council, Region 9  
Appointees: Colon, Felipe J. 04/23/2012  
Colon, Felipe J. 02/06/2013

Board of Trustees, Florida Atlantic University  
Appointees: Graham-West, Angela 04/23/2012  
Graham-West, Angela 02/06/2013

Respectfully submitted,  
Jack Latvala, Chairman

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

### RETURNING MESSAGES — FINAL ACTION

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1300.

Robert L. "Bob" Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 to House Amendment 1 and passed CS for CS for SB 1388 as further amended; and concurred in Senate Amendment 1 to House Amendment 3 and passed CS for CS for SB 1410 as further amended; accepted the Conference Committee Reports in their entirety and passed CS for SB 406, SB 1500, SB 1502, SB 1504, SB 1512, SB 1514, SB 1516, SB 1518, SB 1520, SB 1522, CS for CS for SB 1660, CS for CS for SB 1720, SB 1802 and SB 1810 as amended by the Conference Committee Reports.

Robert L. "Bob" Ward, Clerk

The bills contained in the foregoing messages were ordered engrossed and then enrolled.

The Honorable Don Gaetz, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment 1 and passed CS for HB 655 as amended; concurred in Senate Amendments 1 and 3 and passed CS for HB 7019 as amended; concurred in Senate Amendment 1 and passed CS for CS for HB 7125 as amended; concurred in Senate Amendments 1 and 2 and passed CS for CS for HB 85 as amended; concurred in Senate Amendments 2 and 3 and passed CS for CS for HB 411 as amended; concurred in Senate Amendments 1, 3, 4, 5, and 6 and passed CS for CS for HB 999 as amended; concurred in Senate Amendments 1, 2, and 3 and passed CS for HB 7165 as amended; concurred in Senate Amendment 1 and passed CS for HB 7029 as amended; accepted the Conference Committee Reports in their entirety and passed HB 5401, HB 5501 and HB 5503 as amended by the Conference Committee Reports.

Robert L. "Bob" Ward, Clerk

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 2 was corrected and approved.



**CO-INTRODUCERS**

Senators Abruzzo—CS for CS for SB 504, SR 1926; Altman—CS for SB 964, SR 1926; Bean—SR 1926; Benacquisto—SR 1926; Bradley—SR 1926; Brandes—SR 1926; Braynon—SR 1926; Bullard—SR 1926; Clemens—SR 1926; Dean—SR 1926; Detert—SR 1926; Diaz de la Portilla—SR 1926; Evers—SR 1926; Flores—SR 1926; Gaetz—SR 1926; Galvano—SR 1926; Garcia—SR 1926; Gardiner—SR 1926; Gibson—SR 1926; Grimsley—SR 1926; Hays—SR 1926; Hukill—SR 1926; Joyner—SR 1926; Latvala—SR 1926; Lee—SR 1926; Legg—SR 1926; Margolis—

SR 1926; Negron—SR 1926; Richter—SR 1926; Ring—SR 1926; Sachs—CS for SB 872, SR 1926; Simmons—SR 1926; Simpson—SR 1926; Smith—SR 1926; Sobel—SR 1926; Soto—SR 1926; Stargel—SR 1926; Thompson—SR 1926; Thrasher—SR 1926

**ADJOURNMENT**

On motion by Senator Thrasher, the Senate adjourned sine die at 7:16 p.m.

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## CERTIFICATE

**THIS IS TO CERTIFY** that the foregoing pages, numbered 1 through 1404, inclusive, are and constitute a complete, true and correct journal and record of the proceedings of the Senate of the State of Florida at the Forty-fifth Regular Session of the Legislature, convened under the Constitution as revised in 1968, held from March 5 through May 3, 2013. Additionally, there has been included a record of the transmittal of Acts and Resolutions and actions taken by the Governor subsequent to the sine die adjournment of the Regular Session.



*Debbie Brown*  
Secretary of the Senate

Tallahassee, Florida  
June 28, 2013



# Journal of the Senate

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## Final Reports After Adjournment Sine Die — Regular Session 2013

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### ENROLLING REPORTS

CS for SB 4 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 7, 2013.

SB 1500 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 9, 2013.

CS for SB 406, SB 1502, SB 1504, SB 1512, SB 1514, SB 1516, SB 1518, SB 1520, SB 1522, CS for CS for SB 1660, CS for CS for SB 1720, SB 1802, and SB 1810 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 10, 2013.

CS for CS for CS for SB 52, CS for SB 56, CS for SB 284, SB 342, SB 452, CS for CS for SB 468, CS for CS for CS for SB 534, SB 628, CS for SB 1768, SB 1806, CS for SB 1808, SB 1830, CS for SB 1842, and CS for SB 1844 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 21, 2013.

SM 1266 and SM 1478 have been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on May 21, 2013.

CS for CS for SB 120 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 22, 2013.

CS for CS for SB 160, SB 282, CS for SB 354, CS for CS for CS for SB 390, CS for CS for SB 398, SB 520, CS for CS for CS for SB 556, SB 558, SB 604, CS for CS for SB 682, CS for SB 964, CS for CS for SB 1094, CS for CS for CS for SB 1122, CS for SB 1420, CS for CS for CS for SB 1594, CS for SB 1770, SB 1792, SB 1850, and SB 1852 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 28, 2013.

CS for SB 142, SB 230, CS for SB 248, SB 356, CS for SB 648, CS for SB 662, CS for CS for SB 810, CS for SB 1302, CS for CS for SB 1410, and CS for CS for SB 1664 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 3, 2013.

CS for CS for SB 62, CS for CS for SB 166, CS for SB 186, CS for CS for SB 328, CS for CS for SB 336, CS for SB 364, CS for CS for SB 372, CS for SB 454, CS for CS for SB 492, CS for SB 606, CS for SB 934, CS for SB 948, CS for SB 1036, CS for CS for SB 1106, CS for CS for SB 1300, CS for SB 1398, and CS for CS for SB 1472 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 10, 2013.

CS for CS for SB 50, CS for CS for CS for SB 112, SB 244, CS for SB 298, SB 326, CS for SB 530, CS for SB 592, SB 736, SB 954, CS for SB 1108, CS for CS for SB 1388, SB 1700, and SB

1784 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 14, 2013.

*Debbie Brown, Secretary*

### MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State the following bills which he approved—

CS for SB 4 on May 15, 2013.

CS for SB 406, SB 1500, SB 1502, SB 1504, SB 1512, SB 1514, SB 1516, SB 1518, SB 1520, SB 1522, CS for CS for SB 1660, CS for CS for SB 1720, SB 1802, and SB 1810 on May 20, 2013.

CS for CS for CS for SB 52 on May 28, 2013.

CS for SB 1770 and SB 1850 on May 29, 2013.

CS for SB 56, CS for SB 284, SB 342, SB 452, CS for CS for SB 468, SB 628, CS for CS for SB 682, CS for SB 1768, SB 1806, CS for SB 1808, and SB 1830 on May 30, 2013.

CS for CS for CS for SB 534 and CS for SB 1842 on May 31, 2013.

SB 1852 on June 4, 2013.

CS for CS for CS for SB 556, SB 1792, and CS for SB 1844 on June 5, 2013.

CS for CS for SB 120 on June 6, 2013.

CS for CS for SB 160, SB 282, SB 356, CS for CS for CS for SB 390, CS for CS for SB 398, SB 520, SB 558, SB 604, CS for SB 662, CS for SB 964, CS for CS for SB 1094, CS for CS for CS for SB 1122, and CS for CS for CS for SB 1594 on June 7, 2013.

CS for CS for SB 62, CS for SB 142, CS for CS for SB 166, CS for SB 186, SB 230, CS for SB 248, CS for CS for SB 328, CS for CS for SB 336, CS for SB 364, CS for CS for SB 372, CS for SB 454, CS for CS for SB 492, CS for SB 606, CS for SB 648, CS for CS for SB 810, CS for SB 934, CS for SB 948, CS for SB 1036, CS for CS for SB 1106, CS for CS for SB 1300, CS for SB 1302, CS for SB 1398, CS for CS for SB 1410, CS for CS for SB 1472, and CS for CS for SB 1664 on June 14, 2013.

SB 1784 on June 27, 2013.

CS for CS for SB 50, CS for CS for CS for SB 112, SB 244, CS for SB 298, SB 326, CS for SB 530, CS for SB 592, SB 736, SB 954, CS for SB 1108, CS for CS for SB 1388, and SB 1700 on June 28, 2013.

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HOW TO FIND OR TRACE A BILL, RESOLUTION OR MEMORIAL

*When the bill, resolution or memorial number is unknown, use the:*

**SUBJECT INDEX OF SENATE AND HOUSE  
BILLS, RESOLUTIONS AND MEMORIALS.**

The subject matter of each bill is indexed and cross-indexed in an alphabetical arrangement, using topics of catchwords related closely to the subject matter. This is followed by the number of the bill, resolution or memorial.

*When the bill, resolution or memorial number is known, use the:*

**NUMERICAL INDICES OF SENATE AND HOUSE  
BILLS, RESOLUTIONS AND MEMORIALS.**

Each bill is listed in numerical order. Opposite each bill number is the subject, the name of introducer, the page numbers where the bill involved appears in the journal, and the final status of the bill.

**Tracing all Senate and House Actions**

It is possible to trace the progress of legislation from introduction to final disposition, step by step, as it is recorded on the various pages of the Senate Journal by looking at the pages referred to in the numerical index.

To follow the progress of Senate legislation passed by the Senate and sent to the House, use the indices contained in the House Journal to trace House action.

# JOURNAL OF THE SENATE

## MEMBERS OF THE SENATE; BILLS, RESOLUTIONS AND MEMORIALS INTRODUCED; AND COMMITTEE ASSIGNMENTS

REGULAR SESSION  
March 5 through May 3, 2013

[Source: Office of Legislative Services]

(Boldfaced bill numbers passed both houses—adopted one-house resolutions also boldfaced.)

### ABRUZZO, JOSEPH—25th District

Introduced: 198, 268, 276, 332, **356**, 384, 386, 396, **674**, 710, 762, 764, 788, 866, 872, 910, 912, **964**, 1042, 1086, 1326, 1342, 1376

Co-Introduced: **2**, **52**, **62**, 98, 100, 130, 196, 306, **334**, 422, **430**, 442, 504, **674**, 716, 774, **900**, **1036**, **1108**, **1266**, 1290, **1292**, **1836**, **1926**

Committees: Commerce and Tourism, Vice Chair; Environmental Preservation and Conservation, Vice Chair; *Appropriations Subcommittee on Education*; *Appropriations Subcommittee on Finance and Tax*; Communications, Energy, and Public Utilities; Military and Veterans Affairs, Space, and Domestic Security; and *Joint Legislative Auditing Committee, Alternating Chair*

### ALTMAN, THAD—16th District

Introduced: 26, 66, **142**, 144, 146, 148, 150, 152, 252, 302, 432, 434, 436, 438, 466, 470, 554, 1032, 1090, 1100, 1114, 1124, 1156, 1446, 1672, 1680, 1684, 1686, 1688, 1712, 1736

Co-Introduced: **2**, **334**, 422, **430**, 560, **718**, 872, **900**, **964**, **1036**, **1266**, 1832, **1926**

Committees: Military and Veterans Affairs, Space, and Domestic Security, Chair; *Appropriations Subcommittee on Criminal and Civil Justice*; *Appropriations Subcommittee on Finance and Tax*; Children, Families, and Elder Affairs; Criminal Justice; Environmental Preservation and Conservation; and *Joint Committee on Public Counsel Oversight*

### BEAN, AARON—4th District

Introduced: 378, **398**, 410, 472, 594, **604**, 616, 748, 760, 852, 906, 956, 960, 966, 1246, 1396, 1406, 1600, 1602, 1656, 1690, 1730, **1758**, 1868, 1894, **1914**, **1916**

Co-Introduced: **2**, 84, **92**, 150, 292, **334**, 366, 422, **430**, 560, **606**, **900**, 922, **1036**, **1076**, **1108**, 1240, **1266**, 1630, **1926**

Committees: Health Policy, Chair; Appropriations; *Appropriations Subcommittee on Education*; *Appropriations Subcommittee on Health and Human Services*; Commerce and Tourism; Communications, Energy, and Public Utilities; Governmental Oversight and Accountability; and *Select Committee on Patient Protection and Affordable Care Act*

### BENACQUISTO, LIZBETH—30th District

Introduced: 118, 422, **454**, 1150, **1862**

Co-Introduced: **2**, **52**, 66, 86, **92**, 138, **160**, **334**, **406**, **430**, 716, **900**, 916, 1000, **1036**, **1076**, **1108**, **1266**, **1926**

Committees: Appropriations, Vice Chair; *Appropriations Subcommittee on Education*; *Appropriations Subcommittee on Health and Human Services*; Banking and Insurance; Education; Ethics and Elections; Gaming; Governmental Oversight and Accountability; Rules; and *Joint Select Committee on Collective Bargaining*

### BRADLEY, ROB—7th District

Introduced: **220**, 258, 288, **294**, 458, **520**, 522, 570, 922, 1162, 1166, 1216, 1350, 1372, **1594**, **1904**, **1924**

Co-Introduced: **2**, **92**, **142**, 150, 296, **334**, 392, 422, **430**, **534**, 560, **606**, 716, **900**, 1030, **1036**, **1108**, **1266**, **1926**

Committees: *Appropriations Subcommittee on Criminal and Civil Justice, Chair*; Appropriations; *Appropriations Subcommittee on General Government*; Community Affairs; Criminal Justice; Gov-

ernmental Oversight and Accountability; Judiciary; and *Joint Legislative Auditing Committee*

### BRANDES, JEFF—22nd District

Introduced: 138, **298**, 322, 324, 380, 392, 504, **534**, 588, 608, 670, 720, 724, 750, 766, 772, 790, 794, 800, 814, 846, 902, 904, 968, 970, 1004, 1046, 1054, 1104, 1132, 1150, 1190, 1238, 1256, 1436, 1458, 1498, 1696

Co-Introduced: **2**, **92**, 292, **334**, 422, **430**, 658, **900**, 1000, **1036**, **1076**, **1108**, **1266**, 1344, **1472**, **1784**, **1926**

Committees: Transportation, Chair; Agriculture; *Appropriations Subcommittee on Finance and Tax*; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Education; Health Policy; and *Select Committee on Patient Protection and Affordable Care Act*

### BRAYNON, OSCAR II—36th District

Introduced: 130, 132, 140, 306, 308, 310, 312, 314, 350, 374, 486, 488, 542, 544, 552, 888, 890, 892, 894, 950, 1078, 1452, 1488, 1582, 1732, 1742, 1746, 1752, **1858**

Co-Introduced: **2**, 174, **334**, 422, **430**, 774, 882, **900**, 944, **1036**, **1108**, **1266**, 1322, **1926**

Local Bill—Introduced: 40, 42

Committees: Regulated Industries, Vice Chair; *Appropriations Subcommittee on Criminal and Civil Justice*; *Appropriations Subcommittee on General Government*; Children, Families, and Elder Affairs; Ethics and Elections; Gaming; and Health Policy

### BULLARD, DWIGHT—39th District

Introduced: 174, 362, 622, 624, 626, 668, 698, 722, 730, 854, 856, **858**, 940, 992, 1022, 1160, 1208, 1224, 1374, 1474, 1706, 1708, 1714, 1744, **1918**

Co-Introduced: **2**, 130, 196, **334**, 422, **430**, 660, 710, 778, 812, 872, 882, 888, **900**, **1036**, **1106**, **1108**, 1164, 1250, 1322, 1718, **1926**

Local Bill—Introduced: 990, 1178, 1774

Committees: Agriculture, Vice Chair; *Appropriations Subcommittee on Education*; *Appropriations Subcommittee on General Government*; Education; Environmental Preservation and Conservation; Military and Veterans Affairs, Space, and Domestic Security; and *Joint Administrative Procedures Committee*

### CLEMENS, JEFF—27th District

Introduced: 234, 240, 254, 270, 272, 408, 500, 512, 532, 578, 630, 738, 1028, 1204, 1206, 1214, 1230, 1250, 1274, 1612, **1760**, 1776, **1922**

Co-Introduced: **2**, 66, 124, 154, 196, **334**, 422, **430**, 488, 774, 846, **900**, **964**, **1036**, **1108**, 1144, **1266**, 1290, **1926**

Committees: Banking and Insurance, Vice Chair; *Appropriations Subcommittee on Criminal and Civil Justice*; *Appropriations Subcommittee on Finance and Tax*; Children, Families, and Elder Affairs; Ethics and Elections; Gaming; and Transportation

### DEAN, CHARLES S. "CHARLIE", SR.—5th District

Introduced: **112**, **244**, 246, 274, 296, **390**, 400, 448, 482, 496, 540, 938, 1060, 1168, 1462, 1476, **1788**, **1882**

Co-Introduced: **2**, 138, **160**, 258, 260, **334**, 422, **430**, 640, 716, **900**, 922, **1036**, **1108**, **1122**, **1266**, **1926**

Committees: Environmental Preservation and Conservation, Chair; *Appropriations Subcommittee on Criminal and Civil Justice*; *Appropriations Subcommittee on General Government*; Children, Families, and Elder Affairs; Criminal Justice; Gaming; and Military and Veterans Affairs, Space, and Domestic Security

**DETERT, NANCY C.—28th District**

Introduced: 52, 100, 102, 104, 106, 108, 154, 156, 162, 164, 182, 222, 224, 300, 316, 412, 418, 424, 428, 536, 548, 558, 566, 652, 920, 926, 1254, 1268, 1354, 1470

Co-Introduced: 2, 334, 378, 422, 430, 716, 774, 900, 1036, 1108, 1266, 1926

Committees: Commerce and Tourism, Chair; *Appropriations Subcommittee on Education*; *Appropriations Subcommittee on General Government*; Banking and Insurance; Children, Families, and Elder Affairs; Regulated Industries; and *Joint Administrative Procedures Committee*

**DIAZ DE LA PORTILLA, MIGUEL—40th District**

Introduced: 84, 172, 176, 186, 444, 502, 942, 1638, 1906

Co-Introduced: 2, 334, 422, 430, 560, 716, 900, 1036, 1108, 1718, 1926

Local Bill—Introduced: 20, 28, 34

Committees: *Appropriations Subcommittee on Criminal and Civil Justice*; *Appropriations Subcommittee on Finance and Tax*; Banking and Insurance; Children, Families, and Elder Affairs; Ethics and Elections; Rules; Transportation; and *Joint Administrative Procedures Committee*

**EVERS, GREG—2nd District**

Introduced: 320, 334, 672, 676, 678, 680, 728, 742, 1056, 1072, 1080, 1110, 1414, 1416, 1424, 1434, 1588, 1590, 1592, 1648, 1658, 1710, 1748, 1754, 1818

Co-Introduced: 2, 50, 58, 62, 92, 118, 260, 274, 302, 422, 430, 560, 584, 658, 674, 716, 788, 872, 900, 1036, 1108, 1132, 1190, 1266, 1458, 1632, 1926

Committees: Criminal Justice, Chair; *Appropriations Subcommittee on Finance and Tax*; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Communications, Energy, and Public Utilities; Military and Veterans Affairs, Space, and Domestic Security; Transportation; and *Joint Committee on Public Counsel Oversight*

**FLORES, ANITERE—37th District**

Introduced: 38, 76, 86, 96, 110, 180, 228, 238, 460, 464, 478, 916, 980, 1050, 1094, 1170, 1264, 1348, 1356, 1358, 1428, 1432, 1636, 1644, 1660, 1676, 1718, 1734, 1786, 1854, 1856, 1890

Co-Introduced: 2, 124, 130, 292, 334, 392, 422, 430, 702, 704, 846, 896, 900, 1036, 1108, 1322, 1926

Local Bill—Introduced: 30, 32, 36

Committees: Communications, Energy, and Public Utilities, Chair; *Appropriations Subcommittee on Health and Human Services, Vice Chair*; *Appropriations Subcommittee on Criminal and Civil Justice*; Ethics and Elections; Health Policy; Regulated Industries; and *Select Committee on Patient Protection and Affordable Care Act*

**GAETZ, DON—1st District**

Introduced: 1928

Co-Introduced: 2, 334, 422, 430, 900, 1036, 1108, 1266, 1926

**GALVANO, BILL—26th District**

Introduced: 290, 582, 592, 612, 860, 874, 878, 1384, 1720, 1846

Co-Introduced: 2, 334, 422, 430, 900, 1036, 1108, 1266, 1926

Committees: *Appropriations Subcommittee on Education, Chair*; Agriculture; Appropriations; *Appropriations Subcommittee on Health and Human Services*; Education; Gaming; Health Policy; Regulated Industries; and Rules

**GARCIA, RENE—38th District**

Introduced: 360, 456, 614, 702, 704, 816, 818, 824, 826, 828, 838, 896, 918, 932, 1014, 1102, 1112, 1116, 1130, 1302, 1304, 1316, 1328, 1334, 1620, 1624, 1652, 1654, 1716, 1724, 1778, 1790, 1826

Co-Introduced: 2, 150, 334, 392, 422, 430, 560, 716, 872, 900, 1036, 1108, 1266, 1322, 1688, 1926

Committees: Communications, Energy, and Public Utilities, Vice Chair; Agriculture; *Appropriations Subcommittee on Criminal and Civil Justice*; *Appropriations Subcommittee on Health and Human Services*; Health Policy; Transportation; and *Joint Administrative Procedures Committee, Alternating Chair*

**GARDINER, ANDY—13th District**

Introduced: 200, 202, 204, 206, 208, 210, 406, 848, 954, 962, 1048, 1108, 1780

Co-Introduced: 2, 334, 422, 430, 504, 900, 952, 1036, 1266, 1332, 1926

Committees: *Appropriations Subcommittee on Transportation, Tourism, and Economic Development, Chair*; Appropriations; *Appropriations Subcommittee on Finance and Tax*; Environmental Preservation and Conservation; Ethics and Elections; Gaming; Judiciary; Military and Veterans Affairs, Space, and Domestic Security; Rules; and *Joint Legislative Budget Commission*

**GIBSON, AUDREY—9th District**

Introduced: 606, 660, 812, 822, 882, 982, 1000, 1142, 1306, 1322, 1650, 1678, 1692, 1908

Co-Introduced: 2, 334, 422, 430, 560, 572, 716, 748, 774, 846, 900, 922, 1036, 1108, 1266, 1926

Committees: Military and Veterans Affairs, Space, and Domestic Security, Vice Chair; *Appropriations Subcommittee on Health and Human Services*; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Communications, Energy, and Public Utilities; Criminal Justice; Regulated Industries; and *Select Committee on Patient Protection and Affordable Care Act*

**GRIMSLEY, DENISE—21st District**

Introduced: 318, 732, 754, 756, 758, 844, 944, 948, 1192, 1258, 1362, 1662

Co-Introduced: 2, 278, 292, 334, 378, 422, 430, 560, 718, 900, 1036, 1108, 1266, 1724, 1832, 1926

Committees: *Appropriations Subcommittee on Health and Human Services, Chair*; Agriculture; Appropriations; *Appropriations Subcommittee on Criminal and Civil Justice*; Children, Families, and Elder Affairs; Environmental Preservation and Conservation; Health Policy; *Select Committee on Patient Protection and Affordable Care Act*; and *Joint Select Committee on Collective Bargaining*

**HAYS, ALAN—11th District**

Introduced: 56, 58, 60, 62, 78, 158, 212, 214, 216, 218, 264, 326, 352, 364, 376, 394, 580, 584, 596, 642, 662, 684, 802, 1012, 1016, 1020, 1070, 1074, 1082, 1106, 1118, 1134, 1188, 1248, 1262, 1270, 1332, 1386, 1418, 1482, 1782, 1804

Co-Introduced: 2, 258, 334, 344, 412, 422, 430, 560, 658, 716, 900, 1036, 1108, 1266, 1394, 1926

Committees: *Appropriations Subcommittee on General Government, Chair*; Children, Families, and Elder Affairs, Vice Chair; Governmental Oversight and Accountability, Vice Chair; Appropriations; *Appropriations Subcommittee on Criminal and Civil Justice*; Banking and Insurance; Commerce and Tourism; *Joint Legislative Auditing Committee*; *Joint Select Committee on Collective Bargaining, Co-Chair*; and *Joint Legislative Budget Commission*

**HUKILL, DOROTHY L.—8th District**

Introduced: 190, 236, 242, 366, 446, 468, 492, 518, 562, 602, 648, 656, 752, 796, 850, 972, 1138, 1394, 1398

Co-Introduced: 2, 118, 334, 422, 430, 900, 1036, 1108, 1266, 1926

Committees: *Appropriations Subcommittee on Finance and Tax, Chair*; Appropriations; *Appropriations Subcommittee on Education*; Commerce and Tourism; Communications, Energy, and Public Utilities; Community Affairs; Governmental Oversight and Accountability; and *Joint Committee on Public Counsel Oversight*

#### JOYNER, ARTHENIA L.—19th District

Introduced: 14, 54, 70, 72, 80, 94, 402, 484, 506, **568, 576**, 590, 610, **628, 798**, 832, 898, 988, 1034, 1068, 1126, 1136, 1186, 1220, 1234, 1272, **1298**, 1670, 1682, **1772, 1794, 1798, 1822**

Co-Introduced: **2, 334**, 420, 422, **430**, 658, 774, 882, **900, 1036, 1108, 1266**, 1634, **1902, 1926**

Local Bill—Introduced: 586

Committees: *Appropriations Subcommittee on Criminal and Civil Justice, Vice Chair*; Appropriations; *Appropriations Subcommittee on General Government*; Ethics and Elections; Health Policy; Judiciary; Transportation; and *Joint Committee on Public Counsel Oversight, Alternating Chair*

#### LATVALA, JACK—20th District

Introduced: **120**, 260, **328, 330, 336, 372**, 600, 712, 830, 914, 924, 1062, 1064, 1088, **1148**, 1330, 1344, 1382, 1480, 1490, 1632, 1642, 1666, 1698, **1700**, 1702, 1726, **1876, 1878, 1880, 1912**

Co-Introduced: **2, 52**, 180, 274, **334**, 378, 422, **430**, 560, **900, 1036, 1108, 1266, 1472, 1926**

Committees: Ethics and Elections, Chair; Appropriations; *Appropriations Subcommittee on General Government*; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Community Affairs; Environmental Preservation and Conservation; Gaming; Judiciary; and Rules

#### LEE, TOM—24th District

Introduced: **934**, 936, 1006, 1308, 1310, 1312, 1314, 1380, 1440, 1442, 1464, 1466, 1468, 1634, 1646, **1902**

Co-Introduced: **2, 62**, 422, **430**, 504, 560, **900, 1036, 1108, 1266, 1926**

Committees: Judiciary, Chair; Appropriations; *Appropriations Subcommittee on Health and Human Services*; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Banking and Insurance; Ethics and Elections; Gaming; Rules; and Transportation

#### LEGG, JOHN—17th District

Introduced: 6, 192, 510, 792, **1076, 1472**, 1630, **1664**, 1722, **1892, 1896, 1900**

Co-Introduced: **2, 334**, 422, **430**, 432, **900, 1036, 1108, 1266, 1926**

Local Bill—Introduced: 188

Committees: Education, Chair; *Appropriations Subcommittee on Education*; *Appropriations Subcommittee on General Government*; Ethics and Elections; Military and Veterans Affairs, Space, and Domestic Security; Regulated Industries; and *Select Committee on Patient Protection and Affordable Care Act*

#### MARGOLIS, GWEN—35th District

Introduced: 68, 82, 88, 116, 232, 256, 266, 598, 808, 1152, 1694, 1738, **1820**

Co-Introduced: **2, 52**, 54, 64, 66, 90, 130, 132, 196, 316, **334**, 422, **430**, 710, 774, 854, **900**, 936, **1036, 1108, 1266**, 1322, 1718, **1926**

Local Bill—Introduced: 48

Committees: *Appropriations Subcommittee on Transportation, Tourism, and Economic Development, Vice Chair*; Transportation, Vice Chair; Appropriations; *Appropriations Subcommittee on Finance and Tax*; Banking and Insurance; Commerce and Tourism; Gaming; Rules; and *Joint Legislative Budget Commission*

#### MONTFORD, BILL—3rd District

Introduced: 18, 122, **426**, 654, **674**, 706, 1052, **1096**, 1276, 1346, 1370, 1378, **1388**, 1390, 1400, 1608, 1628, 1756, **1926**

Co-Introduced: **2, 52, 334**, 366, 422, **430**, 744, **900, 1036, 1108, 1266**

Local Bill—Introduced: 12, 16, 1084

Committees: Agriculture, Chair; *Appropriations Subcommittee on Education, Vice Chair*; Education, Vice Chair; Appropriations; *Appropriations Subcommittee on Health and Human Services*; Banking and Insurance; Gaming; Governmental Oversight and Accountability; and Rules

#### NEGRON, JOE—32nd District

Introduced: **50, 92, 284, 286**, 538, 1492, 1740, 1750

Co-Introduced: **2, 258, 334**, 422, **430**, 846, **900, 1036, 1108, 1266, 1926**

Local Bill—Introduced: 22

Committees: Appropriations, Chair; Banking and Insurance; Rules; *Select Committee on Patient Protection and Affordable Care Act, Chair*; and *Joint Legislative Budget Commission, Alternating Chair*

#### RICHTER, GARRETT—23rd District

Introduced: 98, **160, 166, 168**, 278, **282**, 292, **414**, 640, 644, **736**, 804, 958, 984, 1066, 1098, 1184, 1196, 1222, 1232, 1240, **1296**, 1408, 1412, 1422, 1606, 1622

Co-Introduced: **2, 52, 334**, 422, **430**, 588, 658, 716, **718, 900, 1036, 1108, 1266, 1862, 1926**

Local Bill—Introduced: 1796

Committees: Gaming, Chair; Appropriations; *Appropriations Subcommittee on Education*; *Appropriations Subcommittee on Health and Human Services*; Banking and Insurance; Commerce and Tourism; Judiciary; Rules; Transportation; and *Joint Legislative Budget Commission*

#### RING, JEREMY—29th District

Introduced: 24, 124, 126, 128, 134, 226, **230**, 250, 416, 458, 538, 546, **556**, 618, 620, 770, 880, 908, 1008, 1010, 1018, 1038, 1058, 1174, 1194, 1242, 1260, 1352, 1368, 1824, **1930**

Co-Introduced: **2, 54**, 130, 302, **334**, 366, 422, **430**, 548, 560, 658, 704, 716, 774, **900**, 912, **1036, 1108, 1266, 1926**

Committees: Governmental Oversight and Accountability, Chair; *Appropriations Subcommittee on Finance and Tax, Vice Chair*; Appropriations; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Banking and Insurance; Commerce and Tourism; Judiciary; Rules; *Joint Legislative Auditing Committee*; and *Joint Select Committee on Collective Bargaining*

#### SACHS, MARIA LORTS—34th District

Introduced: 64, 74, 114, 370, 420, 574, 650, 884, **900**, 1198, 1278, 1280, 1616, 1618, 1640, 1728, **1836**

Co-Introduced: **2, 52**, 54, 316, **334**, 374, **390**, 422, **430**, 436, 504, 632, **674**, 716, 782, 872, 936, **1036, 1108**, 1190, **1266**, 1598, **1926**

Committees: Gaming, Vice Chair; Agriculture; *Appropriations Subcommittee on Education*; *Appropriations Subcommittee on Finance and Tax*; Education; Military and Veterans Affairs, Space, and Domestic Security; and Regulated Industries

#### SIMMONS, DAVID—10th District

Introduced: 358, 564, 664, 700, 714, 726, 744, **810**, 834, 836, 930, 946, 952, 1172, 1176, **1300, 1410**, 1426, **1898, 1920**

Co-Introduced: **2, 334**, 422, **430**, 570, **900, 1036, 1108, 1266, 1926**

Committees: Banking and Insurance, Chair; *Appropriations Subcommittee on Education*; *Appropriations Subcommittee on Finance and Tax*; Criminal Justice; Education; Governmental Oversight and Accountability; Rules; and *Select Committee on Patient Protection and Affordable Care Act*

#### SIMPSON, WILTON—18th District

Introduced: **338**, 440, 494, 528, 550, 560, 634, 658, **682**, 716, 740, 768, 786, 928, **1122**, 1200, 1252, 1392, 1430, 1438, 1604, **1870**

Co-Introduced: **2, 62**, 130, **334**, 422, **430**, 448, 748, **900, 1036, 1108, 1266, 1472, 1926**

Committees: Community Affairs, Chair; *Appropriations Subcommittee on General Government*; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Commerce and Tourism; Communications, Energy, and Public Utilities; Environmental Preservation and Conservation; and *Joint Legislative Auditing Committee*

**SMITH, CHRISTOPHER L.—31st District**

Introduced: 90, 136, 262, 280, 368, 1448, 1450, 1456, 1460, 1484, 1486, 1814

Co-Introduced: 2, 174, **334**, 366, 422, **430**, **900**, 958, 984, **1036**, **1108**, **1266**, **1926**

Committees: Criminal Justice, Vice Chair; Rules, Vice Chair; Appropriations; *Appropriations Subcommittee on Criminal and Civil Justice*; *Appropriations Subcommittee on Health and Human Services*; Communications, Energy, and Public Utilities; Community Affairs; Governmental Oversight and Accountability; *Select Committee on Patient Protection and Affordable Care Act*; and *Joint Legislative Budget Commission*

**SOBEL, ELEANOR—33rd District**

Introduced: 196, 514, 572, 870, 974, 976, 1154, 1182, 1286, 1288, 1290, **1292**, 1294, 1360, **1420**, 1584, 1614, 1668, 1674, 1874

Co-Introduced: 2, **62**, 66, **142**, 164, **286**, **328**, **334**, 422, **430**, **444**, 500, 630, 704, 716, 774, **900**, 936, **1036**, **1076**, **1108**, 1240, **1266**, 1358, **1660**, **1926**

Local Bill—Introduced: 44

Committees: Children, Families, and Elder Affairs, Chair; Ethics and Elections, Vice Chair; Health Policy, Vice Chair; Appropriations; *Appropriations Subcommittee on Health and Human Services*; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Regulated Industries; Rules; and *Select Committee on Patient Protection and Affordable Care Act*, Vice Chair

**SOTO, DARREN—14th District**

Introduced: 170, 184, 344, 346, 348, 382, 388, 450, 632, 636, 638, 708, 734, 820, 868, 978, 986, 998, 1002, 1180, 1202, 1210, 1212, 1218, 1226, 1228, 1236, 1244, **1266**, 1318, 1320, 1324, 1580, 1596, 1598, **1866**, 1872

Co-Introduced: 2, **52**, 54, 66, 98, 124, 144, 148, 196, **334**, 358, 420, 422, **430**, 516, 560, 564, 624, 656, 704, 716, **718**, 774, 846, 882, **900**, 944, **1036**, **1108**, **1788**, **1836**, **1926**

Local Bill—Introduced: 178, 996

Committees: Judiciary, Vice Chair; *Appropriations Subcommittee on Criminal and Civil Justice*; *Appropriations Subcommittee on General Government*; Community Affairs; Environmental Preservation and Conservation; Ethics and Elections; *Select Committee on Patient Protection and Affordable Care Act*; and *Joint Select Committee on Collective Bargaining*

**STARGEL, KELLI—15th District**

Introduced: 404, 476, 480, 490, 666, 696, **718**, 746, 806, 840, 842, 862, 876, 1040, 1044, 1140, 1164, 1282, 1402, 1404, 1586

Co-Introduced: 2, 164, **334**, 358, 422, **430**, 560, 846, **900**, **1036**, **1076**, **1108**, 1126, **1266**, **1926**

Committees: Regulated Industries, Chair; *Appropriations Subcommittee on General Government*; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Commerce and Tourism; Community Affairs; Education; and *Joint Committee on Public Counsel Oversight*

**THOMPSON, GERALDINE F. “GERI”—12th District**

Introduced: 194, **340**, **430**, 442, 462, 498, 508, 516, 524, 526, 774, 776, 778, 780, 782, 784, 1092, 1120, 1144, 1146, 1158, 1336, 1338, 1340, 1364, 1366, 1444, 1454, **1478**, 1610, 1626, 1704, **1812**

Co-Introduced: 2, 54, 66, **334**, 358, 362, 422, 560, 564, 658, 872, **900**, **1036**, **1108**, 1242, **1266**, 1322, **1926**

Committees: *Appropriations Subcommittee on General Government*, Vice Chair; Community Affairs, Vice Chair; *Appropriations Subcommittee on Transportation, Tourism, and Economic Development*; Children, Families, and Elder Affairs; Commerce and Tourism; Transportation; and *Joint Administrative Procedures Committee*

**THRASHER, JOHN—6th District**

Introduced: 248, **342**, **354**, **530**, **686**, **688**, **690**, **692**, **694**, 864, 886, **994**, 1026, 1030, **1108**, 1284, 1494, 1496

Co-Introduced: 2, **334**, 422, **430**, **606**, **718**, 806, **900**, 922, **1036**, **1266**, **1926**

Committees: Rules, Chair; Appropriations; *Appropriations Subcommittee on Education*; *Appropriations Subcommittee on Health and Human Services*; Community Affairs; Ethics and Elections; Gaming; Judiciary; Regulated Industries; and *Joint Legislative Budget Commission*



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[Source: Office of Legislative Services]

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Introduced: **336, 364, 444, 534**, 580, **674, 682**, 770, 972, **1122**, 1192, **1410, 1472, 1594**, 1718, **1808**  
Committee Substitute: 84, 156, 264, **336, 364, 444**, 500, 522, 528, **534**, 538, 554, 564, 580, 600, **674, 682**, 726, 770, 848, 928, 972, 1024, 1028, **1122**, 1128, 1132, 1192, 1252, 1352, 1376, 1382, **1410, 1472, 1594**, 1716, 1718, **1808**, 1840

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[Source: Office of Legislative Services]

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**SUMMER CAMPS**, S630, H591**SUMTER COUNTY**

Schools See: SCHOOLS

Southwest Florida Water Management District See: WATER MANAGEMENT DISTRICTS

**SUPERMARKETS**

See: GROCERY STORES

**SUPERVISORS OF ELECTIONS**

See: ELECTIONS

**SUPPORT OF DEPENDENTS**

Alimony See: DISSOLUTION OF MARRIAGE

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**Child Support**

Enforcement, S1210, H905

Guidelines, **S718(VETOED)**, S1210, H905

Officers, Public Records Exemption See: PUBLIC RECORDS

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**SURGICAL ASSISTANTS**

Certification; regulation, S360, H281

Insurance Coverage See: Health Insurance under INSURANCE

**SURGICAL TECHNOLOGISTS**

Certification; regulation, S360, H281

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Licensure; regulation, **S286(2013-28)**, H575

Professional Service Contracts See: Contractual Services under PURCHASING

**SUWANNEE COUNTY**

Animal Disease Diagnostic Laboratories See: LABORATORIES

Program of All-inclusive Care for the Elderly (PACE) See: Long-term care under ELDERLY PERSONS

Suwannee River Water Management District See: WATER MANAGEMENT DISTRICTS

**SWEEPSTAKES OR SWEEPSTAKES DEVICES**

See: Internet cafes under GAMBLING

**SWIMMING****Instructors**

Certification, **S142(2013-162)**, H1119

Pools See: POOLS

**T****TALENT AGENCIES**

See: Licensure of Regulated Professions, General Provisions under BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF

**TALLAHASSEE, CITY OF**

Relief Bills See: RELIEF BILLS  
Tallahassee-Leon County Civic Center Authority, S1084,  
**H1285(2013-265)**

**TAMPA, CITY OF**

Comprehensive Planning, Pilot Program See: Local Governments  
under COMPREHENSIVE PLANNING  
Expressway Authority See: TRANSPORTATION  
General Employees' Pension Plan, S586, **H533(2013-253)**  
Hillsborough County See: HILLSBOROUGH COUNTY  
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**TANNING FACILITIES**

Licensure; regulation, S1674

**TARGET INDUSTRIES**

See: ECONOMIC DEVELOPMENT

**TASK FORCES/STUDIES**

Community Association Living Study Council; receive public input re  
condominiums, cooperatives and homeowners' associations, make  
recommendations for changes in the law re community association  
living, etc., S596

**Discrimination**

Pay disparities between men and women, study and provide in-  
formation to employers, labor organizations, and the public;  
Economic Opportunity Department, S70, H613

**Drugs****Prescriptions**

Higher copayments, deductibles, coinsurance, or similar charges  
for nonpreferred prescription drugs compared to preferred  
prescription drugs, study; Health Care Administration Agency,  
Insurance Regulation Office, S1010  
Specialty-tier prescription drugs, study to determine impact on  
access and patient care; Health Care Administration Agency,  
H1003

**Economic Development**

Incentives and programs, evaluation and review; Economic and  
Demographic Research Office and OPPAGA, **S406(2013-42)**,  
S1024, H641, **H7007(2013-39)**

**Education**

Education Finance Program, develop methodology and plan for  
calculating the program which limits the sum of each student's  
full-time equivalent student membership value from all virtual  
programs or courses; Education Department, S904  
High school course options; identification or creation of career-  
technical high school courses of provable equivalency to standard  
required courses to provide multiple pathways to achieve a high  
school diploma; study by OPPAGA and DOE, S760, H133  
High school diploma options; career-technical education diploma  
distinct from standard high school diploma; study by OPPAGA  
and DOE, H37

**Online Courses; Massive Open Online Courses**

Review and recommend improving access to online courses, and  
approving, funding, holding providers accountable, and  
awarding credit for online courses for K-12 and postsecondary  
education; identify measures of quality based on student out-  
comes; Education Department, **H7029(2013-225)**

Review and recommend student access to MOOCs for funding at  
the K-12 and postsecondary levels; OPPAGA, S904

**Emergency Management**

Hurricanes, study the effects of wind versus water on projections of  
wind loss from hurricanes; Hurricane Loss Projection Methodol-  
ogy Commission, H819

**Employment Benefits**

Employer-Sponsored Benefits Study Task Force; analyze employ-  
ment benefits and the impact of state preemption of the regula-  
tion of such benefits, Workforce Florida, Inc., S726, **H655(2013-200)**

**Health Care**

Community Health Worker Task Force; develop proposals for health  
care or Medicaid care reform, collaborate with Florida Commu-  
nity Health Worker Coalition, colleges and universities, and other  
organizations to recommend standardization of qualifications of  
community health workers, etc.; DOH, S894, H241

**TASK FORCES/STUDIES (Cont.)****Health Care (Cont.)**

Health Care Market Task Force, study and make recommendations  
on strategies for state employees to participate in the Health  
Choices Program with a defined contribution; methods for in-  
creasing the capacity of current health care workforce; and op-  
tions for reducing federal control of Medicaid, H7169

Health care practitioner credentials; evaluate need for statewide  
repository for core credentials data of health care practitioners,  
study group by Health Department, H817

**Health Care Facilities****Assisted Living Facilities**

Inspection form review task force; review forms used to ensure  
inspections assess if the facilities are in compliance with the  
law, meet the needs of residents, and ensure resident safety;  
Office of the State Long-Term Care Ombudsman, H187

Intersurveyor reliability study; determine whether surveys are  
consistent between surveys and surveyors; Health Care Ad-  
ministration Agency, S646, S966, H1319

Streamlining task force; determine whether state agencies have  
overlapping regulatory responsibilities; streamline agency  
oversight and improve effectiveness of regulatory functions;  
Health Care Administration Agency, H187

**Insurance****Health Insurance**

Telemedicine services and coverage; interagency study; DOH,  
S898, H499

**Medicaid**

County contributions, study to evaluate the percentage of funds that  
counties are required to contribute to the Medicaid program;  
Children and Families Department, S1244, H1117

Mental health; work group to review part I of Chapter 394, F.S., to  
determine whether revisions are necessary to improve the efficiency  
and effectiveness of its operation; Children and Families  
Department, S110

Partnership for Public Facilities and Infrastructure Act Guidelines  
Task Force; establish guidelines for public entities on the types of  
factors public entities should review and consider when processing  
requests for public-private partnership projects, S84, **H85(2013-223)**

**Professional Licenses**

Businesses and professions regulated or licensed under the Busi-  
ness and Professional Regulation Department, review by OPPA-  
GA, S720

Statewide Innovative Libraries Task Force; assist in expanding the  
role of new technologies in existing libraries, State Department,  
S608, H771

**Taxation**

Natural gas fuel used to power motor vehicles; study by OPPAGA,  
S560, **H579(2013-198)**

**Traffic Infractions**

Roadside payment of traffic citations, study; Highway Safety and  
Motor Vehicle Department, **H7125(2013-160)**

**Transportation**

Jurisdiction over public roads and rights-of-way; evaluate effec-  
tiveness and benefits of pilot program, study by Transportation  
Commission, S1132

Parking meters or other parking time-limit devices, study the po-  
tential for the state to obtain revenue from such devices; Trans-  
portation Commission, S1132, H7127

Turkish and Florida Relations, Joint Legislative Task Force on,  
S1826, H8005

**Water and Wastewater**

Onsite Sewage Nitrogen Reduction Strategies Study; Health De-  
partment, **S1502(2013-41)**, H5003

**Websites, State-managed**

User Experience Task Force; develop and recommend a design for  
consolidating existing state-managed websites, S1764,  
**H5401(2013-54)**

**TAX COLLECTORS**

Code of Ethics See: PUBLIC OFFICERS AND EMPLOYEES

Driver license agents, S1458, **H7125(2013-160)**

Generally, S182, S1026, **H837(2013-148)**

Motor Vehicle Registration Agents See: Regulation under  
Registration under MOTOR VEHICLES

**TAXATION**

Aviation Fuel Tax See: MOTOR FUEL, SPECIAL FUEL, AND OTHER POLLUTANT TAXES

Cigarette Tax See: TOBACCO PRODUCTS

Commercial Vehicle Road Privilege Tax See: MOTOR FUEL, SPECIAL FUEL, AND OTHER POLLUTANT TAXES

Communications Services Tax, S290, S316, S1422, S1828, H303, H435, H497, H7105

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Adjusted federal income, definition, S450, **S1516(2013-46)**, S1598, H153, H7099

Apportionment by sales factor, S306, S1316, H781

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Capital investment tax credit, S752, H761

Community contribution tax credit, S928, **H437(2013-83)**

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Enterprise zone property tax credit, **S406(2013-42)**

**Space Industry**

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# JOURNAL OF THE SENATE

## SENATE BILLS, RESOLUTIONS AND MEMORIALS BY NUMBER WITH SUBJECT, INTRODUCER AND DISPOSITION

REGULAR SESSION  
March 5 through May 3, 2013

(To Obtain the Number of a Bill, see Subject Index)

### Abbreviations

BA — Bill Action  
Ch. — Chapter Number, Bill Passed  
CO — Co-Introducers  
CR — Committee Report  
CS — Committee Substitute  
FR — First Reading  
MO — Motion  
RC — Reference Change  
Boldfaced Page Numbers — Passage of Bill

### Types of Bills

SB/HB — Senate/House Bill  
SCR/HCR — Senate/House Concurrent Resolution  
SJR/HJR — Senate/House Joint Resolution  
SM/HM — Senate/House Memorial  
SR — Senate Resolution

### Final Disposition

Adopted  
CBP — Companion Bill Passed  
DCC — Died in Conference Committee  
DCH — Died on House Calendar  
DCS — Died on Senate Calendar  
DHC — Died in House Committee  
DM — Died in Messages  
DNI — Died, Not Introduced  
DPR — Died Pending Reference Review  
DSC — Died in Senate Committee  
FPH — Failed to Pass House  
FPS — Failed to Pass Senate  
LTH — Laid on Table in House  
LTS — Laid on Table in Senate  
Passed  
UHC — Unfavorable Report, House Committee  
USC — Unfavorable Report, Senate Committee  
Vetoed  
WNI — Withdrawn, Not Introduced  
WS — Withdrawn from the Senate

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4	Public Records and Meetings (Governmental Oversight and Accountability and Ethics and Elections) (BA)8, (FR)9, (CS)105, (CR)111, (CR)113, (CR)114, 590 Ch. 2013-38 CBP-CS/SB 2	44	Relief of Ronald Miller by the City of Hollywood (Sobel) (FR)242 DSC
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16	Relief of Jennifer Wohlgemuth by the Pasco County Sheriff's Office (Montford) (FR)10 DSC	54	Equal Rights for Men and Women (Joyner and others) (FR)11 DSC
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22	Relief of Carl Abbott by the Palm Beach County School Board (Negron) (FR)10 DSC	58	Application of Foreign Law in Certain Cases (Governmental Oversight and Accountability and others) (FR)11, (CR)196, (CS)198, (CR)240, (CS/CS)243, (CR)363, (MO)881, (BA)1019, (BA)1048, (BA)1049, (CR)1050 LTS
24	Relief of L.T., a Minor, by the Department of Children and Families (Ring) (FR)10 DSC	60	Public Records/Identifying Information of Department of Health Personnel (Health Policy and Hays) (FR)11, (CS)105, (CR)113, (CR)208, (CR)240, (BA)265, (CR)273, (BA) <b>305</b> DCH
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 294 Controlled Substances (Appropriations and Bradley) (FR)26, (CR)112, (CR)156, (CR)210, (CR)241, (CS)244, (BA)266, (CR)273, (BA)**307**, 512, 578 Ch. 2013-29  
 296 Retirement (Dean and Bradley) (FR)26 DSC  
 298 Department of Citrus (Governmental Oversight and Accountability and Brandes) (FR)26, (CR)112, (CR)210, (CS)212, (BA)263, (CR)273, (BA)**302**, 881 Ch. 2013-230  
 300 Transportation Facility Designations (Transportation and Detert) (FR)26, (CR)279, (CS)282, (CR)397, (BA)**461**, (CR)476 DCH  
 302 Cardiopulmonary Resuscitation Training in Public Schools (Altman and others) (FR)26 DSC  
 304 OGSF/Agency Employee/Victim of Domestic Violence or Sexual Violence (Governmental Oversight and Accountability and Criminal Justice) (FR)26, (CR)210, (CS)212, (CR)480, (BA)725, (BA)726, (CR)783 LTS/CBP-HB 7079  
 306 Economic Development (Appropriations and others) (FR)26, (CR)112, (CR)196, (CR)230, (CS)231, (CR)347, (CS/CS)351, (CR)361, (CR)481, (CS/CS/CS)482, (BA)596, (CR)658, (BA)724, (BA)778, **783** DM/CBP-CS/CS/HB 7007, CS/SB 406  
 308 Abusive Workplace Environments (Braynon) (FR)27 DSC  
 310 Fair Housing (Braynon) (FR)27 DSC  
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 316 Taxes (Commerce and Tourism and others) (FR)27, (CS)107, (CR)113, (CR)434, (CO)439 DSC/CBP-CS/CS/HB 7007  
 318 Background Screening for Noninstructional Contractors on School Grounds (Grimsley) (FR)27, (CR)195, (CR)210, (CR)239, (BA)263, (CR)273, (CR)476, (BA)539 LTS/CBP-HB 21  
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 322 Eminent Domain Proceedings (Judiciary and Brandes) (FR)28, (CS)108, (CR)113, (CR)156, (CR)208, (BA)228, (CR)229, (BA)261, (BA)300 LTS/CBP-CS/HB 179  
 324 Florida Insurance Guaranty Association (Banking and Insurance and Brandes) (FR)28, (CR)346, (CS)351 DSC  
 326 Powers and Duties of the Department of Environmental Protection (Hays) (FR)28, (CR)112, (CR)156, (CR)210, (CR)239, (BA)266, (CR)273, (BA)**307**, 986 Ch. 2013-231  
 328 Public Accountancy (Appropriations and others) (FR)28, (CS)108, (CR)113, (CR)196, (CS/CS)199, (BA)262, (CR)273, (CO)293, (BA)**300**, 884, **885** Ch. 2013-167  
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332 Public School Instruction (Abruzzo) (FR)28 DSC
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334 Welcome Home Vietnam Veterans Day (Evers and others) (FR)222, (CO)238 Adopted CBP-HR 9019
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336 Tourist Development Tax (Community Affairs and others) (FR)28, (CS)108, (CS/CS)108, (CR)113, (CR)114, (BA)194, (BA)227, 986 Ch. 2013-168
- 338 Theft of Utility Services (Simpson) (FR)28, (CR)112, (CR)157, (CR)239, (BA)267, (CR)273, (BA)307, 512, 578 Ch. 2013-30
- SR  
340 Mother Carrie Mae Muse Lawson (Thompson) (FR)295 Adopted
- SB  
342 Rental of Homestead Property (Thrasher) (FR)28, (CR)112, (CR)210, (CR)239, (BA)267, (BA)269, (CR)273, (BA)308, 986 Ch. 2013-64
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- 346 Electrical Contracting (Soto) (FR)28 DSC
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- 350 Allocation and Expenditure of State Lottery Revenues (Braynon) (FR)29 DSC
- 352 Lake-Sumter Community College (Hays) (FR)29, (CR)112, (CR)156, (BA)228, (CR)229, (BA)261, (BA)300 LTS/CBP-HB 209
- 354 Ad Valorem Tax Exemptions (Appropriations and Thrasher) (FR)29, (CR)112, (CR)156, (CR)210, (CR)241, (CS)244, (BA)267, (CR)273, (BA)308, (BA)887, 1051 Vetoed
- 356 Mutual Insurance Corporations (Abruzzo) (FR)29, (CR)239, (CR)278, (BA)389, (BA)391, (CR)396, (BA)413, (BA)445, 792 Ch. 2013-125
- 358 Professional Sports Franchises (Simmons and others) (FR)29, (CR)112 DSC
- 360 Surgical Assistants and Surgical Technologists (Health Policy and Garcia) (FR)29, (CR)278, (CS)282, (CR)397, (CR)481 DSC
- 362 Use of Deadly Force (Bullard and Thompson) (FR)29 DSC
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- 368 Employment of Felons (Smith) (FR)30 DSC
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- 376 Public Records/Children and Spouses of Law Enforcement and Agency Personnel (Rules and Hays) (FR)30, (CR)112, (CR)239, (CR)398, (CS)399, (BA)474, (BA)476, (CR)476, (BA)559, (BA)560 LTS/CBP-CS/HB 731
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- 382 WNI
- 384 Grandparent Visitation Rights (Children, Families, and Elder Affairs and Abruzzo) (FR)31, (CR)346, (CS)351 DSC
- 386 Citizens Property Insurance Corporation (Abruzzo) (FR)31 DSC/CBP-CS/SB 1770
- 388 Elections (Soto) (FR)31 DSC/CBP-CS/HB 7013
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392 Joint Use of Public School Facilities (Brandes and others) (FR)31, (CO)257 DSC
- 394 Ticket Sales (Commerce and Tourism and Hays) (FR)31, (CR)397, (CS)399, (RC)431 DSC
- 396 Use of Wireless Communications Devices or Telephones (Abruzzo) (FR)32 DSC/CBP-CS/CS/CS/SB 52
- 398 Physician Assistants (Banking and Insurance and others) (FR)32, (CS)108, (CR)113, (CR)209, (CS/CS)212, (CR)363, (BA)446, (CR)476, (BA)555, 881 Ch. 2013-127
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- 402 Homelessness (Rules and Joyner) (FR)32, (CR)113, (CR)195, (CR)398, (CS)399, (RC)431, (CR)480, (BA)610, (BA)611, (CR)658 LTS/CBP-CS/HB 93
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- 408 WNI
- 410 Money Services Businesses (Appropriations and Bean) (FR)33, (CR)277, (CR)481, (CR)658, (CS)660, (BA)766, (BA)767, (CR)783 LTS/CBP-CS/CS/HB 217, CS/HB 7135
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414 Bladder Cancer Awareness Month (Richter) (FR)441 Adopted CBP-HR 9003
- SB  
416 Inspection of Licensed Child Care Facilities (Children, Families, and Elder Affairs and Ring) (FR)33, (CR)157, (CS)186 DSC
- 418 Delivery of Insurance Policies (Commerce and Tourism and Detert) (FR)33, (CR)397, (CR)477, (CS)477, (BA)552, (CR)577 LTS/CBP-CS/HB 223
- 420 Sentencing for Controlled Substance Violations (Sachs and others) (FR)33, (CR)112 DSC
- 422 Cancer Treatment (Appropriations and others) (FR)33, (CR)156, (CR)208, (CO)238, (CR)241, (CS)246, (CO)257, (BA)267, (BA)268, (CR)273, (CO)276, (BA)309, (CO)309, (CO)362, 1005, (BA)1006 DM/CBP-CS/CS/HB 1159
- 424 WNI
- SR  
426 Esophageal Cancer Awareness Month (Montford) (FR)442 Adopted CBP-HR 9033
- SB  
428 Public School Student Participation in Fine Arts Courses (Detert) (FR)33 DSC
- SR  
430 Harriet Ross Tubman (Thompson and others) (FR)5 Adopted CBP-HR 9015
- SB  
432 Tax Exemptions (Altman and Legg) (FR)34, (CR)112, (CO)220 DSC/CBP-CS/SB 406
- 434 Brevard Community College (Education and Altman) (FR)34, (CR)196, (CS)200, (CR)239, (BA)268, (BA)269, (CR)273, (BA)309 DM/CBP-SB 1514
- 436 Residential Properties (Appropriations and others) (FR)34, (CS)108, (CR)114, (CR)209, (CS/CS)212, (CO)439, (CR)481, (CS/CS/CS)482, (BA)615, (BA)616, (CR)658 LTS/CBP-CS/CS/CS/HB 73, CS/HB 7025, CS/HB 7119. CS/CS/SB 120
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 446 Economic Development Incentive Application Process (Appropriations and others) (FR)35, (CR)157, (CS)186, (CR)241, (CR)481, (CS/CS)483, (BA)947, (CR)986, (BA)1011, **1012** DM  
 448 Fish and Wildlife Conservation Commission (Appropriations and others) (FR)35, (CR)195, (CS)200, (CR)241, (CR)481, (CS/CS)483, (BA)597, (BA)598, (CR)658 LTS/CBP-CS/CS/CS/HB 333  
 450 Economic Development (Soto) (FR)35 DSC  
 452 OGSR/Joshua Abbot Organ and Tissue Registry/Donor Information (Health Policy) (FR)35, (CR)208, (CR)240, (BA)265, (CR)273, (BA)**305**, 986 Ch. 2013-65  
 454 Florida College System Institution Police Officers (Education and Benacquisto) (FR)35, (CR)209, (CS)213, (CR)278, (BA)389, (CR)396, (BA)**412**, 881 Ch. 2013-171  
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 470 Florida Birth-Related Neurological Injury Compensation Association (Altman) (FR)36 DSC  
 472 Developmental Disabilities (Children, Families, and Elder Affairs and Bean) (FR)36, (CR)346, (CS)352 DSC  
 474 OGSR/Department of Veterans' Affairs/Direct-support Organization/Donor Information (Governmental Oversight and Accountability and Military and Veterans Affairs, Space, and Domestic Security) (FR)36, (CR)241, (CS)246, (CR)480, (BA)601, (BA)602, (CR)658 LTS/CBP-HB 7143  
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 480 Enterprise Zones (Stargel) (FR)37 DSC  
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 488 Medicaid Dental Services (Braynon and Clemens) (FR)37, (CO)187 DSC  
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 492 Estates (Banking and Insurance and others) (FR)37, (CS)109, (CR)113, (CR)241, (CS/CS)246, (BA)264, (CR)273, (BA)**303**, 986 Ch. 2013-172  
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 496 Marshal of the Supreme Court (Judiciary and Dean) (FR)38, (CR)209, (CS)213, (CR)278, (CR)397, (BA)476, (CR)476, (BA)560 LTS/CBP-CS/HB 571  
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 504 Animal Cruelty (Appropriations and others) (FR)38, (CO)187, (CR)229, (CS)231, (CR)273, (CO)439, (CR)481, (CS/CS)484, (BA)611, (CR)658, (CO)1403 LTS/CBP-CS/HB 851  
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 516 Residential Tenancies (Thompson and Soto) (FR)39, (CO)512 DSC  
 518 Economic Business Incentives (Commerce and Tourism and Hukill) (FR)39, (CR)278, (CS)283, (MO)881 DCS/CBP-HB 4013, CS/CS/HB 7007, CS/SB 406  
 520 Emergency Medical Services (Bradley) (FR)39, (CR)112, (CR)156, (CR)208, (BA)228, (CR)229, (BA)**261**, 881 Ch. 2013-128  
 522 Biodiesel Fuel (Community Affairs and Bradley) (FR)40, (CR)112, (CR)195, (CS)200, (CR)241, (CR)480, (BA)610, (CR)658 LTS/CBP-CS/HB 633  
 524 Common Core State Standards (Thompson) (FR)40 DSC  
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 532 Discrimination in Employment (Clemens) (FR)41 DSC  
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 538 Special Districts (Community Affairs and others) (FR)41, (CR)195, (CS)200, (RC)206 DSC  
 540 Mandatory Supervision of Specified Offenders by the Department of Corrections (Criminal Justice and Dean) (FR)41, (CR)196, (CS)200, (CR)277 DSC  
 542 Public Records/Victim of Human Trafficking (Criminal Justice and Braynon) (FR)41, (CR)196, (CS)201 DSC  
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 548 Florida Kidcare Program (Children, Families, and Elder Affairs and others) (FR)41, (CO)220, (CR)346, (CS)352 DSC  
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 552 Human Trafficking (Braynon) (FR)42, (CR)278 DSC  
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 560 Natural Gas Motor Fuel (Appropriations and others) (FR)42, (CS)110, (CR)113, (CO)238, (CO)257, (CR)279, (CR)481, (CS/CS)484, (BA)768, (CR)783 LTS/CBP-CS/CS/HB 579, CS/SB 406  
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 568 Women's History Month (Joyner) (FR)222, **223** Adopted CBP-HR 9005

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570 Revising Age Limits for Justices and Judges (Bradley and Simmons) (FR)43 DSC
- SB  
572 Reporting Requirements for Economic Development Programs (Commerce and Tourism and others) (FR)43, (CR)157, (CS)186, (CO)220, (CR)423 DSC/CBP-CS/CS/HB 7007, CS/SB 406
- 574 Enterprise Zones (Sachs) (FR)44 DSC
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576 Bill McBride, Esquire (Joyner) (FR)987, **988** Adopted CBP-HR 9135
- SB  
578 Public Construction Projects (Clemens) (FR)44 DSC
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- 596 Homeowners' Associations (Hays) (FR)45 DSC/CBP-CS/CS/CS/HB 73, CS/HB 7119
- 598 Virtual Instruction Courses for Students with Disabilities (Margolis) (FR)45 DSC
- 600 Elections (Rules and others) (FR)45, (CR)240, (CS)246, (CR)347, (CS/CS)353, (CR)398, (CS/CS/CS)400, (BA)446, (BA)447, (CR)476 LTS/CBP-CS/HB 7013
- 602 Local Bids and Contracts for Public Construction Works (Hukill) (FR)45 DSC
- 604 Practitioners (Bean) (FR)46, (CR)156, (CR)229, (CR)397, (BA)476, (CR)476, (BA)**560**, (BA)594, **595**, 881 Ch. 2013-130
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- 608 Library Innovation (Brandes) (FR)46 DSC
- 610 Public Records/Claim Settlement on Behalf of a Minor or Ward (Joyner) (FR)46, (CR)476 DSC
- 612 Health Care Practitioners (Health Policy and Galvano) (FR)46, (CR)157, (CS)186, (RC)206 DSC
- 614 Vision Screening of Preschool Students (Garcia) (FR)46 DSC
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- 618 Gasoline Stations (Children, Families, and Elder Affairs and Ring) (FR)47, (CR)230, (CS)231 DSC
- 620 Surcharge on Cigarettes (Ring) (FR)47 DSC
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- 628 Driver Licenses (Joyner) (FR)47, (CR)113, (CR)195, (CR)240, (BA)264, (CR)273, (BA)**303**, 675 Ch. 2013-67
- 630 Regulation of Summer Camps (Children, Families, and Elder Affairs and others) (FR)47, (CR)210, (CS)214, (RC)219, (CO)238 DSC
- 632 Florida Wildflower and Florida Salutes Veterans Specialty License Plates (Transportation and Soto) (FR)47, (CR)240, (CS)247, (RC)274, (CO)276, (CR)397, (CR)481, (MO)881, (BA)1019, (BA)1049, (CR)1050 LTS
- SB  
634 Motor Vehicles (Judiciary and Simpson) (FR)47, (CR)239, (CR)363, (CR)481, (CS)485, (BA)602, (CR)658, (BA)687, **688** FPS
- 636 Students with Limited English Proficiency (Soto) (FR)47 DSC
- SJR  
638 Removing the Governor's Authority to fill a Vacancy in a County Office (Soto) (FR)47 DSC
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640 State Funds (Richter and Dean) (FR)48, (CR)156 DSC
- 642 Alcoholic Beverages (Appropriations and others) (FR)48, (CR)346, (CS)353, (RC)367, (CR)481, (CS/CS)485, (BA)598, (CR)658 LTS/CBP-CS/CS/HB 347
- 644 Licensure by the Office of Financial Regulation (Banking and Insurance and Richter) (FR)48, (CR)240, (CS)247, (CR)363, (CR)422, (CR)658, (BA)738, (BA)739, (CR)783 LTS/CBP-CS/CS/HB 665
- 646 Assisted Living Facilities (Health Policy and Children, Families, and Elder Affairs) (FR)48, (CR)196, (CS)201, (CR)278, (BA)388, (CR)396, (BA)407, **408** DM
- 648 Health Insurance Marketing Materials (Banking and Insurance and Hukill) (FR)48, (CR)240, (CS)247, (CR)397, (BA)468, (BA)469, (CR)476, (BA)**556**, **989** Ch. 2013-174 CBP-CS/SB 1842
- 650 Artificial Coloring and Sale of Certain Animals and Fowls (Criminal Justice and others) (FR)49, (CR)279, (CS)283, (CR)364, (CS/CS)364, (BA)476, (CR)476, (BA)560, **561** DM/CBP-CS/HB 851
- 652 Public Records and Public Meetings/Commission on Ethics (Detert) (FR)49 DSC/CBP-CS/SB 4
- 654 Agricultural Storage and Shipping Containers (Criminal Justice and others) (FR)49, (CS)110, (RC)111, (CR)113, (CR)229, (CS/CS)232, (CR)480, (BA)595, (CR)658 LTS/CBP-CS/CS/HB 1393
- 656 Tax on Sales, Use, and Other Transactions (Hukill and Soto) (FR)49, (CO)276 DSC
- 658 Wine (Commerce and Tourism and others) (FR)49, (CR)195, (CS)202, (CO)220, (CR)230, (CS/CS)232, (CO)257, (CR)397, (CR)476, (BA)542, (BA)543, 647, 648 LTS/CBP-CS/HB 623
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- 662 Workers' Compensation (Appropriations and Hays) (FR)49, (CR)239, (CR)396, (CR)658, (CS)660, (BA)**730**, (CR)783, 986 Ch. 2013-131
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- 674 Animal Shelters and Animal Control Agencies (Community Affairs and others) (FR)50, (CR)195, (CS)202, (CO)220, (CR)279, (CS/CS)283, (BA)393, (BA)394, (CR)396, (CO)405, (BA)**414**, 512, 578 Ch. 2013-32
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- 684 Preference in Award of State Contracts (Hays) (FR)50, (CR)277 DSC
- 686 Florida Statutes (Thrasher) (FR)51, (CR)113, (BA)**191**, (MO)194, 292, 367, 404 Ch. 2013-13
- 688 Florida Statutes (Thrasher) (FR)51, (CR)113, (BA)**191**, (MO)194, 292, 367, 404 Ch. 2013-14

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690 Florida Statutes (Rules and Thrasher) (FR)51, (CS)111, (CR)114, (BA)**192**, (MO)194, 292, 367, 404 Ch. 2013-15  
692 Florida Statutes (Thrasher) (FR)51, (CR)113, (BA)**192**, (MO)194, 293, 367, 404 Ch. 2013-16  
694 Florida Statutes (Thrasher) (FR)51, (CR)113, (BA)**192**, (MO)194, 293, 367, 404 Ch. 2013-17  
696 Timeshares (Regulated Industries and Stargel) (FR)51, (CR)196, (CS)202, (MO)881, (BA)1019, (CR)1050 LTS/CBP-CS/CS/CS/HB 73, CS/HB 7025  
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756 Department of Transportation (Grimsley) (FR)55 DSC  
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836 Insurer Solvency (Rules and others) (FR)60, (CR)346, (CS)354, (CR)477, (CR)577, (CS/CS)578, (BA)729, (CR)783 DM  
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856 Community Redevelopment (Bullard) (FR)61, (CR)156, (CR)422 DSC  
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 1778 Aaron Cohen Bike Safety Awareness Month (Garcia) (FR)**258** Adopted  
 1780 UCF Day/University of Central Florida's 50th Anniversary (Gardiner) (FR)**223** Adopted CBP-HR 9119  
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 1788 Springs Protection Awareness Month (Dean and Soto) (FR)295, **296**, (CO)362 Adopted CBP-HR 9127  
 1790 Spinal Cord Injury Awareness Week (Garcia) (FR)**370** Adopted CBP-HR 9059  
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- 1802 State Employee Health Insurance (Governmental Oversight and Accountability) (FR)242, (CR)346, (BA)**386**, (MO)388, (CR)396, 439, 1105, **1107**, 1403 Ch. 2013-52 CBP-SB 1500, SB 1502
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1820 Miami-Dade County Days at the Capitol (Margolis) (FR)**295** Adopted CBP-HR 9057
- 1822 Delta Sigma Theta Sorority, Inc. (Joyner) (FR)**297** Adopted CBP-HR 9073
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1828 Tax Administration (Appropriations and Appropriations) (FR)280, (CR)481, (CS)498, (BA)623, (BA)624, (CR)658, (BA)**701**, (BA)1005, 1026, **1032** DM/CBP-CS/CS/CS/HB 999, CS/CS/SB 492
- 1830 Ad Valorem Taxation (Appropriations) (FR)281, (CR)480, (BA)538, (BA)539, (CR)577, (BA)646, (BA)**657**, 986 Ch. 2013-72 CBP-CS/CS/HB 247, CS/CS/HB 437
- 1832 Taxation (Appropriations and others) (FR)281, (CO)367, (CR)480, (BA)517, (MO)**518**, (CR)577, (CO)675 DCH
- 1834 Crossover Youth (Children, Families, and Elder Affairs) (FR)281, (CR)476 DSC
- SR  
1836 The Year of Italian Culture (Sachs and others) (CO)439, (FR)593, **594** Adopted
- SB  
1838 Homestead Property Tax Exemptions (Military and Veterans Affairs, Space, and Domestic Security) (FR)349, (CR)481 DSC/CBP-SB 1830
- 1840 Development Permits (Rules and others) (FR)349, (CR)398, (CS)404, (CR)481, (CS/CS)498, (BA)808, (CR)881, (BA)892, (BA)960 LTS/CBP-CS/CS/HB 269, CS/CS/CS/HB 375, CS/HB 7019
- 1842 Health Insurance (Appropriations and Banking and Insurance) (FR)349, (CR)481, (CS)498, (BA)541, **542**, (CR)577, (MO)577, 710 Ch. 2013-101 CBP-CS/SB 648
- 1844 Florida Health Choices Program (Appropriations and Health Policy) (FR)350, (CR)481, (CR)658, (CS)669, (BA)733, **734**, (CR)783, 986 Ch. 2013-110
- SR  
1846 Phi Theta Kappa 2013 All-Florida Academic Team (Galvano) (FR)368, **369** Adopted CBP-HR 9049
- SB  
1848 Public Records/Inspector General/Citizens Property Insurance Corporation (Banking and Insurance) (FR)350, (CR)397, (CR)480, (BA)551, (BA)552, (CR)577, (BA)**655** DM/CBP-CS/SB 1770
- 1850 Public Records/Citizens Property Insurance Corporation Clearinghouse (Banking and Insurance) (FR)350, (CR)397, (CR)480, (BA)552, (CR)577, (BA)**655**, 881 Ch. 2013-61 CBP-CS/SB 1770
- 1852 Funding from the National Mortgage Settlement (Appropriations) (FR)364, (CR)480, (BA)542, (CR)577, (BA)596, (BA)603, (BA)606, (BA)**682**, (MO)708, 881 Ch. 2013-106
- SR  
1854 Franco-Floridian Relationships/Florida's Rich French Heritage (Flores) (FR)**594** Adopted CBP-HR 9137
- 1856 DNI
- 1858 University of Miami Men's Hurricanes Basketball Day (Braynon) (FR)**515** Adopted CBP-HR 9089
- SB  
1860 Drug Trafficking (Criminal Justice) (FR)398 DSC
- SR  
1862 Florida Gulf Coast University Men's Basketball Team (Benacquisto and Richter) (CO)439, (FR)513, **514** Adopted CBP-HR 9109
- SB  
1864 Ratification of Rules Implementing Total Maximum Daily Loads for Impaired Water Bodies (Environmental Preservation and Conservation) (FR)423, (CR)480, (BA)726, (BA)728, (CR)783 LTS/CBP-HB 7157
- SR  
1866 Puerto Rico Day (Soto) (FR)442, **443** Adopted CBP-HR 9117
- SB  
1868 Public Records/Payment Instrument Transaction/Office of Financial Regulation (Governmental Oversight and Accountability and Bean) (FR)423, (CR)480, (CR)481, (CS)499, (BA)726, (BA)727, (BA)728, (CR)783 LTS/CBP-CS/HB 7135, CS/CS/HB 217
- SR  
1870 Margarita Romo (Simpson) (FR)**514** Adopted
- 1872 DNI
- 1874 DNI
- 1876 Clearwater Beach (Latvala) (FR)**515** Adopted
- 1878 Armenian Martyrs Remembrance Day (Latvala) (FR)515, **516** Adopted
- 1880 Airborne Forces Heritage Day (Latvala) (FR)795, **796** Adopted
- 1882 Advent Christian Village (Dean) (FR)**516** Adopted CBP-HR 9101
- SB  
1884 County Medicaid Contributions (Appropriations and Health Policy) (FR)481, (CR)658, (CS)669, (BA)735, **738**, (CR)783 DM/CBP-SB 1520
- 1886 Public Records/Bodily Injury Liability Insurance Policies (Banking and Insurance) (FR)481 DSC
- 1888 Motor Vehicle Liability Insurance (Banking and Insurance) (FR)482 DSC/CBP-CS/CS/HB 7125
- SR  
1890 Taiwan and the United States (Flores) (FR)**516** Adopted
- 1892 Florida Association for Behavior Analysis/Florida Behavior Analysis Week (Legg) (FR)**594** Adopted CBP-HR 9125
- 1894 I Am Florida/The Swanee River (Old Folks at Home) (Bean) (FR)578 DSC/CBP-SR 1914
- 1896 40th Anniversary of Pasco-Hernando Community College (Legg) (FR)**677** Adopted CBP-HR 9107
- 1898 Stalking Awareness Month (Simmons) (FR)794, **795** Adopted CBP-HR 9031
- 1900 Autar Kaw, Ph.D. (Legg) (FR)**796** Adopted
- 1902 Honorable James "Jim" Albaugh Lenfestey (Lee and Joyner) (FR)592, **593** Adopted
- 1904 Dystonia Awareness Month (Bradley) (FR)**882** Adopted
- 1906 Enrique Emilio Ros Perez (Diaz de la Portilla) (FR)**795** Adopted
- 1908 Bishop Rudolph W. McKissick, Sr. (Gibson) (FR)882, **883** Adopted CBP-HR 9069
- SB  
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- 1912 Flight 2014, The Centennial Celebration of The World's First  
Airline (Latvala) (FR)**988** Adopted
- 1914 I Am Florida (Bean) (FR)**988** Adopted
- 1916 Isle of Eight Flags Shrimp Boat Races and Festival/50th An-  
niversary (Bean) (FR)988, **989** Adopted
- 1918 Go Blue Day (Bullard) (FR)**883** Adopted
- 1920 Irish People/Reunification (Simmons) (FR)**1053** Adopted
- 1922 Lake Worth Centennial Day (Clemens) (FR)**1053** Adopted

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- 1924 University of Florida Women's Gymnastics Team (Bradley)  
(FR)1053, **1054** Adopted
- 1926 Tuskegee Airman Cornelius Davis (Montford and others) (FR)  
1052, **1053**, (CO)1403, (CO)1404 Adopted
- 1928 Phillip J. "Jeff" Fleming, Jr. (Gaetz) (FR)1112, **1113** Adop-  
ted
- 1930 Plight of Robert Levinson (Ring) (FR)**1116** Adopted

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- HB
- 9 Involuntary Examinations under the Baker Act (Campbell and others) (FR)256 DSC
- 15 Funerals and Burials (Rooney and others) (FR)256, (BA)**259** Ch. 2013-19
- 21 Background Screening for Noninstructional Contractors on School Grounds (Perry and others) (FR)434, (BA)539, (BA)**646** Ch. 2013-73
- 49 Drug Paraphernalia (Judiciary Committee and others) 581, (FR)586, (BA)620, (BA)**698** Ch. 2013-111
- 53 Student Assessment Program for Public Schools (Education Appropriations Subcommittee and others) (FR)434 DSC/CBP-CS/CS/SB 1664
- 55 Deceptive and Unfair Trade Practices (Judiciary Committee and others) 256, (FR)257, (BA)474, (BA)559, (BA)**561** Ch. 2013-186
- 57 Department of Business and Professional Regulation (Government Operations Appropriations Subcommittee and others) (BA)612, (FR)669, (BA)694, (BA)724, (BA)796, (BA)887, (BA)**1007** Ch. 2013-187
- 73 Residential Properties (Judiciary Committee and others) 500, (FR)507, (BA)615, (BA)616, (BA)**696** Ch. 2013-188 CBP-CS/HB 7025, CS/HB 7119, CS/CS/SB 120
- 77 Landlords and Tenants (Judiciary Committee and Porter) 256, (FR)257, (BA)686, (BA)**687**, 1051 Ch. 2013-136
- 85 Public-Private Partnerships (Appropriations Committee and others) 669, (FR)670, (BA)1021, (BA)1055, **1056**, 1403 Ch. 2013-223
- 87 Mortgage Foreclosures (Appropriations Committee and others) (FR)784, (BA)1017, (BA)1018, (BA)**1054** Ch. 2013-137
- 93 Homelessness (Healthy Families Subcommittee and others) (FR)500, (BA)611, (BA)692, **693** Ch. 2013-74
- 95 Charitable Contributions (Regulatory Affairs Committee and others) (FR)290, (BA)536, (BA)**646** Ch. 2013-189
- 113 Distribution of Materials Harmful to Minors (Justice Appropriations Subcommittee and others) (FR)434, (BA)**444** Ch. 2013-75
- 125 Program of All-inclusive Care for the Elderly (Health and Human Services Committee and others) (FR)784 DSC
- 135 Spaceport Territory (Economic Development and Tourism Subcommittee and Goodson) (FR)669, (BA)**679** Ch. 2013-76
- 155 Prohibition of Electronic Gambling Devices (Select Committee on Gaming and others) 290, (FR)291, (BA)312, **313** Ch. 2013-2
- 157 Delivery of Insurance Policies (Insurance and Banking Subcommittee and Holder) (FR)581, (BA)724, (BA)725, (BA)**796** Ch. 2013-190
- 163 Ticket Sales (Regulatory Affairs Committee and Smith) 581, (FR)582 DSC
- 171 Disposition of Human Remains (Health Quality Subcommittee and others) (FR)256, (BA)731, (BA)799, **800** Ch. 2013-138
- 179 Eminent Domain Proceedings (Civil Justice Subcommittee and others) (FR)290, (BA)**300** Ch. 2013-23
- 203 Agricultural Lands (Local and Federal Affairs Committee and others) 581, (FR)586, (BA)767, (BA)**804** Ch. 2013-239
- 209 Lake-Sumter Community College (Metz and others) (FR)290, (BA)**300** Ch. 2013-24
- 215 Dependent Children (Healthy Families Subcommittee and others) (FR)256, (BA)**260** Ch. 2013-21
- 217 Money Services Businesses (Government Operations Appropriations Subcommittee and others) 581, (FR)582, (BA)767, (BA)**804** Ch. 2013-139 CBP-CS/HB 7135
- 223 Insurance (Insurance and Banking Subcommittee and others) (FR)290, (BA)552, (BA)553, (BA)**655** Ch. 2013-191
- 229 Land Trusts (Judiciary Committee and others) 581, (FR)586, (BA)607, (BA)690, **691** Ch. 2013-240
- 235 Requirements for Driver Licenses (Bracy and others) 669, (FR)671, (BA)**689** Vetoed
- 239 Practice of Optometry (Health and Human Services Committee and others) 290, (FR)292, (BA)301, **302** Ch. 2013-26
- 241 Community Health Workers (Health Care Appropriations Subcommittee and others) (FR)784 DSC
- 247 Paper Reduction (Local and Federal Affairs Committee and others) 669, (FR)671, (BA)766, (BA)800, (BA)**806**, 1051 Ch. 2013-192 CBP-SB 1830
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- 249 Public Records Exemption (Local and Federal Affairs Committee and Nelson) (BA)620, 669, (FR)675, (BA)**698** Vetoed CBP-CS/CS/HB 247
- 265 Florida Wildflower License Plate (Wood and others) (FR)500, (BA)1049, (BA)**1055** Vetoed
- 267 Real Property Liens and Conveyances (Local and Federal Affairs Committee and Wood) (BA)610, (FR)669, (BA)**692** Ch. 2013-241
- 269 Building Construction (Regulatory Affairs Committee and others) (FR)434, (BA)752, (BA)762, (BA)778, (BA)802, (BA)806, **807**, 1051 Ch. 2013-193 CBP-CS/HB 7019
- 277 Assessment of Residential and Nonhomestead Real Property (Regulatory Affairs Committee and others) 500, (FR)511, (BA)767, (BA)**804** Ch. 2013-77
- 295 American Founders' Month (Bileca and others) 434, (FR)436 DSC
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- 319 Community Transportation Projects (Economic Affairs Committee and others) (BA)**645**, 669, (FR)670 Ch. 2013-78
- 321 Community Development (Economic Affairs Committee and others) 669, (FR)670 DSC
- 333 Fish and Wildlife Conservation Commission (State Affairs Committee and others) (FR)500, (BA)597, (BA)598, (BA)**683** Ch. 2013-194
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- 353 Juvenile Justice (Criminal Justice Subcommittee and others) 500, (FR)508 DSC
- 357 Manufacturing Development (Economic Development and Tourism Subcommittee and others) 500, (FR)501, (BA)726, (BA)**798** Ch. 2013-224
- 359 Public Meetings by Higher Education & Workforce Subcommittee (Government Operations Subcommittee and others) 581, (FR)590 DSC
- 361 Public Meetings/Criminal Justice Commissions (Criminal Justice Subcommittee and others) 581, (FR)590, (BA)**645** Ch. 2013-196
- 365 Pharmacy (Health and Human Services Committee and others) 500, (FR)508, (BA)730, (BA)**799** Ch. 2013-102
- 375 Onsite Sewage Treatment and Disposal Systems (State Affairs Committee and others) 500, (FR)508, (BA)540, (BA)654, **655** Ch. 2013-79 CBP-CS/HB 7019
- 383 Interstate Insurance Product Regulation Compact (Regulatory Affairs Committee and others) 500, (FR)501, (BA)764, (BA)766, (BA)803, **804**, 1032, **1034** Ch. 2013-140
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- 411 Children's Initiatives (Health and Human Services Committee and others) 581, (FR)587, (BA)1018, (BA)1054, (BA)1114, **1115**, 1403 Ch. 2013-81
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- 415 Brownfields (Economic Development and Tourism Subcommittee and Hutson) 500, (FR)508 DSC
- 423 Tax On Sales, Use & Other Transactions (Agriculture and Natural Resources Subcommittee and others) 500, (FR)501, (BA)763, (BA)**803** Ch. 2013-82
- 427 Specialty License Plates/Sun, Sea, and Smiles (Transportation and Economic Development Appropriations Subcommittee and others) (FR)784 DSC
- 433 Inspector General of Citizen's Property Insurance Corporation (Insurance and Banking Subcommittee and others) 784, (FR)788 DSC/CBP-CS/SB 1770
- 437 Community Development (Economic Affairs Committee and others) 581, (FR)582, (BA)617, (BA)618, (BA)**697** Ch. 2013-83 CBP-SB 1830

- HB  
 441 Juvenile Justice Education Programs (Choice and Innovation Subcommittee and Adkins) 500, (FR)501 DSC/CBP-CS/CS/SB 1720  
 457 Collection of Worthless Payment Instruments (Business and Professional Regulation Subcommittee and others) 500, (FR)502, (BA)1021, (BA)1022, (BA)**1056** Ch. 2013-113  
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 463 Examination of Dentists (Health and Human Services Committee and others) (FR)709 DSC  
 487 Specialty License Plates/Freemasonry (Economic Affairs Committee and others) 669, (FR)670, (BA)773, (BA)774, (BA)**805** Ch. 2013-85  
 489 Railroad Police Officers (Judiciary Committee and others) 500, (FR)502, (BA)598, (BA)**684** Ch. 2013-114  
 493 Security of Protected Consumer Information (Regulatory Affairs Committee and others) 500, (FR)502 DSC  
 495 Certified Audit Program (Finance and Tax Subcommittee and Raulerson) 500, (FR)502 DSC  
 525 Joint Use of Public School Facilities (Raburn and others) 434, (FR)436 DSC  
 533 City of Tampa, Hillsborough County (Raulerson) 784, (FR)788, (BA)**883**, (MO)883, (CR)986 Ch. 2013-253  
 537 Growth Management (Local and Federal Affairs Committee and others) 500, (FR)502, (BA)543, (BA)**648**, 1051 Ch. 2013-115 CBP-CS/HB 7019  
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 573 Manufactured & Mobile Homes (Regulatory Affairs Committee and others) 500, (FR)503, (BA)725, (BA)796, **797** Ch. 2013-158  
 579 Natural Gas Motor Fuel (Regulatory Affairs Committee and others) 500, (FR)503, (BA)768, (BA)773, (BA)804, **805**, 1051 Ch. 2013-198 CBP-CS/SB 406  
 585 Law Enforcement (Criminal Justice Subcommittee and others) 434, (FR)436, (BA)622, (BA)699, **700** Ch. 2013-116  
 589 State Poet Laureate (Economic Development and Tourism Subcommittee and others) (FR)784 DSC  
 607 Canned or Perishable Food Distributed Free of Charge (Civil Justice Subcommittee and others) 500, (FR)503 DSC  
 609 Bullying in the Public School System (Education Committee and others) 434, (FR)435, (BA)**725** Ch. 2013-87  
 611 False Reports to Law Enforcement Officers (Criminal Justice Subcommittee and others) 434, (FR)435, (BA)611, (BA)**693** Ch. 2013-117  
 617 Juvenile Justice Circuit Advisory Boards and Juvenile Justice County Councils (Judiciary Committee and others) 500, (FR)503, (BA)625, (BA)693, (BA)724, (BA)796, (BA)887, (BA)1007, (BA)1054, (BA)**1118** Ch. 2013-118  
 623 Wine (Regulatory Affairs Committee and others) 290, (FR)291, (BA)543, (BA)**647**, 648 Ch. 2013-199  
 633 Biodiesel Fuel (Finance and Tax Subcommittee and others) 500, (FR)503, (BA)610, (BA)**692** Ch. 2013-142  
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 649 Public Records/Proprietary Confidential Business Information (Energy and Utilities Subcommittee and Cummings) 500, (FR)511, (BA)602, (BA)**688** Ch. 2013-143  
 655 Employment Benefits (State Affairs Committee and others) 434, (FR)435, (BA)608, (BA)609, (BA)**688**, (BA)**702**, (MO)702, 1006, (BA)1007, 1403 Ch. 2013-200  
 663 Economic Gardening Technical Assistance Program (Economic Development and Tourism Subcommittee and others) 500, (FR)503 DSC  
 665 Licensure by Office of Financial Regulation (Regulatory Affairs Committee and others) 500, (FR)504, (BA)739, (BA)801, (BA)**805** Ch. 2013-201
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 667 Real Estate Brokers & Appraisers (Rulemaking Oversight and Repeal Subcommittee and others) 500, (FR)504, (BA)617, (BA)**697** Ch. 2013-144  
 671 Pharmacy Technicians (Health and Human Services Committee and others) 500, (FR)510 DSC  
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 691 Personal Identification Theft (Judiciary Committee and others) 500, (FR)504, (BA)607, (BA)**691**, 1051 Ch. 2013-242  
 695 Tied House Regulation (Business and Professional Regulation Subcommittee and Holder) 500, (FR)504, (BA)596, (BA)**679** Ch. 2013-145  
 701 Electronic Benefits Transfer Cards (Health and Human Services Committee and others) 581, (FR)582, (BA)598, (BA)**684** Ch. 2013-88  
 705 Targeted Economic Development (Economic Development and Tourism Subcommittee and Workman) 500, (FR)504, (BA)616, (BA)617, (BA)696, (BA)**699** Ch. 2013-120  
 713 Water Quality Credit Trading (State Affairs Committee and others) 581, (FR)582, (BA)596, (BA)**679** Ch. 2013-146  
 725 Public Records and Public Meetings Exemptions (Harrell) 500, (FR)504, (BA)827, (BA)892, (BA)**960** Vetoed  
 727 Liens on Personal Property in Self-Service Storage Facilities & Self-Contained Storage Units (Caldwell) 500, (FR)510 DSC  
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 759 Offenses Against Unborn Children (Ahern and others) 581, (FR)582 DSC
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 763 Congressional Term Limits (Caldwell and others) 669, (FR)675 DSC
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 783 Branch Offices Conducting Securities Transactions (Insurance and Banking Subcommittee and others) 581, (FR)583, (BA)1018, (BA)1019, (BA)**1054** Ch. 2013-202  
 785 Restitution for Juvenile Offenses (Judiciary Committee and others) 669, (FR)671 DSC  
 795 Premises Inspections (Business and Professional Regulation Subcommittee and others) 581, (FR)583, (BA)617, (BA)696, **697** Ch. 2013-147  
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 867 Parent Empowerment in Education (Education Committee and others) 434, (FR)437, (BA)752, (BA)774, (BA)801, **802** FPS/CBP-CS/CS/HB 7009  
 875 Licensed Security Officers (Workman and Harrell) 500, (FR)505, (BA)614, (BA)615, (BA)**695** Ch. 2013-221  
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 913 Holocaust Victims Assistance Act (Bileca and others) 500, (FR) 505, (BA)612, (BA)694, (BA)**703** Ch. 2013-149  
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 943 Public Records (Judiciary Committee and Schwartz) 434, (FR) 439 DSC  
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 1067 Pugilistic Exhibitions (Regulatory Affairs Committee and others) 581, (FR)584, (BA)947, (BA)1011, (BA)1054 DCS  
 1069 Emerald Coast Utilities Authority, Escambia County (Local and Federal Affairs Committee and Ingram) 784, (FR)786, (MO)877, (BA)**878**, (CR)881 Ch. 2013-261  
 1071 Health Care Accrediting Organizations (Health Innovation Subcommittee and others) 581, (FR)588, (BA)726, (BA)**797** Ch. 2013-93  
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 1083 Underground Natural Gas Storage (State Affairs Committee and others) 581, (FR)584, (BA)727, (BA)802, **803** Ch. 2013-205 CBP-CS/CS/HB 1085  
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