

CHAPTER 2016-62

House Bill No. 5003

An act implementing the 2016-2017 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; specifying the required ad valorem tax millage contribution by certain district school boards for certain funded construction projects; amending s. 11.45, F.S.; requiring the Auditor General to conduct audits of the Florida School for the Deaf and Blind; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution's incentive under certain circumstances; providing for reporting and rulemaking by the state board; creating s. 1001.67, F.S.; establishing the Distinguished Florida College System institution program; specifying the excellence standards for purposes of the program; prescribing minimum criteria for an institution to receive a distinguished college designation; specifying that designated institutions are eligible for funding as provided in the General Appropriations Act; amending s. 1001.7065, F.S.; deleting obsolete provisions; revising the academic and research excellence standards for the preeminent state research universities program; creating the "emerging preeminent state research university" designation; requiring an emerging preeminent state research university to submit a certain plan to the board and meet certain expectations to receive certain funds; providing for the distribution of certain funding increases; deleting the preeminent state research university enhancement initiative; authorizing a preeminent state research university to consider certain courses as a part of the general education requirements; providing that such courses are in addition to certain required courses; authorizing a preeminent state research university to require that such courses be earned at the university; authorizing the board to identify and grant certain authority and flexibility to emerging preeminent state research universities; amending s. 1001.92, F.S.; requiring performance-based metrics to include thresholds for added value of certain degrees; requiring the Board of Governors to develop an implementation plan for specified metrics relating to the employment of students with specified degrees by a specified fiscal year and provide the plan to the Governor and Legislature by a specified date; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet a certain threshold from eligibility for a share of the state's investment performance funding; requiring the board to adopt regulations; amending s. 1008.46, F.S.; revising the date by which the Board of Governors must submit a specific report; amending s. 1009.23, F.S.; revising provisions relating to the

Florida College System institution distance learning course user fee; providing that the fee may not exceed a specified amount per credit hour; requiring that an increase in the current fee be approved by the State Board of Education; amending s. 1009.24, F.S.; revising provisions relating to the state university distance learning course fee; providing that the fee may not exceed a specified amount per credit hour; requiring each state university board of trustees to report specified information relating to the fee to the Board of Governors by a specified date; amending ss. 1009.50, 1009.505, 1009.51, and 1009.52, F.S., relating to the Florida Public Student Assistance Grant Program, the Florida Public Postsecondary Career Education Student Assistance Grant Program, the Florida Private Student Assistance Grant Program, and the Florida Postsecondary Student Assistance Grant Program; requiring the expected family contribution and all other aid available to a student be accounted and considered when determining a student's unmet need; requiring participating institutions to conduct an assessment of the available financial resources for each student; requiring certain funding mechanisms to be included in the assessment; revising the priority in the distribution of grant moneys; revising reporting requirements for participating institutions; amending s. 1011.62, F.S.; revising the method for allocating funds for exceptional student education programs; extending by 1 fiscal year the requirement that specified school districts use certain funds toward additional intensive reading instruction; specifying the method for determining the 300 lowest-performing elementary schools; requiring categorical funds for supplemental academic instruction to be provided in the Florida Education Finance Program as set forth in the General Appropriations Act; specifying the method of determining the allocation of categorical funding; providing for the recalculation of categorical funding; requiring an allocation to be prorated if certain conditions exist; revising the computation of the district sparsity index for districts that meet certain criteria; deleting obsolete language; providing for funding of the district digital classrooms allocation; abrogating the scheduled expiration and reversion of specified amendments to s. 1011.62, F.S., relating to the federally connected student supplement; providing for expiration; prohibiting an under allocation in a prior year caused by a school district error from being the basis for certain allocation adjustments; amending s. 1011.71, F.S.; conforming a cross-reference; providing for the future expiration and reversion of specified statutory text; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.731, F.S.; providing legislative intent; establishing the Florida Best and Brightest Teacher Scholarship Program; providing eligibility criteria; requiring a school district to annually submit the number of eligible classroom teachers to the Department of Education; providing for funding and the disbursement of funds; defining the term "school district"; amending s. 1012.75, F.S.; extending by 1 year the expiration date for the educator liability insurance program; amending s. 1013.64, F.S.; revising capital outlay full-time equivalent membership; providing that certain prekindergarten exceptional students are included in the membership; revising the calculation of

capital outlay membership; amending s. 1004.935, F.S.; extending the date by which the Adults with Disabilities Workforce Education Pilot Program may operate; providing for the future expiration and reversion of specified statutory text; amending s. 1004.345, F.S.; extending by 1 year the requirement that the Florida Polytechnic University meet specified criteria established by the Board of Governors; creating s. 1004.344, F.S.; creating the Florida Center for the Partnerships for Arts Integrated Teaching within the University of South Florida Sarasota/Manatee; providing goals of the center; authorizing the Florida Fund for Minority Teachers, Inc. to expend up to a specified percentage of appropriated funds and up to a specified amount from available funds for administration; amending s. 1009.986, F.S.; authorizing the extension of the date by which the Florida ABLE, Inc., must establish and administer the Florida ABLE program upon the occurrence of specified events; revising provisions regarding required elements of the participation agreement; prohibiting the Office of Early Learning from adopting a kindergarten readiness rate for certain Voluntary Prekindergarten Education Program years; specifying that certain prekindergarten providers and public schools shall remain on probation; amending s 1011.62, F.S.; revising the adjustment formula to the Prior Period Funding Adjustment Millage for a specified year; providing for the future expiration and reversion of specified statutory text; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Reimbursement programs; amending s. 393.063, F.S.; revising the definition of the term “developmental disability” and defining the term “Phelan-McDermid syndrome”; providing for the future expiration and reversion of specified statutory text; amending s. 393.065, F.S.; requiring the Agency for Persons with Disabilities to offer enrollment in the Medicaid home and community-based waiver program to certain individuals; specifying criteria for enrollment prioritization; requiring the agency to allow an individual who meets specified eligibility requirements to receive home and community-based services if a parent or legal guardian is an active-duty servicemember who is transferred to this state; requiring the agency to allow certain individuals with Phelan-McDermid syndrome to receive home and community-based services; providing that individuals remaining on the wait list are not entitled to a hearing in accordance with federal law or an administrative proceeding under state law; authorizing the agency and the Agency for Health Care Administration to adopt rules specifying tools for prioritizing waiver enrollments within categories; specifying the requirements that apply to the iBudgets of clients in the home and community-based services waiver program until the Agency for Persons with Disabilities adopts a new allocation algorithm and methodology by final rule; providing for application of the new allocation algorithm and methodology after adoption of the final rule; providing requirements for an increase in iBudget funding allocations; reenacting s. 393.067(15), F.S., relating to contracts between the Agency for Persons with Disabilities and licensed facilities; providing contingent abrogation of the scheduled expiration and reversion of amendments to s. 393.067(15), F.S., pursuant to s. 24 of chapter 2015-222, Laws of Florida; providing for

the future expiration and reversion of specified statutory text; reenacting s. 393.18, F.S., relating to the comprehensive transitional education program; providing contingent abrogation of the scheduled expiration and reversion of amendments to s. 393.18, F.S., pursuant to s. 26 of chapter 2015-222, Laws of Florida; providing for the future expiration and reversion of specified statutory text; amending s. 296.37, F.S.; extending for 1 fiscal year the requirement that certain residents of a veterans' nursing home contribute to their maintenance and support; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to realign funding based upon a specified model, methodology, and framework; specifying requirements for such realignment; authorizing the agency to request nonoperating budget authority for transferring certain federal funds to the Department of Health; providing that certain funds provided for training purposes shall be allocated to community-based lead agencies based on a training needs assessment conducted by the Department of Children and Families; requiring the Agency for Health Care Administration to ensure that nursing facility residents who are eligible for funds to transition to home and community-based services waivers have resided in a skilled nursing facility for a specified period; requiring the Agency for Health Care Administration and the Department of Elderly Affairs to prioritize individuals for enrollment in the Medicaid Long-Term Care Waiver program using a certain frailty-based screening; authorizing the Agency for Health Care Administration to adopt rules and enter into certain interagency agreements with respect to program enrollment; authorizing the agency to delegate certain responsibilities with respect to program enrollment to the Department of Elderly Affairs; authorizing the Department of Elderly Affairs to delegate certain functions to its contractors; amending s. 409.911, F.S.; requiring the Agency for Health Care Administration to distribute moneys to hospitals that provide a disproportionate share of Medicaid or charity services as set forth in the General Appropriations Act; amending s. 409.9113, F.S.; requiring the Agency for Health Care Administration to make disproportionate share payments to teaching hospitals as set forth in the General Appropriations Act; amending s. 409.9119, F.S.; requiring the Agency for Health Care Administration to make disproportionate share payments to specialty hospitals for children, as set forth in the General Appropriations Act; amending s. 893.055, F.S.; authorizing the Department of Health to use certain funds to administer the prescription drug monitoring program; prohibiting the use of funds received from a settlement agreement to administer the program; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; authorizing the Department of Legal Affairs to expend 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.; extending for 1 fiscal year the authority for a municipality to expend funds from its special law enforcement trust fund to reimburse its general fund for certain moneys

advanced from the general fund; amending s. 215.18, F.S.; extending for 1 fiscal year the authority and related repayment requirements for temporary trust fund loans to the state court system which are sufficient to meet the system's appropriation; prohibiting the Department of Corrections from transferring funds from a salaries and benefits category to another category, other than a salaries and benefits category, unless approved by the Legislative Budget Commission; authorizing the Department of Corrections to submit certain budget amendments to transfer funds into the Inmate Health Services category; providing that such transfers are subject to notice, review and objection procedures; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine if the county has met specified financial responsibilities; requiring amounts owed by the county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to transfer funds withheld to specified trust funds; requiring the Department of Revenue to ensure that such reductions in amounts distributed do not reduce distributions below amounts necessary for certain payments due on bonds and comply with bond covenants; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; amending s. 27.5304, F.S.; revising certain limitations on compensation for private court-appointed counsel; providing for the future expiration and reversion of specified statutory text; requiring the Department of Management Services to organize a work group to develop a law enforcement officers' career development plan; specifying the representatives to be included in the work group; providing issues to be addressed in the plan; requiring the work group to conduct meetings and develop a career development proposal to be submitted to the Governor and Legislature by a specified date; requiring the Justice Administrative Commission to provide funds to the clerks of court for specified uses related to juries; providing procedures for clerks of court to receive such funds; providing an apportionment methodology if funds are estimated to be insufficient to pay all amounts requested; requiring the clerks of court to pay amounts in excess of appropriated amounts; prohibiting the Department of Juvenile Justice from providing to certain nonfiscally contained counties reimbursements or credits against identified juvenile detention center costs under specified circumstances; directing the Department of Management Services to use tenant broker services to renegotiate or reprocur certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Governor and Legislature by a specified date; reenacting s. 624.502, F.S., relating to the deposit of fees for service of process made upon the Chief Financial Officer or the Director of the Office of Insurance Regulation into the Administrative Trust Fund; providing for the future expiration and reversion of statutory text requiring the deposit of certain fees into the Administrative Trust Fund; reenacting s. 282.709(2)(a), F.S., relating to the creation and membership of the Joint Task Force on State Agency Law Enforcement Communications; providing for the future expiration and reversion of

specified statutory text; specifying the amount of the transaction fee to be collected for use of the online procurement system; authorizing the Executive Office of the Governor to transfer funds appropriated for certain data processing services between departments for a specified purpose; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing agencies to transfer certain data processing funds to contract with a private sector cloud service under certain circumstances; specifying that such transfers are subject to certain notice, review, and objection procedures; authorizing the Executive Office of the Governor to transfer certain funds between agencies in order to allocate a reduction relating to SUNCOM Network services; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management insurance and for human resource management services; providing for replacement of Florida Accounting Information Resource Subsystem; providing for project governance structure; amending s. 216.292, F.S.; authorizing the Executive Office of the Governor under specified circumstances to transfer funds between appropriations categories to provide for the relocation of certain state agencies and departments currently located at a specified location; specifying such transfers are subject to notice and objection; amending s. 161.143, F.S.; extending by 1 fiscal year the directive that the amount allocated for inlet management funding is provided in the General Appropriations Act; amending s. 259.105, F.S.; revising the distribution of certain proceeds from cash payments or bonds issued pursuant to the Florida Forever Act; amending s. 375.075, F.S.; requiring that a minimum percentage of funds for the Florida Recreation Development Assistance Program be used toward projects providing recreational enhancements and opportunities for people with unique abilities; requiring the Department of Environmental Protection to award grants by a specified date; revising the limitation on the number of grant applications a local government may submit under certain circumstances; requiring the department to prioritize projects that provide recreational enhancement and opportunities to people with unique abilities; defining the term “projects that provide recreational enhancements and opportunities for individuals with unique abilities”; amending s. 380.507, F.S.; revising the powers of the Florida Communities Trust to authorize the undertaking, coordination, and funding of projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities; amending s. 216.181, F.S.; extending by 1 fiscal year the authority for the Legislative Budget Commission to increase amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for certain fixed capital outlay projects from specified sources; amending s. 206.9935, F.S.; exempting specified revenues from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund; providing for the future expiration and reversion of specified statutory text; amending s. 403.709, F.S.; revising the conditions under which the Department of Environmental Protection may use the solid waste landfill closure account within the

Solid Waste Management Trust Fund to contract with a third party to close and provide long-term care of certain solid waste management facilities; authorizing the Department of Environmental Protection to use the Solid Waste Management Trust Fund under specified circumstances if amounts paid under an insurance policy or alternative financial assurance do not cover the cost of the closing or providing long-term care of a facility; reviving, reenacting, and amending s. 403.7095(5), F.S.; requiring the Department of Environmental Protection to award a certain sum of grant funds for specified solid waste management programs to counties that meet certain criteria; amending s. 215.18, F.S.; authorizing the Governor, if there is a specified deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing procedures for the transfer and repayment of the loan; providing a legislative determination that the repayment of the temporary loan is a constitutionally allowable use of such moneys; requiring the Department of Environmental Protection to transfer designated proportions of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; defining the term “department”; requiring the department to retain a proportionate share of revenues; specifying a limit on distributions; amending s. 376.3071, F.S.; specifying that earned interest may be transferred between the Inland Protection Trust Fund and the Water Quality Assurance Trust Fund as authorized by the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; prohibiting the Department of Environmental Protection from requiring payment of program copayments for the cleanup of certain petroleum contamination sites; prohibiting the department from requiring submission of the limited contamination assessment report; prohibiting the use of 2016-2017 funds from being applied towards certain funding limits; amending s. 376.3071, F.S.; requiring the Department of Environmental Protection under specified circumstances to obligate moneys in the Inland Protection Trust Fund for certain items that otherwise would be paid by another state agency for state-funded petroleum contamination site rehabilitation; requiring the Department of Highway Safety and Motor Vehicles to contract with a specified corporation to manufacture current or newly redesigned license plates; providing price specifications for such contract; specifying requirements to be met by the corporation in manufacturing such license plates; prohibiting the name of a county from appearing on redesigned license plates; amending s. 339.2818, F.S.; revising the definition of the term “small county” for purposes of the Small County Outreach Program; authorizing capacity improvements on county roads to be eligible for funding from the Small County Road Assistance Program under specified conditions; amending s. 339.135, F.S., and reviving, reenacting, and

amending s. 339.135(4)(j) and (5)(c), F.S.; extending by 1 fiscal year provisions requiring the Department of Transportation to use appropriated funds for purposes related to the establishment of a multiuse trail system; authorizing the department to use up to a certain amount of appropriated funds for strategic and regionally significant transportation projects; reenacting s. 341.302(10), F.S., relating to the Department of Transportation's duties and responsibilities for the rail program; providing for the future expiration and reversion of specified statutory text; amending s. 339.2816, F.S.; specifying the amount of funding from the State Transportation Trust Fund that may be used for the Small County Road Assistance Program for the 2016-2017 fiscal year; authorizing capacity improvements on county roads to be eligible for funding from the Small County Road Assistance Program under specified conditions; providing for the future expiration and reversion of specified statutory text; amending s. 420.9072, F.S.; extending by 1 fiscal year provisions authorizing each county and eligible municipality to use its portion of the local housing distribution for certain purposes; amending s. 420.5087, F.S.; extending by 1 fiscal year provisions specifying the reservation of funds for the tenant groups within each notice of fund availability with respect to the State Apartment Incentive Loan Program; requiring the Florida Housing Finance Corporation to issue a notice of fund availability for loans to be used for certain purposes; amending s. 427.013, F.S.; requiring the Commission for the Transportation Disadvantaged to allocate and award appropriated funds for specified purposes; amending s. 216.292, F.S.; authorizing the Department of Highway Safety and Motor Vehicles, with approval of the Governor's Office, to transfer specified funds between appropriations categories to realign funds based on certain cost-benefit analysis; specifies that such transfers are subject to notice and objection provisions; providing for future expiration; amending s. 339.135, F.S.; providing for the adoption of certain Department of Transportation work program amendments estimated to cost more than a specified dollar amount; amending s. 321.04, F.S.; requiring the Department of Highway Safety and Motor Vehicles to assign a highway patrol officer, at the written request of a Cabinet member or the Lieutenant Governor, to that Cabinet member or the Lieutenant Governor, under specified circumstances; providing for future expiration; reenacting s. 216.292(2)(a), F.S., relating to exceptions for nontransferable appropriations; providing for the future expiration and reversion of statutory text related to nontransferable appropriations; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an exception; amending s. 112.24, F.S.; extending by 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature shall be maintained at a specified level; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds; providing for the future expiration and reversion of statutory text related to the source and use of specified trust funds; providing a legislative determination that the issuance of new debt is in the best

interests of the state; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; requiring executive branch state agencies and the judicial branch to collaborate with the Executive Office of the Governor regarding the statewide travel management system and to use such system; placing a monetary cap on the amount of money available for state employee travel to certain meetings organized or sponsored by a state agency or the judicial branch; authorizing employees to expend their own funds for lodging expenses in excess of the monetary caps; reenacting s. 110.12315, F.S., relating to the state employees' prescription drug program; providing for the future expiration and reversion of statutory text related to the state employees' prescription drug program; prohibiting agencies from entering into contracts containing certain nondisclosure agreements; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriation; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing an effective date.

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

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 2016-2017 fiscal year.

Section 2. In order to implement Specific Appropriations 7, 8, 9, 94, and 95 of the 2016-2017 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2016-2017 fiscal year in the document titled "Public School Funding: The Florida Education Finance Program," dated March 8, 2016, and filed with the Clerk of the House of Representatives, 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, 2017.

Section 3. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act and notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42, 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the expenditure of funds provided for instructional materials, for the 2016-2017 fiscal year, funds provided for instructional materials shall be released and expended as required in the proviso language for Specific Appropriation 94 of the 2016-2017 General Appropriations Act. This section expires July 1, 2017.

Section 4. In order to implement Specific Appropriation 23 of the 2016-2017 General Appropriations Act and notwithstanding s. 1013.64(2), Florida Statutes, any district school board that generates less than \$2 million in revenue from a 1-mill levy of ad valorem tax shall contribute 0.75 mills for the 2016-2017 fiscal year toward the cost of funded special facilities construction projects. This section expires July 1, 2017.

Section 5. In order to implement Specific Appropriation 113 of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (2) of section 11.45, Florida Statutes, is amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(d) Annually conduct financial audits of the accounts and records of all district school boards in counties with populations of fewer than 150,000, according to the most recent federal decennial statewide census, and the Florida School for the Deaf and the Blind.

The Auditor General shall perform his or her duties independently but under the general policies established by the Legislative Auditing Committee. This subsection does not limit the Auditor General's discretionary authority to conduct other audits or engagements of governmental entities as authorized in subsection (3).

Section 6. In order to implement Specific Appropriations 12 and 126 of the 2016-2017 General Appropriations Act, section 1001.66, Florida Statutes, is created to read:

1001.66 Florida College System Performance-Based Incentive.—

(1) A Florida College System Performance-Based Incentive shall be awarded to Florida College System institutions using performance-based metrics adopted by the State Board of Education. The performance-based metrics must include retention rates; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate of arts degree recipients. The state board shall adopt benchmarks to evaluate each institution's performance on the metrics to measure the institution's achievement of institutional excellence or need for improvement and the minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to Florida College System institutions based on the performance-based funding model shall consist of the state's investment in performance funding plus institutional investments consisting of funds to be redistributed from the base funding of the Florida College System Program Fund as determined in the General Appropriations Act. The State Board of Education shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. An institution that meets the minimum institutional investment eligibility threshold, but fails to meet the minimum state investment eligibility threshold, shall have its institutional investment restored but is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for all

institutions eligible for the state's investment under the performance-based funding model.

(3)(a) Each Florida College System institution's share of the performance funding shall be calculated based on its relative performance on the established metrics in conjunction with the institutional size and scope.

(b) A Florida College System institution that fails to meet the State Board of Education's minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional investment withheld by the state board and must submit an improvement plan to the state board that specifies the activities and strategies for improving the institution's performance. The state board must review and approve the improvement plan and, if the plan is approved, must monitor the institution's progress in implementing the activities and strategies specified in the improvement plan. The institution shall submit monitoring reports to the state board by December 31 and May 31 of each year in which an improvement plan is in place.

(c) The Commissioner of Education shall withhold disbursement of the institutional investment until the monitoring report is approved by the State Board of Education. A Florida College System institution determined by the state board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. An institution that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the state board's performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the Florida College System institutions listed in the Florida Colleges category in the General Appropriations Act.

(5) By October 1 of each year, the State Board of Education shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the prior fiscal year's performance funding allocation, which must reflect the rankings and award distributions.

(6) The State Board of Education shall adopt rules to administer this section.

(7) This section expires July 1, 2017.

Section 7. In order to implement Specific Appropriation 126 of the 2016-2017 General Appropriations Act, section 1001.67, Florida Statutes, is created to read:

1001.67 Distinguished Florida College System institution program.—A collaborative partnership is established between the State Board of

Education and the Legislature to recognize the excellence of Florida's highest-performing Florida College System institutions.

(1) EXCELLENCE STANDARDS.—The following excellence standards are established for the program:

(a) A 150 percent-of-normal-time completion rate of 50 percent or higher, as calculated by the Division of Florida Colleges.

(b) A 150 percent-of-normal-time completion rate for Pell Grant recipients of 40 percent or higher, as calculated by the Division of Florida Colleges.

(c) A retention rate of 70 percent or higher, as calculated by the Division of Florida Colleges.

(d) A continuing education, or transfer, rate of 72 percent or higher for students graduating with an associate of arts degree, as reported by the Florida Education and Training Placement Information Program (FETPIP).

(e) A licensure passage rate on the National Council Licensure Examination for Registered Nurses (NCLEX-RN) of 90 percent or higher for first-time exam takers, as reported by the Board of Nursing.

(f) A job placement or continuing education rate of 88 percent or higher for workforce programs, as reported by FETPIP.

(g) A time-to-degree for students graduating with an associate of arts degree of 2.25 years or less for first-time-in-college students with accelerated college credits, as reported by the Southern Regional Education Board.

(2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of Education shall designate each Florida College System institution that meets five of the seven standards identified in subsection (1) as a distinguished college.

(3) DISTINGUISHED COLLEGE SUPPORT.—A Florida College System institution designated as a distinguished college by the State Board of Education is eligible for funding as specified in the General Appropriations Act.

(4) EXPIRATION.—This section expires July 1, 2017.

Section 8. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, subsections (1), (2), (3), and (5) through (8) of section 1001.7065, Florida Statutes, are amended, to read:

1001.7065 Preeminent state research universities program.—

(1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE COLLABORATION.—A collaborative partnership is established between the Board of Governors and the Legislature to elevate the academic and research

preeminence of Florida's highest-performing state research universities in accordance with this section. The partnership stems from the State University System Governance Agreement executed on March 24, 2010, wherein the Board of Governors and leaders of the Legislature agreed to a framework for the collaborative exercise of their joint authority and shared responsibility for the State University System. The governance agreement confirmed the commitment of the Board of Governors and the Legislature to continue collaboration on accountability measures, the use of data, and recommendations derived from such data.

(2) **ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.**—~~Effective July 1, 2013,~~ The following academic and research excellence standards are established for the preeminent state research universities program:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher on a 2400-point scale or 1200 or higher on a 1600-point scale for fall semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, including, but not limited to, the U.S. News and World Report rankings, reflecting national preeminence, using most recent rankings.

(c) A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).

(d) A 6-year graduation rate of 70 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS.

(e) Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report or the official membership directories maintained by each national academy.

(f) Total annual research expenditures, including federal research expenditures, of \$200 million or more, as reported annually by the National Science Foundation (NSF).

(g) Total annual research expenditures in diversified nonmedical sciences of \$150 million or more, based on data reported annually by the NSF.

(h) A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.

(i) One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.

(j) Four hundred or more doctoral degrees awarded annually, including professional doctoral degrees awarded in medical and health care disciplines, as reported in the Board of Governors Annual Accountability Report.

(k) Two hundred or more postdoctoral appointees annually, as reported in the TARU annual report.

(l) An endowment of \$500 million or more, as reported in the Board of Governors Annual Accountability Report.

(3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—

(a) The Board of Governors shall designate each state research university that annually meets at least 11 of the 12 academic and research excellence standards identified in subsection (2) as a preeminent state research university.

(b) The Board of Governors shall designate each state university that annually meets at least six of the 12 academic and research excellence standards identified in subsection (2) as an emerging preeminent state research university.

(5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM UNIVERSITY SUPPORT.—

(a) A state research university that is designated as a preeminent state research university, as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.

(b) A state university designated as an emerging preeminent state research university shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section.

(c) The award of funds under this subsection is contingent upon funding provided in the General Appropriations Act to support the preeminent state research universities program created under this section. Funding increases appropriated beyond the amounts funded in the prior fiscal year shall be distributed as follows:

1. Each designated preeminent state research university that meets the criteria in paragraph (a) shall receive an equal amount of funding.

2. Each designated emerging preeminent state research university that meets the criteria in paragraph (b) shall receive an amount of funding that is equal to one-half of the total increased amount awarded to each designated preeminent state research university.

~~(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT INITIATIVE.—A state research university that, as of July 1, 2013, meets 11 of the 12 academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period for the purpose of recruiting National Academy Members, expediting the provision of a master's degree in cloud virtualization, and instituting an entrepreneurs-in-residence program throughout its campus. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.~~

~~(6)(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE REQUIREMENT AUTHORITY.—In order to provide a jointly shared educational experience, a university that is designated a preeminent state research university may require its incoming first-time-in-college students to take a 6-credit ~~9-to-12-credit~~ set of unique courses specifically determined by the university and published on the university's website. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or any other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student's request.~~

~~(7)(8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY AUTHORITY.—The Board of Governors is encouraged to identify and grant all reasonable, feasible authority and flexibility to ensure that each a designated preeminent state research university and each designated emerging preeminent state research university is free from unnecessary restrictions.~~

Section 9. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, subsections (1), (2), (3) and subsection (6) of section 1001.92, Florida Statutes, are amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System.

(a) The performance-based metrics must include graduation rates;; retention rates;; postgraduation education rates;; degree production;; affordability;; postgraduation employment and salaries, including wage thresholds that reflect the added value of a baccalaureate degree; access;; and other metrics approved by the board in a formally noticed meeting.

(b) The board shall adopt benchmarks to evaluate each state university's performance on the metrics to measure the state university's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based funding model metrics shall consist of the state's investment in appropriation for performance funding, ~~including increases in base funding~~ plus institutional investments consisting of funds deducted from the base funding of each state university in the State University System; in an amount provided in the General Appropriations Act. The Board of Governors shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. A state university that meets the minimum institutional investment eligibility threshold, but fails to meet the minimum state investment eligibility threshold, shall have its institutional investment restored but is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for each institution eligible for the state's investment under the performance-based funding model metrics.

(3)(a) A state university that fails to meet the Board of Governors' minimum institutional investment performance funding eligibility threshold shall have ~~a portion of~~ its institutional investment withheld by the board and must submit an improvement plan to the board that specifies the activities and strategies for improving the state university's performance. The board must review and approve the improvement plan and, if the plan is approved, must monitor the state university's progress in implementing the activities and strategies specified in the improvement plan. The state university shall submit monitoring reports to the board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of a state university to submit an improvement plan to the board is limited to 1 fiscal year.

(b) The Chancellor of the State University System shall withhold disbursement of the institutional investment until the monitoring report is approved by the Board of Governors. A state university that is determined by the board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. A state university that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the board's performance-based metrics.

(6) The Board of Governors shall adopt regulations to administer this section.

(7)(6) This section expires July 1, 2017 ~~2016~~.

Section 10. In order to implement Specific Appropriation 154 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in section 13 of chapter 2015-222, Laws of Florida, subsection (1) of section 1008.46, Florida Statutes, is reenacted to read:

1008.46 State university accountability process.—It is the intent of the Legislature that an accountability process be implemented that provides for the systematic, ongoing evaluation of quality and effectiveness of state universities. It is further the intent of the Legislature that this accountability process monitor performance at the system level in each of the major areas of instruction, research, and public service, while recognizing the differing missions of each of the state universities. The accountability process shall provide for the adoption of systemwide performance standards and performance goals for each standard identified through a collaborative effort involving state universities, the Board of Governors, the Legislature, and the Governor's Office, consistent with requirements specified in s. 1001.706. These standards and goals shall be consistent with s. 216.011(1) to maintain congruity with the performance-based budgeting process. This process requires that university accountability reports reflect measures defined through performance-based budgeting. The performance-based budgeting measures must also reflect the elements of teaching, research, and service inherent in the missions of the state universities.

(1) By March 15 of each year, the Board of Governors shall submit an annual accountability report providing information on the implementation of performance standards, actions taken to improve university achievement of performance goals, the achievement of performance goals during the prior year, and initiatives to be undertaken during the next year. The accountability reports shall be designed in consultation with the Governor's Office, the Office of Program Policy Analysis and Government Accountability, and the Legislature.

Section 11. The text of s. 1008.46(1), Florida Statutes, as carried forward from chapter 2015-222, Laws of Florida, in this act, expires July 1, 2017, and

the text of that section shall revert to that in existence on June 30, 2015, 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 12. In order to implement Specific Appropriations 12 and 126 of the 2016-2017 General Appropriations Act, paragraphs (a) and (b) of subsection (16) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Florida College System institution student fees.—

(16)(a) Effective July 1, 2016, each Florida College System institution may assess a student who enrolls in a course listed in the distance learning catalog, established pursuant to s. 1006.735, a ~~per-credit-hour~~ distance learning course user fee not to exceed \$15 per credit hour. An increase in an institution's current distance learning fee must be approved by the State Board of Education. For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.

~~(b) The amount of the distance learning course user fee may not exceed the additional costs of the services provided which are attributable to the development and delivery of the distance learning course. If a Florida College System institution assesses the distance learning course user fee, the institution may not assess any other fees to cover the additional costs. By September 1 of each year, each board of trustees shall report to the Division of Florida Colleges the total amount of revenue generated by the distance learning course user fee for the prior fiscal year and how the revenue was expended.~~

Section 13. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, subsection (17) of section 1009.24, Florida Statutes, is amended to read:

1009.24 State university student fees.—

(17)(a) A state university may assess a student who enrolls in a course listed in the distance learning catalog, established pursuant to s. 1006.735, a ~~per-credit-hour~~ distance learning course fee. The average distance learning fee amount assessed by a state university may not exceed \$30 per credit hour. For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.

~~(b) The amount of the distance learning course fee may not exceed the additional costs that of the services provided which are attributable to the development and delivery of the distance learning course. If the distance~~

learning course fee is assessed by a state university, the institution may not assess duplicative fees to cover the additional costs.

(c) By September 1 of each year, each board of trustees shall report to the Board of Governors the total amount of revenue generated by the distance learning course user fee for the prior fiscal year and how the total amount of revenue was expended.

~~(d)~~(e) If an institution assesses the distance learning fee, the institution must provide a link to the catalog within the advising and distance learning sections of the institution's website, using a graphic and description provided by the Complete Florida Plus Program, informing students of the catalog.

Section 14. In order to implement Specific Appropriations 6 and 76 of the 2016-2017 General Appropriations Act, subsection (2) of section 1009.50, Florida Statutes, is amended to read:

1009.50 Florida Public Student Assistance Grant Program; eligibility for grants.—

(2)(a) State student assistance grants through the program may be made only to degree-seeking students who enroll in at least 6 semester hours, or the equivalent per term, and who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. The grants shall be awarded annually for the amount of demonstrated unmet need for the cost of education, after the expected family contribution and all other aid available to the student is accounted for, but ~~and~~ may not exceed an amount equal to the average prior academic year cost of tuition fees and other registration fees for 30 credit hours ~~at state universities or such other amount as specified in the General Appropriations Act, to any recipient.~~ A demonstrated unmet need of less than \$200, after the expected family contribution and all other aid available to the student is accounted for, shall render the applicant ineligible for a state student assistance grant. Recipients of the grants must have been accepted at a state university or Florida College System institution authorized by Florida law. A student is eligible for the award for 110 percent of the number of credit hours required to complete the program in which enrolled, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida public student assistance grant shall be required to apply for the Pell Grant. ~~The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.~~

(c) Institutions awarding grant moneys must conduct an assessment of all of the financial resources available to each student, including, but not limited to:

1. Pell Grants and other federal aid.

2. State grants and scholarships, including merit awards.
3. Institutional awards for merit or need.
4. Private awards for merit or need.
5. Any other grant or scholarship available to the student for use toward the cost of education.

Institutions that provide preliminary award packages before receiving from the department the final student eligibility determinations for state grants and scholarships, including merit awards, shall reassess each student's award package after the allocation of funds and the final student eligibility determinations are received from the department.

(d) Priority in the distribution of grant moneys shall be given to students with the highest unmet need after the assessment of available financial resources is conducted pursuant to paragraph (c) lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds the level established by the department. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

~~(e)~~(d) Each participating institution shall report, to the department by the established date, the eligible students eligible for the program for to whom grant moneys are disbursed each academic term. Each institution shall also report in a manner and by a date prescribed by to the department necessary demographic and eligibility data for such students, as well as the expected family contributions; other grant, scholarship, and aid awards; prepaid contracts; and student loans received by the students.

Section 15. In order to implement Specific Appropriations 6 and 76 of the 2016-2017 General Appropriations Act, subsection (3) and paragraph (a) of subsection (4) of section 1009.505, Florida Statutes, are amended to read:

1009.505 Florida Public Postsecondary Career Education Student Assistance Grant Program.—

(3)(a) Student assistance grants through the program may be made only to certificate-seeking students enrolled at least half-time in a public postsecondary career certificate program who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. The grants shall be awarded annually to any recipient for the amount of demonstrated unmet need for the cost of education, after the expected family contribution and all other aid available to the student is accounted for, but and may not exceed the average annual cost of tuition and registration fees or such other amount as specified in the General Appropriations Act. A demonstrated unmet need of less than \$200,

after the expected family contribution and all other aid available to the student is accounted for, shall render the applicant ineligible for a grant under this section. Recipients of the grants must have been accepted at a Florida College System institution authorized by Florida law or a career center operated by a district school board under s. 1001.44. A student is eligible for the award for 110 percent of the number of clock hours required to complete the program in which enrolled.

(b) A student applying for a Florida public postsecondary career education student assistance grant shall be required to apply for the Pell Grant. ~~A Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student; however, a Pell Grant entitlement shall not be required as a condition of receiving a grant under this section.~~

(c) Institutions awarding grant moneys must conduct an assessment of all of the financial resources available to each student, including, but not limited to:

1. Pell Grants and other federal aid.
2. State grants and scholarships, including merit awards.
3. Institutional awards for merit or need.
4. Private awards for merit or need.
5. Any other grant or scholarship available to the student for use toward the cost of education.

Institutions that provide preliminary award packages before receiving from the department the final student eligibility determinations for state grants and scholarships, including merit awards, shall reassess each student's award package after the allocation of funds and the final student eligibility determinations are received from the department.

(d) Priority in the distribution of grant moneys shall be given to students with the highest unmet need after the assessment of available financial resources is conducted pursuant to paragraph (c) in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds the level established by the department. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

(e) Each participating institution shall report, to the department by the established date, ~~the eligible students eligible for the program for to whom grant moneys are disbursed~~ each academic term. Each institution shall also report in a manner and by a date prescribed by ~~to~~ the department necessary demographic and eligibility data for such students, as well as the expected

family contributions; other grant, scholarship, and aid awards; prepaid contracts; and student loans received by the students.

(4)(a) The funds appropriated for the Florida Public Postsecondary Career Education Student Assistance Grant Program shall be distributed to eligible Florida College System institutions and district school boards in accordance with a formula approved by the department under s. 1009.50(3).

Section 16. In order to implement Specific Appropriations 6 and 76 of the 2016-2017 General Appropriations Act, subsection (2) of section 1009.51, Florida Statutes, is amended to read:

1009.51 Florida Private Student Assistance Grant Program; eligibility for grants.—

(2)(a) Florida private student assistance grants from the State Student Financial Assistance Trust Fund may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees, after the expected family contribution and all other aid available to the student is accounted for, but ~~and~~ may not exceed an amount equal to the average tuition and other registration fees for 30 credit hours at state universities plus \$1,000 per academic year, or as specified in the General Appropriations Act, to any applicant. A demonstrated unmet need of less than \$200, after the expected family contribution and all other aid available to the student is accounted for, shall render the applicant ineligible for a Florida private student assistance grant. Recipients of such grants must have been accepted at a baccalaureate-degree-granting independent nonprofit college or university, which is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools and which is located in and chartered as a domestic corporation by the state. No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida private student assistance grant shall be required to apply for the Pell Grant. ~~The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.~~

(c) Institutions awarding grant moneys must conduct an assessment of all of the financial resources available to each student, including, but not limited to:

1. Pell Grants and other federal aid.
2. State grants and scholarships, including merit awards.
3. Institutional awards for merit or need.

4. Private awards for merit or need.

5. Any other grant or scholarship available to the student for use toward the cost of education.

Institutions that provide preliminary award packages before receiving from the department the final student eligibility determinations for state grants and scholarships, including merit awards, shall reassess each student's award package after the allocation of funds and the final student eligibility determinations are received from the department.

(d) Priority in the distribution of grant moneys shall be given to students with the highest unmet need after the assessment of available financial resources is conducted pursuant to paragraph (c) ~~lowest total family resources~~, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds the level established by the department. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

~~(e)~~(d) Each participating institution shall report, to the department by the established date, the eligible students eligible for the program for to whom grant moneys are disbursed each academic term. Each institution shall also report in a manner and by a date prescribed by to the department necessary demographic and eligibility data for such students, as well as the expected family contributions; other grant, scholarship, and aid awards; prepaid contracts; and student loans received by the students.

Section 17. In order to implement Specific Appropriations 6 and 76 of the 2016-2017 General Appropriations Act, subsection (2) of section 1009.52, Florida Statutes, is amended to read:

1009.52 Florida Postsecondary Student Assistance Grant Program; eligibility for grants.—

(2)(a) Florida postsecondary student assistance grants through the State Student Financial Assistance Trust Fund may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees, after the expected family contribution and all other aid available to the student is accounted for, but and may not exceed an amount equal to the average prior academic year cost of tuition and other registration fees for 30 credit hours ~~at state universities~~ plus \$1,000 per academic year, or as specified in the General Appropriations Act, to any applicant. A demonstrated unmet need of less than \$200, after the expected family contribution and all other aid available to the student is accounted for, shall render the applicant ineligible for a Florida

postsecondary student assistance grant. Recipients of such grants must have been accepted at a postsecondary institution that is located in the state and that is:

1. A private nursing diploma school approved by the Florida Board of Nursing; or
2. A college or university licensed by the Commission for Independent Education, excluding those institutions the students of which are eligible to receive a Florida private student assistance grant pursuant to s. 1009.51.

No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3).

(b) ~~A student applying for a Florida postsecondary student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.~~

(c) Institutions awarding grant moneys must conduct an assessment of all of the financial resources available to each student, including, but not limited to:

1. Pell Grants and other federal aid.
2. State grants and scholarships, including merit awards.
3. Institutional awards for merit or need.
4. Private awards for merit or need.
5. Any other grant or scholarship available to the student for use toward the cost of education.

Institutions that provide preliminary award packages before receiving from the department the final student eligibility determinations for state grants and scholarships, including merit awards, shall reassess each student's award package after the allocation of funds and the final student eligibility determinations are received from the department.

(d) Priority in the distribution of grant moneys shall be given to students with the highest unmet need after the assessment of available financial resources is conducted pursuant to paragraph (c) lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds the level established by the department. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

(e)(d) Each participating institution shall report, to the department by the established date, the eligible students eligible for the program for to whom grant moneys are disbursed each academic term. Each institution shall also report in a manner and by a date prescribed by to the department necessary demographic and eligibility data for such students, as well as the expected family contributions; other grant, scholarship, and aid awards; prepaid contracts; and student loans received by the students.

Section 18. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in section 9 of chapter 2015-222, Laws of Florida, paragraph (f) of subsection (1), paragraph (a) of subsection (4), paragraph (b) of subsection (7), and paragraph (a) of subsection (9) of section 1011.62, Florida Statutes, are reenacted and amended, and paragraph (e) of subsection (1) of that section 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:

(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:

(e) Funding model for exceptional student education programs.—

1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by using a matrix of services to document the services that each exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan. The Department of Education shall review and revise the descriptions of the services and supports included in the matrix of services for exceptional students and shall implement those revisions before the beginning of the 2012-2013 school year.

b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as

specified in sub-subparagraph b. shall generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.

2. For students identified as exceptional who do not have a matrix of services and students who are gifted in grades K through 8, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(1) and rules of the State Board of Education, which shall be allocated initially annually to each school district in the amount provided in the General Appropriations Act. These funds shall be supplemental in addition to the funds appropriated for the basic funding level on the basis of ~~FTE~~ student membership in the Florida Education Finance Program, and the amount allocated for each school district shall ~~not~~ be recalculated once during the year, based on actual student membership from the October FTE survey. Upon recalculation, if the generated allocation is greater than the amount provided in the General Appropriations Act, the total shall be prorated to the level of the appropriation based on each district's share of the total recalculated amount. These funds shall be used to provide special education and related services for exceptional students and students who are gifted in grades K through 8. ~~Beginning with the 2007-2008 fiscal year, A district's expenditure of funds from the guaranteed allocation for students in grades 9 through 12 who are gifted may not be greater than the amount expended during the 2006-2007 fiscal year for gifted students in grades 9 through 12.~~

(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. ~~The categorical fund 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 2016-2017~~ 2015-2016 fiscal year, each school district that has one or more of the 300 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 by teachers or reading specialists who are effective in teaching reading or by a K-5 mentoring reading program that is supervised by a teacher who is effective in at 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 may not be included in the 300 schools. For the 2016-2017 ~~2015-2016~~ fiscal year, designation of the 300 lowest-performing elementary schools shall be based on the 2015-2016 state reading assessment the same schools as identified for the 2014-2015 fiscal year. After this requirement has been met, supplemental instruction strategies may include, but are not limited to: use of a modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, a reduction in class size reduction, an extended school year, intensive skills development in summer school, and other methods of 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. Categorical funds for supplemental academic instruction shall be provided annually in the Florida Education Finance Program as specified in the General Appropriations Act. These funds shall be provided as a supplement to the funds appropriated for the basic funding level and shall be included in the total funds of each district. The allocation shall consist of a base amount that shall have a workload adjustment based on changes in unweighted FTE. In addition, districts that have elementary schools included in the 300 lowest-performing schools designation shall be allocated additional funds to assist those districts in providing intensive reading instruction to students in those schools. The amount provided shall be based on each district's level of per-student funding in the reading instruction allocation and the supplemental academic instruction categorical fund and on the total FTE for each of the schools. The categorical funding shall be recalculated once during the fiscal year following an updated designation of the 300 lowest-performing elementary schools and shall be based on actual student membership from the October FTE survey. Upon recalculation of funding for the supplemental academic instruction categorical fund, if the total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level provided to support the appropriation, based on each district's share of the total.

4.3. 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.

5.4. 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.

~~6.5-~~ 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.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.— The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) Estimated taxable value calculations.—

1.a. Not later than 2 working days prior to July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (15)(b). Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(7) DETERMINATION OF SPARSITY SUPPLEMENT.—

(b) The district sparsity index shall be computed by dividing the total number of full-time equivalent students in all programs in the district by the number of senior high school centers in the district, not in excess of three, which centers are approved as permanent centers by a survey made by the Department of Education. For districts with a full-time equivalent student membership of at least 20,000, but no more than 24,000, the index shall be computed by dividing the total number of full-time equivalent students in all programs by the number of permanent senior high school centers in the district, not in excess of ~~to exceed~~ four.

(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 ~~2016-2017~~ 2015-2016 fiscal year, in each school district that has one or more of the 300 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. For the ~~2016-2017~~ 2015-2016 fiscal year, designation of the 300 lowest-performing elementary schools shall be based on the 2015-2016 state reading assessment ~~the same schools as identified for the 2014-2015 fiscal year~~. 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 may not be included in the 300 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.

Section 19. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, paragraph (g) is added to subsection (12) of section 1011.62, Florida Statutes, 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:

(12) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

(g) For the 2016-2017 fiscal year, notwithstanding paragraph (c), each school district shall be provided a minimum of \$500,000, with the remaining balance of the allocation to be distributed based on each district's proportion of the total K-12 full-time equivalent enrollment. Each district's digital classrooms allocation plan must give preference to funding the number of devices that comply with the requirements of s. 1001.20(4)(a)1.b. and that are needed to allow each school to administer the Florida Standards Assessments to an entire grade at the same time. If the district's digital classrooms allocation plan does not include the purchase of devices, the district must certify in the plan that the district currently has sufficient devices to allow each school to administer the Florida Standards Assessments in the manner described in this paragraph. This paragraph expires July 1, 2017.

Section 20. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in section 9 of chapter 2015-222, Laws of Florida, subsection (13) of section 1011.62, Florida Statutes, is reenacted and 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:

(13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.

(a) The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:

1. The student has Resides with a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this category condition.

2. The student resides on eligible federally owned Indian lands. Students with disabilities shall also be reported separately for this category condition.

3. The student resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.

(b) The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and (a)2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.

(c) The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2).

(d) This subsection expires July 1, 2017.

Section 21. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, paragraph (b) of subsection (15) 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:

(15) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.—The total annual state allocation to each district for current operation for the FEFP shall be distributed periodically in the manner prescribed in the General Appropriations Act.

(b) The amount thus obtained shall be the net annual allocation to each school district. However, if it is determined that any school district received an under allocation or over allocation ~~underallocation or overallocation~~ for any prior year because of an arithmetical error, assessment roll change required by final judicial decision, full-time equivalent student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. An under allocation in a prior

year caused by a school district's error may not be the basis for a positive allocation adjustment for the current year. Beginning with the 2011-2012 fiscal year, if a special program cost factor is less than the basic program cost factor, an audit adjustment may not result in the reclassification of the special program FTE to the basic program FTE. If the Department of Education audit adjustment recommendation is based upon controverted findings of fact, the Commissioner of Education is authorized to establish the amount of the adjustment based on the best interests of the state.

Section 22. In order to implement Specific Appropriations 7 and 94 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in section 9 of chapter 2015-222, Laws of Florida, subsection (1) of section 1011.71, Florida Statutes, is reenacted to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. 1011.62(15) shall levy on the taxable value for school purposes of the district, exclusive of millage voted under the provisions of s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

Section 23. The amendments made by this act to ss. 1011.62(1)(e) and (f), (4)(a) and (e), (7)(b), (9)(a), (12)(g), and (13) and 1011.71, Florida Statutes, expire July 1, 2017, and the text of those sections shall revert to that in existence on June 30, 2015, 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 24. In order to implement Specific Appropriation 104 of the 2016-2017 General Appropriations Act, subsection (3) of section 1012.39, Florida Statutes, is amended to read:

1012.39 Employment of substitute teachers, teachers of adult education, nondegreed teachers of career education, and career specialists; students performing clinical field experience.—

(3) A student who is enrolled in a state-approved teacher preparation program in a postsecondary educational institution that is approved by rules of the State Board of Education and who is jointly assigned by the postsecondary educational institution and a district school board to perform

a clinical field experience under the direction of a regularly employed and certified educator shall, while serving such supervised clinical field experience, be accorded the same protection of law as that accorded to the certified educator except for the right to bargain collectively as an employee of the district school board. The district school board providing the clinical field experience shall notify the student electronically or in writing of the availability of educator liability insurance under s. 1012.75. A postsecondary educational institution or district school board may not require a student enrolled in a state-approved teacher preparation program to purchase liability insurance as a condition of participation in any clinical field experience or related activity on the premises of an elementary or secondary school.

Section 25. In order to implement Specific Appropriation 103 of the 2016-2017 General Appropriations Act, section 1012.731, Florida Statutes, is created to read:

1012.731 The Florida Best and Brightest Teacher Scholarship Program.

(1) The Legislature recognizes that, second only to parents, teachers play the most critical role within schools in preparing students to achieve a high level of academic performance. The Legislature further recognizes that research has linked student outcomes to a teacher's own academic achievement. Therefore, it is the intent of the Legislature to designate teachers who have achieved high academic standards during their own education as Florida's best and brightest teacher scholars.

(2) There is created the Florida Best and Brightest Teacher Scholarship Program to be administered by the Department of Education. The scholarship program shall provide categorical funding for scholarships to be awarded to classroom teachers, as defined in s. 1012.01(2)(a), who have demonstrated a high level of academic achievement.

(3)(a) To be eligible for a scholarship, a classroom teacher must have achieved a composite score at or above the 80th percentile on either the SAT or the ACT based on the National Percentile Ranks in effect when the classroom teacher took the assessment and have been evaluated as highly effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded, unless the classroom teacher is newly hired by the district school board and has not been evaluated pursuant to s. 1012.34.

(b) In order to demonstrate eligibility for an award, an eligible classroom teacher must submit to the school district, no later than November 1, an official record of his or her SAT or ACT score demonstrating that the classroom teacher scored at or above the 80th percentile based on the National Percentile Ranks in effect when the teacher took the assessment. Once a classroom teacher is deemed eligible by the school district, including teachers deemed eligible in the 2015-2016 fiscal year, the teacher shall remain eligible as long as he or she remains employed by the school district

as a classroom teacher at the time of the award and receives an annual performance evaluation rating of highly effective pursuant to s. 1012.34.

(4) Annually, by December 1, each school district shall submit to the department the number of eligible classroom teachers who qualify for the scholarship.

(5) Annually, by February 1, the department shall disburse scholarship funds to each school district for each eligible classroom teacher to receive a scholarship as provided in the General Appropriations Act. A scholarship in the amount provided in the General Appropriations Act shall be awarded to every eligible classroom teacher. If the number of eligible classroom teachers exceeds the total appropriation authorized in the General Appropriations Act, the department shall prorate the per-teacher scholarship amount.

(6) Annually, by April 1, each school district shall award the scholarship to each eligible classroom teacher.

(7) For purposes of this section, the term “school district” includes the Florida School for the Deaf and the Blind and charter school governing boards.

(8) This section expires July 1, 2017.

Section 26. In order to implement Specific Appropriation 104 of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (3) of section 1012.75, Florida Statutes, is amended to read:

1012.75 Liability of teacher or principal; excessive force.—

(3) The Department of Education shall administer an educator liability insurance program, as provided in the General Appropriations Act, to protect full-time instructional personnel from liability for monetary damages and the costs of defending actions resulting from claims made against the instructional personnel arising out of occurrences in the course of activities within the instructional personnel’s professional capacity. For purposes of this subsection, the terms “full-time,” “part-time,” and “administrative personnel” shall be defined by the individual district school board. For purposes of this subsection, the term “instructional personnel” has the same meaning as provided in s. 1012.01(2).

(d) This subsection expires July 1, 2017 ~~2016~~.

Section 27. In order to implement Specific Appropriation 19 of the 2016-2017 General Appropriations Act, subsection (3) of section 1013.64, Florida Statutes, is amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(3)(a) Each district school board shall receive an amount from the Public Education Capital Outlay and Debt Service Trust Fund to be calculated by computing the capital outlay ~~full-time equivalent~~ membership as determined by the department. Such membership must include, but is not limited to:

1. K-12 students and prekindergarten exceptional students for whom the school district provides the educational facility, except hospital- and home-bound part-time students; and
2. Students who are career education students, and adult disabled students and who are enrolled in school district career centers.

(b) The capital outlay ~~full-time equivalent~~ membership shall be determined for prekindergarten exceptional education students, kindergarten through the 12th grade, and for career centers by counting the averaging the unweighted full-time equivalent student membership for the second and third surveys and comparing the results on a school-by-school basis with the Florida Inventory of School Houses. If the prior academic year's third survey count is higher than the current year's second survey count when comparing the results on a school-by-school basis with the Florida Inventory of School Houses, the prior year's third survey count shall be used on a school-by-school basis for determining the current capital outlay membership. The Florida Inventory of School Houses shall be updated with the current capital outlay membership count as soon as practicable after verification of the capital outlay membership.

(c) The capital outlay ~~full-time equivalent~~ membership by grade level organization shall be used in making the following calculations: The capital outlay ~~full-time equivalent~~ membership by grade level organization for the 4th prior year must be used to compute the base-year allocation. The capital outlay ~~full-time equivalent~~ membership by grade-level organization for the prior year must be used to compute the growth over the highest of the 3 years preceding the prior year. From the total amount appropriated by the Legislature pursuant to this subsection, 40 percent shall be allocated among the base capital outlay ~~full-time equivalent~~ membership and 60 percent among the growth capital outlay ~~full-time equivalent~~ membership. The allocation within each of these groups shall be prorated to the districts based upon each district's percentage of base and growth capital outlay full-time membership. The most recent 4-year capital outlay ~~full-time equivalent~~ membership data shall be used in each subsequent year's calculation for the allocation of funds pursuant to this subsection. If a change, correction, or recomputation of data during any year results in a reduction or increase of the calculated amount previously allocated to a district, the allocation to that district shall be adjusted accordingly ~~correspondingly~~. If such recomputation results in an increase or decrease of the calculated amount, such additional or reduced amounts shall be added to or reduced from the district's future appropriations. However, no change, correction, or recomputation of data shall be made subsequent to 2 years following the initial annual allocation.

(d)(b) Funds accruing to a district school board from the provisions of this section shall be expended on needed projects as shown by survey or surveys under the rules of the State Board of Education.

(e)(e) A district school board may lease relocatable educational facilities for up to 3 years using nonbonded PECO funds and for any time period using local capital outlay millage.

(f)(d) Funds distributed to the district school boards shall be allocated solely based on the provisions of paragraphs (1)(a) and (2)(a) and paragraphs (a)-(c) paragraph (a) of this subsection. No individual school district projects shall be funded off the top of funds allocated to district school boards.

Section 28. In order to implement Specific Appropriations 10 and 122 of the 2016-2017 General Appropriations Act, subsection (1) of section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education Pilot Program.

(1) The Adults with Disabilities Workforce Education Pilot Program is established in the Department of Education through June 30, 2017 2016, in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of receiving a scholarship for instruction at private schools for up to 30 students who:

(a) Have a disability;

(b) Are 22 years of age;

(c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1002.3105(5) or s. 1003.4282;

(d) Do not have a standard high school diploma or a special high school diploma; and

(e) Receive “supported employment services,” which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term “student with a disability” includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

Section 29. The amendment made by this act to s. 1004.935(1), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, 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 30. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, subsection (1) of section 1004.345, Florida Statutes, is amended to read:

1004.345 The Florida Polytechnic University.—

(1) By December 31, ~~2017~~ 2016, the Florida Polytechnic University shall meet the following criteria as established by the Board of Governors:

(a) Achieve accreditation from the Commission on Colleges of the Southern Association of Colleges and Schools;

(b) Initiate the development of the new programs in the fields of science, technology, engineering, and mathematics;

(c) Seek discipline-specific accreditation for programs;

(d) Attain a minimum FTE of 1,244, with a minimum 50 percent of that FTE in the fields of science, technology, engineering, and mathematics and 20 percent in programs related to those fields;

(e) Complete facilities and infrastructure, including the Science and Technology Building, Phase I of the Wellness Center, and a residence hall or halls containing no fewer than 190 beds; and

(f) Have the ability to provide, either directly or where feasible through a shared services model, administration of financial aid, admissions, student support, information technology, and finance and accounting with an internal audit function.

Section 31. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, section 1004.344, Florida Statutes, is created to read:

1004.344 The Florida Center for the Partnerships for Arts Integrated Teaching.—

(1) The Florida Center for the Partnerships for Arts Integrated Teaching is created within the University of South Florida Sarasota/Manatee.

(2) The goals of the center are to:

(a) Conduct basic and applied research on policies and practices related to arts integrated teaching.

(b) Partner with interested Florida College System institutions and private educational institutions to conduct arts integrated educational research.

(c) Seek out agreements to provide technical assistance and support, upon request, to the Florida Department of Education, Florida school districts, private schools, charter schools and educator preparation programs in the implementation of evidence-based arts integrated instruction, assessments, programs, and professional development.

(d) Collaborate with interested arts organizations and Florida school districts in the development of frameworks for arts integrated courses for use in schools.

(e) Collaborate with interested arts organizations and Florida school districts in the development of frameworks for professional development activities, using multiple delivery methods for arts integrated teaching in different content areas.

(f) Disseminate information about outcome-based practices related to arts integrated instruction, assessment, curricula and programs.

(g) Position Florida as a national leader in arts integrated teaching and research.

(h) Examine arts integrated teaching Science, Technology, Engineering, and Math (STEM) educational courses.

(3) This section expires July 1, 2017.

Section 32. In order to implement Specific Appropriation 73 of the 2016-2017 General Appropriations Act and notwithstanding s. 1009.605(3)(g), Florida Statutes, the Florida Fund for Minority Teachers, Inc., may expend no more than 5 percent of the funds appropriated and up to \$250,000 from available funds for administration, including administration of the required training program and purchase of an online management and administration system. This section expires July 1, 2017.

Section 33. In order to implement Specific Appropriation 72 of the 2016-2017 General Appropriations Act, paragraphs (a) and (b) of subsection (4) of section 1009.986, Florida Statutes, are amended to read:

1009.986 Florida ABLE program.—

(4) FLORIDA ABLE PROGRAM.—

(a) On or before July 1, 2016, Florida ABLE, Inc., shall establish and administer the Florida ABLE program. However, if the United States Secretary of the Treasury issues final regulations for s. 529A of the Internal Revenue Code before July 1, 2016, or if the board of directors of Florida ABLE, Inc., determines that a superior or equivalent alternative to

implementation of a qualified ABLE program in Florida becomes available through contracting with another state at a significant savings to the state, then the implementation date of the Florida ABLE Program may be extended to December 31, 2016. Before implementing the program, Florida ABLE, Inc., must obtain a written opinion from counsel specializing in:

1. Federal tax matters which indicates that the Florida ABLE program is designed to comply with s. 529A of the Internal Revenue Code.

2. Federal securities law which indicates that the Florida ABLE program and the offering of participation in the program are designed to comply with applicable federal securities law and qualify for the available tax exemptions under such law.

(b) The participation agreement must include provisions specifying that:

1. The participation agreement is only a debt or obligation of the Florida ABLE program and the Florida ABLE Program Trust Fund and, as provided under paragraph (f), is not a debt or obligation of the Florida Prepaid College Board or the state.

2. Participation in the Florida ABLE program does not guarantee that sufficient funds will be available to cover all qualified disability expenses for any designated beneficiary and does not guarantee the receipt or continuation of any product or service for the designated beneficiary.

3. Whether the Florida ABLE program requires a The designated beneficiary to must be a resident of this state or a resident of a contracting state at the time the ABLE account is established. In determining whether to require residency, the Florida Prepaid College Board shall consider, among other factors:

a. Market research; and

b. Estimated operating revenues and costs.

4. The establishment of an ABLE account in violation of federal law is prohibited.

5. Contributions in excess of the limitations set forth in s. 529A of the Internal Revenue Code are prohibited.

6. The state is a creditor of ABLE accounts as, and to the extent, set forth in s. 529A of the Internal Revenue Code.

7. Material misrepresentations by a party to the participation agreement, other than Florida ABLE, Inc., in the application for the participation agreement or in any communication with Florida ABLE, Inc., regarding the Florida ABLE program may result in the involuntary liquidation of the ABLE account. If an account is involuntarily liquidated, the designated

beneficiary is entitled to a refund, subject to any fees or penalties provided by the participation agreement and the Internal Revenue Code.

Section 34. In order to implement Specific Appropriation 90 of the 2016-2017 General Appropriations Act, and notwithstanding s. 1002.69(5), Florida Statutes, for the 2014-2015 and 2015-2016 Voluntary Prekindergarten Education program years, the Office of Early Learning may not adopt a kindergarten readiness rate. Any private prekindergarten provider or public school that was on probation pursuant to s. 1002.67(4)(c), Florida Statutes, for the 2013-2014 program year, shall remain on probation for the 2016-2017 fiscal year. This section expires July 1, 2017.

Section 35. In order to implement Specific Appropriation 7 and 94 of the 2016-2017 General Appropriations Act, paragraph (e) of subsection (4) 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:

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(e) Prior period funding adjustment millage.—

1. There shall be an additional millage to be known as the Prior Period Funding Adjustment Millage levied by a school district if the prior period unrealized required local effort funds are greater than zero. The Commissioner of Education shall calculate the amount of the prior period unrealized required local effort funds as specified in subparagraph 2. and the millage required to generate that amount as specified in this subparagraph. The Prior Period Funding Adjustment Millage shall be the quotient of the prior period unrealized required local effort funds divided by the current year taxable value certified to the Commissioner of Education pursuant to sub-subparagraph (a)1.a. This levy shall be in addition to the required local effort millage certified pursuant to this subsection. Such millage shall not affect the calculation of the current year's required local effort, and the funds generated by such levy shall not be included in the district's Florida Education Finance Program allocation for that fiscal year. For purposes of the millage to be included on the Notice of Proposed Taxes, the Commissioner of Education shall adjust the required local effort millage computed pursuant to paragraph (a) as adjusted by paragraph (b) for the current year for any district that levies a Prior Period Funding Adjustment Millage to include all Prior Period Funding Adjustment Millage. For the purpose of this

paragraph, there shall be a Prior Period Funding Adjustment Millage levied for each year certified by the Department of Revenue pursuant to sub-subparagraph (a)2.a. since the previous year certification and for which the calculation in sub-subparagraph 2.b. is greater than zero.

2.a. As used in this subparagraph, the term:

(I) “Prior year” means a year certified under sub-subparagraph (a)2.a.

(II) “Preliminary taxable value” means:

(A) If the prior year is the 2009-2010 fiscal year or later, the taxable value certified to the Commissioner of Education pursuant to sub-subparagraph (a)1.a.

(B) If the prior year is the 2008-2009 fiscal year or earlier, the taxable value certified pursuant to the final calculation as specified in former paragraph (b) as that paragraph existed in the prior year.

(III) “Final taxable value” means the district’s taxable value as certified by the property appraiser pursuant to s. 193.122(2) or (3), if applicable. This is the certification that reflects all final administrative actions of the value adjustment board.

b. For purposes of this subsection and with respect to each year certified pursuant to sub-subparagraph (a)2.a., if the district’s prior year preliminary taxable value is greater than the district’s prior year final taxable value, the prior period unrealized required local effort funds are the difference between the district’s prior year preliminary taxable value and the district’s prior year final taxable value, multiplied by the prior year district required local effort millage. If the district’s prior year preliminary taxable value is less than the district’s prior year final taxable value, the prior period unrealized required local effort funds are zero.

c. For the ~~2016-2017~~ 2015-2016 fiscal year only, if a district’s prior period unrealized required local effort funds and prior period district required local effort millage cannot be determined because such district’s final taxable value has not yet been certified pursuant to s. 193.122(2) or (3), for the ~~2016~~ 2015 tax levy, the Prior Period Funding Adjustment Millage for such fiscal year shall be levied, if not previously levied, in ~~2016~~ 2015 in an amount equal to 75 percent of such district’s most recent unrealized required local effort for which a Prior Period Funding Adjustment Millage was determined as provided in this section. Upon certification of the final taxable value in accordance with s. 193.122(2) or (3), for a for the 2012, 2013, or 2014 tax roll for which a 75 percent Prior Period Funding Adjustment Millage was levied ~~rolls in accordance with s. 193.122(2) or (3),~~ the Prior Period Funding Adjustment Millage ~~levied in 2015 and 2016~~ shall be adjusted to include any shortfall or surplus in the prior period unrealized required local effort funds that would have been levied ~~in 2014 or 2015,~~ had the district’s final taxable value been certified pursuant to s. 193.122(2) or (3) ~~for the 2014 or 2015 tax~~

levy. If this adjustment is made for a surplus, the reduction in prior period millage may not exceed the prior period funding adjustment millage calculated pursuant to subparagraph 1. and sub-subparagraphs a. and b., or pursuant to this sub-subparagraph, whichever is applicable, and any additional reduction shall be carried forward to the subsequent fiscal year.

Section 36. The amendments made by this act to ss. 11.45, 1001.7065, 1004.345, 1009.23, 1009.24, 1009.50, 1009.505, 1009.51, 1009.52, 1009.986, 1011.62(15)(b), 1012.39, and 1013.64, Florida Statutes, expire July 1, 2017, and the text of those sections shall revert to that in existence on June 30, 2016, 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 37. In order to implement Specific Appropriations 199, 206 through 208, and 211 of the 2016-2017 General Appropriations Act, the calculations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Reimbursement programs, for the 2016-2017 fiscal year contained in the document titled "Medicaid Hospital Funding Programs," dated March 8, 2016, and filed with the Clerk of the House of Representatives, 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 Reimbursement programs. This section expires July 1, 2017.

Section 38. In order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act, subsection (9) of section 393.063, Florida Statutes, is amended, present subsections (25) through (41) are renumbered as subsections (26) through (42), respectively, and a new subsection (25) is added to that section, to read:

393.063 Definitions.—For the purposes of this chapter, the term:

(9) "Developmental disability" means a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, Down syndrome, Phelan-McDermid syndrome, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.

(25) "Phelan-McDermid syndrome" means a disorder caused by the loss of the terminal segment of the long arm of chromosome 22, which occurs near the end of the chromosome at a location designated q13.3, typically leading to developmental delay, intellectual disability, dolicocephaly, hypotonia, or absent or delayed speech.

Section 39. The amendment made by this act to s. 393.063, Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, 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 40. In order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act, paragraphs (a) and (b) of subsection (5) of section 393.065, Florida Statutes, are amended, subsections (6) and (7) are renumbered as subsections (10) and (11), respectively, present subsection (7) is amended, and new subsections (6) through (9) are added to that section, to read:

393.065 Application and eligibility determination.—

(5) Except as otherwise directed by law, beginning July 1, 2010, The agency shall assign and provide priority to clients waiting for waiver services in the following order:

(a) Category 1, which includes clients deemed to be in crisis as described in rule, shall be given first priority in moving from the waiting list to the waiver.

(b) Category 2, which includes individuals on the waiting children on the wait list who are:

1. From the child welfare system with an open case in the Department of Children and Families’ statewide automated child welfare information system and who are either:

a. Transitioning out of the child welfare system at the finalization of an adoption, a reunification with family members, a permanent placement with a relative, or a guardianship with a nonrelative; or

b. At least 18 years but not yet 22 years of age and who need both waiver services and extended foster care services; or

2. At least 18 years but not yet 22 years of age and who withdrew consent pursuant to s. 39.6251(5)(c) to remain in the extended foster care system.

For individuals who are at least 18 years but not yet 22 years of age and who are eligible under sub-subparagraph 1.b., the agency shall provide waiver services, including residential habilitation, and the community-based care lead agency shall fund room and board at the rate established in s. 409.145(4) and provide case management and related services as defined in s. 409.986(3)(e). Individuals may receive both waiver services and services under s. 39.6251. Services may not duplicate services available through the Medicaid state plan.

Within categories 3, 4, 5, 6, and 7, the agency shall maintain a wait list of clients placed in the order of the date that the client is determined eligible for waiver services.

(6) The agency shall allow an individual who meets the eligibility requirements under subsection (1) to receive home and community-based services in this state if the individual's parent or legal guardian is an active-duty military servicemember and if, at the time of the servicemember's transfer to this state, the individual was receiving home and community-based services in another state.

(7) The agency shall allow an individual with a diagnosis of Phelan-McDermid syndrome who meets the eligibility requirements under subsection (1) to receive home and community-based services.

(8) Individuals in category 6 shall be moved to the waiver during the 2016-2017 fiscal year, to the extent funds are available, based on meeting the following criteria:

1. The individual is 30 years of age or older;
2. The individual resides in the family home;
3. The individual has been on the waiting list for waiver services for at least 10 continuous years; and
4. The individual is classified at a level of need equal to Level 3, Level 4, or Level 5 based on the Questionnaire for Situational Information.

(9) Agency action that selects individuals to receive waiver services pursuant to this section does not establish a right to a hearing or an administrative proceeding under chapter 120 for individuals remaining on the waiting list.

(11)(7) The agency and the Agency for Health Care Administration may adopt rules specifying application procedures, criteria associated with the waiting list wait-list categories, procedures for administering the waiting wait list, including tools for prioritizing waiver enrollment within categories, and eligibility criteria as needed to administer this section.

Section 41. The amendment made by this act to s. 393.065, Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, 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 42. In order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act:

(1) If the Agency for Persons with Disabilities has not adopted a new algorithm and allocation methodology by final rule pursuant to s. 393.0662, Florida Statutes, by June 30, 2016, the agency shall use the following until it adopts a new algorithm and allocation methodology:

(a) Each client's iBudget in effect on June 30, 2016, shall remain at its June 30, 2016, funding level.

(b) The Agency for Persons with Disabilities shall determine the iBudget for a client newly enrolled in the home and community-based services waiver program on or after July 1, 2016, using the same algorithm and allocation methodology used for the iBudgets in effect on June 30, 2016.

(2) After a new algorithm and allocation methodology is adopted by final rule, a client's new iBudget shall be determined based on the new algorithm and allocation methodology and shall take effect as of the client's next support plan update.

(3) Funding allocated under subsections (1) and (2) may be increased pursuant to s. 393.0662(1)(b), Florida Statutes, or as necessary to comply with federal regulations. A funding allocation may also be increased if the client has a significant need for transportation services to a waiver-funded adult day training program or to a waiver-funded employment service when such need cannot be accommodated within a client's iBudget as determined by the algorithm without affecting the health and safety of the client, if public transportation is not an option due to the unique needs of the client or other transportation resources are not reasonably available.

(4) This section expires July 1, 2017.

Section 43. If CS/CS/HB 1083 or similar legislation adopted at the 2016 Regular Session of the Legislature or an extension thereof amending subsection (15) of section 393.067, Florida Statutes, fails to become law, in order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in s. 24 of chapter 2015-222, Laws of Florida, subsection (15) of section 393.067, Florida Statutes, is reenacted to read:

393.067 Facility licensure.—

(15) The agency is not required to contract with new facilities licensed pursuant to this chapter.

Section 44. The amendment made by this act to s. 393.067, Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2015, 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. If CS/CS/HB 1083 or similar legislation adopted at the 2016 Regular Session of the Legislature or an extension thereof amending section 393.18, Florida Statutes, fails to become law, in order to implement Specific Appropriation 259 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in s. 26 of chapter 2015-222, Laws of

Florida, subsection (4) of section 393.18, Florida Statutes, is reenacted, and subsections (5) and (6) of that section are amended, to read:

393.18 Comprehensive transitional education program.—A comprehensive transitional education program is a group of jointly operating centers or units, the collective purpose of which is to provide a sequential series of educational care, training, treatment, habilitation, and rehabilitation services to persons who have developmental disabilities and who have severe or moderate maladaptive behaviors. However, this section does not require such programs to provide services only to persons with developmental disabilities. All such services shall be temporary in nature and delivered in a structured residential setting, having the primary goal of incorporating the principle of self-determination in establishing permanent residence for persons with maladaptive behaviors in facilities that are not associated with the comprehensive transitional education program. The staff shall include behavior analysts and teachers, as appropriate, who shall be available to provide services in each component center or unit of the program. A behavior analyst must be certified pursuant to s. 393.17.

(4) For comprehensive transitional education programs, the total number of residents who are being provided with services may not in any instance exceed the licensed capacity of 120 residents and each residential unit within the component centers of the program authorized under this section may not in any instance exceed 15 residents. However, a program that was authorized to operate residential units with more than 15 residents before July 1, 2015, may continue to operate such units.

~~(5) Licensure is authorized for comprehensive transitional education programs which by July 1, 1989:~~

~~(a) Were in actual operation; or~~

~~(b) Owned a fee simple interest in real property for which a county or city government has approved zoning allowing for the placement of the facilities described in this subsection, and have registered an intent with the agency to operate a comprehensive transitional education program. However, nothing prohibits the assignment by such a registrant to another entity at a different site within the state, if there is compliance with the criteria of this program and local zoning requirements and each residential facility within the component centers or units of the program authorized under this paragraph does not exceed a capacity of 15 persons.~~

~~(6) Notwithstanding subsection (5), in order to maximize federal revenues and provide for children needing special behavioral services, the agency may authorize the licensure of a facility that:~~

~~(a) Provides residential services for children who have developmental disabilities along with intensive behavioral problems as defined by the agency; and~~

~~(b) As of July 1, 2010, serve children who were served by the child welfare system and who have an open case in the automated child welfare system of the Department of Children and Families.~~

~~The facility must be in compliance with all program criteria and local zoning requirements and may not exceed a capacity of 15 children~~

Section 46. The amendment made by this act to s. 393.18, Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2015, 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 47. In order to implement Specific Appropriations 569 through 580 of the 2016-2017 General Appropriations Act, subsection (3) of section 296.37, Florida Statutes, is amended to read:

296.37 Residents; contribution to support.—

(3) Notwithstanding subsection (1), each resident of the home who receives a pension, compensation, or gratuity from the United States Government, or income from any other source, of more than \$105 per month shall contribute to his or her maintenance and support while a resident of the home in accordance with a payment schedule determined by the administrator and approved by the director. The total amount of such contributions shall be to the fullest extent possible, but, in no case, shall exceed the actual cost of operating and maintaining the home. This subsection expires July 1, 2017 ~~2016~~.

Section 48. In order to implement Specific Appropriations 193 through 226 and 541 of the 2016-2017 General Appropriations Act and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration, in consultation with the Department of Health, may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within and between agencies based on implementation of the Managed Medical Assistance component of the Statewide Medicaid Managed Care program for the Children's Medical Services program of the Department of Health. The funding realignment shall reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to the capitated Children's Medical Services Network. The Agency for Health Care Administration may submit a request for nonoperating budget authority to transfer the federal funds to the Department of Health pursuant to s. 216.181(12), Florida Statutes. This section expires July 1, 2017.

Section 49. In order to implement Specific Appropriation 342 of the 2016-2017 General Appropriations Act, and notwithstanding s. 409.991, Florida Statutes, for the 2016-2017 fiscal year, funds provided for training purposes shall be allocated to community-based care lead agencies based on a training

needs assessment conducted by the Department of Children and Families. This section expires July 1, 2017.

Section 50. If CS/HB 1335 or similar legislation adopted at the 2016 Regular Session of the Legislature on an extension thereof fails to become law, in order to implement Specific Appropriation 231 of the 2016-2017 General Appropriations Act, the Agency for Health Care Administration shall ensure that nursing facility residents who are eligible for funds to transition to home and community-based services waivers must first have resided in a skilled nursing facility for at least 60 consecutive days. This section expires July 1, 2017.

Section 51. If CS/HB 1335 or similar legislation adopted at the 2016 Regular Session of the Legislature on an extension thereof fails to become law, in order to implement Specific Appropriation 232 of the 2016-2017 General Appropriations Act, the Agency for Health Care Administration and the Department of Elderly Affairs shall prioritize individuals for enrollment in the Medicaid Long-Term Care Waiver program using a frailty-based screening that provides a priority score (the “scoring process”) and shall enroll individuals in the program according to the assigned priority score as funds are available. The agency may adopt rules, pursuant to s. 409.919, Florida Statutes, and enter into interagency agreements necessary to administer s. 409.979(3), Florida Statutes. Such rules or interagency agreements adopted by the agency relating to the scoring process may delegate to the Department of Elderly Affairs, pursuant to s. 409.978, Florida Statutes, the responsibility for implementing and administering the scoring process, providing notice of Medicaid fair hearing rights, and the responsibility for defending, as needed, the scores assigned to persons on the program wait list in any resulting Medicaid fair hearings. The Department of Elderly Affairs may delegate the provision of notice of Medicaid fair hearing rights to its contractors. This section expires July 1, 2017.

Section 52. In order to implement Specific Appropriation 207 of the 2016-2017 General Appropriations Act, subsection (10) is added to section 409.911, Florida Statutes, 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.

(10) Notwithstanding any provision of this section to the contrary, for the 2016-2017 state fiscal year, the agency shall distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the 2016-2017 General Appropriations Act. This subsection expires July 1, 2017.

Section 53. In order to implement Specific Appropriation 207 of the 2016-2017 General Appropriations Act, subsection (3) is added to section 409.9113, Florida Statutes, to read:

409.9113 Disproportionate share program for teaching hospitals.—In addition to the payments made under s. 409.911, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, for their increased costs associated with medical education programs and for tertiary health care services provided to the indigent. This system of payments must conform to federal requirements and distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding 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. The agency shall distribute the moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals, as defined in s. 395.805, pursuant to this section. The funds provided for statutorily defined teaching hospitals shall be distributed as provided in the General Appropriations Act. The funds provided for family practice teaching hospitals shall be distributed equally among family practice teaching hospitals.

(3) Notwithstanding any provision of this section to the contrary, for the 2016-2017 state fiscal year, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the 2016-2017 General Appropriations Act. This subsection expires July 1, 2017.

Section 54. In order to implement Specific Appropriation 207 of the 2016-2017 General Appropriations Act, subsection (4) is added to section 409.9119, Florida Statutes, to read:

409.9119 Disproportionate share program for specialty hospitals for children.—In addition to the payments made under s. 409.911, the Agency for Health Care Administration shall develop and implement a system under which disproportionate share payments are made to those hospitals that are licensed by the state as specialty hospitals for children and were licensed on January 1, 2000, as specialty hospitals for children. This system of payments must conform to federal requirements and must distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals that serve a disproportionate share of low-income patients. The agency may make disproportionate share payments to specialty hospitals for children as provided for in the General Appropriations Act.

(4) Notwithstanding any provision of this section to the contrary, for the 2016-2017 state fiscal year, for hospitals achieving full compliance under subsection (3), the agency shall make disproportionate share payments to specialty hospitals for children as provided in the 2016-2017 General Appropriations Act. This subsection expires July 1, 2017.

Section 55. In order to implement Specific Appropriations 515 through 536 of the 2016-2017 General Appropriations Act, subsection (17) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(17) Notwithstanding subsection (10), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the department may use state funds appropriated in the 2016-2017 ~~2015-2016~~ General Appropriations Act to administer the prescription drug monitoring program. Neither the Attorney General nor the department may use funds received as part of a settlement agreement to administer the prescription drug monitoring program. This subsection expires July 1, 2017 ~~2016~~.

Section 56. In order to implement Specific Appropriations 598A through 701 and 721 through 755 of the 2016-2017 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 2016-2017 ~~2015-2016~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the December 17 ~~February 27~~, 2015, 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, 2017 ~~2016~~.

Section 57. In order to implement Specific Appropriations 1283 and 1284 of the 2016-2017 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, 2017.

Section 58. In order to implement Specific Appropriations 1219 and 1224 of the 2016-2017 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 2016-2017 ~~2015-2016~~ 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, 2017 ~~2016~~.

Section 59. In order to implement Specific Appropriations 3109 through 3179 of the 2016-2017 General Appropriations Act, subsection (2) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(2) The Chief Justice of the Supreme Court may receive one or more trust fund loans to ensure that the state court system has funds sufficient to meet its appropriations in the 2016-2017 ~~2015-2016~~ General Appropriations Act. If the Chief Justice accesses the loan, he or she must notify the Governor and the chairs of the legislative appropriations committees in writing. The loan must come from other funds in the State Treasury which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds. The Governor shall order the transfer of funds within 5 days after the written notification from the Chief Justice. If the Governor does not order the transfer, the Chief Financial Officer shall transfer the requested funds. The loan of funds from which any money is temporarily transferred must be repaid by the end of the 2016-2017 ~~2015-2016~~ fiscal year. This subsection expires July 1, 2017 ~~2016~~.

Section 60. In order to implement appropriations for salaries and benefits in the 2016-2017 General Appropriations Act for the Department of Corrections and notwithstanding s. 216.292, Florida Statutes, except as otherwise provided in this act, the Department of Corrections may not transfer funds from a salaries and benefits category to any other category within the department other than a salaries and benefits category without approval of the Legislative Budget Commission. This section expires July 1, 2017.

Section 61. In order to implement Specific Appropriation 726 and notwithstanding s. 216.292, Florida Statutes, the Department of Corrections is authorized to submit budget amendments to transfer funds from categories within the department other than fixed capital outlay categories into the Inmate Health Services category in order to continue the current level of care in the provision of health services. Such transfers are subject to the notice, review and objection procedures of s. 216.177, Florida Statutes. This section expires July 1, 2017.

Section 62. (1) In order to implement Specific Appropriations 1093 through 1105 of the 2016-2017 General Appropriations Act, the Department of Juvenile Justice is required to review county juvenile detention payments to ensure that counties fulfill their financial responsibilities required in s. 985.686, Florida Statutes. If the Department of Juvenile Justice determines that a county has not met its obligations, the department shall direct the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from the funds provided to the county under s. 218.23, Florida Statutes. The Department of Revenue shall transfer the funds withheld to the Shared County/State Juvenile Detention Trust Fund.

(2) As an assurance to holders of bonds issued by counties before July 1, 2016, for which distributions made pursuant to s. 218.23, Florida Statutes, 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 subsection (1) 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 subsection, the Department of Revenue must notify the Department of Juvenile Justice of the amount of the decrease, and the Department of Juvenile Justice must send a bill for payment of such amount to the affected county.

(3) This section expires July 1, 2017.

Section 63. In order to implement Specific Appropriation 780 of the 2016-2017 General Appropriations Act, subsection (5) of section 27.5304, Florida Statutes, is amended to read:

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

(5) The compensation for representation in a criminal proceeding may ~~shall~~ not exceed the following:

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

(b) For noncapital, nonlife felonies represented at the trial level: \$15,000 ~~\$6,000~~.

(c) For life felonies represented at the trial level: \$15,000 ~~\$9,000~~.

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

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

Section 64. The amendment made by this act to s. 27.5304(5), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, 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 65. In order to implement Specific Appropriation 1217 of the 2016-2017 General Appropriation Act:

(1) The Florida Department of Management Services (DMS) shall organize a work group to develop a sworn law enforcement officers’ career development plan for the Highway Patrol, Law Enforcement Officer, Lottery, and Florida Department of Law Enforcement Special Agent bargaining units represented by the Florida Police Benevolent Association (PBA). The work group is directed to create a law enforcement officers’ career development plan to attract and retain quality employees. The work group must create a work plan for all represented agencies that emphasizes job training, job skills, educational attainment, experience, and retention.

(2) The work group shall consist of the following representatives:

(a) At least one agency management representative from each law enforcement agency;

(b) At least three representatives from DMS, one of whom shall serve as the work group’s chair;

(c) At least one active law enforcement officer, as designated by the PBA from each agency represented by a bargaining unit, one of whom shall serve as the work group’s vice chair; and

(d) At least three representatives from the PBA.

(3) The work group shall meet on or after July 1, 2016, and conduct meetings as necessary to complete a career development plan proposal by November 30, 2016. The proposal shall be presented to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2016.

(4) This section expires July 1, 2017.

Section 66. In order to implement Specific Appropriation 772A of the 2016-2017 General Appropriations Act, and notwithstanding ss. 28.35 and 40.24, Florida Statutes, the Justice Administrative Commission shall

provide funds to the clerks of court to pay compensation to jurors, for meals or lodging provided to jurors, and for jury-related personnel costs as provided in this section. Each clerk of the circuit court shall forward to the Justice Administrative Commission a quarterly estimate of funds necessary to pay compensation to jurors and for meals or lodging provided to jurors. The Florida Clerks of Court Operations Corporation shall forward to the Justice Administrative Commission a quarterly estimate of jury-related personnel costs necessary to pay each clerk of the circuit court personnel costs related to jury management. Upon receipt of such estimates, the Justice Administrative Commission shall endorse the amount deemed necessary for payment to the clerks of the court during the quarter and shall submit a request for payment to the Chief Financial Officer. If the Justice Administrative Commission believes that the amount appropriated by the Legislature is insufficient to meet such costs during the remaining part of the state fiscal year, the commission may apportion the funds appropriated in the General Appropriations Act for those purposes among the several counties, basing the apportionment upon the amount expended for such purposes in each county during the prior fiscal year. In that case, the Chief Financial Officer shall only issue the appropriate apportioned amount by warrant to each county. The clerks of court are responsible for any costs of compensation to jurors, for meals or lodging provided to jurors, and for jury related personnel costs that exceed the funding provided in the General Appropriations Act for these purposes. This section expires July 1, 2017.

Section 67. In order to implement Specific Appropriations 1093 through 1105 of the 2016-2017 General Appropriations Act, the Department of Juvenile Justice may not provide, make, pay, or deduct and a nonfiscally constrained county may not apply, deduct, or receive any reimbursement or any credit for any previous overpayment of juvenile detention care costs related to or for any previous state fiscal year against the juvenile detention care costs due from the nonfiscally constrained county in the 2016-2017 fiscal year pursuant to s. 985.686, Florida Statutes, or any other law. The section is contingent upon CS/SB 1322 becoming law. This section expires July 1, 2017.

Section 68. In order to implement appropriations used to pay existing lease contracts for private lease space in excess of 2,000 square feet in the 2016-2017 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 reprocur all private lease agreements for office or storage space expiring between July 1, 2017, and June 30, 2019, in order to reduce costs in future years. The department shall incorporate this initiative into its 2016 master leasing report required under s. 255.249(7), Florida Statutes, and may use tenant broker services to explore the possibilities of collocating 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, 2016, which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2017.

Section 69. In order to implement Specific Appropriations 2257 through 2265 of the 2016-2017 General Appropriations Act, section 624.502, Florida Statutes, is reenacted 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.

Section 70. The amendment to s. 624.502, Florida Statutes, as carried forward by this act from chapter 2015-222, Laws of Florida, expires July 1, 2017, 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 which expire pursuant to this section.

Section 71. In order to implement Specific Appropriations 2834 through 2845 of the 2016-2017 General Appropriations Act, paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is reenacted to read:

282.709 State agency law enforcement radio system and interoperability network.—

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

2. A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who shall be appointed by the executive director of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Department of Corrections who shall be appointed by the secretary of the department.

6. A representative of the Division of State Fire Marshal of the Department of Financial Services who shall be appointed by the State Fire Marshal.

7. A representative of the Department of Agriculture and Consumer Services who shall be appointed by the Commissioner of Agriculture.

Section 72. The amendment to s. 282.709(2)(a), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2014, 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 73. In order to implement Specific Appropriations 2740 through 2752 of the 2016-2017 General Appropriations Act and notwithstanding rule 60A-1.031, Florida Administrative Code, the transaction fee collected for use of the online procurement system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c), Florida Statutes, shall be seven-tenths of 1 percent for the 2016-2017 fiscal year only. This section expires July 1, 2017.

Section 74. In order to implement the appropriation of funds in the appropriation category “Data Processing Services-State Data Center-Agency for State Technology (AST)” in the 2016-2017 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 based on the estimated billing cycle and methodology used by the Agency for State Technology for data processing services provided by the State Data Center. This section expires July 1, 2017.

Section 75. In order to implement appropriations authorized in the 2016-2017 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, except as authorized in section 74, an agency may not transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2017.

Section 76. In order to implement Specific Appropriation 2826 of the 2016-2017 General Appropriations Act, the Executive Office of the Governor may transfer funds appropriated in the appropriation category “Expenses” of the 2016-2017 General Appropriations Act between agencies in order to allocate a reduction relating to SUNCOM Network services. This section expires July 1, 2017.

Section 77. In order to implement the appropriation of funds in the appropriation category “Special Categories-Risk Management Insurance” in the 2016-2017 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, 2017.

Section 78. 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 2016-2017 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, 2017.

Section 79. In order to implement Specific Appropriation 2317A of the 2016-2017 General Appropriations Act:

(1) The Department of Financial Services shall replace the four main components of the Florida Accounting Information Resource Subsystem (FLAIR), which include central FLAIR, departmental FLAIR, payroll, and information warehouse, and shall replace the cash management and accounting management components of the Cash Management Subsystem (CMS) with an integrated enterprise system that allows the state to organize, define, and standardize its financial management business processes and that complies with ss. 215.90-215.96, Florida Statutes. The department shall not include in the replacement of FLAIR and CMS:

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

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

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

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

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

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

1. The Chief Financial Officer or the executive sponsor of the project.
2. A representative of the Division of Treasury of the Department of Financial Services appointed by the Chief Financial Officer.
3. A representative of the Division of Information Systems of the Department of Financial Services appointed by the Chief Financial Officer.
4. Four employees from the Division of Accounting and Auditing of the Department of Financial Services appointed by the Chief Financial Officer. Each employee must have experience relating to at least one of the four main components that comprise FLAIR.
5. Two employees from the Executive Office of the Governor appointed by the Governor. One employee must have experience relating to the Legislative Appropriations System/Planning and Budgeting Subsystem.
6. One employee from the Department of Revenue appointed by the executive director of the department who has experience relating to the department's SUNTAX system.
7. Two employees from the Department of Management Services appointed by the Secretary of Management Services. One employee must have experience relating to the department's personnel information subsystem and one employee must have experience relating to the department's purchasing subsystem.
8. Three state agency administrative services directors appointed by the Governor. One director must represent a regulatory and licensing state agency and one director must represent a health care-related state agency.

(3) The Chief Financial Officer or the executive sponsor of the project shall serve as chair of the executive steering committee, and the committee shall take action by a vote of at least eight affirmative votes with the Chief Financial Officer or the executive sponsor of the project voting on the prevailing side. A quorum of the executive steering committee consists of no fewer than 10 members.

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

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

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

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

(d) Approve all major project deliverables.

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

(5) This section expires July 1, 2017.

Section 80. Effective upon this act becoming law and in order to implement section 90 of the 2016-2017 General Appropriations Act, subsection (9) is added to section 216.292, Florida Statutes, to read:

216.292 Appropriations nontransferable; exceptions.—

(9) Notwithstanding subsections (2), (3), and (4), and for the 2015-2016 fiscal year only, the Executive Office of the Governor, after 14 days' prior notice, may transfer funds between appropriations categories, as needed, to realign funds, to provide for the relocation of state agencies and departments currently located at the Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida. Such transfers are subject to the notice and objection provisions of s. 216.177. This subsection expires July 1, 2016.

Section 81. In order to implement Specific Appropriation 1602 of the 2016-2017 General Appropriations Act, paragraph (e) of subsection (5) of section 161.143, Florida Statutes, is amended 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 ~~2016-2017~~ 2015-2016 fiscal year only, the amount allocated for inlet management funding is provided in the ~~2016-2017~~ 2015-2016 General Appropriations Act. This paragraph expires July 1, ~~2017~~ 2016.

Section 82. In order to implement Specific Appropriations 1533 and 1534 of the 2016-2017 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 2016-2017 ~~2015-2016~~ fiscal year only;

1. The amount of \$15,156,206 ~~\$17.4 million~~ to only the Division of State Lands within the Department of Environmental Protection for the Board of Trustees Florida Forever Priority List land acquisition projects.

2. Thirty-five million dollars to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands through perpetual conservation easements and other perpetual less-than-fee techniques, which will achieve the objectives of Florida Forever and s. 570.71.

3.a. Notwithstanding any allocation required pursuant to paragraph (c), \$10 million shall be allocated to the Florida Communities Trust for projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities.

b. The Department of Environmental Protection may waive the local government matching fund requirement of paragraph (c) for projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities.

c. Notwithstanding sub-subparagraphs a. and b., any funds required to be used to acquire conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities which have not been awarded for those purposes by May 1, 2017, may be awarded to redevelop or renew outdoor recreational facilities on public lands, including recreational trails, parks, and urban open spaces, together with improvements required to enhance recreational enjoyment and public access to public lands, if such redevelopment and renewal is primarily geared toward enhancing recreational opportunities for individuals with unique abilities. The department may waive the local matching requirement of paragraph (c) for such redevelopment and renewal projects.

This paragraph expires July 1, 2017 ~~2016~~.

Section 83. In order to implement Specific Appropriation 1698A of the 2016-2017 General Appropriations Act, subsection (4) is added to section 375.075, Florida Statutes, to read:

375.075 Outdoor recreation; financial assistance to local governments.

(4)(a) For the 2016-2017 fiscal year:

1. Notwithstanding any other provision of this section, at least \$3 million of the program funds for projects must be used exclusively for projects that provide recreational enhancements and opportunities for individuals with unique abilities. The department shall conduct a separate grant application process exclusively for such projects. The department shall make the schedule for the grant application process for projects that provide recreational enhancements and opportunities for individuals with unique abilities publicly available and shall award the grants for such projects by December 31, 2016.

2. Notwithstanding subsection (3), a local government may submit up to three grant applications for projects, if at least one of those projects provides recreational enhancements and opportunities for individuals with unique abilities. The maximum project grant for each project application that provides recreational enhancements and opportunities for individuals with unique abilities may not exceed \$500,000 in state funds.

(b) The selection criteria used by the department for grant applications submitted pursuant to this subsection shall prioritize projects that allocate the greatest share of state funds to provide recreational enhancements and opportunities for individuals with unique abilities.

(c) The term “projects that provide recreational enhancements and opportunities for individuals with unique abilities” means those projects that incorporate adaptations or modifications to the design and development of recreational resources or equipment to meet the needs of all potential participants including those with physical or developmental disabilities.

(d) This subsection expires July 1, 2017.

Section 84. In order to implement Specific Appropriation 1534 of the 2016-2017 General Appropriations Act, paragraph (h) is added to subsection (2) of section 380.507, Florida Statutes, to read:

380.507 Powers of the trust.—The trust shall have all the powers necessary or convenient to carry out the purposes and provisions of this part, including:

(2) To undertake, coordinate, or fund activities and projects which will help bring local comprehensive plans into compliance and help implement the goals, objectives, and policies of the conservation, recreation and open space, and coastal elements of local comprehensive plans, or which will otherwise serve to conserve natural resources and resolve land use conflicts, including, but not limited to:

(h) Projects that provide accessibility, availability, or adaptability of conservation or recreation lands for individuals with unique abilities. The term “projects that provide recreational enhancements and opportunities for individuals with unique abilities” means those projects that incorporate adaptations or modifications to the design and development of recreational

resources or equipment to meet the needs of all potential participants including those with physical or developmental disabilities. This paragraph expires July 1, 2017.

Section 85. In order to implement Specific Appropriations 1599, 1599A, 1599B, and 1740A of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (11) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(d) Notwithstanding paragraph (b) and paragraph (2)(b), and for the ~~2016-2017~~ ~~2015-2016~~ fiscal year only, the Legislative Budget Commission may increase the amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects, including additional fixed capital outlay projects, using funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation; funds provided to the state from the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds provided by the British Petroleum Corporation (BP) for natural resource damage assessment ~~early~~ restoration projects. Concurrent with submission of an amendment to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the projected amount of the future commitment associated with the project and the fiscal years in which the commitment is expected to commence. This paragraph expires July 1, ~~2017~~ ~~2016~~.

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

Section 86. In order to implement specific appropriations from the Water Quality Assurance Trust Fund within the Department of Environmental Protection contained in the 2016-2017 General Appropriations Act, paragraph (b) of subsection (2) of section 206.9935, Florida Statutes, is amended to read:

206.9935 Taxes imposed.—

(2) TAX FOR WATER QUALITY.—

(b) The excise tax shall be the applicable rate as specified in subparagraph 1. per barrel or per unit of pollutant, or equivalent measure as established by the department, produced in or imported into the state. If the unobligated balance of the Water Quality Assurance Trust Fund is or falls below \$3 million, the tax shall be increased to the applicable rates specified in subparagraph 2. and shall remain at said rates until the unobligated

balance in the fund exceeds \$5 million, at which time the tax shall be imposed at the rates specified in subparagraph 1. If the unobligated balance of the fund exceeds \$12 million, the levy of the tax shall be discontinued until the unobligated balance of the fund falls below \$5 million, at which time the tax shall be imposed at the rates specified in subparagraph 1. Changes in the tax rates pursuant to this paragraph shall take effect on the first day of the month after 30 days' notification to the Department of Revenue when the unobligated balance of the fund falls below or exceeds a limit set pursuant to this paragraph. The unobligated balance of the Water Quality Assurance Trust Fund as it relates to determination of the applicable excise tax rate shall exclude the unobligated balances of funds of the Dry Cleaning, Operator Certification, and nonagricultural nonpoint source programs, and other required reservations of fund balance. The unobligated balance in the Water Quality Assurance Trust Fund is based upon the current unreserved fund balance, projected revenues, authorized legislative appropriations, and funding for the department's base budget for the subsequent fiscal year. Revenues for penalties collected pursuant to s. 403.121(11) and all moneys recovered under s. 373.430(7) are exempt from the calculation of the unobligated balance of the Water Quality Assurance Trust Fund. Determination of the unobligated balance of the Water Quality Assurance Trust Fund shall be performed annually subsequent to the annual legislative appropriations becoming law.

1. As provided in this paragraph, the tax shall be 2.36 cents per gallon of solvents, 1 cent per gallon of motor oil or other lubricants, and 2 cents per barrel of petroleum products, pesticides, ammonia, and chlorine.

2. As provided in this paragraph, the tax shall be 5.9 cents per gallon of solvents, 2.5 cents per gallon of motor oil or other lubricants, 2 cents per barrel of ammonia, and 5 cents per barrel of petroleum products, pesticides, and chlorine.

Section 87. The amendment made by this act to s. 206.9935(2)(b), Florida Statutes, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2016, 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 88. In order to implement Specific Appropriation 1670 of the 2016-2017 General Appropriations Act, subsection (5) of section 403.709, Florida Statutes, is amended 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.

(5)(a) Notwithstanding subsection (1), a solid waste landfill closure account is established within the Solid Waste Management Trust Fund to provide funding for the closing and long-term care of solid waste

management facilities. The department may use funds from the account to contract with a third party for the closing and long-term care of a solid waste management facility if:

1. The facility has, ~~or had,~~ or was not required to obtain a department permit to operate the facility;

2. The permittee, where required by permit or rule, provided proof of financial assurance for closure in the form of an insurance certificate or an alternative form of financial assurance mechanism established pursuant to s. 403.7125;

3. The department has ordered the facility closed or has deemed the facility abandoned. ~~The facility is deemed to be abandoned or was ordered to close by the department;~~

4. The closure of the facility is accomplished in substantial accordance with a closure plan approved by the department; and

5. The department has sufficient ~~written~~ documentation to confirm that the issuer of the ~~that the~~ insurance company issuing the closure insurance policy or alternative form of financial insurance will provide or reimburse the funds required to complete the closing and long-term care of the facility.

(b) The department shall deposit ~~all the funds received from the insurer or other parties for reimbursing insurance company as reimbursement for~~ the costs of closing or long-term care of the facility under this subsection into the solid waste landfill closure account.

(c) If the amount available under the insurance policy or alternative form of financial assurance is insufficient, or is otherwise unavailable, to perform or complete the facility closing or long-term care under this subsection, and the department has used all such funds from the insurance policy or alternative form of financial assurance, the department may use funds from the Solid Waste Management Trust Fund to pay for or reimburse additional expenses needed for performing or completing the approved facility closure or long-term care activities.

(d)(e) This subsection expires July 1, 2017 ~~2016~~.

Section 89. Effective upon this becoming a law and in order to implement Specific Appropriation 1674 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration of subsection (5) of section 403.7095, Florida Statutes, which occurred on July 1, 2015, that subsection is revived, reenacted, and amended, and subsection (6) is added to that section, to read:

403.7095 Solid waste management grant program.—

(5) Notwithstanding any other provision of this section, and for the 2015-2016 ~~2014-2015~~ fiscal year only, the Department of Environmental Protection shall award the sum of \$3 million in grants in the 2015-2016 fiscal year

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, ~~2016~~ 2015.

(6) Notwithstanding any other provision of this section, and for the 2016-2017 fiscal year only, the Department of Environmental Protection shall award the sum of \$3 million in grants in the 2016-2017 fiscal year equally to counties having populations of fewer than 110,000 for waste tire and litter prevention, recycling education, and general solid waste programs. This subsection expires July 1, 2017.

Section 90. In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission which are contained in the 2016-2017 General Appropriations Act, subsection (3) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(3) Notwithstanding subsection (1) and only with respect to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency in a land acquisition trust fund which would render that trust fund temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund, and other trust funds in the State Treasury have moneys that are for the time being or otherwise in excess of the amounts necessary to meet the just requirements, including appropriated obligations, of those other trust funds, the Governor may order a temporary transfer of moneys from one or more of the other trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, and the Governor shall provide notice of such action at least 7 days before the effective date of the transfer of trust funds, except that during July ~~2016~~ 2015, notice of such action shall be provided at least 3 days before the effective date of a transfer unless such 3-day notice is waived by the chair and vice-chair of the Legislative Budget Commission. Any transfer of trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission must be repaid to the trust funds from which the moneys were loaned by the end of the ~~2016-2017~~ 2015-2016 fiscal year. The Legislature has determined that the repayment of the other trust fund moneys temporarily loaned to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission pursuant to this subsection is an allowable use of

the moneys in a land acquisition trust fund because the moneys from other trust funds temporarily loaned to a land acquisition trust fund shall be expended solely and exclusively in accordance with s. 28, Art. X of the State Constitution. This subsection expires July 1, 2017 2016.

Section 91. (1) In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission which are contained in the 2016-2017 General Appropriations Act, the Department of Environmental Protection shall transfer revenues from the Land Acquisition Trust Fund within the department to the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission, as provided in this section. As used in this section, the term “department” means the Department of Environmental Protection.

(2) After subtracting any required debt service payments, the proportionate share of revenues to be transferred to each land acquisition trust fund shall be calculated by dividing the appropriations from each of the land acquisition trust funds for the fiscal year by the total appropriations from the Land Acquisition Trust Fund within the department and the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Commission for the fiscal year. The department shall transfer the proportionate share of the revenues in the Land Acquisition Trust Fund within the department on a monthly basis to the appropriate land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Commission and shall retain its proportionate share of the revenues in the Land Acquisition Trust Fund within the department. Total distributions to a land acquisition trust fund within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Commission may not exceed the total appropriations from such trust fund for the fiscal year.

(3) This section expires July 1, 2017.

Section 92. In order to implement Specific Appropriation 1597A of the 2016-2017 General Appropriations Act, subsection (9) of section 376.3071, Florida Statutes, is amended to read:

376.3071 Inland Protection Trust Fund; creation; purposes; funding.—

(9) INVESTMENTS; INTEREST.—Moneys in the fund which are not needed currently to meet the obligations of the department in the exercise of its responsibilities under this section and s. 376.3073 shall be deposited with the Chief Financial Officer to the credit of the fund and may be invested in such manner as provided by law. The interest received on such investment shall be credited to the fund. Any provisions of law to the contrary notwithstanding, such interest may be freely transferred between the

trust fund and the Water Quality Assurance Trust Fund in the discretion of the department or as authorized in the General Appropriations Act.

Section 93. The amendment made by this act to s. 376.3071(9), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, 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 94. In order to implement the proviso language associated with Specific Appropriation 1671 of the 2016-2017 General Appropriations Act relating to the cleanup of petroleum contamination sites, the Department of Environmental Protection may not require payment of program copayments and may not require submission of the limited contamination assessment report as provided in s. 376.3071(13)(c), Florida Statutes. The use of funds appropriated in the 2016-2017 fiscal year may not be applied towards the funding limits provided in sections 376.3071(13) and 376.3072(2), Florida Statutes. This section expires July 1, 2017.

Section 95. In order to implement Specific Appropriation 1671 of the 2016-2017 General Appropriations Act, paragraph (q) of subsection (4) of section 376.3071, Florida Statutes, is amended to read:

376.3071 Inland Protection Trust Fund; creation; purposes; funding.—

(4) USES.—Whenever, in its determination, incidents of inland contamination related to the storage of petroleum or petroleum products may pose a threat to the public health, safety, or welfare, water resources, or the environment, the department shall obligate moneys available in the fund to provide for:

(q) Payments for program deductibles, copayments, and limited contamination assessment reports that otherwise would be paid by another state agency for state-funded petroleum contamination site rehabilitation. This paragraph expires July 1, ~~2017~~ 2016.

The Inland Protection Trust Fund may only be used to fund the activities in ss. 376.30-376.317 except ss. 376.3078 and 376.3079. Amounts on deposit in the fund in each fiscal year shall first be applied or allocated for the payment of amounts payable by the department pursuant to paragraph (n) under a service contract entered into by the department pursuant to s. 376.3075 and appropriated in each year by the Legislature before making or providing for other disbursements from the fund. This subsection does not authorize the use of the fund for cleanup of contamination caused primarily by a discharge of solvents as defined in s. 206.9925(6), or polychlorinated biphenyls when their presence causes them to be hazardous wastes, except solvent contamination which is the result of chemical or physical breakdown of petroleum products and is otherwise eligible. Facilities used primarily for

the storage of motor or diesel fuels as defined in ss. 206.01 and 206.86 are not excluded from eligibility pursuant to this section.

Section 96. In order to implement Specific Appropriation 2632 of the 2016-2017 General Appropriations Act, the Department of Highway Safety and Motor Vehicles shall contract with the corporation organized pursuant to part II of chapter 946, Florida Statutes, to manufacture the current or newly redesigned license plates, such contract being in the same manner and for the same price as that paid by the department during the 2013-2014 fiscal year. The corporation shall seek sealed bids for the reflectorized sheeting used in the manufacture of such license plates, and in the event the sealed bids result in any savings in the sheeting costs, the corporation shall credit to the department an amount equal to 70 percent of the savings. The name of the county may not appear on any redesigned license plate. This section expires July 1, 2017.

Section 97. In order to implement Specific Appropriation 1890 of the 2016-2017 General Appropriations Act, paragraph (b) of subsection (2) of section 339.2818, Florida Statutes, is amended to read:

339.2818 Small County Outreach Program.—

(2)(b) Notwithstanding paragraph (a), for the 2016-2017 ~~2015-2016~~ fiscal year, for purposes of this section, the term “small county” means any county that has a population of 170,000 ~~165,000~~ or less as determined by the most recent official estimate pursuant to s. 186.901. This paragraph expires July 1, 2017 ~~2016~~.

Section 98. In order to implement Specific Appropriation 1895 of the 2016-2017 General Appropriations Act, paragraph (i) of subsection (4) and paragraph (b) of subsection (5) of section 339.135, Florida Statutes, are amended, and notwithstanding the expiration of paragraph (j) of subsection (4) and paragraph (c) of subsection (5) of that section, which occurred on July 1, 2015, those paragraphs are revived, reenacted, and amended, 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 2016-2017 ~~2015-2016~~ fiscal year only, the Department of Transportation shall use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016 ~~2015~~, in the department’s 5-year work program. This paragraph expires July 1, 2017 ~~2016~~.

(j) Notwithstanding paragraph (a) and for the 2016-2017 ~~2014-2015~~ fiscal year only, the department may use up to \$15 million of appropriated

funds to pay the costs of strategic and regionally significant transportation projects. Funds may be used to provide up to 75 percent of project costs for production-ready eligible projects. Preference shall be given to projects that support the state's economic regions, or that have been identified as regionally significant in accordance with s. 339.155(4)(c), (d), and (e), and that have an increased level of nonstate match. This paragraph expires July 1, 2017 ~~2015~~.

(5) ADOPTION OF THE WORK PROGRAM.—

(b) Notwithstanding paragraph (a), and for the 2016-2017 ~~2015-2016~~ fiscal year only, the department shall use appropriated funds to support the establishment of a statewide system of interconnected multiuse trails and to pay the costs of planning, land acquisition, design, and construction of such trails and related facilities. Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016 ~~2015~~, in the department's 5-year work program. This paragraph expires July 1, 2017 ~~2016~~.

(c) Notwithstanding paragraph (a), and for the 2016-2017 ~~2014-2015~~ fiscal year only, the department may use appropriated funds to pay the costs of strategic and regionally significant transportation projects as provided in paragraph (4)(j). Funds specifically appropriated for this purpose may not reduce, delete, or defer any existing projects funded as of July 1, 2016 ~~2014~~, in the department's 5-year work program. This paragraph expires July 1, 2017 ~~2015~~.

Section 99. In order to implement Specific Appropriation 1874 of the 2016-2017 General Appropriations Act, subsection (10) of section 341.302, Florida Statutes, is reenacted to read:

341.302 Rail program; duties and responsibilities of the department.— The department, in conjunction with other governmental entities, including the rail enterprise and the private sector, shall develop and implement a rail program of statewide application designed to ensure the proper maintenance, safety, revitalization, and expansion of the rail system to assure its continued and increased availability to respond to statewide mobility needs. Within the resources provided pursuant to chapter 216, and as authorized under federal law, the department shall:

(10)(a) Administer rail operating and construction programs, which programs shall include the regulation of maximum train operating speeds, the opening and closing of public grade crossings, the construction and rehabilitation of public grade crossings, the installation of traffic control devices at public grade crossings, the approval and implementation of quiet zones, and administration of the programs by the department, including participation in the cost of the programs.

(b) Provide grant funding to assist with the implementation of quiet zones that have been approved by the department, which funding may not

exceed 50 percent of the nonfederal and nonprivate share of the total costs of any quiet zone capital improvement project.

(c) Coordinate and work closely with local, state, and federal agencies to provide technical support to local agencies for the development of quiet zone plans.

(d) Monitor crossing incidents at approved quiet zone locations and suspend the operation of a quiet zone at any time the department determines that a significant deterioration in safety is resulting from quiet zone implementation.

Section 100. The amendment to s. 341.302(10), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2014, 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 101. In order to implement Specific Appropriation 1889 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in section 66 of chapter 2015-222, Laws of Florida, subsection (3) of section 339.2816, Florida Statutes, is reenacted and amended, and paragraph (a) of subsection (4) of that section is amended, to read:

339.2816 Small County Road Assistance Program.—

(3) In the ~~2016-2017~~ 2015-2016 fiscal year, up to \$50 million from the State Transportation Trust Fund may be used for the purposes of funding the Small County Road Assistance Program as described in this section.

(4)(a) Small counties shall be eligible to compete for funds that have been designated for the Small County Road Assistance Program for resurfacing or reconstruction projects on county roads that were part of the county road system on June 10, 1995. Capacity improvements on county roads shall not be eligible for funding under the program, except where the department determines that widening of existing lanes as part of a resurfacing or reconstruction project is necessary to address safety concerns.

Section 102. The amendment made by this act to s. 339.2816(3) and (4), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2015, 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 103. In order to implement Specific Appropriation 2224 of the 2016-2017 General Appropriations Act, subsection (10) of section 420.9072, Florida Statutes, is amended to read:

420.9072 State Housing Initiatives Partnership Program.—The State Housing Initiatives Partnership Program is created for the purpose of providing funds to counties and eligible municipalities as an incentive for the creation of local housing partnerships, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing, and to increase housing-related employment.

(10) Notwithstanding ss. 420.9071(26) and 420.9075(5) and subsection (7), for the 2016-2017 ~~2015-2016~~ fiscal year:

(a) The term “rent subsidies” means ongoing monthly rental assistance.

(b) Up to 25 percent of the funds made available in each county and each eligible municipality from the local housing distribution may be used for rental assistance and rent subsidies as provided in paragraph (c).

(c) A county or an eligible municipality may expend its portion of the local housing distribution to provide the following types of rental assistance and rent subsidies:

1. Security and utility deposit assistance.
2. Eviction prevention subsidies not to exceed 6 months’ rent.
3. Rent subsidies for very-low-income households with at least one adult who is a person with special needs as defined in s. 420.0004 or a person who is homeless as defined in s. 420.621 when the person initially qualified for a rent subsidy. The period of rental subsidy may not exceed 12 months for any eligible household or person.

(d) This subsection expires July 1, 2017 ~~2016~~.

Section 104. In order to implement Specific Appropriation 2223 of the 2016-2017 General Appropriations Act, subsection (10) of section 420.5087, Florida Statutes, is amended to read:

420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(10)(a) Notwithstanding subsection (3), for the 2016-2017 ~~2015-2016~~ fiscal year, the reservation of funds for the tenant groups within each notice of fund availability shall be:

1. Not less than 10 percent of the funds available at that time for the following tenant groups:
 - a. Families;

- b. Persons who are homeless;
- c. Persons with special needs; and
- d. Elderly persons.

2. Not less than 5 percent of the funds available at that time for the commercial fishing workers and farmworkers tenant group.

(b) Notwithstanding any other provision of this section for the 2016-2017 fiscal year, the corporation shall issue a notice of funds availability of \$20 million for loans to construct workforce housing to serve primarily low-income persons, as defined in s. 420.0004, and, in the Florida Keys Area of Critical State Concern, to serve households with incomes not to exceed 140 percent of area median income when strategies are included in the local housing assistance plan to serve these households.

(c) This subsection expires July 1, 2017 2016.

Section 105. In order to implement Specific Appropriation 1856 of the 2016-2017 General Appropriations Act, subsection (30) is added to section 427.013, Florida Statutes, to read:

427.013 The Commission for the Transportation Disadvantaged; purpose and responsibilities.—The purpose of the commission is to accomplish the coordination of transportation services provided to the transportation disadvantaged. The goal of this coordination is to assure the cost-effective provision of transportation by qualified community transportation coordinators or transportation operators for the transportation disadvantaged without any bias or presumption in favor of multioperator systems or not-for-profit transportation operators over single operator systems or for-profit transportation operators. In carrying out this purpose, the commission shall:

(30) For the 2016-2017 fiscal year and notwithstanding any other provision of this section:

(a) Allocate, from funds provided in the General Appropriations Act, to community transportation coordinators who do not receive Urbanized Area Formula funds pursuant to 49 U.S.C. s. 5307 to provide transportation services for persons with disabilities, older adults, and low-income persons so they may access health care, employment, education, and other life-sustaining activities. Funds allocated for this purpose shall be distributed among community transportation coordinators based upon the Transportation Disadvantaged Trip and Equipment allocation methodology established by the commission.

(b) Award, from funds provided in the General Appropriations Act, competitive grants to community transportation coordinators to support transportation projects to:

1. Enhance access to health care, shopping, education, employment, public services, and recreation;

2. Assist in the development, improvement, and use of transportation systems in nonurbanized areas;

3. Promote the efficient coordination of services;

4. Support inner-city bus transportation; and

5. Encourage private transportation providers to participate.

(c) This subsection expires July 1, 2017.

Section 106. In order to implement Specific Appropriation 2644 of the 2016-2017 General Appropriations Act, subsection (9) is added to section 216.292, Florida Statutes to read:

216.292 Appropriations nontransferable; exceptions.—

(9) Notwithstanding subsections (2), (3), and (4), and for the 2016-2017 fiscal year only, the Department of Highway Safety and Motor Vehicles, with the approval of the Executive Office of the Governor, and after 14 days' notice, may transfer up to \$6,563,775 of nonrecurring funds from the Highway Safety Operating Trust Fund between appropriations categories as needed to realign funds based upon the cost-benefit analysis that analyzes the different options, including cloud computing services, for securing the hardware and software necessary to upgrade the department's existing database environment, implement a platform for data synchronization, establish a staging environment, implement a test data management toolset, and acquire a managed disaster recovery service. Such transfers are subject to the notice and objection provisions of s. 216.177. This subsection expires July 1, 2017.

Section 107. In order to implement Specific Appropriations 1857 through 1870, 1871 through 1875, 1888 through 1896, 1899 through 1908, and 1947 through 1958 of the 2016-2017 General Appropriations Act, paragraph (g) of subsection (7) of section 339.135, Florida Statutes, is amended, and subsection (h) is added to that subsection, to read:

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

(7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

(g) Any work program amendment, except an amendment subject to paragraph (h), which also requires the transfer of fixed capital outlay appropriations between categories within the department or the increase of an appropriation category is subject to the approval of the Legislative Budget Commission. If a meeting of the Legislative Budget Commission cannot be held within 30 days of the department submitting an amendment

to the Legislative Budget Commission, then the chair and vice chair of the Legislative Budget Commission may authorize such amendment to be approved pursuant to the provisions of s. 216.177.

(h) Any work program amendment that adds a new project, construction phase, right-of-way phase, or public transportation phase to the adopted work program and which is estimated to cost over \$5 million is subject to approval by the Legislative Budget Commission. Such amendment may not include any other proposed work program amendment described in paragraph (c). The department shall provide a narrative description of the project or project phase, a written justification for the addition of such project or project phase to the adopted work program, and an explanation describing the reason that delaying approval of the addition of the project or project phase would be detrimental to the interests of the state. After any such project or project phase is added to the adopted work program, that project or project phase may not be advanced before the adoption of the work program for the subsequent fiscal year. If a meeting of the Legislative Budget Commission cannot be held within 30 days after the department submits an amendment to the Legislative Budget Commission, the chair and vice chair of the Legislative Budget Commission, President of the Senate, and Speaker of the House of Representatives jointly may authorize such amendment to be approved pursuant to the provisions of s. 216.177.

Section 108. The amendment made by this act to s. 339.135(7), Florida Statutes, expires July 1, 2017, and the text of that subsection shall revert to that in existence on June 30, 2016, 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 109. Effective upon this act becoming a law, in order to implement Specific Appropriation 2580 and section 85 of the 2016-2017 General Appropriations Act, subsection (3) of section 321.04, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

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

(3) The Department of Highway Safety and Motor Vehicles shall assign one patrol officer to the office of the Governor at the discretion of the Lieutenant Governor; said patrol officer so assigned shall be selected by the Governor and shall have rank and pay not less than that of a lieutenant of the Florida Highway Patrol, and said patrol officer so assigned to the Lieutenant Governor shall be paid by said department from the appropriation made to said department; said patrol officer shall have and receive all other benefits provided for in this chapter or any other statute now in existence or hereinafter enacted.

(4) For the 2015-2016 and 2016-2017 fiscal years, the assignment of a patrol officer by the department shall include a Cabinet member specified in

s. 4, Art. IV of the State Constitution if deemed appropriate by the department or in response to a threat and upon written request of such Cabinet member.

Section 110. The amendments made by this act to s. 321.04, Florida Statutes, expire July 1, 2017, and the text of that section shall revert to that in existence on June 30, 2016, 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 111. In order to implement the salaries and benefits, expenses, other personal services, contracted services, special categories, and operating capital outlay categories of the 2016-2017 General Appropriations Act, paragraph (a) of subsection (2) of section 216.292, Florida Statutes, is reenacted to read:

216.292 Appropriations nontransferable; exceptions.—

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

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

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

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

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

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

Section 112. The amendment to s. 216.292(2)(a), Florida Statutes, as carried forward by this act from chapter 2015-222, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence

on June 30, 2014, 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 113. In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2016-2017 General Appropriations Act, a state agency may not 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, 2017.

Section 114. In order to implement appropriations for salaries and benefits in the 2016-2017 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 2016-2017 ~~2015-2016~~ 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 receiving notice of the action pursuant to s. 216.177. This subsection expires July 1, 2017 ~~2016~~.

Section 115. In order to implement Specific Appropriations 2652 and 2653 of the 2016-2017 General Appropriations Act and notwithstanding s. 11.13(1), Florida Statutes, the authorized salaries for members of the Legislature for the 2016-2017 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2017.

Section 116. In order to implement the transfer of funds to the General Revenue Fund from trust funds in the 2016-2017 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 117. 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, 2017, 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 118. In order to implement the issuance of new debt authorized in the 2016-2017 General Appropriations Act, and pursuant to s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2016-2017 fiscal year should be implemented and is in the best interest of the state. This section expires July 1, 2017.

Section 119. In order to implement appropriations in the 2016-2017 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 2016-2017 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, 2017.

Section 120. In order to implement appropriations in the 2016-2017 General Appropriations Act for state employee travel and notwithstanding s. 112.061, Florida Statutes, costs for lodging associated with a meeting, conference, or convention organized or sponsored in whole or in part by a state agency or the judicial branch may not exceed \$150 per day. An employee may expend his or her own funds for any lodging expenses in excess of \$150 per day. This section expires July 1, 2017.

Section 121. In order to implement appropriations in the 2016-2017 General Appropriations Act for executive branch and judicial branch employee travel, the executive branch state agencies and the judicial branch must collaborate with the Executive Office of the Governor to implement the statewide travel management system funded in Specific Appropriation 1965A in the 2016-2017 General Appropriations Act. For the purpose of complying with s. 112.061, Florida Statutes, all executive branch state agencies and the judicial branch must use the statewide travel management system. This section expires July 1, 2017.

Section 122. In order to implement section 8 of the 2016-2017 General Appropriations Act, section 110.12315, Florida Statutes, is reenacted 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:

(1) The department shall allow prescriptions written by health care providers under the plan to be filled by any licensed pharmacy pursuant to contractual claims-processing provisions. Nothing in this section may be construed as prohibiting a mail order prescription drug program distinct from the service provided by retail pharmacies.

(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:

(a) Retail pharmacies participating in the program must be reimbursed at a uniform rate and subject to uniform conditions, according to the terms and conditions of the plan.

(b) There shall be a 30-day supply limit for prescription card purchases, a 90-day supply limit for maintenance prescription drug purchases, and a 90-day supply limit for mail order or mail order prescription drug purchases.

(c) The pharmacy dispensing fee shall be negotiated by the department.

(3) Pharmacy reimbursement rates shall be as follows:

(a) For mail order and specialty pharmacies contracting with the department, reimbursement rates shall be as established in the contract.

(b) For retail pharmacies, the reimbursement rate shall be at the same rate as mail order pharmacies under contract with the department.

(4) The department shall maintain the preferred brand name drug list to be used in the administration of the state employees' prescription drug program.

(5) The department shall maintain a list of maintenance drugs.

(a) Preferred provider organization health plan members may have prescriptions for maintenance drugs filled up to three times as a 30-day supply through a retail pharmacy; thereafter, prescriptions for the same maintenance drug must be filled as a 90-day supply either through the department's contracted mail order pharmacy or through a retail pharmacy.

(b) Health maintenance organization health plan members may have prescriptions for maintenance drugs filled as a 90-day supply either through a mail order pharmacy or through a retail pharmacy.

(6) Copayments made by health plan members for a 90-day supply through a retail pharmacy shall be the same as copayments made for a 90-day supply through the department’s contracted mail order pharmacy.

(7) The department shall establish the reimbursement schedule for prescription pharmaceuticals dispensed under the program. Reimbursement rates for a prescription pharmaceutical must be based on the cost of the generic equivalent drug if a generic equivalent exists, unless the physician prescribing the pharmaceutical clearly states on the prescription that the brand name drug is medically necessary or that the drug product is included on the formulary of drug products that may not be interchanged as provided in chapter 465, in which case reimbursement must be based on the cost of the brand name drug as specified in the reimbursement schedule adopted by the department.

(8) The department shall conduct a prescription utilization review program. In order to participate in the state employees’ prescription drug program, retail pharmacies dispensing prescription medicines to members of the state group health insurance plan or their covered dependents, or to subscribers or covered dependents of a health maintenance organization plan under the state group insurance program, shall make their records available for this review.

(9) The department shall implement such additional cost-saving measures and adjustments as may be required to balance program funding within appropriations provided, including a trial or starter dose program and dispensing of long-term-maintenance medication in lieu of acute therapy medication.

(10) Participating pharmacies must use a point-of-sale device or an online computer system to verify a participant’s eligibility for coverage. The state is not liable for reimbursement of a participating pharmacy for dispensing prescription drugs to any person whose current eligibility for coverage has not been verified by the state’s contracted administrator or by the department.

(11) Under the state employees’ prescription drug program copayments must be made as follows:

(a) Effective January 1, 2013, 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.

(b) Effective January 1, 2006, for the State Group Health Insurance High Deductible Plan:

- 1. Retail coinsurance for generic drug with card..... 30%.
- 2. Retail coinsurance for preferred brand name drug with card..... 30%.
- 3. Retail coinsurance for nonpreferred brand name drug with card..... 50%.
- 4. Mail order coinsurance for generic drug..... 30%.
- 5. Mail order coinsurance for preferred brand name drug..... 30%.
- 6. Mail order coinsurance for nonpreferred brand name drug.....50%.

(c) The department shall create a preferred brand name drug list to be used in the administration of the state employees’ prescription drug program.

Section 123. (1) The amendment to s. 110.12315(2)(b), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, 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 amendments to s. 110.12315(2)(c) and (3)-(6), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expire July 1, 2017, and the text and numbering of those provisions shall revert to that in existence on June 30, 2014, 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.

(3) The amendment to s. 110.12315(7), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and shall revert to the text of that subsection 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 124. In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2016-2017 General Appropriations Act, a state agency may not enter into a contract containing a nondisclosure clause that prohibits the contractor from disclosing information relevant to the performance of the contract to members or staff of the Senate or the House of Representatives. This section expires July 1, 2017.

Section 125. Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2016-2017 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 2016-2017 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.

Section 126. If any other act passed during the 2016 Regular Session of the Legislature 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 127. 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 128. 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, 2016; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2016.

Approved by the Governor March 17, 2016.

Filed in Office Secretary of State March 17, 2016.