

CHAPTER 2019-116

Senate Bill No. 2502

An act implementing the 2019-2020 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; amending s. 1009.215, F.S.; revising the academic terms in which certain students are eligible to receive Bright Futures Scholarships; providing that such students may receive scholarships for the fall term for specified coursework under certain circumstances; providing for the expiration and reversion of specified statutory text; amending s. 1011.62, F.S.; extending for 1 fiscal year provisions governing the funding compression allocation; reenacting s. 1001.26(1), F.S., relating to public broadcasting program system; extending for 1 fiscal year authorization for the Department of Education to provide certain appropriated funds to public colleges and universities for public broadcasting; providing for the expiration and reversion of specified statutory text; amending s. 1011.80, F.S.; removing a limitation on the maximum amount of funding that may be appropriated for performance funding relating to funds for the operation of workforce education programs; amending s. 1011.81, F.S.; removing a limitation on the maximum amount of funding that may be appropriated for performance funding relating to industry certifications for Florida College System institutions; providing for the expiration and reversion of specified statutory text; requiring the State Board of Education to serve as the board of trustees of the Florida Virtual School for the 2019-2020 fiscal year; prescribing certain duties of the board; requiring an audit of the Florida Virtual School in accordance with specified requirements; requiring the Department of Education to submit certain recommendations regarding the Florida Virtual School to the Governor and Legislature by a specified date; requiring the Office of Economic and Demographic Research to develop a methodology for calculating each school district's wage level index; specifying required duties of the office; requiring the office to submit a transition plan to the Governor and Legislature by a specified date; prohibiting the transition plan's implementation unless specifically enacted by the Legislature; incorporating by reference certain calculations for the Medicaid Disproportionate Share Hospital and Hospital Reimbursement programs; authorizing the Agency for Health Care Administration, in consultation with the Department of Health, to submit a budget amendment to realign funding for a component of the Children's Medical Services program to reflect actual enrollment changes; specifying requirements for such realignment; authorizing the agency to request nonoperating budget authority for transferring certain federal funds to the Department of Health; amending s. 409.908, F.S.; modifying parameters governing prospective payment methodology with respect to Medicaid provider reimbursement; providing for the expiration and reversion of specified

statutory text; reenacting s. 409.908(23), F.S., relating to the reimbursement of Medicaid providers; providing for the future expiration and reversion of specified statutory text; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to receive funds from specified sources for purposes of making Low Income Pool Program payments; providing for the expiration and reversion of specified statutory text; amending s. 409.912, F.S.; authorizing the Agency for Health Care Administration to extend a specified contract for a certain period; providing for the expiration and reversion of specified statutory text; amending s. 409.904, F.S.; requiring the Agency for Health Care Administration to make payments for Medicaid-covered services in a specified manner; requiring the agency, by a certain date, in consultation with the Department of Children and Families and certain other entities, to submit a certain report to the Governor and the Legislature; specifying requirements for the report; amending s. 393.0661, F.S.; authorizing the agency to develop and submit a plan to the Legislature for redesigning the Medicaid waiver program if certain conditions exist; conforming provisions; providing for the expiration and reversion of specified statutory text; amending s. 400.179, F.S.; revising conditions under which a lease bond alternative exception relating to the transfer of a nursing facility does not apply; providing for the expiration and reversion of specified statutory text; amending s. 624.91, F.S.; requiring the Florida Healthy Kids Corporation to validate the medical loss ratio and calculate a refund amount for insurers and providers of health care services who meet certain criteria; providing for the deposit of any such refund; providing for the expiration and reversion of specified statutory text; amending s. 893.055, F.S.; extending for 1 fiscal year a provision prohibiting the Attorney General and the Department of Health from using certain settlement agreement funds to administer the prescription drug monitoring program; amending s. 409.911, F.S.; updating the average of audited disproportionate share data for purposes of calculating disproportionate share payments; extending for 1 fiscal year the requirement that the Agency for Health Care Administration distribute moneys to hospitals that provide a disproportionate share of Medicaid or charity care services, as provided in the General Appropriations Act; amending s. 409.9113, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration make disproportionate share payments to teaching hospitals as provided in the General Appropriations Act; amending s. 409.9119, F.S.; extending for 1 fiscal year the requirement that the Agency for Health Care Administration make disproportionate share payments to certain specialty hospitals for children; authorizing the Agency for Health Care Administration to submit a budget amendment to realign Medicaid funding for specified purposes, subject to certain limitations; authorizing the Agency for Health Care Administration and the Department of Health to each submit a budget amendment to realign funding within the Florida Kidcare program appropriation categories or increase budget authority for certain purposes; specifying the time period within each such budget amendment must be submitted; exempting entities that meet certain criteria from the licensure requirements of part

X of ch. 400, F.S.; amending s. 381.986, F.S.; exempting rules pertaining to the medical use of marijuana from certain rulemaking requirements; amending s. 381.988, F.S.; exempting rules pertaining to medical marijuana testing laboratories from certain rulemaking requirements; amending s. 14(1), ch. 2017-232, Laws of Florida; exempting certain rules pertaining to medical marijuana adopted to replace emergency rules from specified rulemaking requirements; providing for the expiration and reversion of specified law; amending s. 383.14, F.S.; requiring the Department of Health to integrate screening for spinal muscular atrophy into the newborn screening testing panel; authorizing the Department of Children and Families to submit a budget amendment to realign funding for implementation of the Guardianship Assistance Program; requiring the Department of Children and Families to establish a formula for the distribution of funds to implement the Guardianship Assistance Program; amending s. 409.991, F.S.; redefining the term “core services funds” to include funds appropriated for the Guardianship Assistance Program; amending s. 296.37, F.S.; extending for 1 fiscal year a provision specifying the monthly contribution to residents of a state veterans’ nursing home; authorizing the Department of Health to submit a budget amendment to increase budget authority for the HIV/AIDS Prevention and Treatment Program if certain conditions are met; authorizing the Department of Children and Families to submit a budget amendment to increase budget authority for the Supplemental Nutrition Assistance Program if certain conditions are met; authorizing the Department of Children and Families to submit a budget amendment to realign funding within the Family Safety Program for specified purposes; 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; amending s. 1011.80, F.S.; specifying the manner by which state funds for postsecondary workforce programs may be used for inmate education; providing for the expiration and reversion of specified statutory text; 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; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine whether a 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 withheld funds to a specified trust fund; 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 to comply with bond covenants; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements mandate a reduction in deductions for amounts owed by a county; amending s. 27.40, F.S.; revising circumstances under which the office of criminal conflict and civil regional counsel or private counsel may be appointed; requiring the public defender and the office of criminal conflict and civil regional counsel to report

certain information to the Justice Administrative Commission at specified intervals; making a conforming change; requiring inclusion of a specified statement on uniform contracts and forms used for private court-appointed counsel; modifying requirements for the notice of appearance filed by a court-appointed attorney; modifying conditions under which a private attorney is entitled to payment; providing that the flat fee for compensation of private court-appointed counsel is presumed to be sufficient; providing that certain records and documents maintained by the court-appointed attorney are subject to audit by the Auditor General; requiring the Justice Administrative Commission to review such records and documents before authorizing payment to the court-appointed attorney; providing a rebuttable presumption for certain objections made by or on behalf of the Justice Administrative Commission; revising the presumption in favor of the commission regarding a court-appointed attorney's waiver of the right to seek compensation in excess of the flat fee; providing for the expiration and reversion of specified statutory text; amending s. 27.5304, F.S.; providing a rebuttable presumption for certain objections made by or on behalf of the Justice Administrative Commission at the evidentiary hearing regarding the private court-appointed counsel's compensation; increasing the length of time before the hearing that certain documents must be served on the commission; authorizing the commission to appear in person or telephonically at such hearing; establishing certain limitations on compensation for private court-appointed counsel for the 2019-2020 fiscal year; conforming provisions to changes made by the act; providing for the expiration and reversion of specified statutory text; specifying that clerks of the circuit court are responsible for certain costs related to juries which exceed a certain funding level; reenacting s. 318.18(19)(c), F.S., relating to penalty amounts for traffic infractions; extending for 1 fiscal year the redirection of revenues from the Public Defenders Revenue Trust Fund to the Indigent Criminal Defense Trust Fund; reenacting s. 817.568(12)(b), F.S., relating to the criminal use of personal identification information; extending for 1 fiscal year the redirection of revenues from the Public Defenders Revenue Trust Fund to the Indigent Criminal Defense Trust Fund; providing for the expiration and reversion of specified statutory text; authorizing a Supreme Court Justice to designate an alternate facility as his or her official headquarters for purposes of travel reimbursement; specifying expenses for which a justice may be reimbursed; requiring the Chief Justice to coordinate with an affected justice and other appropriate officials with respect to implementation; providing construction; prohibiting the Supreme Court from using state funds to lease space in an alternate facility for use as a justice's official headquarters; requiring the Department of Management Services to use tenant broker services to renegotiate or repro cure 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; specifying the amount of the transaction fee to be collected for use of the online procurement system; prohibiting an agency from transferring funds from a data processing category to another category

that is not a data processing category; authorizing the Executive Office of the Governor to transfer funds appropriated for data processing assessment between departments for a specified purpose; 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 resources services; requiring the Department of Financial Services to replace specified components of the Florida Accounting Information Resource Subsystem (FLAIR) and the Cash Management Subsystem (CMS); specifying certain actions to be taken by the Department of Financial Services regarding FLAIR and CMS replacement; providing for the composition of an executive steering committee to oversee FLAIR and CMS replacement; prescribing duties and responsibilities of the executive steering committee; requiring executive branch state agencies and the judicial branch to collaborate with the Executive Office of the Governor regarding implementation of the statewide travel management system and to use such system; transferring specified entities within the Agency for State Technology to the Department of Management Services by a type two transfer; amending s. 20.22, F.S.; extending for 1 fiscal year a provision requiring the Department of Management Services to provide certain financial management oversight to the Agency for State Technology; amending s. 20.255, F.S.; extending for 1 fiscal year a provision designating the Department of Environmental Protection as the lead executive branch agency regarding geospatial data; amending s. 20.61, F.S.; providing exceptions to the requirement that the Agency for State Technology is not subject to control, supervision, or direction by the Department of Management Services; removing provisions providing for establishment of certain positions within the agency; providing for the expiration and reversion of specified statutory text; reenacting s. 282.0041(5), (20), and (28), F.S., relating to definitions for ch. 282, F.S.; reenacting s. 282.0051(11), F.S., relating to the powers, duties, and functions of the Agency for State Technology; reenacting s. 282.201(2)(d), F.S., relating to the state data center; providing for the expiration and reversion of specified statutory text; specifying conditions under which certain sections of the act regarding information technology reorganization may not take effect; amending s. 216.181, F.S.; extending for 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. 215.18, F.S.; extending for 1 fiscal year the authority of the Governor, if there is a specified temporary 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 a deadline for the repayment of a temporary loan; 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 of Environmental Protection to retain a proportionate share of revenues; specifying a limit on distributions; requiring the Department of Environmental Protection to make transfers to land acquisition trust funds; specifying the method of determining transfer amounts; authorizing the Department of Environmental Protection to advance funds from its land acquisition trust fund to the Fish and Wildlife Conservation Commission’s land acquisition trust fund for specified purposes; requiring the Department of Environmental Protection to prorate amounts transferred to the Fish and Wildlife Conservation Commission; amending s. 375.041, F.S.; specifying that certain funds for projects dedicated to restoring Lake Apopka shall be appropriated as provided in the General Appropriations Act; amending s. 216.181, F.S.; authorizing the Legislative Budget Commission to increase amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects using specified funds; specifying additional information to be included in budget amendments for projects requiring additional funding; authorizing the Department of Agriculture and Consumer Services to submit a budget amendment to increase budget authority for a school lunch program under certain circumstances; amending s. 570.441, F.S.; extending for 1 fiscal year a provision authorizing the Department of Agriculture and Consumer Services to use certain funds for purposes related to the Division of Agricultural Environmental Services; amending s. 570.93, F.S.; revising requirements for a cost-share program administered by the Department of Agriculture and Consumer Services; providing for the expiration and reversion of specified statutory text; amending s. 525.07, F.S.; authorizing the Department of Agriculture and Consumer Services to affix an inspection sticker meeting specified requirements to any petroleum measuring device; providing for the expiration and reversion of specified statutory text; amending s. 259.105, F.S.; providing for the distribution of proceeds from the Florida Forever Trust Fund for the 2019-2020 fiscal year; amending s. 321.04, F.S.; requiring the Department of Highway Safety and Motor Vehicles to assign one or more patrol officers to the office of Lieutenant Governor for security purposes, upon request of the Governor; extending for 1 fiscal year the requirement that the Department of Highway Safety and Motor Vehicles assign a patrol officer to a Cabinet member under certain circumstances; amending s. 420.9079, F.S.; authorizing funds in the Local Government Housing Trust Fund to be used as provided in the General Appropriations Act; amending s. 420.0005, F.S.; authorizing certain funds related to state housing to be used as provided in the General Appropriations Act; amending s. 288.0655, F.S.; specifying how funds appropriated for the grant program under the Rural Infrastructure Fund for Florida Panhandle counties are to be distributed; amending s. 288.1226, F.S.; revising the scheduled repeal of the Florida Tourism Industry Marketing Corporation direct-support organization; amending s. 288.923, F.S.; revising the scheduled

repeal of the Division of Tourism Marketing of Enterprise Florida, Inc.; amending s. 339.135, F.S.; authorizing the chair and vice chair of the Legislative Budget Commission to approve the Department of Transportation's budget amendment under specified circumstances; amending s. 339.2818, F.S.; authorizing certain counties and municipalities to compete for additional funds for specified purposes related to Hurricane Michael recovery; amending s. 112.061, F.S.; authorizing the Lieutenant Governor to designate an alternative official headquarters if certain conditions are met; specifying restrictions and limitations; specifying eligibility for the subsistence allowance and the reimbursement of transportation expenses, and providing for the payment thereof; amending s. 216.292, F.S.; extending for 1 fiscal year a provision prescribing requirements for the review of certain transfers of appropriations; requiring the Department of Management Services to maintain and offer the same health insurance options for participants of the State Group Health Insurance Program for the 2019-2020 fiscal year as for the preceding fiscal year; 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 for 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 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; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; placing a monetary cap on lodging expenses 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; prohibiting state 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 effective dates.

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 2019-2020 fiscal year.

Section 2. In order to implement Specific Appropriations 6, 7, 8, 93, and 94 of the 2019-2020 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2019-2020 fiscal year included in the document titled "Public School Funding: The Florida Education Finance Program," dated May 1, 2019, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used

by the Legislature, consistent with the requirements of state law, in making appropriations for the Florida Education Finance Program. This section expires July 1, 2020.

Section 3. In order to implement Specific Appropriations 6 and 93 of the 2019-2020 General Appropriations Act, and notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42, 1011.62(6)(b)3., and 1011.67, Florida Statutes, relating to the expenditure of funds provided for instructional materials, for the 2019-2020 fiscal year, funds provided for instructional materials shall be released and expended as required in the proviso language for Specific Appropriation 93 of the 2019-2020 General Appropriations Act. This section expires July 1, 2020.

Section 4. Effective July 1, 2019, upon the expiration and reversion of the amendment made to section 1009.215, Florida Statutes, pursuant to section 13 of chapter 2018-10, Laws of Florida, and in order to implement Specific Appropriation 4 of the 2019-2020 General Appropriations Act, subsection (3) of section 1009.215, Florida Statutes, is amended to read:

1009.215 Student enrollment pilot program for the spring and summer terms.—

(3) Students who are enrolled in the pilot program and who are eligible to receive Bright Futures Scholarships under ss. 1009.53-1009.536 are shall be eligible to receive the scholarship award for attendance during the spring and summer terms. This student cohort is also eligible to receive Bright Futures Scholarships during the fall term, which may be used for off-campus or online coursework, if Bright Futures Scholarship funding is provided by the Legislature for three terms for other eligible students during that academic year no more than 2 semesters or the equivalent in any fiscal year, including the summer term.

Section 5. The amendment to s. 1009.215(3), Florida Statutes, by this act expires July 1, 2020, and the text of that subsection shall revert to that in existence on June 30, 2018, 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 6. In order to implement Specific Appropriations 6 and 93 of the 2019-2020 General Appropriations Act, subsection (17) 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:

(17) **FUNDING COMPRESSION ALLOCATION.**—The Legislature may provide an annual funding compression allocation in the General Appropriations Act. The allocation is created to provide additional funding to school districts and developmental research schools whose total funds per FTE in the prior year were less than the statewide average. Using the most recent prior year FEFP calculation for each eligible school district, the total funds per FTE shall be subtracted from the state average funds per FTE, not including any adjustments made pursuant to paragraph (18)(b). The resulting funds per FTE difference, or a portion thereof, as designated in the General Appropriations Act, shall then be multiplied by the school district's total unweighted FTE to provide the allocation. If the calculated funds are greater than the amount included in the General Appropriations Act, they must be prorated to the appropriation amount based on each participating school district's share. This subsection expires July 1, 2020 2019.

Section 7. In order to implement Specific Appropriation 122 of the 2019-2020 General Appropriations Act, and notwithstanding the expiration date in section 6 of chapter 2018-10, Laws of Florida, subsection (1) of section 1001.26, Florida Statutes, is reenacted to read:

1001.26 Public broadcasting program system.—

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

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

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

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

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

(e) Provision of both statewide programming funds and station programming support for educational television to meet statewide priorities. Priorities for station programming need not be the same as priorities for programming to be used statewide. Station programming may include, but shall not be limited to, citizens' participation programs, music and fine arts

programs, coverage of public hearings and governmental meetings, equal air time for political candidates, and other public interest programming.

Section 8. The text of s. 1001.26(1), Florida Statutes, as carried forward from chapter 2018-10, Laws of Florida, by this act, expires July 1, 2020, and the text of that subsection shall revert to that in existence on June 30, 2018, except that any amendments 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 9. In order to implement Specific Appropriation 123 of the 2019-2020 General Appropriations Act, paragraph (b) of subsection (6) of section 1011.80, Florida Statutes, is amended to read:

1011.80 Funds for operation of workforce education programs.—

(6)

(b) Performance funding for industry certifications for school district workforce education programs is contingent upon specific appropriation in the General Appropriations Act and shall be determined as follows:

1. Occupational areas for which industry certifications may be earned, as established in the General Appropriations Act, are eligible for performance funding. Priority shall be given to the occupational areas emphasized in state, national, or corporate grants provided to Florida educational institutions.

2. The Chancellor of Career and Adult Education shall identify the industry certifications eligible for funding on the CAPE Postsecondary Industry Certification Funding List approved by the State Board of Education pursuant to s. 1008.44, based on the occupational areas specified in the General Appropriations Act.

3. Each school district shall be provided \$1,000 for each industry certification earned by a workforce education student. ~~The maximum amount of funding appropriated for performance funding pursuant to this paragraph shall be limited to \$15 million annually.~~ If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.

Section 10. In order to implement Specific Appropriation 128 of the 2019-2020 General Appropriations Act, paragraph (c) of subsection (2) of section 1011.81, Florida Statutes, is amended to read:

1011.81 Florida College System Program Fund.—

(2) Performance funding for industry certifications for Florida College System institutions is contingent upon specific appropriation in the General Appropriations Act and shall be determined as follows:

(c) Each Florida College System institution shall be provided \$1,000 for each industry certification earned by a student. ~~The maximum amount of funding appropriated for performance funding pursuant to this subsection shall be limited to \$15 million annually. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.~~

Section 11. The amendments to s. 1011.80(6)(b) and s. 1011.81(2)(c), Florida Statutes, by this act expire July 1, 2020, and the text of those paragraphs shall revert to that in existence on June 30, 2019, 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. Effective upon becoming a law, in order to implement Specific Appropriations 6 and 93 of the 2019-2020 General Appropriations Act, notwithstanding the requirements of s. 1002.37(2), Florida Statutes, the State Board of Education shall serve as the board of trustees of the Florida Virtual School established pursuant to s. 1002.37, Florida Statutes.

(1) The State Board of Education sitting as the board of trustees of the Florida Virtual School shall appoint an executive director, who will report directly to the Commissioner of Education. In this capacity, the board may only take actions to conserve and maintain the Florida Virtual School by ensuring the execution of programs, contracts, services, and agreements in place on or before May 1, 2019. The board may extend or renew contracts as necessary to maintain and operate existing programs and services. In addition, the board shall administer personnel programs for all employees of the Florida Virtual School in accordance with s. 1002.37(2)(f), Florida Statutes.

(2) The executive director shall, within existing resources, competitively award a contract for an independent third-party consulting firm to conduct financial, operational, or performance audits, as defined by s. 11.45, Florida Statutes, of the Florida Virtual School in accordance with generally-accepted government auditing standards. The Office of the Inspector General of the Department of Education shall oversee the audit. The consulting firm shall submit the results of the audit along with recommendations in accordance with s. 1002.37, Florida Statutes, to the Commissioner of Education by October 1, 2019. The Department of Education shall provide recommendations regarding the governance, operation, and organization of the Florida Virtual School to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2019.

(3) This section expires July 1, 2020.

Section 13. In order to implement Specific Appropriations 2753 and 2754 of the 2019-2020 General Appropriations Act, the Office of Economic and Demographic Research shall develop a methodology for calculating each school district's wage level index using appropriate county-level and

occupational-level wage data. In developing the methodology, the office shall seek the input from a broad range of stakeholders, including but not limited to, school districts and the Department of Economic Opportunity, to identify the key factors that result in cost differences among counties and their relative magnitude. To the maximum extent feasible, the office shall develop a methodology for calculating each school district's wage level index that minimizes the effects of temporary disruptions in the data due to adverse events or disturbances. The office shall compare the district-level impact of each school district's wage level index as calculated by the office versus the Florida Price Level Index used for each school district for the 2019-2020 fiscal year district cost differential and provide a transition plan that minimizes any negative impacts for beginning with the 2020-2021 fiscal year using the wage level index as calculated by the office. The office shall submit the transition plan to the President of the Senate, the Speaker of the House of Representatives, and the Governor by October 1, 2019. The implementation of the transition plan may not occur unless affirmatively enacted by the Legislature. This section expires July 1, 2020.

Section 14. In order to implement Specific Appropriations 203, 204, 207, and 211 of the 2019-2020 General Appropriations Act, the calculations for the Medicaid Disproportionate Share Hospital and Hospital Reimbursement programs for the 2019-2020 fiscal year contained in the document titled "Medicaid Disproportionate Share Hospital and Hospital Reimbursement Programs, Fiscal Year 2019-2020," dated May 1, 2019, and filed with the Secretary of the Senate, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Disproportionate Share Hospital and Hospital Reimbursement programs. This section expires July 1, 2020.

Section 15. In order to implement Specific Appropriations 197 through 224 and 523 of the 2019-2020 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, 2020.

Section 16. Effective October 1, 2019, in order to implement Specific Appropriations 221 and 222 of the 2019-2020 General Appropriations Act, subsection (2) of section 409.908, Florida Statutes, as amended by section 19 of chapter 2018-10, Laws of Florida, is amended to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(2)(a)1. Reimbursement to nursing homes licensed under part II of chapter 400 and state-owned-and-operated intermediate care facilities for the developmentally disabled licensed under part VIII of chapter 400 must be made prospectively.

2. Unless otherwise limited or directed in the General Appropriations Act, reimbursement to hospitals licensed under part I of chapter 395 for the provision of swing-bed nursing home services must be made on the basis of the average statewide nursing home payment, and reimbursement to a hospital licensed under part I of chapter 395 for the provision of skilled nursing services must be made on the basis of the average nursing home payment for those services in the county in which the hospital is located. When a hospital is located in a county that does not have any community nursing homes, reimbursement shall be determined by averaging the nursing home payments in counties that surround the county in which the hospital is located. Reimbursement to hospitals, including Medicaid payment of Medicare copayments, for skilled nursing services shall be limited to 30 days, unless a prior authorization has been obtained from the agency. Medicaid reimbursement may be extended by the agency beyond 30 days, and approval must be based upon verification by the patient's physician that the patient requires short-term rehabilitative and recuperative services only, in which case an extension of no more than 15 days may be approved. Reimbursement to a hospital licensed under part I of chapter 395 for the temporary provision of skilled nursing services to nursing home residents who have been displaced as the result of a natural

disaster or other emergency may not exceed the average county nursing home payment for those services in the county in which the hospital is located and is limited to the period of time which the agency considers necessary for continued placement of the nursing home residents in the hospital.

(b) Subject to any limitations or directions in the General Appropriations Act, the agency shall establish and implement a state Title XIX Long-Term Care Reimbursement Plan for nursing home care in order to provide care and services in conformance with the applicable state and federal laws, rules, regulations, and quality and safety standards and to ensure that individuals eligible for medical assistance have reasonable geographic access to such care.

1. The agency shall amend the long-term care reimbursement plan and cost reporting system to create direct care and indirect care subcomponents of the patient care component of the per diem rate. These two subcomponents together shall equal the patient care component of the per diem rate. Separate prices shall be calculated for each patient care subcomponent, initially based on the September 2016 rate setting cost reports and subsequently based on the most recently audited cost report used during a rebasing year. The direct care subcomponent of the per diem rate for any providers still being reimbursed on a cost basis shall be limited by the cost-based class ceiling, and the indirect care subcomponent may be limited by the lower of the cost-based class ceiling, the target rate class ceiling, or the individual provider target. The ceilings and targets apply only to providers being reimbursed on a cost-based system. Effective October 1, 2018, a prospective payment methodology shall be implemented for rate setting purposes with the following parameters:

a. Peer Groups, including:

(I) North-SMMC Regions 1-9, less Palm Beach and Okeechobee Counties; and

(II) South-SMMC Regions 10-11, plus Palm Beach and Okeechobee Counties.

b. Percentage of Median Costs based on the cost reports used for September 2016 rate setting:

(I) Direct Care Costs..... 100 percent.

(II) Indirect Care Costs.....92 percent.

(III) Operating Costs..... 86 percent.

c. Floors:

(I) Direct Care Component..... 95 percent.

- (II) Indirect Care Component.....92.5 percent.
- (III) Operating Component.....None.
- d. Pass-through Payments.....Real Estate and Personal Property
Taxes and Property Insurance.
- e. Quality Incentive Program Payment Pool..... 6.5 6 percent of
September

2016 non-property related payments of included facilities.

- f. Quality Score Threshold to Quality for Quality Incentive Pay-
ment.....20th percentile of included facilities.
- g. Fair Rental Value System Payment Parameters:
 - (I) Building Value per Square Foot based on 2018 RS Means.
 - (II) Land Valuation..... 10 percent of Gross Building value.
 - (III) Facility Square Footage..... Actual Square Footage.
 - (IV) Moveable Equipment Allowance..... \$8,000 per bed.
 - (V) Obsolescence Factor..... 1.5 percent.
 - (VI) Fair Rental Rate of Return..... 8 percent.
 - (VII) Minimum Occupancy..... 90 percent.
 - (VIII) Maximum Facility Age..... 40 years.
 - (IX) Minimum Square Footage per Bed..... 350.
 - (X) Maximum Square Footage for Bed.....500.
 - (XI) Minimum Cost of a renovation/replacements.....\$500 per bed.
- h. Ventilator Supplemental payment of \$200 per Medicaid day of 40,000
ventilator Medicaid days per fiscal year.

2. The direct care subcomponent shall include salaries and benefits of direct care staff providing nursing services including registered nurses, licensed practical nurses, and certified nursing assistants who deliver care directly to residents in the nursing home facility, allowable therapy costs, and dietary costs. This excludes nursing administration, staff development, the staffing coordinator, and the administrative portion of the minimum data set and care plan coordinators. The direct care subcomponent also includes medically necessary dental care, vision care, hearing care, and podiatric care.

3. All other patient care costs shall be included in the indirect care cost subcomponent of the patient care per diem rate, including complex medical equipment, medical supplies, and other allowable ancillary costs. Costs may not be allocated directly or indirectly to the direct care subcomponent from a home office or management company.

4. On July 1 of each year, the agency shall report to the Legislature direct and indirect care costs, including average direct and indirect care costs per resident per facility and direct care and indirect care salaries and benefits per category of staff member per facility.

5. Every fourth year, the agency shall rebase nursing home prospective payment rates to reflect changes in cost based on the most recently audited cost report for each participating provider.

6. A direct care supplemental payment may be made to providers whose direct care hours per patient day are above the 80th percentile and who provide Medicaid services to a larger percentage of Medicaid patients than the state average.

7. For the period beginning on October 1, 2018, and ending on September 30, 2021, the agency shall reimburse providers the greater of their September 2016 cost-based rate or their prospective payment rate. Effective October 1, 2021, the agency shall reimburse providers the greater of 95 percent of their cost-based rate or their rebased prospective payment rate, using the most recently audited cost report for each facility. This subparagraph shall expire September 30, 2023.

8. Pediatric, Florida Department of Veterans Affairs, and government-owned facilities are exempt from the pricing model established in this subsection and shall remain on a cost-based prospective payment system. Effective October 1, 2018, the agency shall set rates for all facilities remaining on a cost-based prospective payment system using each facility's most recently audited cost report, eliminating retroactive settlements.

It is the intent of the Legislature that the reimbursement plan achieve the goal of providing access to health care for nursing home residents who require large amounts of care while encouraging diversion services as an alternative to nursing home care for residents who can be served within the community. The agency shall base the establishment of any maximum rate of payment, whether overall or component, on the available moneys as provided for in the General Appropriations Act. The agency may base the maximum rate of payment on the results of scientifically valid analysis and conclusions derived from objective statistical data pertinent to the particular maximum rate of payment.

Section 17. The amendment made by this act to s. 409.908(2), Florida Statutes, by this act expires July 1, 2020, and the text of that subsection shall revert to that in existence on July 1, 2019, 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 18. In order to implement Specific Appropriations 221 and 222 of the 2019-2020 General Appropriations Act, and notwithstanding the expiration date in section 19 of chapter 2018-10, Laws of Florida, subsection (23) of section 409.908, Florida Statutes, is reenacted to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

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

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

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

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

Section 19. The text of s. 409.908(23), Florida Statutes, as carried forward from chapter 2018-10, Laws of Florida, by this act, expires July 1, 2020, and the text of that subsection shall revert to that in existence on October 1, 2018, not including any amendments made by chapter 2018-10, Laws of Florida, except that any amendments to such text enacted other than by this act and chapter 2018-10, Laws of Florida, 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 20. In order to implement Specific Appropriation 205 of the 2019-2020 General Appropriations Act, subsection (26) of section 409.908, Florida Statutes, is amended to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(26) The agency may receive funds from state entities, including, but not limited to, the Department of Health, local governments, and other local political subdivisions, for the purpose of making special exception payments and Low Income Pool Program payments, including federal matching funds. Funds received for this purpose shall be separately accounted for and may not be commingled with other state or local funds in any manner. The agency may certify all local governmental funds used as state match under Title XIX of the Social Security Act to the extent and in the manner authorized under the General Appropriations Act and pursuant to an agreement between the agency and the local governmental entity. In order for the agency to certify such local governmental funds, a local governmental entity must submit a final, executed letter of agreement to the agency, which must be received by October 1 of each fiscal year and provide the total amount of local

governmental funds authorized by the entity for that fiscal year under the General Appropriations Act. The local governmental entity shall use a certification form prescribed by the agency. At a minimum, the certification form must identify the amount being certified and describe the relationship between the certifying local governmental entity and the local health care provider. Local governmental funds outlined in the letters of agreement must be received by the agency no later than October 31 of each fiscal year in which such funds are pledged, unless an alternative plan is specifically approved by the agency.

Section 21. The amendment to s. 409.908(26), Florida Statutes, by this act expires July 1, 2020, and the text of that subsection shall revert to that in existence on June 30, 2019, 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 22. In order to implement Specific Appropriation 192 of the 2019-2020 General Appropriations Act, subsection (6) of section 409.912, Florida Statutes, is amended to read:

409.912 Cost-effective purchasing of health care.—The agency shall purchase goods and services for Medicaid recipients in the most cost-effective manner consistent with the delivery of quality medical care. To ensure that medical services are effectively utilized, the agency may, in any case, require a confirmation or second physician's opinion of the correct diagnosis for purposes of authorizing future services under the Medicaid program. This section does not restrict access to emergency services or poststabilization care services as defined in 42 C.F.R. s. 438.114. Such confirmation or second opinion shall be rendered in a manner approved by the agency. The agency shall maximize the use of prepaid per capita and prepaid aggregate fixed-sum basis services when appropriate and other alternative service delivery and reimbursement methodologies, including competitive bidding pursuant to s. 287.057, designed to facilitate the cost-effective purchase of a case-managed continuum of care. The agency shall also require providers to minimize the exposure of recipients to the need for acute inpatient, custodial, and other institutional care and the inappropriate or unnecessary use of high-cost services. The agency shall contract with a vendor to monitor and evaluate the clinical practice patterns of providers in order to identify trends that are outside the normal practice patterns of a provider's professional peers or the national guidelines of a provider's professional association. The vendor must be able to provide information and counseling to a provider whose practice patterns are outside the norms, in consultation with the agency, to improve patient care and reduce inappropriate utilization. The agency may mandate prior authorization, drug therapy management, or disease management participation for certain populations of Medicaid beneficiaries, certain drug classes, or particular drugs to prevent fraud, abuse, overuse, and possible dangerous drug interactions. The Pharmaceutical and Therapeutics Committee shall make recommendations to the agency on drugs for which prior authorization

is required. The agency shall inform the Pharmaceutical and Therapeutics Committee of its decisions regarding drugs subject to prior authorization. The agency is authorized to limit the entities it contracts with or enrolls as Medicaid providers by developing a provider network through provider credentialing. The agency may competitively bid single-source-provider contracts if procurement of goods or services results in demonstrated cost savings to the state without limiting access to care. The agency may limit its network based on the assessment of beneficiary access to care, provider availability, provider quality standards, time and distance standards for access to care, the cultural competence of the provider network, demographic characteristics of Medicaid beneficiaries, practice and provider-to-beneficiary standards, appointment wait times, beneficiary use of services, provider turnover, provider profiling, provider licensure history, previous program integrity investigations and findings, peer review, provider Medicaid policy and billing compliance records, clinical and medical record audits, and other factors. Providers are not entitled to enrollment in the Medicaid provider network. The agency shall determine instances in which allowing Medicaid beneficiaries to purchase durable medical equipment and other goods is less expensive to the Medicaid program than long-term rental of the equipment or goods. The agency may establish rules to facilitate purchases in lieu of long-term rentals in order to protect against fraud and abuse in the Medicaid program as defined in s. 409.913. The agency may seek federal waivers necessary to administer these policies.

(6) Notwithstanding the provisions of chapter 287, the agency may, at its discretion, renew a contract or contracts for fiscal intermediary services one or more times for such periods as the agency may decide; however, all such renewals may not combine to exceed a total period longer than the term of the original contract, with the exception of the fiscal agent contract scheduled to end in calendar year 2020, which may be extended by the agency through December 31, 2024.

Section 23. The amendment to s. 409.912(6), Florida Statutes, by this act expires July 1, 2020, and the text of that subsection shall revert to that in existence on June 30, 2019, 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 Appropriations 203, 207, 208, 210, 212, and 221 of the 2019-2020 General Appropriations Act, subsection (12) is added to section 409.904, Florida Statutes, to read:

409.904 Optional payments for eligible persons.—The agency may make payments for medical assistance and related services on behalf of the following persons who are determined to be eligible subject to the income, assets, and categorical eligibility tests set forth in federal and state law. Payment on behalf of these Medicaid eligible persons is subject to the availability of moneys and any limitations established by the General Appropriations Act or chapter 216.

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

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

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

This subsection expires July 1, 2020.

Section 25. In order to implement Specific Appropriations 203, 207, 208, 210, 212, and 221 of the 2019-2020 General Appropriations Act:

(1) By January 10, 2020, the Agency for Health Care Administration, in consultation with the Department of Children and Families, the Florida Hospital Association, the Safety Net Hospital Alliance of Florida, the Florida Health Care Association, and LeadingAge Florida, shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the impact of the waiver of Medicaid retroactive eligibility on beneficiaries and providers. The report must include, but is not limited to:

(a) The total unduplicated number of nonpregnant adults who applied for Medicaid at a hospital site from February 1, 2019, through December 6, 2019; and, of those applicants, the number whose Medicaid applications were approved, the number whose Medicaid applications were denied, and the reasons for denial ranked by frequency.

(b) The total unduplicated number of nonpregnant adults who applied for Medicaid at a nursing home site from February 1, 2019, through December 6, 2019; and, of those applicants, the number whose Medicaid applications were approved, the number whose Medicaid applications were denied, and the reasons for denial ranked by frequency.

(c) The estimated impact of medical debt on people for whom a Medicaid application was not submitted in the same month when the individual became an inpatient of a hospital or a resident of a nursing home.

(d) Recommendations to improve outreach and Medicaid coverage for nonpregnant adults who would be eligible for Medicaid if they applied before an event that requires hospital or nursing home care.

(2) The Agency for Health Care Administration shall also include, as part of the report required by this section, a copy of the evaluation design and performance metrics submitted to the federal Centers for Medicare and Medicaid Services relating to the waiver of Medicaid retroactive eligibility, in conformity with the Special Terms and Conditions of this state's Section 1115 demonstration project, titled Managed Medical Assistance (MMA) Program (Project No. 11-W-00206/4).

This section expires July 1, 2020.

Section 26. In order to implement Specific Appropriation 245 of the 2019-2020 General Appropriations Act, subsection (10) of section 393.0661, Florida Statutes, is amended to read:

393.0661 Home and community-based services delivery system; comprehensive redesign.—The Legislature finds that the home and community-based services delivery system for persons with developmental disabilities and the availability of appropriated funds are two of the critical elements in making services available. Therefore, it is the intent of the Legislature that the Agency for Persons with Disabilities shall develop and implement a comprehensive redesign of the system.

(10) Implementation of Medicaid waiver programs and services authorized under this chapter is limited by the funds appropriated for the individual budgets pursuant to s. 393.0662 and the four-tiered waiver system pursuant to subsection (3). Contracts with independent support coordinators and service providers must include provisions requiring compliance with agency cost containment initiatives. The agency shall implement monitoring and accounting procedures necessary to track actual expenditures and project future spending compared to available appropriations for Medicaid waiver programs. When necessary based on projected deficits, the agency must establish specific corrective action plans that incorporate corrective actions of contracted providers that are sufficient to align program expenditures with annual appropriations. If deficits continue during the ~~2018-2019~~ 2012-2013 fiscal year, the agency in conjunction with the Agency for Health Care Administration shall develop a plan to redesign the waiver program and submit the plan to the President of the Senate and the Speaker of the House of Representatives by September 30, 2019 ~~2013~~. At a minimum, the plan must include the following elements:

(a) *Budget predictability.*—Agency budget recommendations must include specific steps to restrict spending to budgeted amounts based on alternatives to the iBudget and four-tiered Medicaid waiver models.

(b) *Services.*—The agency shall identify core services that are essential to provide for client health and safety and recommend elimination of coverage for other services that are not affordable based on available resources.

(c) *Flexibility.*—The redesign shall be responsive to individual needs and to the extent possible encourage client control over allocated resources for their needs.

(d) *Support coordination services.*—The plan shall modify the manner of providing support coordination services to improve management of service utilization and increase accountability and responsiveness to agency priorities.

(e) *Reporting.*—The agency shall provide monthly reports to the President of the Senate and the Speaker of the House of Representatives on plan progress and development on July 31, 2019 ~~2013~~, and August 31, 2019 ~~2013~~.

(f) *Implementation.*—The implementation of a redesigned program is subject to legislative approval ~~and shall occur no later than July 1, 2014~~. The Agency for Health Care Administration shall seek federal waivers as needed to implement the redesigned plan once approved by the Legislature.

Section 27. The amendment made to s. 393.0661(10), Florida Statutes, by this act expires July 1, 2020, and the text of that subsection shall revert to that in existence on June 30, 2019, 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 28. In order to implement Specific Appropriations 221 and 222 of the 2019-2020 General Appropriations Act, paragraph (d) of subsection (2) of section 400.179, Florida Statutes, is amended to read:

400.179 Liability for Medicaid underpayments and overpayments.—

(2) Because any transfer of a nursing facility may expose the fact that Medicaid may have underpaid or overpaid the transferor, and because in most instances, any such underpayment or overpayment can only be determined following a formal field audit, the liabilities for any such underpayments or overpayments shall be as follows:

(d) Where the transfer involves a facility that has been leased by the transferor:

1. The transferee shall, as a condition to being issued a license by the agency, acquire, maintain, and provide proof to the agency of a bond with a term of 30 months, renewable annually, in an amount not less than the total of 3 months' Medicaid payments to the facility computed on the basis of the preceding 12-month average Medicaid payments to the facility.

2. A leasehold licensee may meet the requirements of subparagraph 1. by payment of a nonrefundable fee, paid at initial licensure, paid at the time of any subsequent change of ownership, and paid annually thereafter, in the amount of 1 percent of the total of 3 months' Medicaid payments to the facility computed on the basis of the preceding 12-month average Medicaid payments to the facility. If a preceding 12-month average is not available, projected Medicaid payments may be used. The fee shall be deposited into the Grants and Donations Trust Fund and shall be accounted for separately as a Medicaid nursing home overpayment account. These fees shall be used at the sole discretion of the agency to repay nursing home Medicaid overpayments or for enhanced payments to nursing facilities as specified in the General Appropriations Act or other law. Payment of this fee shall not release the licensee from any liability for any Medicaid overpayments, nor

shall payment bar the agency from seeking to recoup overpayments from the licensee and any other liable party. As a condition of exercising this lease bond alternative, licensees paying this fee must maintain an existing lease bond through the end of the 30-month term period of that bond. The agency is herein granted specific authority to promulgate all rules pertaining to the administration and management of this account, including withdrawals from the account, subject to federal review and approval. This provision shall take effect upon becoming law and shall apply to any leasehold license application. The financial viability of the Medicaid nursing home overpayment account shall be determined by the agency through annual review of the account balance and the amount of total outstanding, unpaid Medicaid overpayments owing from leasehold licensees to the agency as determined by final agency audits. By March 31 of each year, the agency shall assess the cumulative fees collected under this subparagraph, minus any amounts used to repay nursing home Medicaid overpayments and amounts transferred to contribute to the General Revenue Fund pursuant to s. 215.20. If the net cumulative collections, minus amounts utilized to repay nursing home Medicaid overpayments, exceed \$10 \$25 million, the provisions of this subparagraph shall not apply for the subsequent fiscal year.

3. The leasehold licensee may meet the bond requirement through other arrangements acceptable to the agency. The agency is herein granted specific authority to promulgate rules pertaining to lease bond arrangements.

4. All existing nursing facility licensees, operating the facility as a leasehold, shall acquire, maintain, and provide proof to the agency of the 30-month bond required in subparagraph 1., above, on and after July 1, 1993, for each license renewal.

5. It shall be the responsibility of all nursing facility operators, operating the facility as a leasehold, to renew the 30-month bond and to provide proof of such renewal to the agency annually.

6. Any failure of the nursing facility operator to acquire, maintain, renew annually, or provide proof to the agency shall be grounds for the agency to deny, revoke, and suspend the facility license to operate such facility and to take any further action, including, but not limited to, enjoining the facility, asserting a moratorium pursuant to part II of chapter 408, or applying for a receiver, deemed necessary to ensure compliance with this section and to safeguard and protect the health, safety, and welfare of the facility's residents. A lease agreement required as a condition of bond financing or refinancing under s. 154.213 by a health facilities authority or required under s. 159.30 by a county or municipality is not a leasehold for purposes of this paragraph and is not subject to the bond requirement of this paragraph.

Section 29. The amendment to s. 400.179(2)(d), Florida Statutes, made by this act expires July 1, 2020, and the text of that paragraph shall revert to that in existence on June 30, 2019, 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 Appropriations 178 through 181 of the 2019-2020 General Appropriations Act, paragraph (b) of subsection (5) of section 624.91, Florida Statutes, is amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

(b) The Florida Healthy Kids Corporation shall:

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

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

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

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

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

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

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

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

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

10. Contract with authorized insurers or any provider of health care services, meeting standards established by the corporation, for the provision of comprehensive insurance coverage to participants. Such standards shall include criteria under which the corporation may contract with more than one provider of health care services in program sites. Health plans shall be selected through a competitive bid process. The Florida Healthy Kids Corporation shall purchase goods and services in the most cost-effective manner consistent with the delivery of quality medical care. The maximum administrative cost for a Florida Healthy Kids Corporation contract shall be 15 percent. For health care contracts, the minimum medical loss ratio for a Florida Healthy Kids Corporation contract shall be 85 percent. For dental contracts, the remaining compensation to be paid to the authorized insurer or provider under a Florida Healthy Kids Corporation contract shall be no less than an amount which is 85 percent of premium; to the extent any contract provision does not provide for this minimum compensation, this section shall prevail. For an insurer or any provider of health care services which achieves an annual medical loss ratio below 85 percent, the Florida Healthy Kids Corporation shall validate the medical loss ratio and calculate an amount to be refunded by the insurer or any provider of health care services to the state which shall be deposited into the General Revenue Fund unallocated. The health plan selection criteria and scoring system, and the scoring results, shall be available upon request for inspection after the bids have been awarded.

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

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

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

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

15. Provide information on a quarterly basis to the Legislature and the Governor which compares the costs and utilization of the full-pay enrolled

population and the Title XXI-subsidized enrolled population in the Florida Kidcare program. The information, at a minimum, must include:

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

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

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

Section 31. The amendment made to s. 624.91(5)(b), Florida Statutes, by this act expires July 1, 2020, and the text of that paragraph shall revert to that in existence on June 30, 2019, 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 32. In order to implement Specific Appropriations 533, 534, 539, and 542 of the 2019-2020 General Appropriations Act, subsection (17) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(17) For the ~~2019-2020~~ 2018-2019 fiscal year only, 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, ~~2020~~ 2019.

Section 33. In order to implement Specific Appropriation 204 of the 2019-2020 General Appropriations Act, subsections (2) and (10) of section 409.911, Florida Statutes, are amended to read:

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

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

(a) The average of the 2011, 2012, and 2013 ~~2010, 2011, and 2012~~ audited disproportionate share data to determine each hospital's Medicaid days and charity care for the 2019-2020 ~~2018-2019~~ state fiscal year.

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

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

(10) Notwithstanding any provision of this section to the contrary, for the 2019-2020 ~~2018-2019~~ state fiscal year, the agency shall distribute moneys to hospitals providing a disproportionate share of Medicaid or charity care services as provided in the 2019-2020 ~~2018-2019~~ General Appropriations Act. This subsection expires July 1, 2020 ~~2019~~.

Section 34. In order to implement Specific Appropriation 204 of the 2019-2020 General Appropriations Act, subsection (3) of section 409.9113, Florida Statutes, is amended 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 2019-2020 ~~2018-2019~~ state fiscal year, the agency shall make disproportionate share payments to teaching hospitals, as defined in s. 408.07, as provided in the 2019-2020 ~~2018-2019~~ General Appropriations Act. This subsection expires July 1, 2020 ~~2019~~.

Section 35. In order to implement Specific Appropriation 204 of the 2019-2020 General Appropriations Act, subsection (4) of section 409.9119, Florida Statutes, is amended 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 separately licensed by the state as specialty hospitals for children, have a federal Centers for Medicare and Medicaid Services certification number in the 3300-3399 range, have Medicaid days that exceed 55 percent of their total days and Medicare days that are less than 5 percent of their total days, and were licensed on January 1, 2013, 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 2019-2020 ~~2018-2019~~ 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 2019-2020 ~~2018-2019~~ General Appropriations Act. This subsection expires July 1, 2020 ~~2019~~.

Section 36. In order to implement Specific Appropriations 197 through 224 of the 2019-2020 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the Medicaid program appropriation categories to address projected surpluses and deficits within the program and to maximize the use of state trust funds. A single budget amendment shall be submitted in the last quarter of the 2019-2020 fiscal year only. This section expires July 1, 2020.

Section 37. In order to implement Specific Appropriations 178 through 183 and 523 of the 2019-2020 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration and the Department of Health may each submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the Florida Kidcare program appropriation categories, or to increase budget authority in the Children's Medical Services Network category, to address projected surpluses and deficits within the program or to maximize the use of state trust funds. A single budget amendment must be submitted by each agency in the

last quarter of the 2019-2020 fiscal year only. This section expires July 1, 2020.

Section 38. In order to implement Specific Appropriations 208, 225 through 236, and 368 of the 2019-2020 General Appropriations Act and notwithstanding s. 400.9905, Florida Statutes, the following entities are exempt from the licensure requirements of part X of chapter 400, Florida Statutes:

(1) Entities that are under the common ownership or control by a mutual insurance holding company, as defined in s. 628.703, Florida Statutes, with an entity licensed or certified under chapter 624, Florida Statutes, or chapter 641, Florida Statutes, that has \$1 billion or more in total annual sales in this state.

(2) Entities that are owned by an entity who is a behavioral health service provider in at least 5 states other than Florida and that, together with its affiliates, have \$90 million or more in total annual revenues associated with the provision of behavioral health care services and where one or more of the persons responsible for the operations of the entity is a health care practitioner who is licensed in this state and who is responsible for supervising the business activities of the entity and is responsible for the entity's compliance with state law for purposes of part X of chapter 400, Florida Statutes.

This section expires July 1, 2020.

Section 39. In order to implement Specific Appropriations 467, 468, and 474 of the 2019-2020 General Appropriations Act, subsection (17) of section 381.986, Florida Statutes, is amended to read:

381.986 Medical use of marijuana.—

(17) Rules adopted pursuant to this section before July 1, ~~2020~~ 2019, are not subject to ~~ss. 120.54(3)(b) and 120.541 s. 120.541(3)~~. Notwithstanding paragraph (8)(e), a medical marijuana treatment center may use a laboratory that has not been certified by the department under s. 381.988 until such time as at least one laboratory holds the required certification pursuant to s. 381.988, but in no event later than July 1, ~~2020~~ 2019. This subsection expires July 1, ~~2020~~ 2019.

Section 40. In order to implement Specific Appropriations 467, 468, and 474 of the 2019-2020 General Appropriations Act, subsection (11) of section 381.988, Florida Statutes, is amended to read:

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

(11) Rules adopted under subsection (9) before July 1, ~~2020~~ 2019, are not subject to ~~ss. 120.54(3)(b) and 120.541 s. 120.541(3)~~. This subsection expires July 1, ~~2020~~ 2019.

Section 41. In order to implement Specific Appropriations 467, 468, and 474 of the 2019-2020 General Appropriations Act, subsection (1) of section 14 of chapter 2017-232, Laws of Florida, is amended to read:

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

(1) EMERGENCY RULEMAKING.—

(a) The Department of Health and the applicable boards shall adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, and this section necessary to implement ss. 381.986 and 381.988, Florida Statutes. If an emergency rule adopted under this section is held to be unconstitutional or an invalid exercise of delegated legislative authority, and becomes void, the department or the applicable boards may adopt an emergency rule pursuant to this section to replace the rule that has become void. If the emergency rule adopted to replace the void emergency rule is also held to be unconstitutional or an invalid exercise of delegated legislative authority and becomes void, the department and the applicable boards must follow the nonemergency rulemaking procedures of the Administrative Procedures Act to replace the rule that has become void.

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

(c) Emergency rules adopted under this section are exempt from s. 120.54(4)(c), Florida Statutes, and shall remain in effect until replaced by rules adopted under the nonemergency rulemaking procedures of the Administrative Procedures Act. Rules adopted under the nonemergency rulemaking procedures of the Administrative Procedures Act to replace emergency rules adopted under this section are exempt from ss. 120.54(3)(b) and 120.541, Florida Statutes. By July 1, 2020 ~~January 1, 2018~~, the department and the applicable boards shall initiate nonemergency rulemaking pursuant to the Administrative Procedures Act to replace all emergency rules adopted under this section by publishing a notice of rule development in the Florida Administrative Register. Except as provided in paragraph (a), after July 1, 2020 ~~January 1, 2018~~, the department and applicable boards may not adopt rules pursuant to the emergency rulemaking procedures provided in this section.

Section 42. The amendment to s. 14(1) of chapter 2017-232, Laws of Florida, by this act expires July 1, 2020, and the text of that subsection shall revert to that in existence on June 30, 2019, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 43. In order to implement Specific Appropriations 474 and 525 of the 2019-2020 General Appropriations Act, paragraph (a) of subsection (2) of section 383.14, Florida Statutes, is amended to read:

383.14 Screening for metabolic disorders, other hereditary and congenital disorders, and environmental risk factors.—

(2) RULES.—

(a) After consultation with the Genetics and Newborn Screening Advisory Council, the department shall adopt and enforce rules requiring that every newborn in this state shall:

1. Before becoming 1 week of age, be subjected to a test for phenylketonuria;

2. Be tested for any condition included on the federal Recommended Uniform Screening Panel which the council advises the department should be included under the state's screening program. After the council recommends that a condition be included, the department shall submit a legislative budget request to seek an appropriation to add testing of the condition to the newborn screening program. The department shall expand statewide screening of newborns to include screening for such conditions within 18 months after the council renders such advice, if a test approved by the United States Food and Drug Administration or a test offered by an alternative vendor is available. If such a test is not available within 18 months after the council makes its recommendation, the department shall implement such screening as soon as a test offered by the United States Food and Drug Administration or by an alternative vendor is available; ~~and~~

3. At the appropriate age, be tested for such other metabolic diseases and hereditary or congenital disorders as the department may deem necessary from time to time; and

4. Notwithstanding subparagraph 2., be screened for spinal muscular atrophy following integration of such a test into the newborn screening testing panel. The department shall implement such screening using a test offered by the United States Food and Drug Administration or by an alternative vendor as soon as practicable after July 1, 2019, but no later than May 3, 2020. This subparagraph expires July 1, 2020.

Section 44. In order to implement Specific Appropriations 326, 327A, 358, and 359 of the 2019-2020 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of

Children and Families may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the department based on the implementation of the Guardianship Assistance Program, between and among the specific appropriations for guardianship assistance payments, foster care Level 1 room and board payments, relative caregiver payments, and nonrelative caregiver payments. This section expires July 1, 2020.

Section 45. In order to implement Specific Appropriations 326 and 327A of the 2019-2020 General Appropriations Act, the Department of Children and Families shall establish a formula to distribute the recurring sums of \$10,597,824 from the General Revenue Fund and \$11,922,238 from the Federal Grants Trust Fund for actual and direct costs to implement the Guardianship Assistance Program, including Level 1 foster care board payments, licensing staff for community-based care lead agencies, and guardianship assistance payments. This section expires July 1, 2020.

Section 46. In order to implement Specific Appropriations 326 and 327A of the 2019-2020 General Appropriations Act, paragraph (a) of subsection (1) of section 409.991, Florida Statutes, is amended to read:

409.991 Allocation of funds for community-based care lead agencies.—

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

(a) “Core services funds” means all funds allocated to community-based care lead agencies operating under contract with the department pursuant to s. 409.987, with the following exceptions:

- 1. Funds appropriated for independent living.;
- 2. Funds appropriated for maintenance adoption subsidies.;
- 3. Funds appropriated for actual and direct costs to implement the Guardianship Assistance Program, including Level 1 foster care board payments, licensing staff for community-based care lead agencies, and guardianship assistance payments. This subparagraph expires July 1, 2020.
- 4. Funds allocated by the department for protective investigations training.;
- 5.4. Nonrecurring funds.;
- 6.5. Designated mental health wrap-around services funds.;
- 7.6. Funds for special projects for a designated community-based care lead agency.

Section 47. In order to implement Specific Appropriations 551 through 558 and 560 of the 2019-2020 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 \$130 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, ~~2020~~ 2019.

Section 48. In order to implement Specific Appropriations 470 and 507 of the 2019-2020 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Health may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to increase budget authority for the HIV/AIDS Prevention and Treatment Program if additional federal revenues specific to HIV/AIDS prevention and treatment become available in the 2019-2020 fiscal year. This section expires July 1, 2020.

Section 49. In order to implement Specific Appropriations 349 and 350 of the 2019-2020 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Children and Families may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to increase budget authority for the Supplemental Nutrition Assistance Program if additional federal revenue specific to the program becomes available for the program in the 2019-2020 fiscal year. This section expires July 1, 2020.

Section 50. In order to implement Specific Appropriations 307 through 310, 314, 315, 318, 323 through 326, and 327A of the 2019-2020 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Children and Families may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the Family Safety Program to maximize the use of Title IV-E and other federal funds. This section expires July 1, 2020.

Section 51. In order to implement Specific Appropriations 581 through 704A and 716 through 750 of the 2019-2020 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 ~~2019-2020~~ 2018-2019 fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the February 22, 2019 ~~December 20, 2017~~, 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, ~~2020~~ 2019.

Section 52. In order to implement Specific Appropriation 737 of the 2019-2020 General Appropriations Act, and upon the expiration and reversion of the amendments made by section 44 of chapter 2018-10, Laws of Florida, paragraph (b) of subsection (7) of section 1011.80, Florida Statutes, is amended to read:

1011.80 Funds for operation of workforce education programs.—

(7)

(b) State funds provided for the operation of postsecondary workforce programs may not be expended for the education of state or federal inmates, except to the extent that such funds are specifically appropriated for such purpose in the 2019-2020 General Appropriations Act with more than 24 months of time remaining to serve on their sentences or federal inmates.

Section 53. The amendment made to s. 1011.80(7)(b), Florida Statutes, by this act expires July 1, 2020, and the text of that paragraph shall revert to that in existence on July 1, 2019, but not including any amendments made by this act, and 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 54. In order to implement Specific Appropriations 3208 through 3274 of the 2019-2020 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 ~~2019-2020~~ ~~2018-2019~~ 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 2019-2020 2018-2019 fiscal year. This subsection expires July 1, 2020 2019.

Section 55. (1) In order to implement Specific Appropriations 1153 through 1164 of the 2019-2020 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. 985.6865, 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, 2019, 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 section, 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, 2020.

Section 56. In order to implement Specific Appropriations 761 through 784A, 952 through 1097, and 1118 through 1152 of the 2019-2020 General Appropriations Act, subsection (1), paragraph (a) of subsection (2), paragraph (a) of subsection (3), and subsections (5), (6), and (7) of section 27.40, Florida Statutes, are amended to read:

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

(1) Counsel shall be appointed to represent any individual in a criminal or civil proceeding entitled to court-appointed counsel under the Federal or

State Constitution or as authorized by general law. The court shall appoint a public defender to represent indigent persons as authorized in s. 27.51. The office of criminal conflict and civil regional counsel shall be appointed to represent persons in those cases in which provision is made for court-appointed counsel, but only after the public defender has certified to the court in writing that the public defender is unable to provide representation due to a conflict of interest or is not authorized to provide representation. The public defender shall report, in the aggregate, the specific basis of all conflicts of interest certified to the court. On a quarterly basis, the public defender shall submit this information to the Justice Administrative Commission.

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

(3) In using a registry:

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

1. Meets any minimum requirements established by the chief judge and by general law for court appointment;
2. Is available to represent indigent defendants in cases requiring court appointment of private counsel; and
3. Is willing to abide by the terms of the contract for services, s. 27.5304, and this section.

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

(5) The Justice Administrative Commission shall approve uniform contract forms for use in procuring the services of private court-appointed

counsel and uniform procedures and forms for use by a court-appointed attorney in support of billing for attorney's fees, costs, and related expenses to demonstrate the attorney's completion of specified duties. Such uniform contracts and forms for use in billing must be consistent with s. 27.5304, s. 216.311, and the General Appropriations Act and must contain the following statement: "The State of Florida's performance and obligation to pay under this contract is contingent upon an annual appropriation by the Legislature."

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

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

(b)1. The flat fee established in s. 27.5304 and the General Appropriations Act shall be presumed by the court to be sufficient compensation. The attorney shall maintain appropriate documentation, including contemporaneous and detailed hourly accounting of time spent representing the client. If the attorney fails to maintain such contemporaneous and detailed hourly records, the attorney waives the right to seek compensation in excess of the flat fee established in s. 27.5304 and the General Appropriations Act. These records and documents are subject to review by the Justice Administrative Commission and audit by the Auditor General, subject to the attorney-client privilege and work-product privilege. The attorney shall maintain the records and documents in a manner that enables the attorney to redact any information subject to a privilege in order to facilitate the commission's review of the records and documents and not to impede such review. The attorney may redact information from the records and documents only to the extent necessary to comply with the privilege. The Justice Administrative Commission shall review such records and shall contemporaneously document such review before authorizing payment to an attorney. Objections by or on behalf of the Justice Administrative Commission to records or documents or to claims for payment by the attorney shall be presumed correct by the court unless the court determines in writing competent and substantial evidence exists to justify overcoming the presumption.

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

3. A finding by the commission that an attorney has waived the right to seek compensation in excess of the flat fee established in s. 27.5304 and the General Appropriations Act, as provided in this paragraph, shall be is presumed to be correct valid, unless ~~the, as determined by a court determines, in writing, that competent and substantial evidence exists to justify overcoming the presumption, the commission's finding is not supported by competent and substantial evidence.~~

Section 57. The amendments to s. 27.40(1), (2)(a), (3)(a), (5), (6), and (7), Florida Statutes, by this act expire July 1, 2020, and the text of those subsections and paragraphs, as applicable, shall revert to that in existence on June 30, 2019, 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 58. In order to implement Specific Appropriations 761 through 784A, 952 through 1097, and 1118 through 1152 of the 2019-2020 General Appropriations Act, subsections (1), (3), (7), and (11), paragraphs (a) through (e) of subsection (12), and subsection (13) of section 27.5304, Florida Statutes, are amended to read:

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

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

(3) The court retains primary authority and responsibility for determining the reasonableness of all billings for attorney fees, costs, and related expenses, subject to statutory limitations and the requirements of s. 27.40(7). Private court-appointed counsel is entitled to compensation upon final disposition of a case.

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

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

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

(b) If court-appointed counsel is allowed to withdraw from representation prior to the full performance of his or her duties through the completion of the case and the court appoints a subsequent attorney, the total compensation for the initial and any and all subsequent attorneys may not exceed the flat fee established under this section and the General Appropriations Act, except as provided in subsection (12).

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

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

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

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

2. The Justice Administrative Commission shall review the billings, affidavit, and documentation for completeness and compliance with contractual and statutory requirements and shall contemporaneously document such review before authorizing payment to an attorney. If the Justice Administrative Commission objects to any portion of the proposed billing, the objection and supporting reasons must be communicated in writing to the private court-appointed counsel. The counsel may thereafter file his or her motion, which must specify whether the commission objects to any portion of the billing or the sufficiency of documentation, and shall attach the commission's letter stating its objection.

(b) Following receipt of the motion to exceed the fee limits, the chief judge or a single designee shall hold an evidentiary hearing. The chief judge may select only one judge per circuit to hear and determine motions

pursuant to this subsection, except multicounty circuits and the eleventh circuit may have up to two designees.

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

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

(c) A copy of the motion and attachments shall be served on the Justice Administrative Commission at least 20 ~~5~~ business days before the date of a hearing. The Justice Administrative Commission has standing to appear before the court, and may appear in person or telephonically, including at the hearing under paragraph (b), to contest any motion for an order approving payment of attorney fees, costs, or related expenses and may participate in a hearing on the motion by use of telephonic or other communication equipment. The Justice Administrative Commission may contract with other public or private entities or individuals to appear before the court for the purpose of contesting any motion for an order approving payment of attorney fees, costs, or related expenses. The fact that the Justice Administrative Commission has not objected to any portion of the billing or to the sufficiency of the documentation is not binding on the court.

(d) If the chief judge or a single designee finds that counsel has proved by competent and substantial evidence that the case required extraordinary and unusual efforts, the chief judge or single designee shall order the compensation to be paid to the attorney at a percentage above the flat fee rate, depending on the extent of the unusual and extraordinary effort required. The percentage must be only the rate necessary to ensure that the fees paid are not confiscatory under common law. The percentage may not exceed 200 percent of the established flat fee, absent a specific finding that 200 percent of the flat fee in the case would be confiscatory. If the chief judge or single designee determines that 200 percent of the flat fee would be confiscatory, he or she shall order the amount of compensation using an hourly rate not to exceed \$75 per hour for a noncapital case and \$100 per hour for a capital case. However, the compensation calculated by using the

hourly rate shall be only that amount necessary to ensure that the total fees paid are not confiscatory, subject to the requirements of s. 27.40(7).

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

(13) Notwithstanding the limitation set forth in subsection (5) and for the ~~2019-2020~~ 2018-2019 fiscal year only, the compensation for representation in a criminal proceeding may 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.

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

(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.

(f) This subsection expires July 1, ~~2020~~ 2019.

Section 59. The amendments to s. 27.5304(1), (3), (7), (11), and (12)(a)-(e), Florida Statutes, by this act expire July 1, 2020, and the text of those subsections and paragraphs, as applicable, shall revert to that in existence on June 30, 2019, 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 60. In order to implement Specific Appropriation 770 of the 2019-2020 General Appropriations Act, and notwithstanding s. 28.35, Florida Statutes, the clerks of the circuit 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, 2020.

Section 61. In order to implement Specific Appropriations 952 through 1097 of the 2019-2020 General Appropriations Act, and notwithstanding the expiration date in section 40 of chapter 2018-10, Laws of Florida, paragraph (c) of subsection (19) of section 318.18, Florida Statutes, is reenacted to read:

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

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

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

Section 62. In order to implement Specific Appropriations 952 through 1097 of the 2019-2020 General Appropriations Act, and notwithstanding the expiration date in section 42 of chapter 2018-10, Laws of Florida, paragraph (b) of subsection (12) of section 817.568, Florida Statutes, is reenacted to read:

817.568 Criminal use of personal identification information.—

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

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

Section 63. The text of ss. 318.18(19)(c) and 817.568(12)(b), Florida Statutes, as carried forward from chapter 2018-10, Laws of Florida, by this act, expires July 1, 2020, and the text of those paragraphs shall revert to that in existence on June 30, 2018, 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 64. In order to implement Specific Appropriation 3210 of the 2019-2020 General Appropriations Act, and notwithstanding s. 112.061(4), Florida Statutes:

(1)(a) A Supreme Court justice who permanently resides outside Leon County is eligible for the designation of a district court of appeal courthouse, a county courthouse, or other appropriate facility in his or her district of residence as his or her official headquarters for purposes of s. 112.061, Florida Statutes. This official headquarters may serve only as the justice's private chambers.

(b)1. A justice for whom an official headquarters is designated in his or her district of residence under this subsection is eligible for subsistence at a rate to be established by the Chief Justice for each day or partial day that the justice is at the headquarters of the Supreme Court to conduct court

business, as authorized by the Chief Justice. The Chief Justice may authorize a justice to choose between subsistence based on lodging at a single-occupancy rate and meal reimbursement as provided in s. 112.061, Florida Statutes, and subsistence at a fixed rate prescribed by the Chief Justice.

2. In addition to subsistence, a justice is eligible for reimbursement for travel expenses as provided in s. 112.061(7) and (8), Florida Statutes, for travel between the justice's official headquarters and the headquarters of the Supreme Court to conduct court business.

(c) Payment of subsistence and reimbursement for travel expenses relating to travel between a justice's official headquarters and the headquarters of the Supreme Court shall be made to the extent appropriated funds are available, as determined by the Chief Justice.

(2) The Chief Justice shall coordinate with each affected justice and other state and local officials as necessary to implement subsection (1).

(3)(a) This section does not require a county to provide space in a county courthouse for a justice. A county may enter into an agreement with the Supreme Court governing the use of space in a county courthouse.

(b) The Supreme Court may not use state funds to lease space in a district court of appeal courthouse, a county courthouse, or another facility to allow a justice to establish an official headquarters pursuant to subsection (1).

(4) The Chief Justice may establish parameters governing the authority provided in this section, including specifying minimum operational requirements for the designated headquarters, limiting the number of days for which subsistence and travel reimbursement may be provided, and prescribing activities that qualify as the conduct of court business.

(5) This section expires July 1, 2020.

Section 65. In order to implement appropriations used to pay existing lease contracts for private lease space in excess of 2,000 square feet in the 2019-2020 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 reprocure all private lease agreements for office or storage space expiring between July 1, 2020, and June 30, 2022, in order to reduce costs in future years. The department shall incorporate this initiative into its 2019 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, 2019, which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2020.

Section 66. In order to implement Specific Appropriations 2839 through 2850A of the 2019-2020 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, is seven-tenths of 1 percent for the 2019-2020 fiscal year only. This section expires July 1, 2020.

Section 67. In order to implement appropriations authorized in the 2019-2020 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, 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, 2020.

Section 68. In order to implement the appropriation of funds in the appropriation category “Data Processing Assessment-Agency for State Technology” in the 2019-2020 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. This section expires July 1, 2020.

Section 69. In order to implement the appropriation of funds in the appropriation category “Special Categories-Risk Management Insurance” in the 2019-2020 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, 2020.

Section 70. 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 2019-2020 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, 2020.

Section 71. In order to implement Specific Appropriations 2421 through 2424 of the 2019-2020 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 may 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 compose 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, 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 sub-system, 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 at least 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 which 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, 2020.

Section 72. In order to implement appropriations in the 2019-2020 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 and the Department of Management Services to implement the statewide travel management system funded in Specific Appropriation 2788 in the 2019-2020 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, 2020.

Section 73. In order to implement Specific Appropriations 2782 through 2793A of the 2019-2020 General Appropriations Act, all powers, duties, functions, records, personnel, property, pending issues and existing contracts, administrative authority, and administrative rules in chapter 74-3, Florida Administrative Code, of the Budget and Policy Section and the Cost Recovery and Billing Section within the Agency for State Technology are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Department of Management Services. This section expires July 1, 2020.

Section 74. In order to implement Specific Appropriations 2782 through 2793A of the 2019-2020 General Appropriations Act, subsection (4) of section 20.22, Florida Statutes, is amended to read:

20.22 Department of Management Services.—There is created a Department of Management Services.

(4) The Department of Management Services shall provide the Agency for State Technology with financial management oversight. The agency shall provide the department all documents and necessary information, as requested, to meet the requirements of this section. The department's financial management oversight includes:

(a) Developing and implementing cost-recovery mechanisms for the administrative and data center costs of services through agency assessments of applicable customer entities. Such cost-recovery mechanisms must comply with applicable state and federal regulations concerning the distribution and use of funds and must ensure that, for each fiscal year, no service or customer entity subsidizes another service or customer entity.

(b) Implementing an annual reconciliation process to ensure that each customer entity is paying for the full direct and indirect cost of each service as determined by the customer entity's use of each service.

(c) Providing rebates that may be credited against future billings to customer entities when revenues exceed costs.

(d) Requiring each customer entity to transfer sufficient funds into the appropriate data processing appropriation category before implementing a customer entity's request for a change in the type or level of service provided, if such change results in a net increase to the customer entity's costs for that fiscal year.

(e) By October 1, ~~2019~~ 2018, providing to each customer entity's agency head the estimated agency assessment cost by the Agency for State Technology for the following fiscal year. The agency assessment cost of each customer entity includes administrative and data center services costs of the agency.

(f) Preparing the legislative budget request for the Agency for State Technology based on the issues requested and approved by the executive

director of the Agency for State Technology. Upon the approval of the agency's executive director, the Department of Management Services shall transmit the agency's legislative budget request to the Governor and the Legislature pursuant to s. 216.023.

(g) Providing a plan for consideration by the Legislative Budget Commission if the Agency for State Technology increases the cost of a service for a reason other than a customer entity's request made under paragraph (d). Such a plan is required only if the service cost increase results in a net increase to a customer entity.

(h) Providing a timely invoicing methodology to recover the cost of services provided to the customer entity pursuant to s. 215.422.

(i) Providing an annual reconciliation process of prior year expenditures completed on a timely basis and overall budget management pursuant to chapter 216.

(j) This subsection expires July 1, 2020 ~~2019~~.

Section 75. In order to implement Specific Appropriations 1573 through 1579A of the 2019-2020 General Appropriations Act, subsection (9) of section 20.255, Florida Statutes, is amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(9) The department shall act as the lead agency of the executive branch for the development and review of policies, practices, and standards related to geospatial data. The department shall coordinate and promote geospatial data sharing throughout the state government and serve as the primary point of contact for statewide geographic information systems projects, grants, and resources. This subsection expires July 1, 2020 ~~2019~~.

Section 76. Effective July 1, 2019, and upon the expiration and reversion of the amendments made to section 20.61, Florida Statutes, pursuant to section 61 of chapter 2018-10, Laws of Florida, and in order to implement Specific Appropriation 3008F of the 2019-2020 General Appropriations Act, section 20.61, Florida Statutes, is amended to read:

20.61 Agency for State Technology.—The Agency for State Technology is created within the Department of Management Services. The agency is a separate budget program and is not subject to control, supervision, or direction by the Department of Management Services, including, but not limited to, purchasing, transactions involving real or personal property, or personnel, with the exception of financial management, which shall be provided by the Department of Management Services pursuant to s. 20.22 or ~~or~~ budgetary matters.

(1)(a) The executive director of the agency shall serve as the state's chief information officer and shall be appointed by the Governor, subject to confirmation by the Senate.

(b) The executive director must be a proven, effective administrator who preferably has executive-level experience in both the public and private sectors in development and implementation of information technology strategic planning; management of enterprise information technology projects, particularly management of large-scale consolidation projects; and development and implementation of fiscal and substantive information technology policy.

~~(2) The following positions are established within the agency, all of whom shall be appointed by the executive director:~~

~~(a) Deputy executive director, who shall serve as the deputy chief information officer.~~

~~(b) Chief planning officer and six strategic planning coordinators. One coordinator shall be assigned to each of the following major program areas: health and human services, education, government operations, criminal and civil justice, agriculture and natural resources, and transportation and economic development.~~

~~(c) Chief operations officer.~~

~~(d) Chief information security officer.~~

~~(e) Chief technology officer.~~

(2)(3) The Technology Advisory Council, consisting of seven members, is established within the Agency for State Technology and shall be maintained pursuant to s. 20.052. Four members of the council shall be appointed by the Governor, two of whom must be from the private sector and one of whom must be a cybersecurity expert. The President of the Senate and the Speaker of the House of Representatives shall each appoint one member of the council. The Attorney General, the Commissioner of Agriculture and Consumer Services, and the Chief Financial Officer shall jointly appoint one member by agreement of a majority of these officers. Upon initial establishment of the council, two of the Governor's appointments shall be for 2-year terms. Thereafter, all appointments shall be for 4-year terms.

(a) The council shall consider and make recommendations to the executive director on such matters as enterprise information technology policies, standards, services, and architecture. The council may also identify and recommend opportunities for the establishment of public-private partnerships when considering technology infrastructure and services in order to accelerate project delivery and provide a source of new or increased project funding.

(b) The executive director shall consult with the council with regard to executing the duties and responsibilities of the agency related to statewide information technology strategic planning and policy.

(c) The council shall be governed by the Code of Ethics for Public Officers and Employees as set forth in part III of chapter 112, and each member must file a statement of financial interests pursuant to s. 112.3145.

Section 77. The amendment to s. 20.61, Florida Statutes, by this act expires July 1, 2020, and the text of that section shall revert to that in existence on June 30, 2018, 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 78. In order to implement Specific Appropriations 3008A through 3008AA of the 2019-2020 General Appropriations Act, and notwithstanding the expiration date in section 61 of chapter 2018-10, Laws of Florida, subsections (5), (20), and (28) of section 282.0041, Florida Statutes, are reenacted to read:

282.0041 Definitions.—As used in this chapter, the term:

(5) “Customer entity” means an entity that obtains services from the Agency for State Technology.

(20) “Service-level agreement” means a written contract between the Agency for State Technology and a customer entity which specifies the scope of services provided, service level, the duration of the agreement, the responsible parties, and agency assessment costs, which include administrative and data center costs. A service-level agreement is not a rule pursuant to chapter 120.

(28) “Agency assessment” means the amount each customer entity must pay annually for services from the Agency for State Technology and includes administrative and data center services costs.

Section 79. In order to implement Specific Appropriations 3008I through 3008AA of the 2019-2020 General Appropriations Act, and notwithstanding the expiration date in section 61 of chapter 2018-10, Laws of Florida, subsection (11) of section 282.0051, Florida Statutes, is reenacted to read:

282.0051 Agency for State Technology; powers, duties, and functions. The Agency for State Technology shall have the following powers, duties, and functions:

(11) Provide operational management and oversight of the state data center established pursuant to s. 282.201, which includes:

(a) Implementing industry standards and best practices for the state data center's facilities, operations, maintenance, planning, and management processes.

(b) Developing and implementing appropriate operating guidelines and procedures necessary for the state data center to perform its duties pursuant to s. 282.201. The guidelines and procedures must comply with applicable state and federal laws, regulations, and policies and conform to generally accepted governmental accounting and auditing standards. The guidelines and procedures must include, but not be limited to:

1. Implementing a consolidated administrative support structure responsible for providing procurement, transactions involving real or personal property, human resources, and operational support.

2. Standardizing and consolidating procurement and contracting practices.

(c) In collaboration with the Department of Law Enforcement, developing and implementing a process for detecting, reporting, and responding to information technology security incidents, breaches, and threats.

(d) Adopting rules relating to the operation of the state data center.

(e) Beginning May 1, 2016, and annually thereafter, conducting a market analysis to determine whether the state's approach to the provision of data center services is the most effective and efficient manner by which its customer entities can acquire such services, based on federal, state, and local government trends; best practices in service provision; and the acquisition of new and emerging technologies. The results of the market analysis shall assist the state data center in making adjustments to its data center service offerings.

Section 80. In order to implement Specific Appropriation 3008F of the 2019-2020 General Appropriations Act, and notwithstanding the expiration date in section 61 of chapter 2018-10, Laws of Florida, paragraph (d) of subsection (2) of section 282.201, Florida Statutes, is reenacted to read:

282.201 State data center.—The state data center is established within the Agency for State Technology and shall provide data center services that are hosted on premises or externally through a third-party provider as an enterprise information technology service. The provision of data center services must comply with applicable state and federal laws, regulations, and policies, including all applicable security, privacy, and auditing requirements.

(2) STATE DATA CENTER DUTIES.—The state data center shall:

(d) Enter into a service-level agreement with each customer entity to provide the required type and level of service or services. If a customer entity fails to execute an agreement within 60 days after commencement of a

service, the state data center may cease service. A service-level agreement may not have a term exceeding 3 years and at a minimum must:

1. Identify the parties and their roles, duties, and responsibilities under the agreement.
2. State the duration of the contract term and specify the conditions for renewal.
3. Identify the scope of work.
4. Identify the products or services to be delivered with sufficient specificity to permit an external financial or performance audit.
5. Establish the services to be provided, the business standards that must be met for each service, the cost of each service, and the metrics and processes by which the business standards for each service are to be objectively measured and reported.
6. Provide a procedure for modifying the service-level agreement based on changes in the type, level, and cost of a service.
7. Include a right-to-audit clause to ensure that the parties to the agreement have access to records for audit purposes during the term of the service-level agreement.
8. Provide that a service-level agreement may be terminated by either party for cause only after giving the other party and the Agency for State Technology notice in writing of the cause for termination and an opportunity for the other party to resolve the identified cause within a reasonable period.
9. Provide for mediation of disputes by the Division of Administrative Hearings pursuant to s. 120.573.

Section 81. The text of s. 282.0041(5), (20), and (28), Florida Statutes; s. 282.0051(11), Florida Statutes; and s. 282.201(2)(d), Florida Statutes, as carried forward from chapter 2018-10, Laws of Florida, by this act, expire July 1, 2020, and the text of those subsections and paragraph, as applicable, shall revert to that in existence on June 30, 2018, 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 82. If legislation substantially similar to the amendments made in this act to ss. 20.22, 20.255, 20.61, 282.0041, 282.0051, and 282.201, Florida Statutes, as contained in SB 1570, HB 5301, or similar legislation, is passed during the 2019 Regular Session of the Legislature or an extension thereof and becomes a law, then the provisions of sections 73, 74, 75, 76, 77, 78, 79, 80, and 81 of this act shall not take effect.

Section 83. In order to implement Specific Appropriations 1654 through 1656 of the 2019-2020 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 2019-2020 ~~2018-2019~~ 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 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, 2020 ~~2019~~.

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

Section 84. 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 2019-2020 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 ~~2019~~ 2018, 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 ~~2019-2020~~ 2018-2019 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, ~~2020~~ 2019.

Section 85. (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 2019-2020 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 Conservation 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 Conservation 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 Conservation Commission may not exceed the total appropriations from such trust fund for the fiscal year.

(3) In addition, the department shall transfer from the Land Acquisition Trust Fund to land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission amounts equal to the difference between the amounts appropriated in chapter 2018-9, Laws of Florida, to the department's Land Acquisition Trust Fund and the other land acquisition trust funds, and the amounts actually transferred between those trust funds during the 2018-2019 fiscal year.

(4) The department may advance funds from the beginning unobligated fund balance in the Land Acquisition Trust Fund to the Land Acquisition Trust Fund within the Fish and Wildlife Conservation Commission needed for cash flow purposes based on a detailed expenditure plan. The department shall prorate amounts transferred quarterly to the Fish and Wildlife Conservation Commission to recoup the amount of funds advanced by June 30, 2020.

(5) This section expires July 1, 2020.

Section 86. In order to implement appropriations from the Land Acquisition Trust Fund within the Department of Environmental Protection, paragraph (b) of subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3) Funds distributed into the Land Acquisition Trust Fund pursuant to s. 201.15 shall be applied:

(b) Of the funds remaining after the payments required under paragraph (a), but before funds may be appropriated, pledged, or dedicated for other uses:

1. A minimum of the lesser of 25 percent or \$200 million shall be appropriated annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project subject to Congressional authorization; the Long-Term Plan as defined in s. 373.4592(2); and the Northern Everglades and Estuaries Protection Program as set forth in s. 373.4595. From these funds, \$32 million shall be distributed each fiscal year through the 2023-2024 fiscal year to the South Florida Water Management District for the Long-Term Plan as defined in s. 373.4592(2). After deducting the \$32 million distributed under this subparagraph, from the funds remaining, a minimum of the lesser of 76.5 percent or \$100 million shall be appropriated

each fiscal year through the 2025-2026 fiscal year for the planning, design, engineering, and construction of the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project, the Everglades Agricultural Area Storage Reservoir Project, the Lake Okeechobee Watershed Project, the C-43 West Basin Storage Reservoir Project, the Indian River Lagoon-South Project, the Western Everglades Restoration Project, and the Picayune Strand Restoration Project. The Department of Environmental Protection and the South Florida Water Management District shall give preference to those Everglades restoration projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

2. A minimum of the lesser of 7.6 percent or \$50 million shall be appropriated annually for spring restoration, protection, and management projects. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

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

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

5. Notwithstanding subparagraph 3., for the 2019-2020 ~~2018-2019~~ fiscal year, funds shall be appropriated as provided in the General Appropriations Act. This subparagraph expires July 1, 2020 ~~2019~~.

Section 87. In order to implement Specific Appropriation 1781 of the 2019-2020 General Appropriations Act, paragraph (e) of subsection (11) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(e) Notwithstanding paragraph (b) and paragraph (2)(b), and for the 2019-2020 ~~2018-2019~~ fiscal year only, the Legislative Budget Commission may increase the amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects using funds provided to the state from the environmental mitigation trust administered by a trustee designated by the United States District Court for the Northern District of California for eligible mitigation actions and mitigation action expenditures described in the partial consent decree entered into between the United States of America and Volkswagen relating to violations of the Clean Air Act. 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, 2020 ~~2019~~.

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

Section 88. In order to implement Specific Appropriation 1542 of the 2019-2020 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Agriculture and Consumer Services may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to increase budget authority for the National School Lunch Program when necessary. This section expires July 1, 2020.

Section 89. Effective upon becoming a law and in order to implement Specific Appropriation 1464 through 1473 of the 2019-2020 General Appropriations Act, subsection (4) of section 570.441, Florida Statutes, is amended to read:

570.441 Pest Control Trust Fund.—

(4) In addition to the uses authorized under subsection (2), moneys collected or received by the department under chapter 482 may be used to carry out the provisions of s. 570.44. This subsection expires June 30, 2020 ~~2019~~.

Section 90. In order to implement Specific Appropriation 1401 of the 2019-2020 General Appropriations Act, paragraph (a) of subsection (1) of section 570.93, Florida Statutes, is amended to read:

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

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

(a) A cost-share program, coordinated ~~where appropriate~~ with the United States Department of Agriculture and other federal, state, regional, and local agencies when appropriate, for irrigation system retrofit and application of mobile irrigation laboratory evaluations, and for water conservation and ~~as provided in this section and, where applicable, for~~ water quality improvement pursuant to s. 403.067(7)(c).

Section 91. The amendment to s. 570.93(1)(a), Florida Statutes, by this act expires July 1, 2020, and the text of that paragraph shall revert to that in existence on June 30, 2019, 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 92. In order to implement Specific Appropriations 1474 through 1481 of the 2019-2020 General Appropriations Act, subsection (1) of section 525.07, Florida Statutes, is amended to read:

525.07 Powers and duties of department; inspections; unlawful acts.—

(1) The department shall inspect all measuring devices used in selling or distributing petroleum fuel at wholesale and retail. The department may affix a sticker to each petroleum measuring device. Using only a combination of lettering, numbering, words, or the department logo, the sticker must signify that the device has been inspected by the department and that the device owner is responsible for its proper use and maintenance.

Section 93. The amendment to s. 525.07(1), Florida Statutes, by this act expires July 1, 2020, and the text of that subsection shall revert to that in existence on June 30, 2019, 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 Specific Appropriation 1607 of the 2019-2020 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 ~~2019-2020~~ 2018-2019 fiscal year, ~~only~~:

1. ~~the amount of \$33 million~~ \$77 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. This paragraph expires July 1, 2020.

2. ~~The amount of \$10 million to the Department of Environmental Protection for use by the Florida Communities Trust for the purposes of part III of chapter 380, as described and limited by this subsection, and grants to local governments or nonprofit environmental organizations that are tax-exempt under s. 501(e)(3) of the United States Internal Revenue Code for the acquisition of community-based projects, urban open spaces, parks, and greenways to implement local government comprehensive plans. From funds available to the trust and used for land acquisition, 75 percent shall be matched by local governments on a dollar-for-dollar basis. The Legislature intends that the Florida Communities Trust emphasize funding projects in low-income or otherwise disadvantaged communities and projects that provide areas for direct water access and water-dependent facilities that are open to the public and offer public access by vessels to waters of the state, including boat ramps and associated parking and other support facilities. At least 30 percent of the total allocation provided to the trust shall be used in Standard Metropolitan Statistical Areas, but one-half of that amount shall be used in localities in which the project site is located in built-up commercial, industrial, or mixed-use areas and functions to intersperse open spaces within congested urban core areas. From funds allocated to the trust, no less than 5 percent shall be used to acquire lands for recreational trail systems, provided that in the event these funds are not needed for such projects, they will be available for other trust projects. Local governments may use federal grants or loans, private donations, or environmental mitigation funds for any part or all of any local match required for acquisitions funded through the Florida Communities Trust. Any lands purchased by nonprofit organizations using funds allocated under this paragraph must provide for such lands to remain permanently in public use through a reversion of title to local or state government, conservation easement, or other appropriate mechanism. Projects funded with funds allocated to the trust shall be selected in a competitive process measured against criteria adopted in rule by the trust.~~

3. ~~The sum of \$2 million to the Department of Environmental Protection for the acquisition of land and capital project expenditures necessary to implement the Stan Mayfield Working Waterfronts Program within the Florida Communities Trust pursuant to s. 380.5105.~~

4.—The sum of \$2 million to the Department of Environmental Protection for grants pursuant to s. 375.075(1)-(4).

This paragraph expires July 1, 2019.

Section 95. In order to implement Specific Appropriation 2682 of the 2019-2020 General Appropriations Act, paragraph (b) of subsection (3) and subsection (5) of section 321.04, Florida Statutes, are amended to read:

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

(3)

(b) For the 2019-2020 ~~2018-2019~~ fiscal year only, upon the request of the Governor, the Department of Highway Safety and Motor Vehicles shall assign one or more patrol officers to the office of the ~~patrol officer shall be assigned to the Lieutenant Governor for security services.~~ This paragraph expires July 1, 2020 ~~2019~~.

(5) For the 2019-2020 ~~2018-2019~~ fiscal year only, 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. This subsection expires July 1, 2020 ~~2019~~.

Section 96. In order to implement Specific Appropriations 2316 and 2316A of the 2019-2020 General Appropriations Act, subsection (3) of section 420.9079, Florida Statutes, is amended to read:

420.9079 Local Government Housing Trust Fund.—

(3) For the 2019-2020 ~~2018-2019~~ fiscal year, funds may be used as provided in the General Appropriations Act. This subsection expires July 1, 2020 ~~2019~~.

Section 97. In order to implement Specific Appropriations 2315 and 2316A of the 2019-2020 General Appropriations Act, subsection (2) of section 420.0005, Florida Statutes, is amended to read:

420.0005 State Housing Trust Fund; State Housing Fund.—

(2) For the 2019-2020 ~~2018-2019~~ fiscal year, funds may be used as provided in the General Appropriations Act. This subsection expires July 1, 2020 ~~2019~~.

Section 98. In order to implement Specific Appropriation 2314 of the 2019-2020 General Appropriations Act, subsection (6) is added to section 288.0655, Florida Statutes, to read:

288.0655 Rural Infrastructure Fund.—

(6) For the 2019-2020 fiscal year, the funds appropriated for the grant program for Florida Panhandle counties shall be distributed pursuant to and for the purposes described in the proviso language associated with Specific Appropriation 2314 of the 2019-2020 General Appropriations Act. This subsection expires July 1, 2020.

Section 99. In order to implement Specific Appropriation 2328 of the 2019-2020 General Appropriations Act, subsection (14) of section 288.1226, Florida Statutes, is amended to read:

288.1226 Florida Tourism Industry Marketing Corporation; use of property; board of directors; duties; audit.—

(14) REPEAL.—This section is repealed July 1, 2020 ~~October 1, 2019~~, unless reviewed and saved from repeal by the Legislature.

Section 100. In order to implement Specific Appropriation 2328 of the 2019-2020 General Appropriations Act, subsection (6) of section 288.923, Florida Statutes, is amended to read:

288.923 Division of Tourism Marketing; definitions; responsibilities.—

(6) This section is repealed July 1, 2020 ~~October 1, 2019~~, unless reviewed and saved from repeal by the Legislature.

Section 101. In order to implement Specific Appropriations 1939 through 1952, 1958 through 1961, 1974 through 1982, 1984 through 1993, and 2033 through 2045 of the 2019-2020 General Appropriations Act, paragraph (g) of subsection (7) of section 339.135, Florida Statutes, is amended to read:

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

(7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

(g)1. Any work program amendment 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.

2. 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 may authorize such amendment to be approved pursuant to s. 216.177. This subparagraph expires July 1, 2020.

Section 102. In order to implement Specific Appropriation 1975 of the 2019-2020 General Appropriations Act, subsection (8) is added to section 339.2818, Florida Statutes, to read:

339.2818 Small County Outreach Program.—

(8) Subject to a specific appropriation in addition to funds annually appropriated for projects under this section, a county or a municipality that is within a county designated in the Federal Emergency Management Agency disaster declaration DR-4399 may compete for the additional project funding using the criteria listed in subsection (4) at up to 100 percent of project costs to repair damage due to Hurricane Michael, excluding capacity improvement projects. This subsection expires July 1, 2020.

Section 103. In order to implement Specific Appropriation 2624 of the 2019-2020 General Appropriations Act, paragraph (d) is added to subsection (4) of section 112.061, Florida Statutes, to read:

112.061 Per diem and travel expenses of public officers, employees, and authorized persons.—

(4) OFFICIAL HEADQUARTERS.—The official headquarters of an officer or employee assigned to an office shall be the city or town in which the office is located except that:

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

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

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

3. This paragraph expires July 1, 2020.

Section 104. In order to implement the salaries and benefits, expenses, other personal services, contracted services, special categories, and operating capital outlay categories of the 2019-2020 General Appropriations Act, paragraph (a) of subsection (2) of section 216.292, Florida Statutes, is amended 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. The review shall be limited to ensuring that the transfer is in compliance with the requirements of this paragraph.

5. For the 2019-2020 2018-2019 fiscal year, the review shall ensure that transfers proposed pursuant to this paragraph comply with this chapter, maximize the use of available and appropriate trust funds, and are not contrary to legislative policy and intent. This subparagraph expires July 1, 2020 2019.

Section 105. In order to implement section 8 of the 2019-2020 General Appropriations Act, notwithstanding s. 110.123(3)(f) and (j), Florida Statutes, the Department of Management Services shall maintain and offer the same PPO and HMO health plan alternatives to the participants of the State Group Health Insurance Program during the 2019-2020 fiscal year which were in effect for the 2018-2019 fiscal year. This section expires July 1, 2020.

Section 106. In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2019-2020 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, 2020.

Section 107. In order to implement appropriations for salaries and benefits in the 2019-2020 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 2019-2020 ~~2018-2019~~ 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, 2020 ~~2019~~.

Section 108. In order to implement Specific Appropriations 2751 and 2752 of the 2019-2020 General Appropriations Act, and notwithstanding s. 11.13(1), Florida Statutes, the authorized salaries for members of the

Legislature for the 2019-2020 fiscal year shall be set at the same level in effect on July 1, 2010. This section expires July 1, 2020.

Section 109. In order to implement the transfer of funds to the General Revenue Fund from trust funds for the 2019-2020 General Appropriations Act, and notwithstanding the expiration date in section 83 of chapter 2018-10, Laws of Florida, 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 110. The text of s. 215.32(2)(b), Florida Statutes, as carried forward from chapter 2011-47, Laws of Florida, by this act, expires July 1, 2020, 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 111. In order to implement appropriations in the 2019-2020 General Appropriations Act for state employee travel, the funds appropriated to each state agency which may be used for travel by state employees are limited during the 2019-2020 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, 2020.

Section 112. In order to implement appropriations in the 2019-2020 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. For purposes of this section, a meeting does not include travel activities for conducting an audit, examination, inspection, or investigation or travel activities related to a litigation or emergency response. This section expires July 1, 2020.

Section 113. In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2019-2020 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, 2020.

Section 114. Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2019-2020 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 2019-2020 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.

Section 115. If any other act passed during the 2019 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 116. 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 117. 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, 2019; 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, 2019.

Approved by the Governor June 21, 2019.

Filed in Office Secretary of State June 21, 2019.