

FOR CONSIDERATION By the Committee on Appropriations

576-02766-16

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1 A bill to be entitled
2 An act implementing the 2016-2017 General
3 Appropriations Act; providing legislative intent;
4 incorporating by reference certain calculations of the
5 Florida Education Finance Program; providing that
6 funds for instructional materials must be released and
7 expended as required in specified proviso language;
8 specifying the required ad valorem tax millage
9 contribution by certain district school boards for
10 certain funded construction projects; amending s.
11 1011.62, F.S.; revising the method for allocating
12 funds for exceptional student education programs;
13 extending by 1 fiscal year the requirement that
14 specified school districts use certain funds toward
15 additional intensive reading instruction; specifying
16 the method for determining the 300 lowest-performing
17 elementary schools; requiring categorical funds for
18 supplemental academic instruction to be provided for
19 in the Florida Education Finance Program; specifying
20 the method of determining the allocation of
21 categorical funding; providing for the recalculation
22 of categorical funding; requiring an allocation to be
23 prorated if certain conditions exist; revising the
24 computation of the district sparsity index for
25 districts that meet certain criteria; deleting
26 obsolete language; creating a federally connected
27 student supplement for school districts; specifying
28 eligibility requirements and calculations for
29 allocations of the supplement; conforming cross-
30 references; amending s. 1011.71, F.S.; conforming a
31 cross-reference; providing for the future expiration
32 and reversion of specified statutory text; amending s.

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33 1004.935, F.S.; extending the date by which the Adults
34 with Disabilities Workforce Education Pilot Program
35 may operate; providing for the future expiration and
36 reversion of specified statutory text; amending s.
37 1013.74, F.S.; authorizing a university board of
38 trustees to expend certain reserve or carry forward
39 balances from a prior year for specified capital
40 outlay projects if certain conditions are met;
41 amending s. 1001.92, F.S.; revising requirements for
42 the performance-based metrics adopted by the Board of
43 Governors of the State University System for purposes
44 of the State University System Performance-Based
45 Incentive; requiring the Board of Governors to
46 establish eligibility thresholds to determine a state
47 university's eligibility to receive performance
48 funding; creating s. 1001.66, F.S.; requiring a
49 Florida College System Performance-Based Incentive to
50 be awarded to Florida College System institutions
51 using certain performance-based metrics and benchmarks
52 adopted by the State Board of Education; specifying
53 allocation of the funds; requiring the State Board of
54 Education to establish eligibility thresholds to
55 determine an institution's eligibility to receive
56 performance funding; requiring certain funds to be
57 withheld from, and certain improvement plans to be
58 submitted to the State Board of Education by,
59 institutions based on specified performance;
60 specifying monitoring and reporting requirements for
61 improvement plans; requiring the Commissioner of

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62 Education to withhold disbursement of specified funds
63 until certain conditions are met; specifying
64 requirements regarding the distribution of funds;
65 requiring the State Board of Education to report to
66 the Governor and the Legislature regarding the
67 performance funding allocation; amending s. 1012.75,
68 F.S.; extending by 1 fiscal year provisions
69 authorizing the Department of Education to administer
70 an educator liability insurance program; creating s.
71 1001.67, F.S.; establishing the Distinguished Florida
72 College System institution program; specifying the
73 excellence standards for purposes of the program;
74 prescribing minimum criteria for an institution to
75 receive a distinguished college designation;
76 specifying that designated institutions are eligible
77 for funding as provided in the General Appropriations
78 Act; amending s. 1001.7065, F.S., and reenacting
79 subsection (1), relating to the preeminent state
80 research universities program; revising academic and
81 research excellence standards for the preeminent state
82 research universities program; requiring the Board of
83 Governors to designate a state university that meets
84 certain criteria as an "emerging preeminent state
85 research university"; revising provisions governing
86 the award of funds to a designated preeminent state
87 research university; requiring an emerging preeminent
88 state research university to submit a benchmark plan
89 to the board; specifying the method of determining
90 funding amounts; deleting a provision establishing the

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91 Preeminent State Research University Enhancement
92 Initiative; removing authority for a state research
93 university to establish special course requirements;
94 providing for the future expiration and reversion of
95 specified statutory text; authorizing the Agency for
96 Health Care Administration to submit a budget
97 amendment to realign funding based upon a specified
98 model, methodology, and framework; specifying
99 requirements for such realignment; requiring the
100 Agency for Persons with Disabilities to offer
101 enrollment in the Medicaid home and community-based
102 waiver to certain individuals; specifying criteria for
103 enrollment prioritization; requiring an individual to
104 be allowed to receive home and community-based
105 services if his or her parent or legal guardian is an
106 active-duty servicemember transferred to this state
107 under certain circumstances; providing that
108 individuals remaining on the wait list are not
109 entitled to a hearing in accordance with federal law
110 or an administrative proceeding under state law;
111 specifying the requirements that apply to the iBudgets
112 of clients on the home and community-based services
113 waiver until the Agency for Persons with Disabilities
114 adopts a new allocation algorithm and methodology by
115 final rule; providing for application of the new
116 allocation algorithm and methodology after adoption of
117 the final rule; providing requirements for an increase
118 in iBudget funding allocations; amending s. 296.37,
119 F.S.; extending for 1 fiscal year the requirement that

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120 certain residents of a veterans' nursing home
121 contribute to their maintenance and support; requiring
122 the Agency for Health Care Administration to ensure
123 that nursing facility residents who are eligible for
124 funds to transition to home and community-based
125 services waivers have resided in a skilled nursing
126 facility residency for a specified period; requiring
127 the Agency for Health Care Administration and the
128 Department of Elderly Affairs to prioritize
129 individuals for enrollment in the Medicaid Long-Term
130 Care Waiver program using a certain frailty-based
131 screening; authorizing the Agency for Health Care
132 Administration to adopt rules and enter into certain
133 interagency agreements with respect to program
134 enrollment; authorizing the delegation of certain
135 responsibilities with respect to program enrollment;
136 authorizing the Agency for Health Care Administration,
137 in consultation with the Department of Health, to
138 submit a budget amendment to reflect certain
139 enrollment changes within the Children's Medical
140 Services Network; authorizing the agency to submit a
141 request for nonoperating budget authority to transfer
142 federal funds to the Department of Health under
143 certain circumstances; incorporating by reference
144 certain calculations of the Medicaid Low-Income Pool,
145 Disproportionate Share Hospital, and hospital
146 reimbursement programs for the 2016-2017 fiscal year;
147 amending s. 893.055, F.S.; extending for 1 fiscal year
148 the authority of the Department of Health to use

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149 certain funds to administer the prescription drug
150 monitoring program; prohibiting the use of funds
151 received from a settlement agreement to administer the
152 program; amending s. 216.262, F.S.; extending for 1
153 fiscal year the authority of the Department of
154 Corrections to submit a budget amendment for
155 additional positions and appropriations under certain
156 circumstances; authorizing the Department of Legal
157 Affairs to expend certain appropriated funds on
158 programs that were funded by the department from
159 specific appropriations in general appropriations acts
160 in previous years; amending s. 932.7055, F.S.;
161 extending for 1 fiscal year the authority for a
162 municipality to expend funds from its special law
163 enforcement trust fund to reimburse its general fund
164 for certain moneys; amending s. 215.18, F.S.;
165 extending for 1 fiscal year the authority and related
166 repayment requirements for trust fund loans to the
167 state court system which are sufficient to meet the
168 system's appropriation; prohibiting the Department of
169 Corrections from transferring funds from a salaries
170 and benefits category to another category unless
171 approved by the Legislative Budget Commission;
172 requiring the Department of Juvenile Justice to review
173 county juvenile detention payments to determine if the
174 county has met specified financial responsibilities;
175 requiring amounts owed by the county for such
176 financial responsibilities to be deducted from certain
177 county funds; requiring the Department of Revenue to

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178 ensure that such deductions do not reduce
179 distributions below amounts necessary for certain
180 payments relating to bonds; requiring the Department
181 of Revenue to notify the Department of Juvenile
182 Justice if bond payment requirements require a
183 reduction in deductions for amounts owed by a county;
184 amending s. 27.5304, F.S.; revising certain
185 limitations on compensation for private court-
186 appointed counsel; providing for the future expiration
187 and reversion of specified statutory text; amending s.
188 28.36, F.S.; prescribing procedures regarding the
189 distribution of funds appropriated in the General
190 Appropriations Act for the clerks of the court for the
191 2015-2016 and the 2016-2017 county fiscal years;
192 specifying the manner in which funds must be released;
193 requiring the Department of Management Services to use
194 tenant broker services to renegotiate or reprocure
195 private lease agreements for office or storage space;
196 requiring the Department of Management Services to
197 provide a report to the Governor and the Legislature
198 by a specified date; reenacting s. 624.502, F.S.,
199 relating to the deposit of fees for service of process
200 made upon the Chief Financial Officer or the Director
201 of the Office of Insurance Regulation into the
202 Administrative Trust Fund; providing for the future
203 expiration and reversion of specified statutory text;
204 reenacting s. 282.709(2)(a), F.S., relating to the
205 creation and membership of the Joint Task Force on
206 State Agency Law Enforcement Communications; providing

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207 for the future expiration and reversion of specified
208 statutory text; specifying the amount of the
209 transaction fee to be collected for use of the online
210 procurement system; amending s. 259.105, F.S.;

211 revising the distribution of certain proceeds from
212 cash payments or bonds issued pursuant to the Florida
213 Forever Act for the 2016-2017 fiscal year; requiring
214 that a minimum allocation of funds for the Florida
215 Communities Trust be applied towards projects
216 acquiring conservation or recreation lands to enhance
217 recreational opportunities for individuals with unique
218 abilities; amending s. 375.075, F.S.; requiring that a
219 minimum amount of funds for the Florida Recreation
220 Development Assistance Program be used towards
221 projects providing recreational enhancements and
222 opportunities for individuals with unique abilities;

223 requiring the Department of Environmental Protection
224 to award grants by a specified date; revising the
225 limitation on the number of grant applications a local
226 government may submit; requiring the department to
227 prioritize certain projects; amending s. 380.507,
228 F.S.; revising the powers of the Florida Communities
229 Trust to authorize the undertaking, coordination, and
230 funding of projects that provide accessibility,
231 availability, or adaptability of conservation or
232 recreation lands for individuals with unique
233 abilities; amending s. 216.181, F.S.; extending by 1
234 fiscal year the authority for the Legislative Budget
235 Commission to increase amounts appropriated to the

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236 Fish and Wildlife Conservation Commission or the
237 Department of Environmental Protection for certain
238 fixed capital outlay projects; amending s. 206.9935,
239 F.S.; exempting specified revenues from the
240 calculation of the unobligated balance of the Water
241 Quality Assurance Trust Fund; providing for the future
242 expiration and reversion of specified statutory text;
243 amending s. 403.709, F.S.; extending by 1 fiscal year
244 provisions governing the establishment of a solid
245 waste landfill closure account within the Solid Waste
246 Management Trust Fund; reviving, reenacting, and
247 amending s. 403.7095(5), F.S.; requiring the
248 Department of Environmental Protection to award a
249 certain sum of grant funds for specified solid waste
250 management programs to counties that meet certain
251 criteria; amending s. 215.18, F.S.; extending by 1
252 fiscal year the authority for the Governor to transfer
253 funds from other trust funds in the State Treasury as
254 a temporary loan to certain land acquisition trust
255 funds with a deficit; requiring the Department of
256 Environmental Protection to transfer revenues
257 deposited in the Land Acquisition Trust Fund within
258 the department to land acquisition trust funds in the
259 Department of Agriculture and Consumer Services, the
260 Department of State, and the Fish and Wildlife
261 Conservation Commission according to specified
262 parameters and calculations; defining the term
263 "department"; requiring the department to retain a
264 proportionate share of revenues; specifying a limit on

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265 distributions; amending s. 376.3071, F.S.; specifying
266 that earned interest may be transferred between the
267 Inland Protection Trust Fund and the Water Quality
268 Assurance Trust Fund as authorized by the General
269 Appropriations Act; providing for the future
270 expiration and reversion of specified statutory text;
271 amending s. 288.047, F.S.; specifying requirements and
272 limitations with respect to the approval of
273 applications, the execution of agreements, and
274 reimbursement amounts under the Quick-Response
275 Training Program; requiring the Department of Economic
276 Opportunity to transfer funds to CareerSource Florida,
277 Inc., if certain conditions exist; authorizing
278 CareerSource Florida, Inc., to request an advance of
279 the appropriation for the program; requiring
280 CareerSource Florida, Inc., to set aside a specified
281 percent of a certain appropriation to fund
282 instructional programs for businesses located in a
283 rural area of opportunity under certain circumstances;
284 authorizing, rather than requiring, an educational
285 institution receiving program funding to be included
286 in the grant agreement prepared by CareerSource
287 Florida, Inc.; authorizing certain matching
288 contributions to be counted toward the private sector
289 support of Enterprise Florida, Inc.; providing for the
290 future expiration and reversion of specified statutory
291 text; amending s. 339.135, F.S., and reviving,
292 reenacting, and amending paragraphs (4)(j) and (5)(c);
293 extending by 1 fiscal year provisions requiring the

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294 Department of Transportation to use appropriated funds
295 for purposes related to the establishment of a
296 multiuse trail system; authorizing the department to
297 use up to a certain amount of appropriated funds for
298 strategic and regionally significant transportation
299 projects; amending s. 339.2818, F.S.; redefining the
300 term "small county" for purposes of the Small County
301 Outreach Program; reenacting s. 341.302(10), F.S.,
302 relating to the Department of Transportation's duties
303 and responsibilities for the rail program; providing
304 for the future expiration and reversion of specified
305 statutory text; amending s. 339.2816, F.S.; specifying
306 the amount of funding from the State Transportation
307 Trust Fund that may be used for the Small County Road
308 Assistance Program for the 2016-2017 fiscal year;
309 providing for the future expiration and reversion of
310 specified statutory text; amending s. 420.9072, F.S.;
311 extending by 1 fiscal year provisions authorizing each
312 county and eligible municipality to use its portion of
313 the local housing distribution for certain purposes;
314 amending s. 420.5087, F.S.; extending by 1 fiscal year
315 provisions specifying the reservation of funds for the
316 tenant groups within each notice of fund availability
317 with respect to the State Apartment Incentive Loan
318 Program; requiring the Florida Housing Finance
319 Corporation to issue a notice of fund availability for
320 loans to be used for certain purposes; amending s.
321 427.013, F.S.; requiring the Commission for the
322 Transportation Disadvantaged to allocate and award

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323 appropriated funds for specified purposes; reenacting
324 s. 216.292(2)(a), F.S., relating to exceptions for
325 nontransferable appropriations; providing for the
326 future expiration and reversion of specified statutory
327 text; prohibiting a state agency from initiating a
328 competitive solicitation for a product or service
329 under certain circumstances; providing an exception;
330 authorizing the Executive Office of the Governor to
331 transfer funds between departments for purposes of
332 aligning amounts paid for risk management premiums and
333 for human resource management services; amending s.
334 112.24, F.S.; extending by 1 fiscal year the
335 authorization, subject to specified requirements, for
336 the assignment of an employee of a state agency under
337 an employee interchange agreement; providing that the
338 annual salaries of the members of the Legislature
339 shall be maintained at a specified level; reenacting
340 s. 215.32(2)(b), F.S., relating to the source and use
341 of certain trust funds; providing for the future
342 expiration and reversion of specified statutory text;
343 providing a legislative determination that the
344 issuance of new debt is in the best interests of the
345 state; limiting the use of travel funds to activities
346 that are critical to an agency's mission; providing
347 exceptions; authorizing the Executive Office of the
348 Governor to transfer funds appropriated for data
349 processing between agencies for a specified purpose;
350 authorizing the Executive Office of the Governor to
351 transfer funds appropriated for certain data

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352 processing services between departments for a
353 specified purpose; prohibiting an agency from
354 transferring funds from a data processing category to
355 another category that is not a data processing
356 category; authorizing the Executive Office of the
357 Governor to transfer certain funds between agencies in
358 order to allocate a reduction relating to SUNCOM
359 Network services; reenacting s. 110.12315, F.S.,
360 relating to the state employees' prescription drug
361 program; providing for the future expiration and
362 reversion of specified statutory text; providing for
363 the effect of a veto of one or more specific
364 appropriations or proviso to which implementing
365 language refers; providing for the continued operation
366 of certain provisions notwithstanding a future repeal
367 or expiration provided by the act; providing for
368 severability; providing effective dates.

369
370 Be It Enacted by the Legislature of the State of Florida:

371
372 Section 1. It is the intent of the Legislature that the
373 implementing and administering provisions of this act apply to
374 the General Appropriations Act for the 2016-2017 fiscal year.

375 Section 2. In order to implement Specific Appropriations 7,
376 8, 9, 94, and 95 of the 2016-2017 General Appropriations Act,
377 the calculations of the Florida Education Finance Program for
378 the 2016-2017 fiscal year in the document titled "Public School
379 Funding: The Florida Education Finance Program," dated XX XX,
380 2016, and filed with the Secretary of the Senate, are

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381 incorporated by reference for the purpose of displaying the
382 calculations used by the Legislature, consistent with the
383 requirements of state law, in making appropriations for the
384 Florida Education Finance Program. This section expires July 1,
385 2017.

386 Section 3. In order to implement Specific Appropriations 7
387 and 94 of the 2016-2017 General Appropriations Act and
388 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
389 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the
390 expenditure of funds provided for instructional materials, for
391 the 2016-2017 fiscal year, funds provided for instructional
392 materials shall be released and expended as required in the
393 proviso language for Specific Appropriation 94 of the 2016-2017
394 General Appropriations Act. This section expires July 1, 2017.

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

402 Section 5. In order to implement Specific Appropriations 7
403 and 94 of the 2016-2017 General Appropriations Act, paragraphs
404 (e) and (f) of subsection (1), paragraph (a) of subsection (4),
405 paragraph (b) of subsection (7), paragraph (a) of subsection
406 (9), and present subsection (13) of section 1011.62, Florida
407 Statutes, are amended, present subsections (13), (14), and (15)
408 of that section are renumbered as subsections (14), (15), and
409 (16), respectively, and a new subsection (13) is added to that

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410 section, to read:

411 1011.62 Funds for operation of schools.—If the annual
412 allocation from the Florida Education Finance Program to each
413 district for operation of schools is not determined in the
414 annual appropriations act or the substantive bill implementing
415 the annual appropriations act, it shall be determined as
416 follows:

417 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
418 OPERATION.—The following procedure shall be followed in
419 determining the annual allocation to each district for
420 operation:

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

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

436 b. In order to generate funds using one of the two weighted
437 cost factors, a matrix of services must be completed at the time
438 of the student's initial placement into an exceptional student

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439 education program and at least once every 3 years by personnel
440 who have received approved training. Nothing listed in the
441 matrix shall be construed as limiting the services a school
442 district must provide in order to ensure that exceptional
443 students are provided a free, appropriate public education.

444 c. Students identified as exceptional, in accordance with
445 chapter 6A-6, Florida Administrative Code, who do not have a
446 matrix of services as specified in sub-subparagraph b. shall
447 generate funds on the basis of full-time-equivalent student
448 membership in the Florida Education Finance Program at the same
449 funding level per student as provided for basic students.
450 Additional funds for these exceptional students will be provided
451 through the guaranteed allocation designated in subparagraph 2.

452 2. For students identified as exceptional who do not have a
453 matrix of services and students who are gifted in grades K
454 through 8, there is created a guaranteed allocation to provide
455 these students with a free appropriate public education, in
456 accordance with s. 1001.42(4)(1) and rules of the State Board of
457 Education, which shall be allocated initially ~~annually~~ to each
458 school district in the amount provided in the General
459 Appropriations Act. These funds shall be supplemental ~~in~~
460 ~~addition~~ to the funds appropriated for the basic funding level
461 ~~on the basis of FTE student membership in the Florida Education~~
462 ~~Finance Program~~, and the amount allocated for each school
463 district shall ~~not~~ be recalculated once during the year, based
464 on actual student membership from the October FTE survey. Upon
465 recalculation, if the generated allocation is greater than the
466 amount provided in the General Appropriations Act, the total
467 shall be prorated to the level of the appropriation based on

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468 each district's share of the total recalculated amount. These
469 funds shall be used to provide special education and related
470 services for exceptional students and students who are gifted in
471 grades K through 8. ~~Beginning with the 2007-2008 fiscal year,~~ A
472 district's expenditure of funds from the guaranteed allocation
473 for students in grades 9 through 12 who are gifted may not be
474 greater than the amount expended during the 2006-2007 fiscal
475 year for gifted students in grades 9 through 12.

476 (f) *Supplemental academic instruction; categorical fund.*—

477 1. There is created a categorical fund to provide
478 supplemental academic instruction to students in kindergarten
479 through grade 12. This paragraph may be cited as the
480 "Supplemental Academic Instruction Categorical Fund."

481 2. The categorical fund ~~funds~~ ~~for supplemental academic~~
482 ~~instruction shall be allocated annually to each school district~~
483 ~~in the amount provided in the General Appropriations Act. These~~
484 ~~funds~~ shall be in addition to the funds appropriated on the
485 basis of FTE student membership in the Florida Education Finance
486 Program and shall be included in the total potential funds of
487 each district. These funds shall be used to provide supplemental
488 academic instruction to students enrolled in the K-12 program.
489 For the 2016-2017 ~~2014-2015~~ fiscal year, each school district
490 that has one or more of the 300 lowest-performing elementary
491 schools based on the state reading assessment shall use these
492 funds, together with the funds provided in the district's
493 research-based reading instruction allocation and other
494 available funds, to provide an additional hour of instruction
495 beyond the normal school day for each day of the entire school
496 year for intensive reading instruction for the students in each

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497 of these schools. This additional hour of instruction must be
498 provided by teachers or reading specialists who are effective in
499 teaching reading or by a K-5 mentoring reading program that is
500 supervised by a teacher who is effective in ~~at~~ teaching reading.
501 Students enrolled in these schools who have level 5 assessment
502 scores may participate in the additional hour of instruction on
503 an optional basis. Exceptional student education centers may
504 ~~shall~~ not be included in the 300 schools. For the 2016-2017
505 fiscal year, the 300 lowest-performing elementary schools shall
506 be based on the 2015-2016 state reading assessment. After this
507 requirement has been met, supplemental instruction strategies
508 may include, but are not limited to: use of a modified
509 curriculum, reading instruction, after-school instruction,
510 tutoring, mentoring, a reduction in class size ~~reduction,~~ an
511 extended school year, intensive skills development in summer
512 school, and other methods of ~~for~~ improving student achievement.
513 Supplemental instruction may be provided to a student in any
514 manner and at any time during or beyond the regular 180-day term
515 identified by the school as being the most effective and
516 efficient way to best help that student progress from grade to
517 grade and to graduate.

518 3. Categorical funds for supplemental academic instruction
519 shall be provided annually in the Florida Education Finance
520 Program as specified in the General Appropriations Act. These
521 funds shall be provided as a supplement to the funds
522 appropriated for the basic funding level and shall be included
523 in the total funds of each district. The allocation shall
524 consist of a base amount that shall have a workload adjustment
525 based on changes in unweighted FTE. In addition, districts that

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526 have elementary schools included in the 300 lowest-performing
527 schools designation shall be allocated additional funds to
528 assist those districts in providing intensive reading
529 instruction to students in those schools. The amount provided
530 shall be based on each district's level of per-student funding
531 in the reading instruction allocation and the supplemental
532 academic instruction categorical fund and on the total FTE for
533 each of the schools. The categorical funding shall be
534 recalculated once during the fiscal year following an updated
535 designation of the 300 lowest-performing elementary schools and
536 shall be based on actual student membership from the October FTE
537 survey. Upon recalculation of funding for the supplemental
538 academic instruction categorical fund, if the total allocation
539 is greater than the amount provided in the General
540 Appropriations Act, the allocation shall be prorated to the
541 level provided to support the appropriation, based on each
542 district's share of the total.

543 ~~4.3.~~ Effective with the 1999-2000 fiscal year, funding on
544 the basis of FTE membership beyond the 180-day regular term
545 shall be provided in the FEFP only for students enrolled in
546 juvenile justice education programs or in education programs for
547 juveniles placed in secure facilities or programs under s.
548 985.19. Funding for instruction beyond the regular 180-day
549 school year for all other K-12 students shall be provided
550 through the supplemental academic instruction categorical fund
551 and other state, federal, and local fund sources with ample
552 flexibility for schools to provide supplemental instruction to
553 assist students in progressing from grade to grade and
554 graduating.

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555 ~~5.4.~~ The Florida State University School, as a lab school,
556 is authorized to expend from its FEFP or Lottery Enhancement
557 Trust Fund allocation the cost to the student of remediation in
558 reading, writing, or mathematics for any graduate who requires
559 remediation at a postsecondary educational institution.

560 ~~6.5.~~ Beginning in the 1999-2000 school year, dropout
561 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
562 (b), and (c), and 1003.54 shall be included in group 1 programs
563 under subparagraph (d)3.

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

571 (a) *Estimated taxable value calculations.*—

572 1.a. Not later than 2 working days prior to July 19, the
573 Department of Revenue shall certify to the Commissioner of
574 Education its most recent estimate of the taxable value for
575 school purposes in each school district and the total for all
576 school districts in the state for the current calendar year
577 based on the latest available data obtained from the local
578 property appraisers. The value certified shall be the taxable
579 value for school purposes for that year, and no further
580 adjustments shall be made, except those made pursuant to
581 paragraphs (c) and (d), or an assessment roll change required by
582 final judicial decisions as specified in paragraph (15)(b)
583 ~~(14)(b)~~. Not later than July 19, the Commissioner of Education

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584 shall compute a millage rate, rounded to the next highest one
585 one-thousandth of a mill, which, when applied to 96 percent of
586 the estimated state total taxable value for school purposes,
587 would generate the prescribed aggregate required local effort
588 for that year for all districts. The Commissioner of Education
589 shall certify to each district school board the millage rate,
590 computed as prescribed in this subparagraph, as the minimum
591 millage rate necessary to provide the district required local
592 effort for that year.

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

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

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

612 b. For each year identified in sub-subparagraph a., the

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613 taxable value certified by the appraiser pursuant to s.
614 193.122(2) or (3), if applicable, since the prior certification
615 under sub-subparagraph 1.a. This is the certification that
616 reflects all final administrative actions of the value
617 adjustment board.

618 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

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

630 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

631 (a) The research-based reading instruction allocation is
632 created to provide comprehensive reading instruction to students
633 in kindergarten through grade 12. For the 2016-2017 ~~2014-2015~~
634 fiscal year, in each school district that has one or more of the
635 300 lowest-performing elementary schools based on the state
636 reading assessment, priority shall be given to providing an
637 additional hour per day of intensive reading instruction beyond
638 the normal school day for each day of the entire school year for
639 the students in each school. For the 2016-2017 fiscal year, the
640 300 lowest-performing elementary schools shall be based on the
641 2015-2016 state reading assessment. Students enrolled in these

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642 schools who have level 5 assessment scores may participate in
643 the additional hour of instruction on an optional basis.
644 Exceptional student education centers may ~~shall~~ not be included
645 in the 300 schools. The intensive reading instruction delivered
646 in this additional hour and for other students shall include:
647 research-based reading instruction that has been proven to
648 accelerate progress of students exhibiting a reading deficiency;
649 differentiated instruction based on student assessment data to
650 meet students' specific reading needs; explicit and systematic
651 reading development in phonemic awareness, phonics, fluency,
652 vocabulary, and comprehension, with more extensive opportunities
653 for guided practice, error correction, and feedback; and the
654 integration of social studies, science, and mathematics-text
655 reading, text discussion, and writing in response to reading.
656 ~~For the 2012-2013 and 2013-2014 fiscal years, a school district~~
657 ~~may not hire more reading coaches than were hired during the~~
658 ~~2011-2012 fiscal year unless all students in kindergarten~~
659 ~~through grade 5 who demonstrate a reading deficiency, as~~
660 ~~determined by district and state assessments, including students~~
661 ~~scoring Level 1 or Level 2 on the statewide, standardized~~
662 ~~reading assessment or, upon implementation, the English Language~~
663 ~~Arts assessment, are provided an additional hour per day of~~
664 ~~intensive reading instruction beyond the normal school day for~~
665 ~~each day of the entire school year.~~

666 (13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally
667 connected student supplement is created to provide supplemental
668 funding for school districts to support the education of
669 students connected with federally owned military installations,
670 National Aeronautics and Space Administration (NASA) real

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671 property, and Indian lands. To be eligible for this supplement,
672 the district must be eligible for federal Impact Aid Program
673 funds under s. 8003 of Title VIII of the Elementary and
674 Secondary Education Act of 1965. The supplement shall be
675 allocated annually to each eligible school district in the
676 amount provided in the General Appropriations Act. The
677 supplement shall be the sum of the student allocation and an
678 exempt property allocation.

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

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

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

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

694 (b) The total number of federally connected students
695 calculated under paragraph (a) shall be multiplied by a
696 percentage of the base student allocation as provided in the
697 General Appropriations Act. The total of the number of students
698 with disabilities as reported separately under subparagraphs
699 (a)1. and (a)2. shall be multiplied by an additional percentage

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700 of the base student allocation as provided in the General
701 Appropriations Act. The base amount and the amount for students
702 with disabilities shall be summed to provide the student
703 allocation.

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

710 (14) ~~(13)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may
711 annually in the General Appropriations Act determine a
712 percentage increase in funds per K-12 unweighted FTE as a
713 minimum guarantee to each school district. The guarantee shall
714 be calculated from prior year base funding per unweighted FTE
715 student which shall include the adjusted FTE dollars as provided
716 in subsection (15) ~~(14)~~, quality guarantee funds, and actual
717 nonvoted discretionary local effort from taxes. From the base
718 funding per unweighted FTE, the increase shall be calculated for
719 the current year. The current year funds from which the
720 guarantee shall be determined shall include the adjusted FTE
721 dollars as provided in subsection (15) ~~(14)~~ and potential
722 nonvoted discretionary local effort from taxes. A comparison of
723 current year funds per unweighted FTE to prior year funds per
724 unweighted FTE shall be computed. For those school districts
725 which have less than the legislatively assigned percentage
726 increase, funds shall be provided to guarantee the assigned
727 percentage increase in funds per unweighted FTE student. Should
728 appropriated funds be less than the sum of this calculated

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729 amount for all districts, the commissioner shall prorate each
730 district's allocation. This provision shall be implemented to
731 the extent specifically funded.

732 Section 6. In order to implement Specific Appropriations 7
733 and 94 of the 2016-2017 General Appropriations Act, subsection
734 (1) of section 1011.71, Florida Statutes, is amended to read:

735 1011.71 District school tax.—

736 (1) If the district school tax is not provided in the
737 General Appropriations Act or the substantive bill implementing
738 the General Appropriations Act, each district school board
739 desiring to participate in the state allocation of funds for
740 current operation as prescribed by s. 1011.62(15) ~~s. 1011.62(14)~~
741 shall levy on the taxable value for school purposes of the
742 district, exclusive of millage voted under the provisions of s.
743 9(b) or s. 12, Art. VII of the State Constitution, a millage
744 rate not to exceed the amount certified by the commissioner as
745 the minimum millage rate necessary to provide the district
746 required local effort for the current year, pursuant to s.
747 1011.62(4)(a)1. In addition to the required local effort millage
748 levy, each district school board may levy a nonvoted current
749 operating discretionary millage. The Legislature shall prescribe
750 annually in the appropriations act the maximum amount of millage
751 a district may levy.

752 Section 7. The amendments made by this act to ss. 1011.62
753 and 1011.71, Florida Statutes, expire July 1, 2017, and the text
754 of those sections shall revert to that in existence on June 30,
755 2015, except that any amendments to such text enacted other than
756 by this act shall be preserved and continue to operate to the
757 extent that such amendments are not dependent upon the portions

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758 of text which expire pursuant to this section.

759 Section 8. In order to implement Specific Appropriations 10
760 and 122 of the 2016-2017 General Appropriations Act, subsection
761 (1) of section 1004.935, Florida Statutes, is amended to read:

762 1004.935 Adults with Disabilities Workforce Education Pilot
763 Program.—

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

769 (a) Have a disability;

770 (b) Are 22 years of age;

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

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

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

780
781 As used in this section, the term "student with a disability"
782 includes a student who is documented as having an intellectual
783 disability; a speech impairment; a language impairment; a
784 hearing impairment, including deafness; a visual impairment,
785 including blindness; a dual sensory impairment; an orthopedic
786 impairment; another health impairment; an emotional or

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787 behavioral disability; a specific learning disability,
788 including, but not limited to, dyslexia, dyscalculia, or
789 developmental aphasia; a traumatic brain injury; a developmental
790 delay; or autism spectrum disorder.

791 Section 9. The amendment made by this act to s.
792 1004.935(1), Florida Statutes, expires July 1, 2017, and the
793 text of that subsection shall revert to that in existence on
794 June 30, 2016, except that any amendments to such text enacted
795 other than by this act shall be preserved and continue to
796 operate to the extent that such amendments are not dependent
797 upon the portions of text which expire pursuant to this section.

798 Section 10. In order to implement Specific Appropriations
799 13 and 142 through 150 of the 2016-2017 General Appropriations
800 Act, subsection (7) is added to section 1013.74, Florida
801 Statutes, to read:

802 1013.74 University authorization for fixed capital outlay
803 projects.—

804 (7) For the 2016-2017 fiscal year, a university board of
805 trustees may expend reserve or carry forward balances from prior
806 year operational and programmatic appropriations for fixed
807 capital outlay projects approved by the Board of Governors which
808 include significant academic instructional space or critical
809 deferred maintenance needs in this area. This subsection expires
810 July 1, 2017.

811 Section 11. In order to implement Specific Appropriation
812 142 of the 2016-2017 General Appropriations Act, section
813 1001.92, Florida Statutes, is amended to read:

814 1001.92 State University System Performance-Based
815 Incentive.—

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816 (1) A State University System Performance-Based Incentive
817 shall be awarded to state universities using performance-based
818 metrics adopted by the Board of Governors of the State
819 University System. The performance-based metrics must include
820 graduation rates; retention rates; postgraduation education
821 rates; degree production; affordability; postgraduation
822 employment and salaries, including wage thresholds that reflect
823 the added value of a baccalaureate degree; access; and other
824 metrics approved by the board in a formally noticed meeting. The
825 board shall adopt benchmarks to evaluate each state university's
826 performance on the metrics to measure the state university's
827 achievement of institutional excellence or need for improvement
828 and minimum requirements for eligibility to receive performance
829 funding.

830 (2) Each fiscal year, the amount of funds available for
831 allocation to the state universities based on the performance-
832 based funding model ~~metrics~~ shall consist of the state's
833 investment in appropriation for performance funding, ~~including~~
834 ~~increases in base funding~~ plus institutional investments
835 consisting of funds deducted from the base funding of each state
836 university in the State University System, in an amount provided
837 in the General Appropriations Act. The Board of Governors shall
838 establish minimum performance funding eligibility thresholds for
839 the state's investment and the institutional investments. A
840 state university that fails to meet the minimum state investment
841 performance funding eligibility threshold is ineligible for a
842 share of the state's investment in performance funding. The
843 institutional investment shall be restored for each institution
844 eligible for the state's investment under the performance-based

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845 funding model ~~metrics~~.

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

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

872 (4) Distributions of performance funding, as provided in
873 this section, shall be made to each of the state universities

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874 listed in the Education and General Activities category in the
875 General Appropriations Act.

876 (5) By October 1 of each year, the Board of Governors shall
877 submit to the Governor, the President of the Senate, and the
878 Speaker of the House of Representatives a report on the previous
879 fiscal year's performance funding allocation, which must reflect
880 the rankings and award distributions.

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

882 Section 12. In order to implement Specific Appropriation
883 126 of the 2016-2017 General Appropriations Act, section
884 1001.66, Florida Statutes, is created to read:

885 1001.66 Florida College System Performance-Based
886 Incentive.—

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

901 (2) Each fiscal year, the amount of funds available for
902 allocation to the Florida College System institutions based on

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903 the performance-based funding model shall consist of the state's
904 investment in performance funding plus institutional investments
905 consisting of funds to be redistributed from the base funding of
906 the Florida College System Program Fund as determined in the
907 General Appropriations Act. The State Board of Education shall
908 establish minimum performance funding eligibility thresholds for
909 the state's investment and the institutional investments. An
910 institution that fails to meet the minimum state investment
911 performance funding eligibility threshold is ineligible for a
912 share of the state's investment in performance funding. The
913 institutional investment shall be restored for all institutions
914 eligible for the state's investment under the performance-based
915 funding model.

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

920 (b) A Florida College System institution that fails to meet
921 the State Board of Education's minimum institutional investment
922 performance funding eligibility threshold shall have its
923 institutional investment withheld by the state board and must
924 submit an improvement plan to the state board which specifies
925 the activities and strategies for improving the institution's
926 performance. The state board must review and approve the
927 improvement plan and, if the plan is approved, must monitor the
928 institution's progress in implementing the activities and
929 strategies specified in the improvement plan. The institution
930 shall submit monitoring reports to the state board by December
931 31 and May 31 of each year in which an improvement plan is in

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932 place. The ability of an institution to submit an improvement
933 plan to the state board is limited to 1 fiscal year.

934 (c) The Commissioner of Education shall withhold
935 disbursement of the institutional investment until the
936 monitoring report is approved by the State Board of Education. A
937 Florida College System institution determined by the state board
938 to be making satisfactory progress on implementing the
939 improvement plan may not receive more than one-half of the
940 withheld institutional investment in January and the balance of
941 the withheld institutional investment in June. An institution
942 that fails to make satisfactory progress may not have its full
943 institutional investment restored. Any institutional investment
944 funds that are not restored shall be redistributed in accordance
945 with the state board's performance-based metrics.

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

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

955 (6) This section expires July 1, 2017.

956 Section 13. In order to implement Specific Appropriation
957 104 of the 2016-2017 General Appropriations Act, subsection (3)
958 of section 1012.75, Florida Statutes, is amended to read:

959 1012.75 Liability of teacher or principal; excessive
960 force.-

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

973 (a) Liability coverage of at least \$2 million shall be
974 provided to all full-time instructional personnel. Liability
975 coverage may be provided to the following individuals who choose
976 to participate in the program, at cost: part-time instructional
977 personnel, administrative personnel, and students enrolled in a
978 state-approved teacher preparation program pursuant to s.
979 1012.39(3).

980 (b) By August 1, the department shall notify the personnel
981 specified in paragraph (a) of the pending procurement for
982 liability coverage. By September 1, each district school board
983 shall notify the personnel specified in paragraph (a) of the
984 liability coverage provided pursuant to this subsection. The
985 department shall develop the form of the notice which shall be
986 used by each district school board. The notice must be on an 8
987 1/2-inch by 5 1/2-inch postcard and include the amount of
988 coverage, a general description of the nature of the coverage,
989 and the contact information for coverage and claims questions.

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990 The notification shall be provided separately from any other
991 correspondence. Each district school board shall certify to the
992 department, by September 15, that the notification required by
993 this paragraph has been provided.

994 (c) The department shall consult with the Department of
995 Financial Services to select the most economically prudent and
996 cost-effective means of implementing the program through self-
997 insurance, a risk management program, or competitive
998 procurement.

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

1000 Section 14. In order to implement Specific Appropriation
1001 126 of the 2016-2017 General Appropriations Act, section
1002 1001.67, Florida Statutes, is created to read:

1003 1001.67 Distinguished Florida College System institution
1004 program.—A collaborative partnership is established between the
1005 State Board of Education and the Legislature to recognize the
1006 excellence of Florida's highest-performing Florida College
1007 System institutions.

1008 (1) EXCELLENCE STANDARDS.—The following excellence
1009 standards are established for the program:

1010 (a) A 150 percent-of-normal-time completion rate of 50
1011 percent or higher, as calculated by the Division of Florida
1012 Colleges.

1013 (b) A 150 percent-of-normal-time completion rate for Pell
1014 Grant recipients of 40 percent or higher, as calculated by the
1015 Division of Florida Colleges.

1016 (c) A retention rate of 70 percent or higher, as calculated
1017 by the Division of Florida Colleges.

1018 (d) A continuing education, or transfer, rate of 72 percent

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1019 or higher for students graduating with an associate of arts
1020 degree, as reported by the Florida Education and Training
1021 Placement Information Program (FETPIP).

1022 (e) A licensure passage rate on the National Council
1023 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
1024 percent or higher for first-time exam takers, as reported by the
1025 Board of Nursing.

1026 (f) A job placement or continuing education rate of 88
1027 percent or higher for workforce programs, as reported by FETPIP.

1028 (g) A time-to-degree for students graduating with an
1029 associate of arts degree of 2.25 years or less for first-time-
1030 in-college students with accelerated college credits, as
1031 reported by the Southern Regional Education Board.

1032 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
1033 Education shall designate each Florida College System
1034 institution that meets five of the seven standards identified in
1035 subsection (1) as a distinguished college.

1036 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida College System
1037 institution designated as a distinguished college by the State
1038 Board of Education is eligible for funding as specified in the
1039 General Appropriations Act.

1040 (4) EXPIRATION.—This section expires July 1, 2017.

1041 Section 15. In order to implement Specific Appropriation
1042 142 of the 2016-2017 General Appropriations Act, subsection (1)
1043 of section 1001.7065, Florida Statutes, is reenacted, and
1044 subsections (2), (3), and (5) through (9) of that section are
1045 amended, to read:

1046 1001.7065 Preeminent state research universities program.—

1047 (1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE

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1048 COLLABORATION.—A collaborative partnership is established
1049 between the Board of Governors and the Legislature to elevate
1050 the academic and research preeminence of Florida’s highest-
1051 performing state research universities in accordance with this
1052 section. The partnership stems from the State University System
1053 Governance Agreement executed on March 24, 2010, wherein the
1054 Board of Governors and leaders of the Legislature agreed to a
1055 framework for the collaborative exercise of their joint
1056 authority and shared responsibility for the State University
1057 System. The governance agreement confirmed the commitment of the
1058 Board of Governors and the Legislature to continue collaboration
1059 on accountability measures, the use of data, and recommendations
1060 derived from such data.

1061 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—~~Effective~~
1062 ~~July 1, 2013,~~ The following academic and research excellence
1063 standards are established for the preeminent state research
1064 universities program:

1065 (a) An average weighted grade point average of 4.0 or
1066 higher on a 4.0 scale and an average SAT score of 1800 or higher
1067 on a 2400-point scale or 1200 or higher on a 1600-point scale
1068 for fall semester incoming freshmen, as reported annually.

1069 (b) A top-50 ranking on at least two well-known and highly
1070 respected national public university rankings, reflecting
1071 national preeminence, which includes, but is not limited to, the
1072 U.S. News and World Report rankings, using most recent rankings.

1073 (c) A freshman retention rate of 90 percent or higher for
1074 full-time, first-time-in-college students, as reported annually
1075 to the Integrated Postsecondary Education Data System (IPEDS).

1076 (d) A 6-year graduation rate of 70 percent or higher for

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1077 full-time, first-time-in-college students, as reported annually
1078 to the IPEDS.

1079 (e) Six or more faculty members at the state university who
1080 are members of a national academy, as reported by the Center for
1081 Measuring University Performance in the Top American Research
1082 Universities (TARU) annual report or the official membership
1083 directories maintained by each national academy.

1084 (f) Total annual research expenditures, including federal
1085 research expenditures, of \$200 million or more, as reported
1086 annually by the National Science Foundation (NSF).

1087 (g) Total annual research expenditures in diversified
1088 nonmedical sciences of \$150 million or more, based on data
1089 reported annually by the NSF.

1090 (h) A top-100 university national ranking for research
1091 expenditures in five or more science, technology, engineering,
1092 or mathematics fields of study, as reported annually by the NSF.

1093 (i) One hundred or more total patents awarded by the United
1094 States Patent and Trademark Office for the most recent 3-year
1095 period.

1096 (j) Four hundred or more doctoral degrees awarded annually,
1097 including professional doctoral degrees awarded in medical and
1098 health care disciplines, as reported in the Board of Governors
1099 Annual Accountability Report.

1100 (k) Two hundred or more postdoctoral appointees annually,
1101 as reported in the TARU annual report.

1102 (l) An endowment of \$500 million or more, as reported in
1103 the Board of Governors Annual Accountability Report.

1104 (3) ~~PREEMINENT STATE RESEARCH~~ UNIVERSITY DESIGNATION.— The
1105 Board of Governors shall designate each state ~~research~~

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1106 university that annually meets:

1107 (a) At least 11 of the 12 academic and research excellence
1108 standards identified in subsection (2) as a "preeminent state
1109 research university."

1110 (b) At least 6 of the 12 academic and research excellence
1111 standards identified in subsection (2) as an "emerging
1112 preeminent state research university."

1113 (5) PROGRAM PREEMINENT STATE RESEARCH UNIVERSITY SUPPORT.-

1114 (a) A state research university designated as a preeminent
1115 state research university that, as of July 1, 2013, meets all 12
1116 of the academic and research excellence standards identified in
1117 subsection (2), as verified by the Board of Governors, shall
1118 submit to the Board of Governors a 5-year benchmark plan with
1119 target rankings on key performance metrics for national
1120 excellence. Upon approval by the Board of Governors, and upon
1121 the university's meeting the benchmark plan goals annually, the
1122 Board of Governors shall award the university its proportionate
1123 share of any funds provided annually to support the program
1124 created under this section an amount specified in the General
1125 Appropriations Act to be provided annually throughout the 5-year
1126 period. Funding for this purpose is contingent upon specific
1127 appropriation in the General Appropriations Act.

1128 (b) A state university designated as an emerging preeminent
1129 state research university shall submit to the Board of Governors
1130 a 5-year benchmark plan with target rankings on key performance
1131 metrics for national excellence. Upon approval by the Board of
1132 Governors, and upon the university's meeting the benchmark plan
1133 goals annually, the Board of Governors shall award the
1134 university its proportionate share of any funds provided

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1135 annually to support the program created under this section.

1136 (c) The award of funds under this subsection is contingent
1137 upon funding provided in the General Appropriations Act to
1138 support the preeminent state research universities program
1139 created under this section. Funding increases appropriated
1140 beyond the amounts funded in the previous fiscal year shall be
1141 distributed as follows:

1142 1. Each designated preeminent state research university
1143 that meets the criteria in paragraph (a) shall receive an equal
1144 amount of funding.

1145 2. Each designated emerging preeminent state research
1146 university that meets the criteria in paragraph (b) shall
1147 receive an amount of funding that is equal to one-half of the
1148 total increased amount awarded to each designated preeminent
1149 state research university.

1150 ~~(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT~~
1151 ~~INITIATIVE. A state research university that, as of July 1,~~
1152 ~~2013, meets 11 of the 12 academic and research excellence~~
1153 ~~standards identified in subsection (2), as verified by the Board~~
1154 ~~of Governors, shall submit to the Board of Governors a 5-year~~
1155 ~~benchmark plan with target rankings on key performance metrics~~
1156 ~~for national excellence. Upon the university's meeting the~~
1157 ~~benchmark plan goals annually, the Board of Governors shall~~
1158 ~~award the university an amount specified in the General~~
1159 ~~Appropriations Act to be provided annually throughout the 5-year~~
1160 ~~period for the purpose of recruiting National Academy Members,~~
1161 ~~expediting the provision of a master's degree in cloud~~
1162 ~~virtualization, and instituting an entrepreneurs-in-residence~~
1163 ~~program throughout its campus. Funding for this purpose is~~

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1164 ~~contingent upon specific appropriation in the General~~
1165 ~~Appropriations Act.~~

1166 ~~(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE~~
1167 ~~REQUIREMENT AUTHORITY. In order to provide a jointly shared~~
1168 ~~educational experience, a university that is designated a~~
1169 ~~preeminent state research university may require its incoming~~
1170 ~~first-time-in-college students to take a 9-to-12-credit set of~~
1171 ~~unique courses specifically determined by the university and~~
1172 ~~published on the university's website. The university may~~
1173 ~~stipulate that credit for such courses may not be earned through~~
1174 ~~any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271~~
1175 ~~or any other transfer credit. All accelerated credits earned up~~
1176 ~~to the limits specified in ss. 1007.27 and 1007.271 shall be~~
1177 ~~applied toward graduation at the student's request.~~

1178 ~~(6)(8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY~~
1179 ~~AUTHORITY.—The Board of Governors is encouraged to identify and~~
1180 ~~grant all reasonable, feasible authority and flexibility to~~
1181 ~~ensure that a designated preeminent state research university is~~
1182 ~~free from unnecessary restrictions.~~

1183 ~~(7)(9) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE~~
1184 ~~UNIVERSITY SYSTEM.—The Board of Governors is encouraged to~~
1185 ~~establish standards and measures whereby individual programs in~~
1186 ~~state universities that objectively reflect national excellence~~
1187 ~~can be identified and make recommendations to the Legislature as~~
1188 ~~to how any such programs could be enhanced and promoted.~~

1189 Section 16. The amendment made by this act to s. 1001.7065,
1190 Florida Statutes, expires July 1, 2017, and the text of that
1191 section shall revert to that in existence on June 30, 2016,
1192 except that any amendments to such text enacted other than by

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1193 this act shall be preserved and continue to operate to the
1194 extent that such amendments are not dependent upon the portions
1195 of text which expire pursuant to this section.

1196 Section 17. In order to implement Specific Appropriations
1197 199, 206, 207, 208, 211, and 218 of the 2016-2017 General
1198 Appropriations Act, the Agency for Health Care Administration is
1199 authorized to submit a budget amendment pursuant to chapter 216,
1200 Florida Statutes, to realign funding based on the model,
1201 methodology, and framework in the "Medicaid Hospital Funding
1202 Programs" document incorporated by reference in Senate Proposed
1203 Bill 2502. Funding changes shall be consistent with the intent
1204 of the model, methodology, and framework displayed,
1205 demonstrated, and explained in the "Medicaid Hospital Funding
1206 Programs" document, while allowing for the appropriate
1207 realignment to appropriation categories related to Medicaid Low-
1208 Income Pool, Disproportionate Share Hospital, Graduate Medical
1209 Education, Inpatient Hospital and Outpatient Hospital programs,
1210 Prepaid Health Plans, and the diagnosis related groups (DRG)
1211 methodology for hospital reimbursement for the 2016-2017 fiscal
1212 year, including requests for additional trust fund budget
1213 authority. Notwithstanding s. 216.177, Florida Statutes, if the
1214 chair or vice chair of the Legislative Budget Commission or the
1215 President of the Senate or the Speaker of the House of
1216 Representatives timely advises the Executive Office of the
1217 Governor, in writing, that the budget amendment exceeds the
1218 delegated authority of the Executive Office of the Governor or
1219 is contrary to legislative policy or intent, the Executive
1220 Office of the Governor shall void the action. This section
1221 expires July 1, 2017.

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1222 Section 18. (1) In order to implement Specific
1223 Appropriation 259 of the 2016-2017 General Appropriations Act,
1224 and notwithstanding s. 393.065(5), Florida Statutes, the Agency
1225 for Persons with Disabilities shall offer enrollment in the
1226 Medicaid home and community-based waiver program in the
1227 following order of priority:

1228 (a) Individuals in category 1, which includes clients
1229 deemed to be in crisis as described in rule.

1230 (b) Individuals in category 2, which includes:

1231 1. Individuals on the wait list who are from the child
1232 welfare system with an open case in the Department of Children
1233 and Families' statewide automated child welfare information
1234 system and who are:

1235 a. Transitioning out of the child welfare system at the
1236 finalization of an adoption, a reunification with family
1237 members, a permanent placement with a relative, or a
1238 guardianship with a nonrelative; or

1239 b. At least 18 years old but not yet 22 years old and need
1240 both waiver services and extended foster care services.

1241 2. Individuals on the wait list who are at least 18 years
1242 old but not yet 22 years old and who withdrew consent pursuant
1243 to s. 39.6251(5)(c), Florida Statutes, to remain in the extended
1244 foster care system.

1245
1246 For individuals who are at least 18 years old but not yet 22
1247 years old and who are eligible under sub-subparagraph 1.b., the
1248 Agency for Persons with Disabilities shall provide waiver
1249 services, including residential habilitation; and the community-
1250 based care lead agency shall fund room and board at the rate

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1251 established in s. 409.145(4), Florida Statutes, and provide case
1252 management and related services as defined in s. 409.986(3)(e),
1253 Florida Statutes. Individuals may receive both waiver services
1254 and services under s. 39.6251, Florida Statutes. Services may
1255 not duplicate services available through the Medicaid state
1256 plan.

1257 (c) Individuals in categories 3 and 4 in an order based on
1258 the Agency for Persons with Disabilities Waitlist Prioritization
1259 Tool, dated March 15, 2013. Using the tool, the agency shall
1260 move those individuals whose needs score highest to the waiver
1261 during the 2016-2017 fiscal year, to the extent funds are
1262 available.

1263 (d) Individuals in category 6 shall be moved to the waiver
1264 during the 2016-2017 fiscal year, to the extent funds are
1265 available, based on meeting the following criteria:

1266 1. The individual is 30 years of age or older;

1267 2. The individual resides in the family home;

1268 3. The individual has been on the wait list for waiver
1269 services for at least 10 continuous years; and

1270 4. The individual is classified at a level of need equal to
1271 Level 3, Level 4, or Level 5 based on the Questionnaire for
1272 Situational Information.

1273 (2) The agency shall allow an individual who meets the
1274 eligibility requirements under s. 393.065(1), Florida Statutes,
1275 to receive home and community-based services in this state if
1276 the individual's parent or legal guardian is an active-duty
1277 military servicemember and, at the time of the servicemember's
1278 transfer to this state, the individual was receiving home and
1279 community-based services in another state.

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1280 (3) Upon the placement of individuals on the waiver
1281 pursuant to subsection (1), individuals remaining on the wait
1282 list are deemed not to have been substantially affected by
1283 agency action and are, therefore, not entitled to a hearing
1284 under s. 393.125, Florida Statutes, or an administrative
1285 proceeding under chapter 120, Florida Statutes.

1286 (4) This section expires July 1, 2017.

1287 Section 19. In order to implement Specific Appropriation
1288 259 of the 2016-2017 General Appropriations Act:

1289 (1) Until the Agency for Persons with Disabilities adopts a
1290 new allocation algorithm and methodology by final rule pursuant
1291 to s. 393.0662, Florida Statutes:

1292 (a) Each client's iBudget in effect as of July 1, 2016,
1293 shall remain at its July 1, 2016, funding level.

1294 (b) The Agency for Persons with Disabilities shall
1295 determine the iBudget for a client newly enrolled on the home
1296 and community-based services waiver on or after July 1, 2016,
1297 using the same allocation algorithm and methodology used for the
1298 iBudgets in effect as of July 1, 2016.

1299 (2) After a new algorithm and methodology is adopted by
1300 final rule, a client's new iBudget shall be determined based on
1301 the new allocation algorithm and methodology and shall take
1302 effect as of the client's next support plan update.

1303 (3) Funding allocated under subsections (1) and (2) may be
1304 increased pursuant to s. 393.0662(1)(b), Florida Statutes. A
1305 client's funding allocation may also be increased if the client
1306 has a significant need for transportation services to a waiver-
1307 funded adult day training program or to a waiver-funded
1308 supported employment where such need cannot be accommodated

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1309 within the funding authorized by the client's iBudget amount
1310 without affecting the health and safety of the client, where
1311 public transportation is not an option due to the unique needs
1312 of the client, and where no other transportation resources are
1313 reasonably available. However, such increases may not result in
1314 the total of all clients' projected annual iBudget expenditures
1315 exceeding the agency's appropriation for waiver services.

1316 (4) This section expires July 1, 2017.

1317 Section 20. In order to implement Specific Appropriations
1318 569 through 578 of the 2016-2017 General Appropriations Act,
1319 subsection (3) of section 296.37, Florida Statutes, is amended
1320 to read:

1321 296.37 Residents; contribution to support.—

1322 (3) Notwithstanding subsection (1), each resident of the
1323 home who receives a pension, compensation, or gratuity from the
1324 United States Government, or income from any other source, of
1325 more than \$105 per month shall contribute to his or her
1326 maintenance and support while a resident of the home in
1327 accordance with a payment schedule determined by the
1328 administrator and approved by the director. The total amount of
1329 such contributions shall be to the fullest extent possible, but,
1330 in no case, shall exceed the actual cost of operating and
1331 maintaining the home. This subsection expires July 1, 2017 ~~2016~~.

1332 Section 21. In order to implement Specific Appropriation
1333 231 of the 2016-2017 General Appropriations Act, the Agency for
1334 Health Care Administration shall ensure that nursing facility
1335 residents who are eligible for funds to transition to home and
1336 community-based services waivers must first have resided in a
1337 skilled nursing facility for at least 60 consecutive days. This

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1338 section expires July 1, 2017.

1339 Section 22. In order to implement Specific Appropriation
1340 232 of the 2016-2017 General Appropriations Act, the Agency for
1341 Health Care Administration and the Department of Elderly Affairs
1342 shall prioritize individuals for enrollment in the Medicaid
1343 Long-Term Care Waiver program using a frailty-based screening
1344 that provides a priority score (the "scoring process") and shall
1345 enroll individuals in the program according to the assigned
1346 priority score as funds are available. The agency may adopt
1347 rules, pursuant to s. 409.919, Florida Statutes, and enter into
1348 interagency agreements necessary to administer s. 409.979(3),
1349 Florida Statutes. Such rules or interagency agreements adopted
1350 by the agency relating to the scoring process may delegate to
1351 the Department of Elderly Affairs, pursuant to s. 409.978,
1352 Florida Statutes, the responsibility for implementing and
1353 administering the scoring process, providing notice of Medicaid
1354 fair hearing rights, and the responsibility for defending, as
1355 needed, the scores assigned to persons on the program wait list
1356 in any resulting Medicaid fair hearings. The Department of
1357 Elderly Affairs may delegate the provision of notice of Medicaid
1358 fair hearing rights to its contractors. This section expires
1359 July 1, 2017.

1360 Section 23. In order to implement Specific Appropriations
1361 192A through 226 and 541 of the 2016-2017 General Appropriations
1362 Act and notwithstanding ss. 216.181 and 216.292, Florida
1363 Statutes, the Agency for Health Care Administration, in
1364 consultation with the Department of Health, may submit a budget
1365 amendment, subject to the notice, review, and objection
1366 procedures of s. 216.177, Florida Statutes, to realign funding

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1367 within and between agencies based on implementation of the
1368 Managed Medical Assistance component of the Statewide Medicaid
1369 Managed Care program for the Children's Medical Services program
1370 of the Department of Health. The funding realignment shall
1371 reflect the actual enrollment changes due to the transfer of
1372 beneficiaries from fee-for-service to the capitated Children's
1373 Medical Services Network. The Agency for Health Care
1374 Administration may submit a request for nonoperating budget
1375 authority to transfer the federal funds to the Department of
1376 Health, pursuant to s. 216.181(12), Florida Statutes. This
1377 section expires July 1, 2017.

1378 Section 24. In order to implement Specific Appropriations
1379 199, 206, 207, 208, 211, and 218 of the 2016-2017 General
1380 Appropriations Act, the calculations of the Medicaid Low-Income
1381 Pool, Disproportionate Share Hospital, and hospital
1382 reimbursement programs for the 2016-2017 fiscal year contained
1383 in the document titled "Medicaid Hospital Funding Programs,"
1384 dated XX XX, 2016, and filed with the Secretary of the Senate,
1385 are incorporated by reference for the purpose of displaying the
1386 calculations used by the Legislature, consistent with the
1387 requirements of state law, in making appropriations for the
1388 Medicaid Low-Income Pool, Disproportionate Share Hospital, and
1389 hospital reimbursement programs. This section expires July 1,
1390 2017.

1391 Section 25. In order to implement Specific Appropriation
1392 524 of the 2016-2017 General Appropriations Act, subsection (17)
1393 of section 893.055, Florida Statutes, is amended to read:

1394 893.055 Prescription drug monitoring program.—

1395 (17) Notwithstanding subsection (10), and for the 2016-2017

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1396 ~~2015-2016~~ fiscal year only, the department may use state funds
1397 appropriated in the 2016-2017 ~~2015-2016~~ General Appropriations
1398 Act to administer the prescription drug monitoring program.
1399 Neither the Attorney General nor the department may use funds
1400 received as part of a settlement agreement to administer the
1401 prescription drug monitoring program. This subsection expires
1402 July 1, 2017 ~~2016~~.

1403 Section 26. In order to implement Specific Appropriations
1404 599 through 706 and 721 through 755 of the 2016-2017 General
1405 Appropriations Act, subsection (4) of section 216.262, Florida
1406 Statutes, is amended to read:

1407 216.262 Authorized positions.—

1408 (4) Notwithstanding the provisions of this chapter relating
1409 to increasing the number of authorized positions, and for the
1410 2016-2017 ~~2015-2016~~ fiscal year only, if the actual inmate
1411 population of the Department of Corrections exceeds the inmate
1412 population projections of the December 17, 2015 ~~February 27,~~
1413 ~~2015~~, Criminal Justice Estimating Conference by 1 percent for 2
1414 consecutive months or 2 percent for any month, the Executive
1415 Office of the Governor, with the approval of the Legislative
1416 Budget Commission, shall immediately notify the Criminal Justice
1417 Estimating Conference, which shall convene as soon as possible
1418 to revise the estimates. The Department of Corrections may then
1419 submit a budget amendment requesting the establishment of
1420 positions in excess of the number authorized by the Legislature
1421 and additional appropriations from unallocated general revenue
1422 sufficient to provide for essential staff, fixed capital
1423 improvements, and other resources to provide classification,
1424 security, food services, health services, and other variable

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1425 expenses within the institutions to accommodate the estimated
1426 increase in the inmate population. All actions taken pursuant to
1427 this subsection are subject to review and approval by the
1428 Legislative Budget Commission. This subsection expires July 1,
1429 2017 ~~2016~~.

1430 Section 27. In order to implement Specific Appropriations
1431 1283 and 1284 of the 2016-2017 General Appropriations Act, the
1432 Department of Legal Affairs may expend appropriated funds in
1433 those specific appropriations on the same programs that were
1434 funded by the department pursuant to specific appropriations
1435 made in general appropriations acts in previous years. This
1436 section expires July 1, 2017.

1437 Section 28. In order to implement Specific Appropriations
1438 1219 and 1224 of the 2016-2017 General Appropriations Act,
1439 paragraph (d) of subsection (4) of section 932.7055, Florida
1440 Statutes, is amended to read:

1441 932.7055 Disposition of liens and forfeited property.—

1442 (4) The proceeds from the sale of forfeited property shall
1443 be disbursed in the following priority:

1444 (d) Notwithstanding any other provision of this subsection,
1445 and for the 2016-2017 ~~2015-2016~~ fiscal year only, the funds in a
1446 special law enforcement trust fund established by the governing
1447 body of a municipality may be expended to reimburse the general
1448 fund of the municipality for moneys advanced from the general
1449 fund to the special law enforcement trust fund before October 1,
1450 2001. This paragraph expires July 1, 2017 ~~2016~~.

1451 Section 29. In order to implement section 7 of the 2016-
1452 2017 General Appropriations Act, subsection (2) of section
1453 215.18, Florida Statutes, is amended to read:

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1454 215.18 Transfers between funds; limitation.—

1455 (2) The Chief Justice of the Supreme Court may receive one
1456 or more trust fund loans to ensure that the state court system
1457 has funds sufficient to meet its appropriations in the 2016-2017
1458 ~~2015-2016~~ General Appropriations Act. If the Chief Justice
1459 accesses the loan, he or she must notify the Governor and the
1460 chairs of the legislative appropriations committees in writing.
1461 The loan must come from other funds in the State Treasury which
1462 are for the time being or otherwise in excess of the amounts
1463 necessary to meet the just requirements of such last-mentioned
1464 funds. The Governor shall order the transfer of funds within 5
1465 days after the written notification from the Chief Justice. If
1466 the Governor does not order the transfer, the Chief Financial
1467 Officer shall transfer the requested funds. The loan of funds
1468 from which any money is temporarily transferred must be repaid
1469 by the end of the 2016-2017 ~~2015-2016~~ fiscal year. This
1470 subsection expires July 1, 2017 ~~2016~~.

1471 Section 30. In order to implement appropriations for
1472 salaries and benefits in the 2016-2017 General Appropriations
1473 Act for the Department of Corrections and notwithstanding s.
1474 216.292, Florida Statutes, the Department of Corrections may not
1475 transfer funds from a salaries and benefits category to any
1476 other category within the department other than a salaries and
1477 benefits category without approval of the Legislative Budget
1478 Commission. This section expires July 1, 2017.

1479 Section 31. (1) In order to implement Specific
1480 Appropriations 1093 through 1105 of the 2016-2017 General
1481 Appropriations Act, the Department of Juvenile Justice shall
1482 review county juvenile detention payments for the purpose of

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1483 ensuring that counties fulfill their financial responsibilities
1484 required in s. 985.686, Florida Statutes. If the Department of
1485 Juvenile Justice determines that a county has not met its
1486 obligations, the department shall direct the Department of
1487 Revenue to deduct the amount owed to the Department of Juvenile
1488 Justice from the funds provided to the county under s. 218.23,
1489 Florida Statutes. The Department of Revenue shall transfer the
1490 funds withheld to the Shared County/State Juvenile Detention
1491 Trust Fund.

1492 (2) As an assurance to holders of bonds issued by counties
1493 before July 1, 2015, for which distributions made pursuant to s.
1494 218.23, Florida Statutes, are pledged, or bonds issued to refund
1495 such bonds which mature no later than the bonds they refunded
1496 and which result in a reduction of debt service payable in each
1497 fiscal year, the amount available for distribution to a county
1498 shall remain as provided by law and continue to be subject to
1499 any lien or claim on behalf of the bondholders. The Department
1500 of Revenue must ensure, based on information provided by an
1501 affected county, that any reduction in amounts distributed
1502 pursuant to subsection (1) does not reduce the amount of
1503 distribution to a county below the amount necessary for the
1504 timely payment of principal and interest when due on the bonds
1505 and the amount necessary to comply with any covenant under the
1506 bond resolution or other documents relating to the issuance of
1507 the bonds. If a reduction to a county's monthly distribution
1508 must be decreased in order to comply with this subsection, the
1509 Department of Revenue must notify the Department of Juvenile
1510 Justice of the amount of the decrease, and the Department of
1511 Juvenile Justice must send a bill for payment of such amount to

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1512 the affected county.

1513 (3) This section expires July 1, 2017.

1514 Section 32. In order to implement Specific Appropriation
1515 780 of the 2016-2017 General Appropriations Act, subsection (5)
1516 of section 27.5304, Florida Statutes, is amended to read:

1517 27.5304 Private court-appointed counsel; compensation;
1518 notice.—

1519 (5) The compensation for representation in a criminal
1520 proceeding may ~~shall~~ not exceed the following:

1521 (a) For misdemeanors and juveniles represented at the trial
1522 level: \$1,000.

1523 (b) For noncapital, nonlife felonies represented at the
1524 trial level: \$15,000 ~~\$6,000~~.

1525 (c) For life felonies represented at the trial level:
1526 \$15,000 ~~\$9,000~~.

1527 (d) For capital cases represented at the trial level:
1528 \$25,000. For purposes of this paragraph, a "capital case" is any
1529 offense for which the potential sentence is death and the state
1530 has not waived seeking the death penalty.

1531 (e) For representation on appeal: \$9,000.

1532 Section 33. The amendment made by this act to s.
1533 27.5304(5), Florida Statutes, expires July 1, 2017, and the text
1534 of that subsection shall revert to that in existence on June 30,
1535 2016, except that any amendments to such text enacted other than
1536 by this act shall be preserved and continue to operate to the
1537 extent that such amendments are not dependent upon the portions
1538 of text which expire pursuant to this section.

1539 Section 34. Effective upon becoming a law and in order to
1540 implement Specific Appropriation 3023 and sections 35 and 36 of

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1541 the 2016-2017 General Appropriations Act, subsections (5) and
1542 (6) are added to section 28.36, Florida Statutes, to read:

1543 28.36 Budget procedure.—There is established a budget
1544 procedure for the court-related functions of the clerks of the
1545 court.

1546 (5) Funds appropriated in the General Appropriations Act to
1547 augment the revenues received from fines, fees, service charges,
1548 and costs for court-related functions by the clerks of the court
1549 during the 2015-2016 county fiscal year shall be distributed by
1550 the Department of Revenue to clerks of the court in accordance
1551 with this subsection. The Florida Clerks of Court Operations
1552 Corporation shall certify to the Department of Revenue a
1553 proposed distribution of a portion of the appropriated funds for
1554 each clerk with a deficit after retaining all of the projected
1555 collections from the court-related fines, fees, service charges,
1556 and costs and for which a distribution under subsection (3) is
1557 not available to relieve that deficit; however, each clerk's
1558 expenditures may not exceed the amount approved for the 2015-
1559 2016 county fiscal year by the Legislative Budget Commission.
1560 The Department of Revenue shall certify the amount needed for
1561 each individual clerk to the Executive Office of the Governor
1562 and request release authority for such amounts from the Clerks
1563 of Court Trust Fund. Notwithstanding s. 216.192, the Executive
1564 Officer of the Governor may approve the release of funds in
1565 accordance with the notice, review, and objection procedures set
1566 forth in s. 216.177 and provide notice to the Department of
1567 Revenue and the Chief Financial Officer. The Department of
1568 Revenue and the Chief Financial Officer shall release the funds
1569 to each clerk in accordance with the release approved by the

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1570 Governor. This subsection expires July 1, 2017.

1571 (6) Funds appropriated in the General Appropriations Act
1572 for the clerks of the court for the 2016-2017 county fiscal year
1573 shall augment the amount of revenues projected to be received
1574 from fines, fees, service charges, and costs for court-related
1575 functions by the clerks of the court when each clerk of the
1576 court prepares, summarizes, and submits their budget to the
1577 Florida Clerks of Court Operations Corporation pursuant to
1578 subsection (2). The Florida Clerks of Court Operations
1579 Corporation shall determine the portion of the appropriated
1580 funds which shall be included in each individual clerk's
1581 proposed budget submitted pursuant to subsection (2). The
1582 proposed budgets for each clerk of court submitted to the
1583 Legislative Budget Commission pursuant to s. 28.35(2)(h) shall
1584 separately identify the amount of the appropriated funds
1585 proposed to be distributed to each clerk of the court. During
1586 consideration of the clerks' of the court budget pursuant to s.
1587 28.35(2)(h), the Legislative Budget Commission shall consider
1588 the proposed distribution of the appropriated funds and shall
1589 approve, disapprove, or amend and approve the distribution of
1590 appropriated funds as a part of the clerks' combined budgets or
1591 any individual clerk's budget. If the Legislative Budget
1592 Commission fails to approve or amend and approve the clerks'
1593 combined budgets or amend and approve each individual clerk's
1594 budget, including the appropriated funds, before October 1,
1595 2016, the corporation shall certify to the Department of Revenue
1596 a proposed distribution of a portion of the appropriated funds
1597 for each clerk with a deficit after retaining all of the
1598 projected collections from the court-related fines, fees,

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1599 service charges, and costs and for which a distribution under
1600 subsection (3) is not available to relieve that deficit;
1601 however, each clerk's expenditures may not exceed the amount
1602 approved by the Legislative Budget Commission for the 2015-2016
1603 county fiscal year. The Department of Revenue shall certify the
1604 amount needed for each individual clerk to the Executive Office
1605 of the Governor and request release authority for such amounts
1606 from the Clerks of Court Trust Fund. Notwithstanding s. 216.192,
1607 the Executive Officer of the Governor may approve the release of
1608 funds in accordance with the notice, review, and objection
1609 procedures set forth in s. 216.177 and provide notice to the
1610 Department of Revenue and the Chief Financial Officer. The
1611 Department of Revenue and the Chief Financial Officer shall
1612 release the funds to each clerk in accordance with the release
1613 approved by the Governor. This subsection expires July 1, 2017.

1614 Section 35. In order to implement appropriations used for
1615 the payments of existing lease contracts for private lease space
1616 in excess of 2,000 square feet in the 2016-2017 General
1617 Appropriations Act, the Department of Management Services, with
1618 the cooperation of the agencies having the existing lease
1619 contracts for office or storage space, shall use tenant broker
1620 services to renegotiate or reprocure all private lease
1621 agreements for office or storage space expiring between July 1,
1622 2017, and June 30, 2019, in order to reduce costs in future
1623 years. The department shall incorporate this initiative into its
1624 2016 master leasing report required under s. 255.249(7), Florida
1625 Statutes, and may use tenant broker services to explore the
1626 possibilities of collocating office or storage space, to review
1627 the space needs of each agency, and to review the length and

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1628 terms of potential renewals or renegotiations. The department
1629 shall provide a report to the Executive Office of the Governor,
1630 the President of the Senate, and the Speaker of the House of
1631 Representatives by November 1, 2016, which lists each lease
1632 contract for private office or storage space, the status of
1633 renegotiations, and the savings achieved. This section expires
1634 July 1, 2017.

1635 Section 36. In order to implement Specific Appropriations
1636 2257 through 2265 of the 2016-2017 General Appropriations Act,
1637 section 624.502, Florida Statutes, is reenacted to read:

1638 624.502 Service of process fee.—In all instances as
1639 provided in any section of the insurance code and s. 48.151(3)
1640 in which service of process is authorized to be made upon the
1641 Chief Financial Officer or the director of the office, the
1642 plaintiff shall pay to the department or office a fee of \$15 for
1643 such service of process, which fee shall be deposited into the
1644 Administrative Trust Fund.

1645 Section 37. The amendment to s. 624.502, Florida Statutes,
1646 as carried forward by this act from chapter 2013-41, Laws of
1647 Florida, expires July 1, 2017, and the text of that section
1648 shall revert to that in existence on June 30, 2013, except that
1649 any amendments to such text enacted other than by this act shall
1650 be preserved and continue to operate to the extent that such
1651 amendments are not dependent upon the portions of text which
1652 expire pursuant to this section.

1653 Section 38. In order to implement Specific Appropriations
1654 2834 through 2845 of the 2016-2017 General Appropriations Act,
1655 paragraph (a) of subsection (2) of section 282.709, Florida
1656 Statutes, is reenacted to read:

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1657 282.709 State agency law enforcement radio system and
1658 interoperability network.—

1659 (2) The Joint Task Force on State Agency Law Enforcement
1660 Communications is created adjunct to the department to advise
1661 the department of member-agency needs relating to the planning,
1662 designing, and establishment of the statewide communication
1663 system.

1664 (a) The Joint Task Force on State Agency Law Enforcement
1665 Communications shall consist of the following members:

1666 1. A representative of the Division of Alcoholic Beverages
1667 and Tobacco of the Department of Business and Professional
1668 Regulation who shall be appointed by the secretary of the
1669 department.

1670 2. A representative of the Division of Florida Highway
1671 Patrol of the Department of Highway Safety and Motor Vehicles
1672 who shall be appointed by the executive director of the
1673 department.

1674 3. A representative of the Department of Law Enforcement
1675 who shall be appointed by the executive director of the
1676 department.

1677 4. A representative of the Fish and Wildlife Conservation
1678 Commission who shall be appointed by the executive director of
1679 the commission.

1680 5. A representative of the Department of Corrections who
1681 shall be appointed by the secretary of the department.

1682 6. A representative of the Division of State Fire Marshal
1683 of the Department of Financial Services who shall be appointed
1684 by the State Fire Marshal.

1685 7. A representative of the Department of Agriculture and

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1686 Consumer Services who shall be appointed by the Commissioner of
1687 Agriculture.

1688 Section 39. The amendment to s. 282.709(2)(a), Florida
1689 Statutes, as carried forward by this act from chapter 2014-53,
1690 Laws of Florida, expires July 1, 2017, and the text of that
1691 paragraph shall revert to that in existence on June 30, 2014,
1692 except that any amendments to such text enacted other than by
1693 this act shall be preserved and continue to operate to the
1694 extent that such amendments are not dependent upon the portions
1695 of text which expire pursuant to this section.

1696 Section 40. In order to implement Specific Appropriations
1697 2740 through 2752 of the 2016-2017 General Appropriations Act,
1698 and notwithstanding rule 60A-1.031, Florida Administrative Code,
1699 the transaction fee collected for use of the online procurement
1700 system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
1701 Florida Statutes, shall be seven-tenths of 1 percent for the
1702 2016-2017 fiscal year only. This section expires July 1, 2017.

1703 Section 41. In order to implement Specific Appropriations
1704 1533 and 1534 of the 2016-2017 General Appropriations Act,
1705 paragraph (m) of subsection (3) of section 259.105, Florida
1706 Statutes, is amended, and paragraph (n) is added to that
1707 subsection, to read:

1708 259.105 The Florida Forever Act.—

1709 (3) Less the costs of issuing and the costs of funding
1710 reserve accounts and other costs associated with bonds, the
1711 proceeds of cash payments or bonds issued pursuant to this
1712 section shall be deposited into the Florida Forever Trust Fund
1713 created by s. 259.1051. The proceeds shall be distributed by the
1714 Department of Environmental Protection in the following manner:

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1715 (m) Notwithstanding paragraphs (a)-(j) and for the 2016-
1716 2017 ~~2015-2016~~ fiscal year only, \$22,256,206 ~~\$17.4 million~~ to
1717 only the Division of State Lands within the Department of
1718 Environmental Protection for the Board of Trustees Florida
1719 Forever Priority List land acquisition projects and \$30 million
1720 to the Florida Communities Trust. This paragraph expires July 1,
1721 2017 ~~2016~~.

1722 (n)1. For the 2016-2017 fiscal year:

1723 a. Notwithstanding any allocation required pursuant to
1724 paragraph (c), 66.67 percent of the funds available to the
1725 Florida Communities Trust shall be allocated for projects
1726 acquiring conservation or recreation lands to enhance
1727 recreational opportunities for individuals with unique
1728 abilities.

1729 b. The Department of Environmental Protection may waive the
1730 local government matching fund requirement in paragraph (c) for
1731 projects acquiring conservation or recreation lands to enhance
1732 recreational opportunities for individuals with unique
1733 abilities.

1734 2. This paragraph expires July 1, 2017.

1735 Section 42. In order to implement Specific Appropriation
1736 1698A of the 2016-2017 General Appropriations Act, subsection
1737 (4) is added to section 375.075, Florida Statutes, to read:

1738 375.075 Outdoor recreation; financial assistance to local
1739 governments.—

1740 (4) (a) For the 2016-2017 fiscal year:

1741 1. Notwithstanding any other provision of this section, at
1742 least 30 percent of the program funds for projects must be used
1743 exclusively for projects that provide recreational enhancements

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1744 and opportunities for individuals with unique abilities. The
1745 department shall conduct a separate grant application process
1746 exclusively for such projects. The department shall make the
1747 schedule for the grant application process for projects that
1748 provide recreational enhancements and opportunities for
1749 individuals with unique abilities publicly available and shall
1750 award the grants for such projects by December 31, 2016.

1751 2. Notwithstanding subsection (3), a local government may
1752 submit up to three grant applications for projects, if at least
1753 one of those projects provides recreational enhancements and
1754 opportunities for individuals with unique abilities. The maximum
1755 project grant for each project application that provides
1756 recreational enhancements and opportunities for individuals with
1757 unique abilities may not exceed \$500,000 in state funds.

1758 (b) The selection criteria used by the department for grant
1759 applications submitted pursuant to this subsection shall
1760 prioritize projects that allocate the greatest share of state
1761 funds to provide recreational enhancements and opportunities for
1762 individuals with unique abilities.

1763 (c) This subsection expires July 1, 2017.

1764 Section 43. In order to implement Specific Appropriation
1765 1534 of the 2016-2017 General Appropriations Act, paragraph (h)
1766 is added to subsection (2) of section 380.507, Florida Statutes,
1767 to read:

1768 380.507 Powers of the trust.—The trust shall have all the
1769 powers necessary or convenient to carry out the purposes and
1770 provisions of this part, including:

1771 (2) To undertake, coordinate, or fund activities and
1772 projects which will help bring local comprehensive plans into

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1773 compliance and help implement the goals, objectives, and
1774 policies of the conservation, recreation and open space, and
1775 coastal elements of local comprehensive plans, or which will
1776 otherwise serve to conserve natural resources and resolve land
1777 use conflicts, including, but not limited to:

1778 (h) Projects that provide accessibility, availability, or
1779 adaptability of conservation or recreation lands for individuals
1780 with unique abilities. This paragraph expires July 1, 2017.

1781 Section 44. In order to implement Specific Appropriations
1782 1599, 1599A, 1599B, and 1748 of the 2016-2017 General
1783 Appropriations Act, paragraph (d) of subsection (11) of section
1784 216.181, Florida Statutes, is amended to read:

1785 216.181 Approved budgets for operations and fixed capital
1786 outlay.—

1787 (11)

1788 (d) Notwithstanding paragraph (b) and paragraph (2)(b), and
1789 for the 2016-2017 ~~2015-2016~~ fiscal year only, the Legislative
1790 Budget Commission may increase the amounts appropriated to the
1791 Fish and Wildlife Conservation Commission or the Department of
1792 Environmental Protection for fixed capital outlay projects,
1793 including additional fixed capital outlay projects, using funds
1794 provided to the state from the Gulf Environmental Benefit Fund
1795 administered by the National Fish and Wildlife Foundation; funds
1796 provided to the state from the Gulf Coast Restoration Trust Fund
1797 related to the Resources and Ecosystems Sustainability, Tourist
1798 Opportunities, and Revived Economies of the Gulf Coast Act of
1799 2012 (RESTORE Act); or funds provided by the British Petroleum
1800 Corporation (BP) for natural resource damage assessment early
1801 restoration projects. Concurrent with submission of an amendment

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1802 to the Legislative Budget Commission pursuant to this paragraph,
1803 any project that carries a continuing commitment for future
1804 appropriations by the Legislature must be specifically
1805 identified, together with the projected amount of the future
1806 commitment associated with the project and the fiscal years in
1807 which the commitment is expected to commence. This paragraph
1808 expires July 1, 2017 ~~2016~~.

1809

1810 The provisions of this subsection are subject to the notice and
1811 objection procedures set forth in s. 216.177.

1812 Section 45. In order to implement specific appropriations
1813 from the Water Quality Assurance Trust Fund within the
1814 Department of Environmental Protection contained in the 2016-
1815 2017 General Appropriations Act, paragraph (b) of subsection (2)
1816 of section 206.9935, Florida Statutes, is amended to read:

1817 206.9935 Taxes imposed.—

1818 (2) TAX FOR WATER QUALITY.—

1819 (b) The excise tax shall be the applicable rate as
1820 specified in subparagraph 1. per barrel or per unit of
1821 pollutant, or equivalent measure as established by the
1822 department, produced in or imported into the state. If the
1823 unobligated balance of the Water Quality Assurance Trust Fund is
1824 or falls below \$3 million, the tax shall be increased to the
1825 applicable rates specified in subparagraph 2. and shall remain
1826 at said rates until the unobligated balance in the fund exceeds
1827 \$5 million, at which time the tax shall be imposed at the rates
1828 specified in subparagraph 1. If the unobligated balance of the
1829 fund exceeds \$12 million, the levy of the tax shall be
1830 discontinued until the unobligated balance of the fund falls

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1831 below \$5 million, at which time the tax shall be imposed at the
1832 rates specified in subparagraph 1. Changes in the tax rates
1833 pursuant to this paragraph shall take effect on the first day of
1834 the month after 30 days' notification to the Department of
1835 Revenue when the unobligated balance of the fund falls below or
1836 exceeds a limit set pursuant to this paragraph. The unobligated
1837 balance of the Water Quality Assurance Trust Fund as it relates
1838 to determination of the applicable excise tax rate shall exclude
1839 the unobligated balances of funds of the Dry Cleaning, Operator
1840 Certification, and nonagricultural nonpoint source programs, and
1841 other required reservations of fund balance. The unobligated
1842 balance in the Water Quality Assurance Trust Fund is based upon
1843 the current unreserved fund balance, projected revenues,
1844 authorized legislative appropriations, and funding for the
1845 department's base budget for the subsequent fiscal year.
1846 Revenues for penalties collected pursuant to s. 403.121(11) and
1847 all moneys recovered under s. 373.430(7) are exempt from the
1848 calculation of the unobligated balance of the Water Quality
1849 Assurance Trust Fund. Determination of the unobligated balance
1850 of the Water Quality Assurance Trust Fund shall be performed
1851 annually subsequent to the annual legislative appropriations
1852 becoming law.

1853 1. As provided in this paragraph, the tax shall be 2.36
1854 cents per gallon of solvents, 1 cent per gallon of motor oil or
1855 other lubricants, and 2 cents per barrel of petroleum products,
1856 pesticides, ammonia, and chlorine.

1857 2. As provided in this paragraph, the tax shall be 5.9
1858 cents per gallon of solvents, 2.5 cents per gallon of motor oil
1859 or other lubricants, 2 cents per barrel of ammonia, and 5 cents

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1860 per barrel of petroleum products, pesticides, and chlorine.

1861 Section 46. The amendment made by this act to s.
1862 206.9935(2)(b), Florida Statutes, expires July 1, 2017, and the
1863 text of that paragraph shall revert to that in existence on June
1864 30, 2016, except that any amendments to such text enacted other
1865 than by this act shall be preserved and continue to operate to
1866 the extent that such amendments are not dependent upon the
1867 portions of text which expire pursuant to this section.

1868 Section 47. In order to implement Specific Appropriation
1869 1670 of the 2016-2017 General Appropriations Act, subsection (5)
1870 of section 403.709, Florida Statutes, is amended to read:

1871 403.709 Solid Waste Management Trust Fund; use of waste
1872 tire fees.—There is created the Solid Waste Management Trust
1873 Fund, to be administered by the department.

1874 (5) (a) Notwithstanding subsection (1), a solid waste
1875 landfill closure account is established within the Solid Waste
1876 Management Trust Fund to provide funding for the closing and
1877 long-term care of solid waste management facilities. The
1878 department may use funds from the account to contract with a
1879 third party for the closing and long-term care of a solid waste
1880 management facility if:

1881 1. The facility has or had a department permit to operate
1882 the facility;

1883 2. The permittee provided proof of financial assurance for
1884 closure in the form of an insurance certificate;

1885 3. The facility is deemed to be abandoned or was ordered to
1886 close by the department;

1887 4. Closure is accomplished in substantial accordance with a
1888 closure plan approved by the department; and

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1889 5. The department has written documentation that the
1890 insurance company issuing the closure insurance policy will
1891 provide or reimburse the funds required to complete closing and
1892 long-term care of the facility.

1893 (b) The department shall deposit the funds received from
1894 the insurance company as reimbursement for the costs of closing
1895 or long-term care of the facility into the solid waste landfill
1896 closure account.

1897 (c) This subsection expires July 1, 2017 ~~2016~~.

1898 Section 48. Effective upon becoming a law and in order to
1899 implement Specific Appropriation 1674 and section 49 of the
1900 2016-2017 General Appropriations Act, and notwithstanding the
1901 expiration of subsection (5) of section 403.7095, Florida
1902 Statutes, which occurred on July 1, 2015, that subsection is
1903 revived, reenacted, and amended to read:

1904 403.7095 Solid waste management grant program.—

1905 (5) Notwithstanding any other provision of this section,
1906 and for the 2015-2016 and 2016-2017 ~~2014-2015~~ fiscal years ~~year~~
1907 only, the Department of Environmental Protection shall award the
1908 sum of \$1,500,000 in grants in the 2015-2016 fiscal year and the
1909 sum of \$3,750,000 ~~\$3 million~~ in grants in the 2016-2017 fiscal
1910 year equally to counties having populations of fewer than
1911 100,000 for waste tire and litter prevention, recycling
1912 education, and general solid waste programs. This subsection
1913 expires July 1, 2017 ~~2015~~.

1914 Section 49. In order to implement specific appropriations
1915 from the land acquisition trust funds within the Department of
1916 Agriculture and Consumer Services, the Department of
1917 Environmental Protection, the Department of State, and the Fish

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1918 and Wildlife Conservation Commission which are contained in the
1919 2016-2017 General Appropriations Act, subsection (3) of section
1920 215.18, Florida Statutes, is amended to read:

1921 215.18 Transfers between funds; limitation.—

1922 (3) Notwithstanding subsection (1) and only with respect to
1923 a land acquisition trust fund in the Department of Agriculture
1924 and Consumer Services, the Department of Environmental
1925 Protection, the Department of State, or the Fish and Wildlife
1926 Conservation Commission, whenever there is a deficiency in a
1927 land acquisition trust fund which would render that trust fund
1928 temporarily insufficient to meet its just requirements,
1929 including the timely payment of appropriations from that trust
1930 fund, and other trust funds in the State Treasury have moneys
1931 that are for the time being or otherwise in excess of the
1932 amounts necessary to meet the just requirements, including
1933 appropriated obligations, of those other trust funds, the
1934 Governor may order a temporary transfer of moneys from one or
1935 more of the other trust funds to a land acquisition trust fund
1936 in the Department of Agriculture and Consumer Services, the
1937 Department of Environmental Protection, the Department of State,
1938 or the Fish and Wildlife Conservation Commission. Any action
1939 proposed pursuant to this subsection is subject to the notice,
1940 review, and objection procedures of s. 216.177, and the Governor
1941 shall provide notice of such action at least 7 days before the
1942 effective date of the transfer of trust funds, except that
1943 during July 2016 ~~2015~~, notice of such action shall be provided
1944 at least 3 days before the effective date of a transfer unless
1945 such 3-day notice is waived by the chair and vice-chair of the
1946 Legislative Budget Commission. Any transfer of trust funds to a

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1947 land acquisition trust fund in the Department of Agriculture and
1948 Consumer Services, the Department of Environmental Protection,
1949 the Department of State, or the Fish and Wildlife Conservation
1950 Commission must be repaid to the trust funds from which the
1951 moneys were loaned by the end of the 2016-2017 ~~2015-2016~~ fiscal
1952 year. The Legislature has determined that the repayment of the
1953 other trust fund moneys temporarily loaned to a land acquisition
1954 trust fund in the Department of Agriculture and Consumer
1955 Services, the Department of Environmental Protection, the
1956 Department of State, or the Fish and Wildlife Conservation
1957 Commission pursuant to this subsection is an allowable use of
1958 the moneys in a land acquisition trust fund because the moneys
1959 from other trust funds temporarily loaned to a land acquisition
1960 trust fund shall be expended solely and exclusively in
1961 accordance with s. 28, Art. X of the State Constitution. This
1962 subsection expires July 1, 2017 ~~2016~~.

1963 Section 50. (1) In order to implement specific
1964 appropriations from the land acquisition trust funds within the
1965 Department of Agriculture and Consumer Services, the Department
1966 of Environmental Protection, the Department of State, and the
1967 Fish and Wildlife Conservation Commission which are contained in
1968 the 2016-2017 General Appropriations Act, the Department of
1969 Environmental Protection shall transfer revenues in the Land
1970 Acquisition Trust Fund within the department to the land
1971 acquisition trust funds within the Department of Agriculture and
1972 Consumer Services, the Department of State, and the Fish and
1973 Wildlife Conservation Commission, as provided in this section.
1974 As used in this section, the term "department" means the
1975 Department of Environmental Protection.

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1976 (2) After subtracting any required debt service payments,
1977 the proportionate share of revenues to be transferred to a land
1978 acquisition trust fund shall be calculated by dividing the
1979 appropriations from each of the land acquisition trust funds for
1980 the fiscal year by the total appropriations from the Land
1981 Acquisition Trust Fund within the department and the land
1982 acquisition trust funds within the Department of Agriculture and
1983 Consumer Services, the Department of State, and the Fish and
1984 Wildlife Commission for the fiscal year. The department shall
1985 transfer a proportionate share of the revenues deposited into
1986 the Land Acquisition Trust Fund within the department on a
1987 monthly basis to the land acquisition trust funds within the
1988 Department of Agriculture and Consumer Services, the Department
1989 of State, and the Fish and Wildlife Commission and shall retain
1990 a proportionate share of the revenues in the Land Acquisition
1991 Trust Fund within the department. Total distributions to a land
1992 acquisition trust fund within the Department of Agriculture and
1993 Consumer Services, the Department of State, and the Fish and
1994 Wildlife Commission may not exceed the total appropriations from
1995 such trust fund for the fiscal year.

1996 (3) This section expires July 1, 2017.

1997 Section 51. In order to implement Specific Appropriation
1998 1623B of the 2016-2017 General Appropriations Act, subsection
1999 (9) of section 376.3071, Florida Statutes, is amended to read:

2000 376.3071 Inland Protection Trust Fund; creation; purposes;
2001 funding.—

2002 (9) INVESTMENTS; INTEREST.—Moneys in the fund which are not
2003 needed currently to meet the obligations of the department in
2004 the exercise of its responsibilities under this section and s.

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2005 376.3073 shall be deposited with the Chief Financial Officer to
2006 the credit of the fund and may be invested in such manner as
2007 provided by law. The interest received on such investment shall
2008 be credited to the fund. Any provisions of law to the contrary
2009 notwithstanding, such interest may be freely transferred between
2010 the trust fund and the Water Quality Assurance Trust Fund in the
2011 discretion of the department or as authorized in the General
2012 Appropriations Act.

2013 Section 52. The amendment made by this act to s.
2014 376.3071(9), Florida Statutes, expires July 1, 2017, and the
2015 text of that subsection shall revert to that in existence on
2016 June 30, 2016, except that any amendments to such text enacted
2017 other than by this act shall be preserved and continue to
2018 operate to the extent that such amendments are not dependent
2019 upon the portions of text which expire pursuant to this section.

2020 Section 53. In order to implement Specific Appropriation
2021 2198 of the 2016-2017 General Appropriations Act, subsections
2022 (4), (5), and (9) of section 288.047, Florida Statutes, are
2023 amended to read:

2024 288.047 Quick-response training for economic development.-

2025 (4) (a)1. CareerSource Florida, Inc., may approve
2026 applications and execute agreements with terms not to exceed 24
2027 months under the Quick-Response Training Program as provided in
2028 this section. However, the total amount of contractual
2029 obligations at any given time may not exceed \$30,000,000
2030 million.

2031 2. The total amount of reimbursements approved for payment
2032 by CareerSource Florida, Inc., based on actual performance under
2033 the grant agreement, may not exceed the amount appropriated to

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2034 CareerSource Florida, Inc., for such purposes in fiscal year
2035 2016-2017. The department shall transfer funds to CareerSource
2036 Florida, Inc., as needed to make reimbursement payments.
2037 CareerSource Florida, Inc., may request an advance of the
2038 appropriation for the Quick-Response Training Program in an
2039 amount sufficient to reimburse estimated claims for the first
2040 quarter of fiscal year 2016-2017.

2041 (b) For the first 6 months of each fiscal year,
2042 CareerSource Florida, Inc., shall set aside 30 percent of the
2043 amount appropriated by the Legislature for the Quick-Response
2044 Training Program to fund instructional programs for businesses
2045 located in a rural area of opportunity ~~an enterprise zone~~ or
2046 brownfield area. Any unencumbered funds remaining ~~undisbursed~~
2047 from this set-aside at the end of the 6-month period may be used
2048 to provide funding for a program that qualifies for funding
2049 pursuant to this section.

2050 ~~(5) Prior to the allocation of funds for a request made~~
2051 ~~pursuant to this section,~~ CareerSource Florida, Inc., shall
2052 prepare a grant agreement with ~~between~~ the business or industry
2053 requesting funds, ~~the educational institution receiving funding~~
2054 ~~through the program, and CareerSource Florida, Inc.~~ Such
2055 agreement may include an educational institution receiving
2056 funding through the program and must include, but is not limited
2057 to:

2058 (a) An identification of the personnel necessary to conduct
2059 the instructional program, the qualifications of such personnel,
2060 and the respective responsibilities of the parties for paying
2061 costs associated with the employment of such personnel.

2062 (b) An identification of the estimated length of the

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2063 instructional program.

2064 (c) An identification of all direct, training-related
2065 costs, including tuition and fees, curriculum development, books
2066 and classroom materials, and overhead or indirect costs, not to
2067 exceed 5 percent of the grant amount.

2068 (d) An identification of special program requirements that
2069 are not addressed otherwise in the agreement.

2070 (e) Permission to access information specific to the wages
2071 and performance of participants upon the completion of
2072 instruction for evaluation purposes. Information which, if
2073 released, would disclose the identity of the person to whom the
2074 information pertains or disclose the identity of the person's
2075 employer is confidential and exempt from ~~the provisions of s.~~
2076 119.07(1). The agreement must specify that any evaluations
2077 published subsequent to the instruction may not identify the
2078 employer or any individual participant.

2079 (9) Notwithstanding any other provision of law, ~~eligible~~
2080 matching contributions received during the fiscal year from a
2081 business or an industry participating in ~~under this section from~~
2082 the Quick-Response Training Program may be counted toward the
2083 private sector support of Enterprise Florida, Inc., under s.
2084 288.904.

2085 Section 54. The amendments made by this act to s.
2086 288.047(4), (5), and (9), Florida Statutes, expire July 1, 2017,
2087 and the text of those subsections shall revert to that in
2088 existence on June 30, 2016, except that any amendments to such
2089 text enacted other than by this act shall be preserved and
2090 continue to operate to the extent that such amendments are not
2091 dependent upon the portions of text which expire pursuant to

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2092 this section.

2093 Section 55. In order to implement Specific Appropriation
2094 1895 of the 2016-2017 General Appropriations Act, paragraph (i)
2095 of subsection (4) and paragraph (b) of subsection (5) of section
2096 339.135, Florida Statutes, are amended, and notwithstanding the
2097 expiration of paragraph (j) of subsection (4) and paragraph (c)
2098 of subsection (5) of that section, which occurred on July 1,
2099 2015, those paragraphs are revived, reenacted, and amended, to
2100 read:

2101 339.135 Work program; legislative budget request;
2102 definitions; preparation, adoption, execution, and amendment.—

2103 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

2104 (i) Notwithstanding paragraph (a), and for the 2016-2017
2105 ~~2015-2016~~ fiscal year only, the Department of Transportation
2106 shall use appropriated funds to support the establishment of a
2107 statewide system of interconnected multiuse trails and to pay
2108 the costs of planning, land acquisition, design, and
2109 construction of such trails and related facilities. Funds
2110 specifically appropriated for this purpose may not reduce,
2111 delete, or defer any existing projects funded as of July 1, 2016
2112 ~~2015~~, in the department's 5-year work program. This paragraph
2113 expires July 1, 2017 ~~2016~~.

2114 (j) Notwithstanding paragraph (a) and for the 2016-2017
2115 ~~2014-2015~~ fiscal year only, the department may use up to \$15
2116 million of appropriated funds to pay the costs of strategic and
2117 regionally significant transportation projects. Funds may be
2118 used to provide up to 75 percent of project costs for
2119 production-ready eligible projects. Preference shall be given to
2120 projects that support the state's economic regions, or that have

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2121 been identified as regionally significant in accordance with s.
2122 339.155(4)(c), (d), and (e), and that have an increased level of
2123 nonstate match. This paragraph expires July 1, 2017 ~~2015~~.

2124 (5) ADOPTION OF THE WORK PROGRAM.—

2125 (b) Notwithstanding paragraph (a), and for the 2016-2017
2126 ~~2015-2016~~ fiscal year only, the department shall use
2127 appropriated funds to support the establishment of a statewide
2128 system of interconnected multiuse trails and to pay the costs of
2129 planning, land acquisition, design, and construction of such
2130 trails and related facilities. Funds specifically appropriated
2131 for this purpose may not reduce, delete, or defer any existing
2132 projects funded as of July 1, 2016 ~~2015~~, in the department's 5-
2133 year work program. This paragraph expires July 1, 2017 ~~2016~~.

2134 (c) Notwithstanding paragraph (a), and for the 2016-2017
2135 ~~2014-2015~~ fiscal year only, the department may use appropriated
2136 funds to pay the costs of strategic and regionally significant
2137 transportation projects as provided in paragraph (4)(j). Funds
2138 specifically appropriated for this purpose may not reduce,
2139 delete, or defer any existing projects funded as of July 1, 2016
2140 ~~2014~~, in the department's 5-year work program. This paragraph
2141 expires July 1, 2017 ~~2015~~.

2142 Section 56. In order to implement Specific Appropriation
2143 1890 of the 2016-2017 General Appropriations Act, subsection (2)
2144 of section 339.2818, Florida Statutes, is amended to read:

2145 339.2818 Small County Outreach Program.—

2146 (2)(a) For the purposes of this section, the term "small
2147 county" means any county that has a population of 150,000 or
2148 less as determined by the most recent official estimate pursuant
2149 to s. 186.901.

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2150 (b) Notwithstanding paragraph (a), for the 2016-2017 ~~2015-~~
2151 ~~2016~~ fiscal year, for purposes of this section, the term "small
2152 county" means any county that has a population of 170,000
2153 ~~165,000~~ or less as determined by the most recent official
2154 estimate pursuant to s. 186.901. This paragraph expires July 1,
2155 2017 ~~2016~~.

2156 Section 57. In order to implement Specific Appropriation
2157 1874 of the 2016-2017 General Appropriations Act, subsection
2158 (10) of section 341.302, Florida Statutes, is reenacted to read:

2159 341.302 Rail program; duties and responsibilities of the
2160 department.—The department, in conjunction with other
2161 governmental entities, including the rail enterprise and the
2162 private sector, shall develop and implement a rail program of
2163 statewide application designed to ensure the proper maintenance,
2164 safety, revitalization, and expansion of the rail system to
2165 assure its continued and increased availability to respond to
2166 statewide mobility needs. Within the resources provided pursuant
2167 to chapter 216, and as authorized under federal law, the
2168 department shall:

2169 (10) (a) Administer rail operating and construction
2170 programs, which programs shall include the regulation of maximum
2171 train operating speeds, the opening and closing of public grade
2172 crossings, the construction and rehabilitation of public grade
2173 crossings, the installation of traffic control devices at public
2174 grade crossings, the approval and implementation of quiet zones,
2175 and administration of the programs by the department, including
2176 participation in the cost of the programs.

2177 (b) Provide grant funding to assist with the implementation
2178 of quiet zones that have been approved by the department, which

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2179 funding may not exceed 50 percent of the nonfederal and
2180 nonprivate share of the total costs of any quiet zone capital
2181 improvement project.

2182 (c) Coordinate and work closely with local, state, and
2183 federal agencies to provide technical support to local agencies
2184 for the development of quiet zone plans.

2185 (d) Monitor crossing incidents at approved quiet zone
2186 locations and suspend the operation of a quiet zone at any time
2187 the department determines that a significant deterioration in
2188 safety is resulting from quiet zone implementation.

2189 Section 58. The amendment to s. 341.302(10), Florida
2190 Statutes, as carried forward by this act from chapter 2014-53,
2191 Laws of Florida, expires July 1, 2017, and the text of that
2192 subsection shall revert to that in existence on June 30, 2014,
2193 except that any amendments to such text enacted other than by
2194 this act shall be preserved and continue to operate to the
2195 extent that such amendments are not dependent upon the portions
2196 of text which expire pursuant to this section.

2197 Section 59. In order to implement Specific Appropriation
2198 1889 of the 2016-2017 General Appropriations Act, subsection (3)
2199 of section 339.2816, Florida Statutes is amended to read:

2200 339.2816 Small County Road Assistance Program.—

2201 (3) In the 2016-2017 fiscal year ~~Beginning with fiscal year~~
2202 ~~1999-2000 until fiscal year 2009-2010, and beginning again with~~
2203 ~~fiscal year 2012-2013, up to \$50~~ \$25 million annually from the
2204 State Transportation Trust Fund may be used for the purposes of
2205 funding the Small County Road Assistance Program as described in
2206 this section.

2207 Section 60. The amendment made by this act to s.

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2208 339.2816(3), Florida Statutes, expires July 1, 2017, and the
2209 text of that subsection shall revert to that in existence on
2210 June 30, 2015, except that any amendments to such text enacted
2211 other than by this act shall be preserved and continue to
2212 operate to the extent that such amendments are not dependent
2213 upon the portions of text which expire pursuant to this section.

2214 Section 61. In order to implement Specific Appropriation
2215 2224 of the 2016-2017 General Appropriations Act, subsection
2216 (10) of section 420.9072, Florida Statutes, is amended to read:
2217 420.9072 State Housing Initiatives Partnership Program.—The
2218 State Housing Initiatives Partnership Program is created for the
2219 purpose of providing funds to counties and eligible
2220 municipalities as an incentive for the creation of local housing
2221 partnerships, to expand production of and preserve affordable
2222 housing, to further the housing element of the local government
2223 comprehensive plan specific to affordable housing, and to
2224 increase housing-related employment.

2225 (10) Notwithstanding ss. 420.9071(26) and 420.9075(5) and
2226 subsection (7), for the 2016-2017 ~~2015-2016~~ fiscal year:

2227 (a) The term "rent subsidies" means ongoing monthly rental
2228 assistance.

2229 (b) Up to 25 percent of the funds made available in each
2230 county and each eligible municipality from the local housing
2231 distribution may be used for rental assistance and rent
2232 subsidies as provided in paragraph (c).

2233 (c) A county or an eligible municipality may expend its
2234 portion of the local housing distribution to provide the
2235 following types of rental assistance and rent subsidies:

2236 1. Security and utility deposit assistance.

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2237 2. Eviction prevention subsidies not to exceed 6 months'
2238 rent.

2239 3. Rent subsidies for very-low-income households with at
2240 least one adult who is a person with special needs as defined in
2241 s. 420.0004 or a person who is homeless as defined in s. 420.621
2242 when the person initially qualified for a rent subsidy. The
2243 period of rental subsidy may not exceed 12 months for any
2244 eligible household or person.

2245 (d) This subsection expires July 1, 2017 ~~2016~~.

2246 Section 62. In order to implement Specific Appropriation
2247 2223 of the 2016-2017 General Appropriations Act, subsection
2248 (10) of section 420.5087, Florida Statutes, is amended to read:

2249 420.5087 State Apartment Incentive Loan Program.—There is
2250 hereby created the State Apartment Incentive Loan Program for
2251 the purpose of providing first, second, or other subordinated
2252 mortgage loans or loan guarantees to sponsors, including for-
2253 profit, nonprofit, and public entities, to provide housing
2254 affordable to very-low-income persons.

2255 (10) (a) Notwithstanding subsection (3), for the 2016-2017
2256 ~~2015-2016~~ fiscal year, the reservation of funds for the tenant
2257 groups within each notice of fund availability shall be:

2258 1. Not less than 10 percent of the funds available at that
2259 time for the following tenant groups:

- 2260 a. Families;
- 2261 b. Persons who are homeless;
- 2262 c. Persons with special needs; and
- 2263 d. Elderly persons.

2264 2. Not less than 5 percent of the funds available at that
2265 time for the commercial fishing workers and farmworkers tenant

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2266 group.

2267 (b) Notwithstanding the provisions of this section which
2268 require program funds be used for housing for very-low income
2269 persons and the provisions of subparagraph (6)(c)4. which
2270 require that specified percentages of the units in a project be
2271 reserved for persons or families of specified income levels, for
2272 the 2016-2017 fiscal year, the corporation shall issue a notice
2273 of fund availability for \$20 million for loans for the
2274 construction of workforce housing to serve primarily low-income
2275 persons, as defined in s. 420.0004.

2276 (c) This subsection expires July 1, 2017 ~~2016~~.

2277 Section 63. In order to implement Specific Appropriation
2278 1856 of the 2016-2017 General Appropriations Act, subsection
2279 (30) is added to section 427.013, Florida Statutes, to read:

2280 427.013 The Commission for the Transportation
2281 Disadvantaged; purpose and responsibilities.—The purpose of the
2282 commission is to accomplish the coordination of transportation
2283 services provided to the transportation disadvantaged. The goal
2284 of this coordination is to assure the cost-effective provision
2285 of transportation by qualified community transportation
2286 coordinators or transportation operators for the transportation
2287 disadvantaged without any bias or presumption in favor of
2288 multioperator systems or not-for-profit transportation operators
2289 over single operator systems or for-profit transportation
2290 operators. In carrying out this purpose, the commission shall:

2291 (30) For the 2016-2017 fiscal year and notwithstanding any
2292 other provision of this section:

2293 (a) Allocate, from funds provided in the General
2294 Appropriations Act, to community transportation coordinators who

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2295 do not receive Urbanized Area Formula funds pursuant to 49
2296 U.S.C. s. 5307 to provide transportation services for persons
2297 with disabilities, older adults, and low-income persons so they
2298 may access health care, employment, education, and other life-
2299 sustaining activities. Funds allocated for this purpose shall be
2300 distributed among community transportation coordinators based
2301 upon the Transportation Disadvantaged Trip and Equipment
2302 allocation methodology established by the commission.

2303 (b) Award, from funds provided in the General
2304 Appropriations Act, competitive grants to community
2305 transportation coordinators to address unique transportation
2306 challenges of persons with disabilities, older adults, and low-
2307 income persons seeking to obtain or maintain employment; to
2308 allow residents of inner-city, urban, or rural neighborhoods to
2309 access jobs; and to provide transportation services for persons
2310 who work late at night or on weekends when conventional transit
2311 services are reduced or unavailable.

2312 (c) Award, from funds provided in the General
2313 Appropriations Act, competitive grants to community
2314 transportation coordinators to support transportation projects
2315 to:

2316 1. Enhance access to health care, shopping, education,
2317 employment, public services, and recreation;

2318 2. Assist in the development, improvement, and use of
2319 transportation systems in nonurbanized areas;

2320 3. Promote the efficient coordination of services;

2321 4. Support inner-city bus transportation; and

2322 5. Encourage private transportation providers to
2323 participate.

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2324 (d) This subsection expires July 1, 2017.

2325 Section 64. In order to implement the salaries and
2326 benefits, expenses, other personal services, contracted
2327 services, special categories, and operating capital outlay
2328 categories of the 2016-2017 General Appropriations Act,
2329 paragraph (a) of subsection (2) of section 216.292, Florida
2330 Statutes, is reenacted to read:

2331 216.292 Appropriations nontransferable; exceptions.—

2332 (2) The following transfers are authorized to be made by
2333 the head of each department or the Chief Justice of the Supreme
2334 Court whenever it is deemed necessary by reason of changed
2335 conditions:

2336 (a) The transfer of appropriations funded from identical
2337 funding sources, except appropriations for fixed capital outlay,
2338 and the transfer of amounts included within the total original
2339 approved budget and plans of releases of appropriations as
2340 furnished pursuant to ss. 216.181 and 216.192, as follows:

2341 1. Between categories of appropriations within a budget
2342 entity, if no category of appropriation is increased or
2343 decreased by more than 5 percent of the original approved budget
2344 or \$250,000, whichever is greater, by all action taken under
2345 this subsection.

2346 2. Between budget entities within identical categories of
2347 appropriations, if no category of appropriation is increased or
2348 decreased by more than 5 percent of the original approved budget
2349 or \$250,000, whichever is greater, by all action taken under
2350 this subsection.

2351 3. Any agency exceeding salary rate established pursuant to
2352 s. 216.181(8) on June 30th of any fiscal year shall not be

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2353 authorized to make transfers pursuant to subparagraphs 1. and 2.
2354 in the subsequent fiscal year.

2355 4. Notice of proposed transfers under subparagraphs 1. and
2356 2. shall be provided to the Executive Office of the Governor and
2357 the chairs of the legislative appropriations committees at least
2358 3 days prior to agency implementation in order to provide an
2359 opportunity for review.

2360 Section 65. The amendment to s. 216.292(2)(a), Florida
2361 Statutes, as carried forward by this act from chapter 2014-53,
2362 Laws of Florida, expires July 1, 2017, and the text of that
2363 paragraph shall revert to that in existence on June 30, 2014,
2364 except that any amendments to such text enacted other than by
2365 this act shall be preserved and continue to operate to the
2366 extent that such amendments are not dependent upon the portions
2367 of text which expire pursuant to this section.

2368 Section 66. In order to implement the appropriation of
2369 funds in the contracted services and expenses categories of the
2370 2016-2017 General Appropriations Act, a state agency may not
2371 initiate a competitive solicitation for a product or service if
2372 the completion of such competitive solicitation would:

2373 (1) Require a change in law; or

2374 (2) Require a change to the agency's budget other than a
2375 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
2376 unless the initiation of such competitive solicitation is
2377 specifically authorized in law, in the General Appropriations
2378 Act, or by the Legislative Budget Commission.

2379
2380 This section does not apply to a competitive solicitation for
2381 which the agency head certifies that a valid emergency exists.

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2382 This section expires July 1, 2017.

2383 Section 67. In order to implement the appropriation of
2384 funds in the appropriation category "Special Categories-Risk
2385 Management Insurance" in the 2016-2017 General Appropriations
2386 Act, and pursuant to the notice, review, and objection
2387 procedures of s. 216.177, Florida Statutes, the Executive Office
2388 of the Governor may transfer funds appropriated in that category
2389 between departments in order to align the budget authority
2390 granted with the premiums paid by each department for risk
2391 management insurance. This section expires July 1, 2017.

2392 Section 68. In order to implement the appropriation of
2393 funds in the appropriation category "Special Categories-Transfer
2394 to Department of Management Services-Human Resources Services
2395 Purchased per Statewide Contract" in the 2016-2017 General
2396 Appropriations Act, and pursuant to the notice, review, and
2397 objection procedures of s. 216.177, Florida Statutes, the
2398 Executive Office of the Governor may transfer funds appropriated
2399 in that category between departments in order to align the
2400 budget authority granted with the assessments that must be paid
2401 by each agency to the Department of Management Services for
2402 human resource management services. This section expires July 1,
2403 2017.

2404 Section 69. In order to implement appropriations for
2405 salaries and benefits in the 2016-2017 General Appropriations
2406 Act, subsection (6) of section 112.24, Florida Statutes, is
2407 amended to read:

2408 112.24 Intergovernmental interchange of public employees.-
2409 To encourage economical and effective utilization of public
2410 employees in this state, the temporary assignment of employees

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2411 among agencies of government, both state and local, and
2412 including school districts and public institutions of higher
2413 education is authorized under terms and conditions set forth in
2414 this section. State agencies, municipalities, and political
2415 subdivisions are authorized to enter into employee interchange
2416 agreements with other state agencies, the Federal Government,
2417 another state, a municipality, or a political subdivision
2418 including a school district, or with a public institution of
2419 higher education. State agencies are also authorized to enter
2420 into employee interchange agreements with private institutions
2421 of higher education and other nonprofit organizations under the
2422 terms and conditions provided in this section. In addition, the
2423 Governor or the Governor and Cabinet may enter into employee
2424 interchange agreements with a state agency, the Federal
2425 Government, another state, a municipality, or a political
2426 subdivision including a school district, or with a public
2427 institution of higher learning to fill, subject to the
2428 requirements of chapter 20, appointive offices which are within
2429 the executive branch of government and which are filled by
2430 appointment by the Governor or the Governor and Cabinet. Under
2431 no circumstances shall employee interchange agreements be
2432 utilized for the purpose of assigning individuals to participate
2433 in political campaigns. Duties and responsibilities of
2434 interchange employees shall be limited to the mission and goals
2435 of the agencies of government.

2436 (6) For the 2016-2017 ~~2015-2016~~ fiscal year only, the
2437 assignment of an employee of a state agency as provided in this
2438 section may be made if recommended by the Governor or Chief
2439 Justice, as appropriate, and approved by the chairs of the

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2440 legislative appropriations committees. Such actions shall be
2441 deemed approved if neither chair provides written notice of
2442 objection within 14 days after receiving notice of the action
2443 pursuant to s. 216.177. This subsection expires July 1, 2017
2444 ~~2016~~.

2445 Section 70. In order to implement Specific Appropriations
2446 2652 and 2653 of the 2016-2017 General Appropriations Act and
2447 notwithstanding s. 11.13(1), Florida Statutes, the authorized
2448 salaries for members of the Legislature for the 2016-2017 fiscal
2449 year shall be set at the same level in effect on July 1, 2010.
2450 This section expires July 1, 2017.

2451 Section 71. In order to implement the transfer of funds to
2452 the General Revenue Fund from trust funds in the 2016-2017
2453 General Appropriations Act, paragraph (b) of subsection (2) of
2454 section 215.32, Florida Statutes, is reenacted to read:

2455 215.32 State funds; segregation.—

2456 (2) The source and use of each of these funds shall be as
2457 follows:

2458 (b)1. The trust funds shall consist of moneys received by
2459 the state which under law or under trust agreement are
2460 segregated for a purpose authorized by law. The state agency or
2461 branch of state government receiving or collecting such moneys
2462 is responsible for their proper expenditure as provided by law.
2463 Upon the request of the state agency or branch of state
2464 government responsible for the administration of the trust fund,
2465 the Chief Financial Officer may establish accounts within the
2466 trust fund at a level considered necessary for proper
2467 accountability. Once an account is established, the Chief
2468 Financial Officer may authorize payment from that account only

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2469 upon determining that there is sufficient cash and releases at
2470 the level of the account.

2471 2. In addition to other trust funds created by law, to the
2472 extent possible, each agency shall use the following trust funds
2473 as described in this subparagraph for day-to-day operations:

2474 a. Operations or operating trust fund, for use as a
2475 depository for funds to be used for program operations funded by
2476 program revenues, with the exception of administrative
2477 activities when the operations or operating trust fund is a
2478 proprietary fund.

2479 b. Operations and maintenance trust fund, for use as a
2480 depository for client services funded by third-party payors.

2481 c. Administrative trust fund, for use as a depository for
2482 funds to be used for management activities that are departmental
2483 in nature and funded by indirect cost earnings and assessments
2484 against trust funds. Proprietary funds are excluded from the
2485 requirement of using an administrative trust fund.

2486 d. Grants and donations trust fund, for use as a depository
2487 for funds to be used for allowable grant or donor agreement
2488 activities funded by restricted contractual revenue from private
2489 and public nonfederal sources.

2490 e. Agency working capital trust fund, for use as a
2491 depository for funds to be used pursuant to s. 216.272.

2492 f. Clearing funds trust fund, for use as a depository for
2493 funds to account for collections pending distribution to lawful
2494 recipients.

2495 g. Federal grant trust fund, for use as a depository for
2496 funds to be used for allowable grant activities funded by
2497 restricted program revenues from federal sources.

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2498

2499 To the extent possible, each agency must adjust its internal
2500 accounting to use existing trust funds consistent with the
2501 requirements of this subparagraph. If an agency does not have
2502 trust funds listed in this subparagraph and cannot make such
2503 adjustment, the agency must recommend the creation of the
2504 necessary trust funds to the Legislature no later than the next
2505 scheduled review of the agency's trust funds pursuant to s.
2506 215.3206.

2507 3. All such moneys are hereby appropriated to be expended
2508 in accordance with the law or trust agreement under which they
2509 were received, subject always to the provisions of chapter 216
2510 relating to the appropriation of funds and to the applicable
2511 laws relating to the deposit or expenditure of moneys in the
2512 State Treasury.

2513 4.a. Notwithstanding any provision of law restricting the
2514 use of trust funds to specific purposes, unappropriated cash
2515 balances from selected trust funds may be authorized by the
2516 Legislature for transfer to the Budget Stabilization Fund and
2517 General Revenue Fund in the General Appropriations Act.

2518 b. This subparagraph does not apply to trust funds required
2519 by federal programs or mandates; trust funds established for
2520 bond covenants, indentures, or resolutions whose revenues are
2521 legally pledged by the state or public body to meet debt service
2522 or other financial requirements of any debt obligations of the
2523 state or any public body; the Division of Licensing Trust Fund
2524 in the Department of Agriculture and Consumer Services; the
2525 State Transportation Trust Fund; the trust fund containing the
2526 net annual proceeds from the Florida Education Lotteries; the

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2527 Florida Retirement System Trust Fund; trust funds under the
2528 management of the State Board of Education or the Board of
2529 Governors of the State University System, where such trust funds
2530 are for auxiliary enterprises, self-insurance, and contracts,
2531 grants, and donations, as those terms are defined by general
2532 law; trust funds that serve as clearing funds or accounts for
2533 the Chief Financial Officer or state agencies; trust funds that
2534 account for assets held by the state in a trustee capacity as an
2535 agent or fiduciary for individuals, private organizations, or
2536 other governmental units; and other trust funds authorized by
2537 the State Constitution.

2538 Section 72. The amendment to s. 215.32(2)(b), Florida
2539 Statutes, as carried forward by this act from chapter 2011-47,
2540 Laws of Florida, expires July 1, 2017, and the text of that
2541 paragraph shall revert to that in existence on June 30, 2011,
2542 except that any amendments to such text enacted other than by
2543 this act shall be preserved and continue to operate to the
2544 extent that such amendments are not dependent upon the portions
2545 of text which expire pursuant to this section.

2546 Section 73. In order to implement the issuance of new debt
2547 authorized in the 2016-2017 General Appropriations Act, and
2548 pursuant to s. 215.98, Florida Statutes, the Legislature
2549 determines that the authorization and issuance of debt for the
2550 2016-2017 fiscal year should be implemented and is in the best
2551 interest of the state. This section expires July 1, 2017.

2552 Section 74. In order to implement appropriations in the
2553 2016-2017 General Appropriations Act for state employee travel,
2554 the funds appropriated to each state agency which may be used
2555 for travel by state employees shall be limited during the 2016-

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2556 2017 fiscal year to travel for activities that are critical to
2557 each state agency's mission. Funds may not be used for travel by
2558 state employees to foreign countries, other states, conferences,
2559 staff training activities, or other administrative functions
2560 unless the agency head has approved, in writing, that such
2561 activities are critical to the agency's mission. The agency head
2562 shall consider using teleconferencing and other forms of
2563 electronic communication to meet the needs of the proposed
2564 activity before approving mission-critical travel. This section
2565 does not apply to travel for law enforcement purposes, military
2566 purposes, emergency management activities, or public health
2567 activities. This section expires July 1, 2017.

2568 Section 75. In order to implement Specific Appropriations
2569 2892 through 2913 of the 2016-2017 General Appropriations Act,
2570 funded from the data processing appropriation category for
2571 computing services of user agencies, and pursuant to the notice,
2572 review, and objection procedures of s. 216.177, Florida
2573 Statutes, the Executive Office of the Governor may transfer
2574 funds appropriated for data processing in the 2016-2017 General
2575 Appropriations Act between agencies in order to align the budget
2576 authority granted with the utilization rate of each department.
2577 This section expires July 1, 2017.

2578 Section 76. In order to implement the appropriation of
2579 funds in the appropriation category "Data Processing Services-
2580 State Data Center-Agency for State Technology (AST)" in the
2581 2016-2017 General Appropriations Act, and pursuant to the
2582 notice, review, and objection procedures of s. 216.177, Florida
2583 Statutes, the Executive Office of the Governor may transfer
2584 funds appropriated in that category between departments in order

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2585 to align the budget authority granted based on the estimated
2586 billing cycle and methodology used by the Agency for State
2587 Technology for data processing services provided by the State
2588 Data Center. This section expires July 1, 2017.

2589 Section 77. In order to implement appropriations authorized
2590 in the 2016-2017 General Appropriations Act for data center
2591 services, and notwithstanding s. 216.292(2)(a), Florida
2592 Statutes, except as authorized in sections 75 and 76 of this
2593 act, an agency may not transfer funds from a data processing
2594 category to a category other than another data processing
2595 category. This section expires July 1, 2017.

2596 Section 78. In order to implement Specific Appropriation
2597 2826 of the 2016-2017 General Appropriations Act, the Executive
2598 Office of the Governor may transfer funds appropriated in the
2599 appropriation category "Expenses" of the 2016-2017 General
2600 Appropriations Act between agencies in order to allocate a
2601 reduction relating to SUNCOM Network services. This section
2602 expires July 1, 2017.

2603 Section 79. In order to implement section 8 of the 2015-
2604 2016 General Appropriations Act, section 110.12315, Florida
2605 Statutes, is reenacted to read:

2606 110.12315 Prescription drug program.—The state employees'
2607 prescription drug program is established. This program shall be
2608 administered by the Department of Management Services, according
2609 to the terms and conditions of the plan as established by the
2610 relevant provisions of the annual General Appropriations Act and
2611 implementing legislation, subject to the following conditions:

2612 (1) The department shall allow prescriptions written by
2613 health care providers under the plan to be filled by any

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2614 licensed pharmacy pursuant to contractual claims-processing
2615 provisions. Nothing in this section may be construed as
2616 prohibiting a mail order prescription drug program distinct from
2617 the service provided by retail pharmacies.

2618 (2) In providing for reimbursement of pharmacies for
2619 prescription medicines dispensed to members of the state group
2620 health insurance plan and their dependents under the state
2621 employees' prescription drug program:

2622 (a) Retail pharmacies participating in the program must be
2623 reimbursed at a uniform rate and subject to uniform conditions,
2624 according to the terms and conditions of the plan.

2625 (b) There shall be a 30-day supply limit for prescription
2626 card purchases, a 90-day supply limit for maintenance
2627 prescription drug purchases, and a 90-day supply limit for mail
2628 order or mail order prescription drug purchases.

2629 (c) The pharmacy dispensing fee shall be negotiated by the
2630 department.

2631 (3) Pharmacy reimbursement rates shall be as follows:

2632 (a) For mail order and specialty pharmacies contracting
2633 with the department, reimbursement rates shall be as established
2634 in the contract.

2635 (b) For retail pharmacies, the reimbursement rate shall be
2636 at the same rate as mail order pharmacies under contract with
2637 the department.

2638 (4) The department shall maintain the preferred brand name
2639 drug list to be used in the administration of the state
2640 employees' prescription drug program.

2641 (5) The department shall maintain a list of maintenance
2642 drugs.

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2643 (a) Preferred provider organization health plan members may
2644 have prescriptions for maintenance drugs filled up to three
2645 times as a 30-day supply through a retail pharmacy; thereafter,
2646 prescriptions for the same maintenance drug must be filled as a
2647 90-day supply either through the department's contracted mail
2648 order pharmacy or through a retail pharmacy.

2649 (b) Health maintenance organization health plan members may
2650 have prescriptions for maintenance drugs filled as a 90-day
2651 supply either through a mail order pharmacy or through a retail
2652 pharmacy.

2653 (c) Copayments made by health plan members for a 90-day
2654 supply through a retail pharmacy shall be the same as copayments
2655 made for a 90-day supply through the department's contracted
2656 mail order pharmacy.

2657 (7) The department shall establish the reimbursement
2658 schedule for prescription pharmaceuticals dispensed under the
2659 program. Reimbursement rates for a prescription pharmaceutical
2660 must be based on the cost of the generic equivalent drug if a
2661 generic equivalent exists, unless the physician prescribing the
2662 pharmaceutical clearly states on the prescription that the brand
2663 name drug is medically necessary or that the drug product is
2664 included on the formulary of drug products that may not be
2665 interchanged as provided in chapter 465, in which case
2666 reimbursement must be based on the cost of the brand name drug
2667 as specified in the reimbursement schedule adopted by the
2668 department.

2669 (8) The department shall conduct a prescription utilization
2670 review program. In order to participate in the state employees'
2671 prescription drug program, retail pharmacies dispensing

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2672 prescription medicines to members of the state group health
 2673 insurance plan or their covered dependents, or to subscribers or
 2674 covered dependents of a health maintenance organization plan
 2675 under the state group insurance program, shall make their
 2676 records available for this review.

2677 (9) The department shall implement such additional cost-
 2678 saving measures and adjustments as may be required to balance
 2679 program funding within appropriations provided, including a
 2680 trial or starter dose program and dispensing of long-term-
 2681 maintenance medication in lieu of acute therapy medication.

2682 (10) Participating pharmacies must use a point-of-sale
 2683 device or an online computer system to verify a participant's
 2684 eligibility for coverage. The state is not liable for
 2685 reimbursement of a participating pharmacy for dispensing
 2686 prescription drugs to any person whose current eligibility for
 2687 coverage has not been verified by the state's contracted
 2688 administrator or by the department.

2689 (11) Under the state employees' prescription drug program
 2690 copayments must be made as follows:

2691 (a) Effective January 1, 2013, for the State Group Health
 2692 Insurance Standard Plan:

- 2693 1. For generic drug with card.....\$7.
- 2694 2. For preferred brand name drug with card.....\$30.
- 2695 3. For nonpreferred brand name drug with card.....\$50.
- 2696 4. For generic mail order drug.....\$14.
- 2697 5. For preferred brand name mail order drug.....\$60.
- 2698 6. For nonpreferred brand name mail order drug.....\$100.

2699 (b) Effective January 1, 2006, for the State Group Health
 2700 Insurance High Deductible Plan:

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- 2701 1. Retail coinsurance for generic drug with card.....30%.
- 2702 2. Retail coinsurance for preferred brand name drug with
- 2703 card.....30%.
- 2704 3. Retail coinsurance for nonpreferred brand name drug with
- 2705 card.....50%.
- 2706 4. Mail order coinsurance for generic drug.....30%.
- 2707 5. Mail order coinsurance for preferred brand name drug.30%.
- 2708 6. Mail order coinsurance for nonpreferred brand name
- 2709 drug.....50%.

2710 (c) The department shall create a preferred brand name drug
 2711 list to be used in the administration of the state employees'
 2712 prescription drug program.

2713 Section 80. (1) The amendment to s. 110.12315(2)(b),
 2714 Florida Statutes, as carried forward by this act from chapter
 2715 2014-53, Laws of Florida, expires July 1, 2017, and the text of
 2716 that paragraph shall revert to that in existence on June 30,
 2717 2012, except that any amendments to such text enacted other than
 2718 by this act shall be preserved and continue to operate to the
 2719 extent that such amendments are not dependent upon the portions
 2720 of text which expire pursuant to this section.

2721 (2) The amendments to s. 110.12315(2)(c) and (3)-(6),
 2722 Florida Statutes, as carried forward by this act from chapter
 2723 2014-53, Laws of Florida, expire July 1, 2017, and the text of
 2724 that paragraph and the text and numbering of those subsections
 2725 shall revert to those in existence on June 30, 2014, except that
 2726 any amendments to such text enacted other than by this act shall
 2727 be preserved and continue to operate to the extent that such
 2728 amendments are not dependent upon the portions of text which
 2729 expire pursuant to this section.

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2730 (3) The amendment to s. 110.12315(7), Florida Statutes, as
2731 carried forward by this act from chapter 2014-53, Laws of
2732 Florida, expires July 1, 2017, and the text of that subsection
2733 shall revert to that in existence on December 31, 2010, except
2734 that any amendments to such text enacted other than by this act
2735 shall be preserved and continue to operate to the extent that
2736 such amendments are not dependent upon the portions of text
2737 which expire pursuant to this section.

2738 Section 81. Any section of this act which implements a
2739 specific appropriation or specifically identified proviso
2740 language in the 2016-2017 General Appropriations Act is void if
2741 the specific appropriation or specifically identified proviso
2742 language is vetoed. Any section of this act which implements
2743 more than one specific appropriation or more than one portion of
2744 specifically identified proviso language in the 2016-2017
2745 General Appropriations Act is void if all the specific
2746 appropriations or portions of specifically identified proviso
2747 language are vetoed.

2748 Section 82. If any other act passed during the 2016 Regular
2749 Session contains a provision that is substantively the same as a
2750 provision in this act, but that removes or is otherwise not
2751 subject to the future repeal applied to such provision by this
2752 act, the Legislature intends that the provision in the other act
2753 takes precedence and continues to operate, notwithstanding the
2754 future repeal provided by this act.

2755 Section 83. If any provision of this act or its application
2756 to any person or circumstance is held invalid, the invalidity
2757 does not affect other provisions or applications of the act
2758 which can be given effect without the invalid provision or

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2759 application, and to this end the provisions of this act are
2760 severable.

2761 Section 84. Except as otherwise expressly provided in this
2762 act and except for this section, which shall take effect upon
2763 this act becoming a law, this act shall take effect July 1,
2764 2016.