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1  
2 An act relating to implementing the 2012-2013 General  
3 Appropriations Act; providing legislative intent;  
4 incorporating by reference certain calculations of the  
5 Florida Education Finance Program for the 2012-2013  
6 fiscal year; amending s. 216.292, F.S.; authorizing  
7 the transfer of funds between appropriation categories  
8 to fund fixed capital outlay projects for charter  
9 schools upon certain approval; authorizing a  
10 university board of trustees to expend reserve or  
11 carryforward balances for the establishment of a new  
12 campus; providing requirements to govern the  
13 completion of Phase 2 and Phase 3 of the Department of  
14 Health's Florida Onsite Sewage Nitrogen Reduction  
15 Strategies Study; prohibiting any state agency from  
16 adopting or implementing a rule or policy mandating or  
17 establishing new nitrogen-reduction limits under  
18 certain circumstances; incorporating by reference  
19 certain calculations of the Medicaid Low-Income Pool,  
20 Disproportionate Share Hospital, and Hospital  
21 Exemptions Programs for the 2012-2013 fiscal year;  
22 amending s. 20.04, F.S.; providing for organizational  
23 units called "circuits" and "regions" in the  
24 Department of Children and Family Services; amending  
25 s. 409.912, F.S.; authorizing the Agency for Health  
26 Care Administration to provide a Medicaid prepaid  
27 dental health program in Miami-Dade County;  
28 authorizing the agency to seek revisions or amendments

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29 | to the state plan or federal waivers in order to  
30 | implement the program; requiring that the agency  
31 | terminate existing contracts as necessary to implement  
32 | the program; requiring certain budget amendments  
33 | recommending the release of funds for the Crestview  
34 | Education Center project at Florida Agricultural and  
35 | Mechanical University to provide more notice and be  
36 | subject to certain objection procedures; requiring the  
37 | Department of Health to present a plan to the  
38 | Legislative Budget Commission which estimates the  
39 | workload and funding needs to implement the onsite  
40 | sewage treatment and disposal system evaluation  
41 | program; amending s. 216.262, F.S.; authorizing the  
42 | Department of Corrections to submit a budget amendment  
43 | for additional positions to operate additional prison  
44 | bed capacity under certain circumstances; authorizing  
45 | the Department of Legal Affairs to transfer certain  
46 | funds to pay salaries and benefits and to continue to  
47 | expend appropriated funds as directed in prior  
48 | appropriations acts; authorizing the Department of  
49 | Legal Affairs to spend certain appropriated funds on  
50 | programs that were funded by the department from  
51 | specific appropriations in general appropriations acts  
52 | in previous years; amending s. 932.7055, F.S.;  
53 | authorizing a municipality to expend funds from its  
54 | special law enforcement trust fund to reimburse the  
55 | municipality's general fund; requiring the Department  
56 | of Juvenile Justice to comply with specified

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57 reimbursement limitations with respect to payments to  
58 hospitals or health care providers for health care  
59 services; authorizing certain payments pursuant to a  
60 contracted rate only until the contract expires or is  
61 renewed; defining the term "hospital" for purposes of  
62 such limitations; amending s. 215.18, F.S.; providing  
63 for trust fund loans to the state court system  
64 sufficient to meet its appropriation; providing that  
65 any funds remaining in the Clerks of the Courts Trust  
66 Fund remain available to the clerks; incorporating  
67 certain documents by reference which display the  
68 calculations used to make the appropriations for the  
69 clerks of the court and the state trial courts;  
70 amending s. 29.008, F.S., relating to county funding  
71 of court-related functions; providing counties with an  
72 exemption from the requirement to annually increase  
73 certain expenditures by a specified percentage;  
74 amending s. 282.709, F.S.; allowing funds from the  
75 State Agency Law Enforcement Radio System Trust Fund  
76 to be used for mutual aid buildout maintenance and  
77 sustainment and the interoperability network;  
78 requiring the Department of Management Services to use  
79 certain interest earnings to fund the administration  
80 of the MyFlorida.com portal; directing the Department  
81 of Management Services to use a tenant broker to  
82 renegotiate certain leases and provide a report to the  
83 Legislature; authorizing funds available in the Audit  
84 and Warrant Clearing Trust Fund to be available for

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85 | certain interest payments to the Federal Government;  
86 | amending s. 375.041, F.S.; providing for the transfer  
87 | of moneys from the Land Acquisition Trust Fund to  
88 | support the Total Maximum Daily Loads Program,  
89 | Drinking Water Revolving Loan Trust Fund, and  
90 | Wastewater Treatment and Stormwater Management  
91 | Revolving Loan Trust Fund; amending s. 373.59, F.S.;  
92 | providing for the allocation and distribution of  
93 | moneys from the Water Management Lands Trust Fund for  
94 | certain purposes; amending s. 403.1651, F.S.;  
95 | authorizing the use of funds from the Ecosystem  
96 | Management and Restoration Trust Fund to fund  
97 | activities to preserve and repair the state's beaches;  
98 | amending s. 403.7095, F.S.; requiring the Department  
99 | of Environmental Protection to award a specified  
100 | amount in grants to certain counties for solid waste  
101 | programs; authorizing the Department of Agriculture  
102 | and Consumer Services to extend, revise, and renew  
103 | current contracts or agreements created or entered  
104 | into for the purpose of promotion of agriculture;  
105 | amending s. 379.209, F.S.; authorizing the Fish and  
106 | Wildlife Conservation Commission to transfer funds  
107 | from the Nongame Wildlife Trust Fund to the Grants and  
108 | Donations Trust Fund to support cash flow needs;  
109 | authorizing the Fish and Wildlife Conservation  
110 | Commission to transfer a specified amount of funds in  
111 | hunting and fishing license fees from the Grants and  
112 | Donations Trust Fund to the State Game Trust Fund for

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113 the purpose repaying a loan; authorizing the Executive  
114 Office of the Governor to transfer appropriations  
115 between the Fish and Wildlife Conservation Commission  
116 and the Department of Environmental Protection in  
117 order to implement projects relating to the  
118 restoration of Lake Apopka; amending s. 259.105, F.S.;  
119 providing that funds in the Florida Forever Trust Fund  
120 may be distributed only to the Division of State Lands  
121 for purposes of certain land acquisitions; amending  
122 chapter 2011-142, Laws of Florida; extending the date  
123 the Commission on Oil Spill Response Coordination must  
124 submit a report relating to offshore oil drilling and  
125 damage claims; amending s. 311.07, F.S., relating to  
126 seaport transportation and economic development  
127 funding; exempting certain projects for ports located  
128 in counties designated as rural areas of critical  
129 economic concern from match requirements; authorizing  
130 the Executive Office of the Governor to transfer funds  
131 between departments for purposes of aligning amounts  
132 paid for risk management premiums and for purposes of  
133 aligning amounts paid for human resource management  
134 services; amending s. 110.123, F.S., relating to the  
135 state group insurance program; providing the amounts  
136 of the state's monthly contribution; amending s.  
137 112.24, F.S.; providing conditions on the assignment  
138 of an employee of a state agency; providing that the  
139 annual salary of the members of the Legislature be  
140 maintained at a specified level; amending s. 215.32,

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141 F.S.; revising provisions relating to the source and  
142 use of certain trust funds to implement the transfer  
143 of funds to the General Revenue Fund from trust funds  
144 in the 2012-2013 General Appropriations Act;  
145 reenacting s. 215.5601(4)(b), F.S., relating to the  
146 administration of the Lawton Chiles Endowment Fund;  
147 amending s. 215.5601, F.S., relating to the Lawton  
148 Chiles Endowment Fund; authorizing transfer of funds  
149 from the endowment to the General Revenue Fund;  
150 providing a legislative finding that the issuance of  
151 new debt is in the best interests of the state and  
152 necessary to address a critical state emergency;  
153 limiting the use of travel funds to activities that  
154 are critical to an agency's mission; providing  
155 exceptions; authorizing certain agencies to request  
156 the transfer of resources between Data Processing  
157 Services appropriation categories and appropriation  
158 categories for operation based upon changes to the  
159 data center services consolidation schedule;  
160 authorizing the Executive Office of the Governor to  
161 transfer funds for use by the state's designated  
162 primary data centers; authorizing the Executive Office  
163 of the Governor to transfer funds between agencies in  
164 order to allocate a reduction relating to SUNCOM;  
165 amending s. 110.12315, F.S.; revising the conditions  
166 under which pharmacies are provided reimbursement for  
167 prescription medicines that are dispensed to members  
168 of the state group health insurance plan under the

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169 state employees' prescription drug program;  
 170 authorizing the Department of Management Services to  
 171 implement a supply limit program for certain  
 172 maintenance drugs; reenacting provisions specifying  
 173 copayment amounts for the state employees'  
 174 prescription drug program; requiring the Agency for  
 175 Health Care Administration to reprocur the Florida  
 176 Discount Drug Card Program; providing requirements for  
 177 the program; providing that revenues derived from the  
 178 contract be deposited into the agency's Grants and  
 179 Donations Trust Fund; providing for reversion of  
 180 statutory text of certain provisions; providing for  
 181 the effect of a veto of one or more specific  
 182 appropriations or proviso to which implementing  
 183 language refers; providing for the continued operation  
 184 of certain provisions notwithstanding a future repeal  
 185 or expiration provided by this act; providing for  
 186 severability; providing effective dates.

187  
 188 Be It Enacted by the Legislature of the State of Florida:

189  
 190 Section 1. It is the intent of the Legislature that the  
 191 implementing and administering provisions of this act apply to  
 192 the General Appropriations Act for the 2012-2013 fiscal year.

193 Section 2. In order to implement Specific Appropriations  
 194 6, 7, 8, 84, and 85 of the 2012-2013 General Appropriations Act,  
 195 the calculations of the Florida Education Finance Program for  
 196 the 2012-2013 fiscal year in the document entitled "Public

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197 School Funding-The Florida Education Finance Program," dated  
 198 March 6, 2012, and filed with the Clerk of the House of  
 199 Representatives, are incorporated by reference for the purpose  
 200 of displaying the calculations used by the Legislature,  
 201 consistent with the requirements of the Florida Statutes, in  
 202 making appropriations for the Florida Education Finance Program.  
 203 This section expires July 1, 2013.

204 Section 3. In order to implement Specific Appropriation  
 205 16A of the 2012-2013 General Appropriations Act, paragraph (c)  
 206 of subsection (3) of section 216.292, Florida Statutes, is  
 207 amended to read:

208 216.292 Appropriations nontransferable; exceptions.—

209 (3) The following transfers are authorized with the  
 210 approval of the Executive Office of the Governor for the  
 211 executive branch or the Chief Justice for the judicial branch,  
 212 subject to the notice and objection provisions of s. 216.177:

213 (c) The transfer of appropriations for fixed capital  
 214 outlay from the Survey Recommended Needs-Public Schools  
 215 appropriation category to the Maintenance, Repair, Renovation  
 216 and Remodeling appropriation category. The allocation of  
 217 transferred funds must be in accordance with s. 1013.62. This  
 218 paragraph expires July 1, 2013 ~~2012~~.

219 Section 4. In order to implement Specific Appropriation  
 220 129 of the 2012-2013 General Appropriations Act and  
 221 notwithstanding any other law, for the 2012-2013 fiscal year  
 222 only, a university board of trustees may expend reserve or  
 223 carryforward balances from previous years' operational and  
 224 programmatic appropriations for legislatively approved fixed



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225 capital outlay projects authorized for the establishment of a  
 226 new campus.

227 Section 5. (1) In order to implement Specific  
 228 Appropriation 512 of the 2012-2013 General Appropriations Act,  
 229 and for the 2012-2013 fiscal year only, the following  
 230 requirements govern the completion of Phase 2 and Phase 3 of the  
 231 Department of Health's Florida Onsite Sewage Nitrogen Reduction  
 232 Strategies Study:

233 (a) The Department of Health's underlying contract for the  
 234 study remains in full force and effect and funding for  
 235 completion of Phase 2 and Phase 3 is through the Department of  
 236 Health.

237 (b) The Department of Health, the Department of Health's  
 238 Research Review and Advisory Committee, and the Department of  
 239 Environmental Protection shall work together to provide the  
 240 necessary technical oversight of the completion of Phase 2 and  
 241 Phase 3 of the project.

242 (c) Management and oversight of the completion of Phase 2  
 243 and Phase 3 must be consistent with the terms of the existing  
 244 contract. However, the main focus and priority to be completed  
 245 during Phase 3 shall be developing, testing, and recommending  
 246 cost-effective passive technology design criteria for nitrogen  
 247 reduction.

248 (d) The systems installed at homesites are experimental in  
 249 nature and shall be installed with significant field testing and  
 250 monitoring. The Department of Health is specifically authorized  
 251 to allow installation of these experimental systems.  
 252 Notwithstanding any other law, before Phase 3 of the study is

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253 completed, a state agency may not adopt or implement a rule or  
 254 policy that:

255 1. Mandates, establishes, or implements more restrictive  
 256 nitrogen-reduction standards to existing or new onsite sewage  
 257 treatment systems or modification of such systems; or

258 2. Directly or indirectly requires the use of performance-  
 259 based treatment systems or similar technology, such as through  
 260 an administrative order developed by the Department of  
 261 Environmental Protection as part of a basin management action  
 262 plan adopted pursuant to s. 403.067, Florida Statutes. However,  
 263 the implementation of more restrictive nitrogen-reduction  
 264 standards for onsite systems may be required through a basin  
 265 management action plan if such plan is phased in after  
 266 completion of Phase 3.

267 (2) This section expires July 1, 2013.

268 Section 6. In order to implement Specific Appropriations  
 269 187, 193 through 195, and 198 of the 2012-2013 General  
 270 Appropriations Act, the calculations of the Medicaid Low-Income  
 271 Pool, Disproportionate Share Hospital, and Hospital Exemptions  
 272 Programs for the 2012-2013 fiscal year in the document entitled  
 273 "Medicaid Supplemental Hospital Funding Programs" dated March 6,  
 274 2012, and filed with the Clerk of the House of Representatives,  
 275 are incorporated by reference for the purpose of displaying the  
 276 calculations used by the Legislature, consistent with the  
 277 requirements of the Florida Statutes, in making appropriations  
 278 for the Low-Income Pool, Disproportionate Share Hospital, and  
 279 Hospital Exemptions Programs. This section expires July 1, 2013.

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280 Section 7. In order to implement Specific Appropriations  
281 283 through 390 of the 2012-2013 General Appropriations Act,  
282 subsection (4) of section 20.04, Florida Statutes, is amended to  
283 read:

284 20.04 Structure of executive branch.—The executive branch  
285 of state government is structured as follows:

286 (4) Within the Department of Children and Family Services  
287 there are organizational units called "circuits" and "regions."  
288 Each circuit is aligned geographically with each judicial  
289 circuit, and each region comprises multiple circuits that are in  
290 geographical proximity to each other ~~"program offices,"~~ headed  
291 ~~by program directors.~~

292 Section 8. The amendment to s. 20.04(4), Florida Statutes,  
293 shall expire July 1, 2013, and the text of that subsection shall  
294 revert to that in existence on June 30, 2012, except that any  
295 amendments to such text enacted other than by this act shall be  
296 preserved and continue to operate to the extent that such  
297 amendments are not dependent upon the portions of text which  
298 expire pursuant to this section.

299 Section 9. In order to implement Specific Appropriation  
300 186 of the 2012-2013 General Appropriations Act, subsection (41)  
301 of section 409.912, Florida Statutes, is amended to read:

302 409.912 Cost-effective purchasing of health care.—The  
303 agency shall purchase goods and services for Medicaid recipients  
304 in the most cost-effective manner consistent with the delivery  
305 of quality medical care. To ensure that medical services are  
306 effectively utilized, the agency may, in any case, require a  
307 confirmation or second physician's opinion of the correct

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308 diagnosis for purposes of authorizing future services under the  
309 Medicaid program. This section does not restrict access to  
310 emergency services or poststabilization care services as defined  
311 in 42 C.F.R. part 438.114. Such confirmation or second opinion  
312 shall be rendered in a manner approved by the agency. The agency  
313 shall maximize the use of prepaid per capita and prepaid  
314 aggregate fixed-sum basis services when appropriate and other  
315 alternative service delivery and reimbursement methodologies,  
316 including competitive bidding pursuant to s. 287.057, designed  
317 to facilitate the cost-effective purchase of a case-managed  
318 continuum of care. The agency shall also require providers to  
319 minimize the exposure of recipients to the need for acute  
320 inpatient, custodial, and other institutional care and the  
321 inappropriate or unnecessary use of high-cost services. The  
322 agency shall contract with a vendor to monitor and evaluate the  
323 clinical practice patterns of providers in order to identify  
324 trends that are outside the normal practice patterns of a  
325 provider's professional peers or the national guidelines of a  
326 provider's professional association. The vendor must be able to  
327 provide information and counseling to a provider whose practice  
328 patterns are outside the norms, in consultation with the agency,  
329 to improve patient care and reduce inappropriate utilization.  
330 The agency may mandate prior authorization, drug therapy  
331 management, or disease management participation for certain  
332 populations of Medicaid beneficiaries, certain drug classes, or  
333 particular drugs to prevent fraud, abuse, overuse, and possible  
334 dangerous drug interactions. The Pharmaceutical and Therapeutics  
335 Committee shall make recommendations to the agency on drugs for

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

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364           (41) (a) The agency shall contract on a prepaid or fixed-  
 365 sum basis with appropriately licensed prepaid dental health  
 366 plans to provide dental services. This paragraph subsection  
 367 expires October 1, 2014.

368           (b) Notwithstanding paragraph (a) and for the 2012-2013  
 369 fiscal year only, the agency is authorized to provide a Medicaid  
 370 prepaid dental health program in Miami-Dade County. For all  
 371 other counties, the agency may not limit dental services to  
 372 prepaid plans and must allow qualified dental providers to  
 373 provide dental services under Medicaid on a fee-for-service  
 374 reimbursement methodology. The agency may seek any necessary  
 375 revisions or amendments to the state plan or federal waivers in  
 376 order to implement this paragraph. The agency shall terminate  
 377 existing contracts as needed to implement this paragraph. This  
 378 paragraph expires July 1, 2013.

379           Section 10. In order to implement Specific Appropriation  
 380 587A of the 2012-2013 General Appropriations Act, and  
 381 notwithstanding s. 216.177(2) (a), Florida Statutes, which  
 382 requires only 3 days' notice to the Legislature for the release  
 383 of funds, budget amendments recommending the release of funds to  
 384 continue the Crestview Education Center project at Florida  
 385 Agricultural and Mechanical University must be provided at least  
 386 14 days before the effective date of the action and are subject  
 387 to the objection procedures in s. 216.177(2) (b), Florida  
 388 Statutes. This section expires July 1, 2013.

389           Section 11. In order to implement Specific Appropriations  
 390 506 through 517 of the 2012-2013 General Appropriations Act,  
 391 before the implementation of the onsite sewage treatment and

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392 disposal system evaluation program described in s.  
 393 381.0065(5) (a), Florida Statutes, the Department of Health shall  
 394 submit a plan for approval by the Legislative Budget Commission  
 395 which includes an estimate of agency workload and funding needs.  
 396 The department may not expend funds in furtherance of the  
 397 evaluation program before the plan is approved by the  
 398 commission.

399 Section 12. In order to implement Specific Appropriations  
 400 625 through 758 and 778 through 815 of the 2012-2013 General  
 401 Appropriations Act, subsection (4) of section 216.262, Florida  
 402 Statutes, is amended to read:

403 216.262 Authorized positions.—

404 (4) Notwithstanding the provisions of this chapter  
 405 relating to increasing the number of authorized positions, and  
 406 for the 2012-2013 ~~2011-2012~~ fiscal year only, if the actual  
 407 inmate population of the Department of Corrections exceeds the  
 408 inmate population projections of the December 14, 2011 ~~February~~  
 409 ~~21, 2011~~, Criminal Justice Estimating Conference by 1 percent  
 410 for 2 consecutive months or 2 percent for any month, the  
 411 Executive Office of the Governor, with the approval of the  
 412 Legislative Budget Commission, shall immediately notify the  
 413 Criminal Justice Estimating Conference, which shall convene as  
 414 soon as possible to revise the estimates. The Department of  
 415 Corrections may then submit a budget amendment requesting the  
 416 establishment of positions in excess of the number authorized by  
 417 the Legislature and additional appropriations from unallocated  
 418 general revenue sufficient to provide for essential staff, fixed  
 419 capital improvements, and other resources to provide

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420 classification, security, food services, health services, and  
 421 other variable expenses within the institutions to accommodate  
 422 the estimated increase in the inmate population. All actions  
 423 taken pursuant to this subsection are subject to review and  
 424 approval by the Legislative Budget Commission. This subsection  
 425 expires July 1, 2013 ~~2012~~.

426 Section 13. In order to implement Specific Appropriations  
 427 1327, 1340, 1351, and 1368 of the 2012-2013 General  
 428 Appropriations Act, the Department of Legal Affairs may transfer  
 429 cash remaining after required disbursements for Attorney General  
 430 case numbers 09-CV-51614, 16-2008-CA-01-3142CV-C, and  
 431 CACE08022328 from FLAIR account 41-74-2-601001-41100100-00-  
 432 181076-00 to the Operating Trust Fund to pay salaries and  
 433 benefits. This section expires July 1, 2013.

434 Section 14. In order to implement Specific Appropriations  
 435 1333 and 1334 of the 2012-2013 General Appropriations Act, the  
 436 Department of Legal Affairs may expend appropriated funds in  
 437 those specific appropriations on the same programs that were  
 438 funded by the department pursuant to specific appropriations  
 439 made in general appropriations acts in previous years. This  
 440 section expires July 1, 2013.

441 Section 15. In order to implement Specific Appropriations  
 442 1297B and 1299 of the 2012-2013 General Appropriations Act,  
 443 paragraph (d) of subsection (4) of section 932.7055, Florida  
 444 Statutes, is amended to read:

445 932.7055 Disposition of liens and forfeited property.—

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



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448 (d) Notwithstanding any other provision of this  
 449 subsection, and for the 2012-2013 ~~2011-2012~~ fiscal year only,  
 450 the funds in a special law enforcement trust fund established by  
 451 the governing body of a municipality may be expended to  
 452 reimburse the general fund of the municipality for moneys  
 453 advanced from the general fund to the special law enforcement  
 454 trust fund before October 1, 2001. This paragraph expires July  
 455 1, 2013 ~~2012~~.

456 Section 16. (1) In order to implement Specific  
 457 Appropriations 1187, 1188, 1193, 1194, 1239, 1240, 1244, 1245,  
 458 1247, 1251, 1252, 1255, 1256, 1257, 1267, and 1272 of the 2012-  
 459 2013 General Appropriations Act, the Department of Juvenile  
 460 Justice must comply with the following reimbursement  
 461 limitations:

462 (a) Payments to a hospital or a health care provider may  
 463 not exceed 110 percent of the Medicare allowable rate for any  
 464 health care services provided if there is no contract between  
 465 the department and the hospital or the health care provider  
 466 providing services at a hospital;

467 (b) The department may continue to make payments for  
 468 health care services at the currently contracted rates through  
 469 the current term of the contract if a contract has been executed  
 470 between the department and a hospital or a health care provider  
 471 providing services at a hospital; however, payments may not  
 472 exceed 110 percent of the Medicare allowable rate after the  
 473 current term of the contract expires or after the contract is  
 474 renewed during the 2012-2013 fiscal year;

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475 (c) Payments may not exceed 110 percent of the Medicare  
 476 allowable rate under a contract executed on or after July 1,  
 477 2012, between the department and a hospital or a health care  
 478 provider providing services at a hospital;

479 (d) Notwithstanding paragraphs (a), (b), and (c), the  
 480 department may pay up to 125 percent of the Medicare allowable  
 481 rate for health care services at a hospital that reports or has  
 482 reported a negative operating margin for the previous fiscal  
 483 year to the Agency for Health Care Administration through  
 484 hospital-audited financial data; and

485 (e) The department may not execute a contract for health  
 486 care services at a hospital for rates other than rates based on  
 487 a percentage of the Medicare allowable rate.

488 (2) For purposes of this section, the term "hospital"  
 489 means a hospital licensed under chapter 395, Florida Statutes.

490 (3) This section expires July 1, 2013.

491 Section 17. In order to implement section 7 of the 2012-  
 492 2013 General Appropriations Act, subsection (2) of section  
 493 215.18, Florida Statutes, is amended to read:

494 215.18 Transfers between funds; limitation.—

495 (2) The Chief Justice of the Supreme Court may receive one  
 496 or more trust fund loans ~~of up to \$54 million in total, the~~  
 497 ~~purpose of which is~~ to ensure that the state court system has  
 498 funds sufficient to meet its appropriations in the 2012-2013  
 499 ~~2011-2012~~ General Appropriations Act. If the Chief Justice  
 500 accesses the loan, he or she must notify the Governor and the  
 501 chairs of the legislative appropriations committees in writing.  
 502 The loan must come from other funds in the State Treasury which

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503 are for the time being or otherwise in excess of the amounts  
504 necessary to meet the just requirements of such last-mentioned  
505 funds. The Governor shall order the transfer of funds within 5  
506 days after the written notification from the Chief Justice. If  
507 the Governor does not order the transfer, the Chief Financial  
508 Officer shall transfer the requested funds. The loan of funds  
509 from which any money is temporarily transferred must be repaid  
510 by the end of the 2012-2013 ~~2011-2012~~ fiscal year. This  
511 subsection expires July 1, 2013 ~~2012~~.

512 Section 18. In order to implement Specific Appropriation  
513 850 of the 2012-2013 General Appropriations Act, and  
514 notwithstanding s. 28.2455, Florida Statutes, any funds  
515 remaining in the Clerks of Court Trust Fund may not be  
516 transferred to the General Revenue Fund and remain available to  
517 the clerks of court for expenditures during the 2012-2013 fiscal  
518 year. This section shall take effect upon this act becoming a  
519 law and expires July 1, 2013.

520 Section 19. In order to implement Specific Appropriations  
521 850 and 3215 through 3238 of the 2012-2013 General  
522 Appropriations Act, the calculation of unit costs for the clerks  
523 of court and the state trial courts for the 2011-2012 and 2012-  
524 2013 fiscal years are contained in the documents entitled  
525 "Fiscal Year 2011-12 and Fiscal Year 2012-13 Clerks of Court  
526 Unit Cost Budgets" and "Fiscal Year 2011-12 and Fiscal Year  
527 2012-13 Trial Courts Unit Cost Budgets" dated March 6, 2012,  
528 which are filed with the Clerk of the House of Representatives  
529 and incorporated by reference for the purpose of displaying the

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530 calculations used by the Legislature in making appropriations  
 531 for the clerks of court and the state trial courts.

532 Section 20. In order to implement section 7 of the 2012-  
 533 2013 General Appropriations Act, paragraph (c) of subsection (4)  
 534 of section 29.008, Florida Statutes, is amended to read:

535 29.008 County funding of court-related functions.—

536 (4)

537 (c) Counties are exempt from all requirements and  
 538 provisions of paragraph (a) for the 2012-2013 ~~2011-2012~~ fiscal  
 539 year. Accordingly, for the 2012-2013 ~~2011-2012~~ fiscal year,  
 540 counties shall maintain, but are not required to increase, their  
 541 expenditures for the items specified in paragraphs (1)(a)-(h)  
 542 and subsection (3). The requirements described in paragraph (a)  
 543 shall be reinstated beginning with the 2013-2014 ~~2012-2013~~  
 544 fiscal year. This paragraph expires July 1, 2013 ~~2012~~.

545 Section 21. In order to implement Specific Appropriation  
 546 2890 of the 2012-2013 General Appropriation Act, paragraph (b)  
 547 of subsection (3) of section 282.709, Florida Statutes, is  
 548 amended to read:

549 282.709 State agency law enforcement radio system and  
 550 interoperability network.—

551 (3)

552 (b) Funds from the State Agency Law Enforcement Radio  
 553 System Trust Fund may be used by the department to fund mutual  
 554 aid buildout maintenance and sustainment and the  
 555 interoperability network created under subsection (4) as  
 556 appropriated by law. This paragraph expires July 1, 2013 ~~2012~~.

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557           Section 22. In order to implement Specific Appropriations  
558 2743 through 2753 of the 2012-2013 General Appropriations Act,  
559 the Department of Management Services shall use interest  
560 earnings of the Communications Working Capital Trust Fund as the  
561 funding source for its responsibilities relating to the  
562 administration of the MyFlorida.com portal.

563           Section 23. In order to implement appropriations used for  
564 the payments of existing lease contracts for private lease space  
565 in excess of 2,000 square feet in the 2012-2013 General  
566 Appropriations Act, the Department of Management Services,  
567 together with the cooperation of the agencies having the  
568 existing lease contracts, shall utilize tenant broker services  
569 to renegotiate or reprocure all private lease agreements  
570 expiring between July 1, 2013, and June 30, 2015, in order to  
571 achieve a reduction in costs in future years. The department  
572 shall incorporate this initiative into its 2012 Master Leasing  
573 Report and may use tenant broker services to explore the  
574 possibilities of collocation, to review the space needs of each  
575 agency, and to review the length and terms of potential renewals  
576 or renegotiations. The department shall provide a report by  
577 March 1, 2013, to the Executive Office of the Governor, the  
578 President of the Senate, and the Speaker of the House of  
579 Representatives which lists each lease contract for private  
580 office or storage space, the status of renegotiations, and the  
581 savings achieved. This section expires July 1, 2013.

582           Section 24. In order to implement Specific Appropriations  
583 3081A through 3089 of the 2012-2013 General Appropriations Act,  
584 notwithstanding s. 215.199(2), Florida Statutes, funds available

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585 in the Audit and Warrant Clearing Trust Fund for subsequent  
 586 distribution to the General Revenue Fund shall be available to  
 587 the tax collection service provider, as defined in s.  
 588 443.036(42), Florida Statutes, who shall make the interest  
 589 payment required by s. 443.131(5), Florida Statutes, to the  
 590 Federal Government in the amount directed by the Governor or the  
 591 Governor's designee.

592 Section 25. In order to implement Specific Appropriations  
 593 1662, 1685, and 1686 of the 2012-2013 General Appropriations  
 594 Act, paragraph (b) of subsection (3) of section 375.041, Florida  
 595 Statutes, is amended to read:

596 375.041 Land Acquisition Trust Fund.—

597 (3)

598 (b) In addition to the uses allowed under paragraph (a),  
 599 for the 2012-2013 ~~2011-2012~~ fiscal year, moneys in the Land  
 600 Acquisition Trust Fund are authorized for transfer to support  
 601 the Total Maximum Daily Loads Program, Drinking Water Revolving  
 602 Loan Trust Fund, and Wastewater Treatment and Stormwater  
 603 Management Revolving Loan Trust Fund as provided in the General  
 604 Appropriations Act. This paragraph expires July 1, 2013 ~~2012~~.

605 Section 26. In order to implement Specific Appropriation  
 606 1644 of the 2012-2013 General Appropriations Act, subsection  
 607 (12) of section 373.59, Florida Statutes, is amended to read:

608 373.59 Water Management Lands Trust Fund.—

609 (12) Notwithstanding subsection (8), and for the 2012-2013  
 610 ~~2011-2012~~ fiscal year only, the moneys from the Water Management  
 611 Lands Trust Fund are allocated as follows:

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612 (a) An amount necessary to pay debt service on bonds  
 613 issued before February 1, 2009, by the South Florida Water  
 614 Management District and the St. Johns River Water Management  
 615 District, which are secured by revenues provided pursuant to  
 616 this section, or to fund debt service reserve funds, rebate  
 617 obligations, or other amounts payable with respect to such  
 618 bonds;

619 (b) Eight million dollars to be transferred to the General  
 620 Revenue Fund; and

621 (c) The remaining appropriation funds to be distributed to  
 622 the Suwannee River Water Management District, ~~of which \$500,000~~  
 623 ~~may be used for minimum flows and levels.~~

624  
 625 This subsection expires July 1, 2013 ~~2012~~.

626 Section 27. In order to implement Specific Appropriations  
 627 1664 through 1666 and 1668 and section 60 of the 2012-2013  
 628 General Appropriations Act, paragraph (g) of subsection (1) of  
 629 section 403.1651, Florida Statutes, is amended to read:

630 403.1651 Ecosystem Management and Restoration Trust Fund.—

631 (1) There is created the Ecosystem Management and  
 632 Restoration Trust Fund to be administered by the Department of  
 633 Environmental Protection for the purposes of:

634 (g) Funding activities to preserve and repair the state's  
 635 beaches as provided in ss. 161.091-161.212. This paragraph  
 636 expires July 1, 2013.

637 Section 28. In order to implement Specific Appropriation  
 638 1714 of the 2012-2013 General Appropriations Act, subsection (5)  
 639 of section 403.7095, Florida Statutes, is amended to read:

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640 403.7095 Solid waste management grant program.—

641 (5) Notwithstanding any other provision of this section,  
 642 and for the 2012-2013 ~~2011-2012~~ fiscal year only, the Department  
 643 of Environmental Protection shall award the sum of \$2,400,000 in  
 644 grants equally to counties having populations of fewer than  
 645 100,000 for waste tire and litter prevention, recycling  
 646 education, and general solid waste programs. This subsection  
 647 expires July 1, 2013 ~~2012~~.

648 Section 29. In order to implement Specific Appropriation  
 649 1496 of the 2012-2013 General Appropriations Act and to provide  
 650 consistency and continuity in the promotion of agriculture  
 651 throughout the state, notwithstanding s. 287.057, Florida  
 652 Statutes, the Department of Agriculture and Consumer Services  
 653 may extend, revise, and renew current contracts or agreements  
 654 created or entered into pursuant to chapter 2006-25, Laws of  
 655 Florida. This section expires July 1, 2013.

656 Section 30. In order to implement Specific Appropriations  
 657 1806, 1841, 1863, and 1903 of the 2012-2013 General  
 658 Appropriations Act, subsection (4) is added to section 379.209,  
 659 Florida Statutes, to read:

660 379.209 Nongame Wildlife Trust Fund.—

661 (4) The commission may transfer cash balances from the  
 662 Nongame Wildlife Trust Fund to the Grants and Donations Trust  
 663 Fund for the purpose of supporting cash flow needs. This  
 664 subsection expires July 1, 2013.

665 Section 31. In order to implement Specific Appropriations  
 666 1806, 1841, 1863, and 1903 of the 2012-2013 General  
 667 Appropriations Act, the Fish and Wildlife Conservation



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668 Commission is authorized to transfer \$500,000 in hunting and  
 669 fishing license fees from the Grants and Donations Trust Fund to  
 670 the State Game Trust Fund, to repay the loan originally  
 671 authorized in Specific Appropriation 1950 in chapter 2008-152,  
 672 Laws of Florida.

673 Section 32. In order to implement Specific Appropriation  
 674 1863A of the 2012-2013 General Appropriations Act relating to  
 675 the restoration of Lake Apopka and pursuant to the notice,  
 676 review, and objection procedures of s. 216.177, Florida  
 677 Statutes, the Executive Office of the Governor is authorized to  
 678 transfer appropriations between the Fish and Wildlife  
 679 Conservation Commission and the Department of Environmental  
 680 Protection as necessary to implement the approved list of  
 681 projects. This section expires July 1, 2013.

682 Section 33. In order to implement Specific Appropriation  
 683 1589 of the 2012-2013 General Appropriations Act, paragraph (m)  
 684 is added to subsection (3) of section 259.105, Florida Statutes,  
 685 to read:

686 259.105 The Florida Forever Act.—

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

693 (m) Notwithstanding paragraphs (a)-(j) and for the 2012-  
 694 2013 fiscal year only, the moneys appropriated from the Florida  
 695 Forever Trust Fund shall be distributed only to the Division of

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696 State Lands within the Department of Environmental Protection  
 697 for land acquisitions that are less-than-fee interest or for  
 698 partnerships in which the state's portion of the acquisition  
 699 cost is no more than 50 percent. This paragraph expires July 1,  
 700 2013.

701 Section 34. In order to implement section 77 of the 2012-  
 702 2013 General Appropriations Act, subsections (3) and (4) of  
 703 section 496 of chapter 2011-142, Laws of Florida, are amended to  
 704 read:

705 Section 496. Commission on Oil Spill Response  
 706 Coordination.—

707 (3) The board of trustees shall deliver the report to the  
 708 Governor, the President of the Senate, the Speaker of the House  
 709 of Representatives, the Secretary of Environmental Protection,  
 710 and the executive director of the Department of Economic  
 711 Opportunity by January 1, 2013 ~~September 1, 2012~~.

712 (4) This section expires January 1, 2013 ~~September 30,~~  
 713 ~~2012~~.

714 Section 35. In order to implement Specific Appropriation  
 715 1922 of the 2012-2013 General Appropriations Act, paragraph (a)  
 716 of subsection (3) of section 311.07, Florida Statutes, is  
 717 amended to read:

718 311.07 Florida seaport transportation and economic  
 719 development funding.—

720 (3) (a) Program funds shall be used to fund approved  
 721 projects on a 50-50 matching basis with any of the deepwater  
 722 ports, as listed in s. 403.021(9) (b), which is governed by a  
 723 public body or any other deepwater port which is governed by a

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724 public body and which complies with the water quality provisions  
725 of s. 403.061, the comprehensive master plan requirements of s.  
726 163.3178(2)(k), and the local financial management and reporting  
727 provisions of part III of chapter 218. However, program funds  
728 used to fund projects that involve the rehabilitation of  
729 wharves, docks, berths, bulkheads, or similar structures shall  
730 require a 25-percent match of funds, except for such projects  
731 for ports located in counties designated as a rural area of  
732 critical economic concern, as defined in s. 288.0656, which are  
733 eligible for waiver of match requirements. Program funds also  
734 may be used by the Seaport Transportation and Economic  
735 Development Council to develop trade data information products  
736 which will assist Florida's seaports and international trade.

737 Section 36. The amendment to s. 311.07(3)(a), Florida  
738 Statutes, shall expire July 1, 2013, and the text of that  
739 paragraph shall revert to that in existence on June 30, 2012,  
740 except that any amendments to such text enacted other than by  
741 this act shall be preserved and continue to operate to the  
742 extent that such amendments are not dependent upon the portions  
743 of text which expire pursuant to this section.

744 Section 37. In order to implement the appropriation of  
745 funds in appropriation category "Special Categories-Risk  
746 Management Insurance" in the 2012-2013 General Appropriations  
747 Act, and pursuant to the notice, review, and objection  
748 procedures of s. 216.177, Florida Statutes, the Executive Office  
749 of the Governor may transfer funds appropriated in that category  
750 between departments in order to align the budget authority

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751 granted with the premiums paid by each department for risk  
 752 management insurance. This section expires July 1, 2013.

753       Section 38. In order to implement the appropriation of  
 754 funds in the appropriation category "Special Categories-Transfer  
 755 to Department of Management Services-Human Resources Services  
 756 Purchased Per Statewide Contract" in the 2012-2013 General  
 757 Appropriations Act," and pursuant to the notice, review, and  
 758 objection procedures of s. 216.177, Florida Statutes, the  
 759 Executive Office of the Governor may transfer funds appropriated  
 760 in that category between departments in order to align the  
 761 budget authority granted with the assessments that must be paid  
 762 by each agency to the Department of Management Services for  
 763 human resource management services. This section expires July 1,  
 764 2013.

765       Section 39. In order to implement specific appropriations  
 766 for salaries and benefits in the 2012-2013 General  
 767 Appropriations Act, paragraph (a) of subsection (12) of section  
 768 110.123, Florida Statutes, is amended to read:

769       110.123 State group insurance program.—

770       (12) HEALTH SAVINGS ACCOUNTS.—The department is authorized  
 771 to establish health savings accounts for full-time and part-time  
 772 state employees in association with a health insurance plan  
 773 option authorized by the Legislature and conforming to the  
 774 requirements and limitations of federal provisions relating to  
 775 the Medicare Prescription Drug, Improvement, and Modernization  
 776 Act of 2003.

777       (a)1. A member participating in this health insurance plan  
 778 option is eligible to receive an employer contribution into the

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779 employee's health savings account from the State Employees  
 780 Health Insurance Trust Fund in an amount to be determined by the  
 781 Legislature. A member is not eligible for an employer  
 782 contribution upon termination of employment. For the 2012-2013  
 783 ~~2011-2012~~ fiscal year, the state's monthly contribution for  
 784 employees having individual coverage shall be \$41.66 and the  
 785 monthly contribution for employees having family coverage shall  
 786 be \$83.33.

787 2. A member participating in this health insurance plan  
 788 option is eligible to deposit the member's own funds into a  
 789 health savings account.

790 Section 40. In order to implement specific appropriations  
 791 for salaries and benefits in the 2012-2013 General  
 792 Appropriations Act, paragraph (b) of subsection (3) of section  
 793 112.24, Florida Statutes, is amended, and subsection (6) is  
 794 added to that section, to read:

795 112.24 Intergovernmental interchange of public employees.—  
 796 To encourage economical and effective utilization of public  
 797 employees in this state, the temporary assignment of employees  
 798 among agencies of government, both state and local, and  
 799 including school districts and public institutions of higher  
 800 education is authorized under terms and conditions set forth in  
 801 this section. State agencies, municipalities, and political  
 802 subdivisions are authorized to enter into employee interchange  
 803 agreements with other state agencies, the Federal Government,  
 804 another state, a municipality, or a political subdivision  
 805 including a school district, or with a public institution of  
 806 higher education. State agencies are also authorized to enter

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807 into employee interchange agreements with private institutions  
808 of higher education and other nonprofit organizations under the  
809 terms and conditions provided in this section. In addition, the  
810 Governor or the Governor and Cabinet may enter into employee  
811 interchange agreements with a state agency, the Federal  
812 Government, another state, a municipality, or a political  
813 subdivision including a school district, or with a public  
814 institution of higher learning to fill, subject to the  
815 requirements of chapter 20, appointive offices which are within  
816 the executive branch of government and which are filled by  
817 appointment by the Governor or the Governor and Cabinet. Under  
818 no circumstances shall employee interchange agreements be  
819 utilized for the purpose of assigning individuals to participate  
820 in political campaigns. Duties and responsibilities of  
821 interchange employees shall be limited to the mission and goals  
822 of the agencies of government.

823 (3) Salary, leave, travel and transportation, and  
824 reimbursements for an employee of a sending party that is  
825 participating in an interchange program shall be handled as  
826 follows:

827 (b)~~1~~. The assignment of an employee of a state agency on  
828 detail or on leave of absence may be made without reimbursement  
829 by the receiving party for the travel and transportation  
830 expenses to or from the place of the assignment or for the pay  
831 and benefits, or a part thereof, of the employee during the  
832 assignment.

833 ~~2. For the 2011-2012 fiscal year only, the assignment of~~  
834 ~~an employee of a state agency as provided in subparagraph 1. may~~

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835 ~~be made if recommended by the Governor or Chief Justice, as~~  
836 ~~appropriate, and approved by the chairs of the legislative~~  
837 ~~appropriations committees. Such actions shall be deemed approved~~  
838 ~~if neither chair provides written notice of objection within 14~~  
839 ~~days after the chair's receiving notice of the action pursuant~~  
840 ~~to s. 216.177. This subparagraph expires July 1, 2012.~~

841 (6) For the 2012-2013 fiscal year only, the assignment of  
842 an employee of a state agency as provided in this section may be  
843 made if recommended by the Governor or Chief Justice, as  
844 appropriate, and approved by the chairs of the legislative  
845 appropriations committees. Such actions shall be deemed approved  
846 if neither chair provides written notice of objection within 14  
847 days after the chair's receiving notice of the action pursuant  
848 to s. 216.177. This subsection expires July 1, 2013.

849 Section 41. In order to implement Specific Appropriations  
850 2710 and 2711 of the 2012-2013 General Appropriations Act and  
851 notwithstanding s. 11.13(1), Florida Statutes, the authorized  
852 salaries for members of the Legislature for the 2012-2013 fiscal  
853 year shall be set at the same level in effect on July 1, 2010.  
854 This section expires July 1, 2013.

855 Section 42. In order to implement the transfer of funds to  
856 the General Revenue Fund from trust funds in the 2012-2013  
857 General Appropriations Act, paragraph (b) of subsection (2) of  
858 section 215.32, Florida Statutes, is amended to read:

859 215.32 State funds; segregation.—

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

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862 (b)1. The trust funds shall consist of moneys received by  
863 the state which under law or under trust agreement are  
864 segregated for a purpose authorized by law. The state agency or  
865 branch of state government receiving or collecting such moneys  
866 is responsible for their proper expenditure as provided by law.  
867 Upon the request of the state agency or branch of state  
868 government responsible for the administration of the trust fund,  
869 the Chief Financial Officer may establish accounts within the  
870 trust fund at a level considered necessary for proper  
871 accountability. Once an account is established, the Chief  
872 Financial Officer may authorize payment from that account only  
873 upon determining that there is sufficient cash and releases at  
874 the level of the account.

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

878 a. Operations or operating trust fund, for use as a  
879 depository for funds to be used for program operations funded by  
880 program revenues, with the exception of administrative  
881 activities when the operations or operating trust fund is a  
882 proprietary fund.

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

885 c. Administrative trust fund, for use as a depository for  
886 funds to be used for management activities that are departmental  
887 in nature and funded by indirect cost earnings and assessments  
888 against trust funds. Proprietary funds are excluded from the  
889 requirement of using an administrative trust fund.



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

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

896 f. Clearing funds trust fund, for use as a depository for  
897 funds to account for collections pending distribution to lawful  
898 recipients.

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

902

903 To the extent possible, each agency must adjust its internal  
904 accounting to use existing trust funds consistent with the  
905 requirements of this subparagraph. If an agency does not have  
906 trust funds listed in this subparagraph and cannot make such  
907 adjustment, the agency must recommend the creation of the  
908 necessary trust funds to the Legislature no later than the next  
909 scheduled review of the agency's trust funds pursuant to s.  
910 215.3206.

911 3. All such moneys are hereby appropriated to be expended  
912 in accordance with the law or trust agreement under which they  
913 were received, subject always to the provisions of chapter 216  
914 relating to the appropriation of funds and to the applicable  
915 laws relating to the deposit or expenditure of moneys in the  
916 State Treasury.

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917           4.a. Notwithstanding any provision of law restricting the  
 918 use of trust funds to specific purposes, unappropriated cash  
 919 balances from selected trust funds may be authorized by the  
 920 Legislature for transfer to the ~~State School Trust Fund~~, Budget  
 921 Stabilization Fund~~,~~ and General Revenue Fund in the General  
 922 Appropriations Act.

923           b. This subparagraph does not apply to trust funds  
 924 required by federal programs or mandates; trust funds  
 925 established for bond covenants, indentures, or resolutions whose  
 926 revenues are legally pledged by the state or public body to meet  
 927 debt service or other financial requirements of any debt  
 928 obligations of the state or any public body; the Division of  
 929 Licensing Trust Fund in the Department of Agriculture and  
 930 Consumer Services; the State Transportation Trust Fund; the  
 931 trust fund containing the net annual proceeds from the Florida  
 932 Education Lotteries; the Florida Retirement System Trust Fund;  
 933 trust funds under the management of the State Board of Education  
 934 or the Board of Governors of the State University System, where  
 935 such trust funds are for auxiliary enterprises, self-insurance,  
 936 and contracts, grants, and donations, as those terms are defined  
 937 by general law; trust funds that serve as clearing funds or  
 938 accounts for the Chief Financial Officer or state agencies;  
 939 trust funds that account for assets held by the state in a  
 940 trustee capacity as an agent or fiduciary for individuals,  
 941 private organizations, or other governmental units; and other  
 942 trust funds authorized by the State Constitution.

943           Section 43. The amendment to s. 215.32(2)(b), Florida  
 944 Statutes, as carried forward by this act from chapter 2011-47,

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945 Laws of Florida, shall expire July 1, 2013, and the text of that  
 946 paragraph shall revert to that in existence on June 30, 2011,  
 947 except that any amendments to such text enacted other than by  
 948 this act shall be preserved and continue to operate to the  
 949 extent that such amendments are not dependent upon the portions  
 950 of text which expire pursuant to this section.

951 Section 44. In order to implement the transfer of moneys  
 952 to the General Revenue Fund from trust funds in the 2012-2013  
 953 General Appropriations Act, paragraph (b) of subsection (4) of  
 954 section 215.5601, Florida Statutes, is reenacted to read:

955 215.5601 Lawton Chiles Endowment Fund.—

956 (4) ADMINISTRATION.—

957 (b) The endowment shall be managed as an annuity. The  
 958 investment objective is the long-term preservation of the real  
 959 value of the net contributed principal and a specified regular  
 960 annual cash outflow for appropriation, as nonrecurring revenue.  
 961 From the annual cash outflow, a pro rata share shall be used  
 962 solely for biomedical research activities as provided in  
 963 paragraph (3)(d), until such time as cures are found for  
 964 tobacco-related cancer and heart and lung disease. Five percent  
 965 of the annual cash outflow dedicated to the biomedical research  
 966 portion of the endowment shall be reinvested and applied to that  
 967 portion of the endowment's principal, with the remainder to be  
 968 spent on biomedical research activities consistent with this  
 969 section. The schedule of annual cash outflow must be included  
 970 within the investment plan adopted under paragraph (a).

971 Withdrawals other than specified regular cash outflow are

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972 considered reductions in contributed principal for the purposes  
 973 of this subsection.

974 Section 45. The amendment to s. 215.5601(4) (b), Florida  
 975 Statutes, as carried forward by this act from chapter 2011-47,  
 976 Laws of Florida, shall expire July 1, 2013, and the text of that  
 977 paragraph shall revert to that in existence on June 30, 2010,  
 978 except that any amendments to such text enacted other than by  
 979 this act shall be preserved and continue to operate to the  
 980 extent that such amendments are not dependent upon the portions  
 981 of text which expire pursuant to this section.

982 Section 46. In order to implement section 132 of the 2012-  
 983 2013 General Appropriations Act, paragraph (f) is added to  
 984 subsection (5) of section 215.5601, Florida Statutes, to read:

985 215.5601 Lawton Chiles Endowment Fund.—

986 (5) AVAILABILITY OF FUNDS; USES.—

987 (f) Notwithstanding any provision of this section to the  
 988 contrary, during the 2012-2013 fiscal year \$350 million shall be  
 989 transferred from the endowment to the General Revenue Fund. This  
 990 paragraph expires June 30, 2013.

991 Section 47. In order to implement the issuance of new debt  
 992 authorized in the 2012-2013 General Appropriations Act, and  
 993 pursuant to s. 215.98, Florida Statutes, the Legislature  
 994 determines that the authorization and issuance of debt for the  
 995 2012-2013 fiscal year should be implemented, is in the best  
 996 interest of the state, and necessary to address a critical state  
 997 emergency. This section expires July 1, 2013.

998 Section 48. In order to implement the funds appropriated  
 999 in the 2012-2013 General Appropriations Act for state employee

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1000 travel, the funds appropriated to each state agency, which may  
1001 be used for travel by state employees, are limited during the  
1002 2012-2013 fiscal year to travel for activities that are critical  
1003 to each state agency's mission. Funds may not be used to pay for  
1004 travel by state employees to foreign countries, other states,  
1005 conferences, staff-training activities, or other administrative  
1006 functions unless the agency head has approved in writing that  
1007 such activities are critical to the agency's mission. The agency  
1008 head must consider the use of teleconferencing and other forms  
1009 of electronic communication to meet the needs of the proposed  
1010 activity before approving mission-critical travel. This section  
1011 does not apply to travel for law enforcement purposes, military  
1012 purposes, emergency management activities, or public health  
1013 activities. This section expires July 1, 2013.

1014       Section 49. In order to implement appropriations  
1015 authorized in the 2012-2013 General Appropriations Act for data  
1016 center services scheduled for consolidation in the 2012-2013  
1017 fiscal year, pursuant to the notice, review, and objection  
1018 procedures of s. 216.177, Florida Statutes, the consolidating  
1019 agencies may request the transfer of resources between Data  
1020 Processing Services appropriation categories and the  
1021 appropriation categories for operations based upon changes to  
1022 the consolidation schedule. This section expires July 1, 2013.

1023       Section 50. In order to implement the appropriations  
1024 authorized in the 2012-2013 General Appropriations Act for each  
1025 of the state's designated primary data centers, which are funded  
1026 from the data processing appropriation category for computing  
1027 services of user agencies, and pursuant to the notice, review,

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1028 and objection procedures of s. 216.177, Florida Statutes, the  
 1029 Executive Office of the Governor may transfer funds appropriated  
 1030 for data processing in the 2012-2013 General Appropriations Act  
 1031 between agencies in order to align the budget authority granted  
 1032 with the utilization rate of each department. This section  
 1033 expires July 1, 2013.

1034 Section 51. In order to implement Specific Appropriation  
 1035 2876 of the 2012-2013 General Appropriations Act, the Executive  
 1036 Office of the Governor may transfer funds appropriated in the  
 1037 appropriation category "Expenses" of the 2012-2013 General  
 1038 Appropriations Act between agencies in order to allocate a  
 1039 reduction relating to SUNCOM services. This section expires July  
 1040 1, 2013.

1041 Section 52. In order to implement section 8 of the General  
 1042 Appropriations Act for the 2012-2013 fiscal year, paragraph (b)  
 1043 of subsection (2) of section 110.12315, Florida Statutes, is  
 1044 amended, and paragraph (a) subsection (7) of that section is  
 1045 reenacted and amended, to read:

1046 110.12315 Prescription drug program.—The state employees'  
 1047 prescription drug program is established. This program shall be  
 1048 administered by the Department of Management Services, according  
 1049 to the terms and conditions of the plan as established by the  
 1050 relevant provisions of the annual General Appropriations Act and  
 1051 implementing legislation, subject to the following conditions:

1052 (2) In providing for reimbursement of pharmacies for  
 1053 prescription medicines dispensed to members of the state group  
 1054 health insurance plan and their dependents under the state  
 1055 employees' prescription drug program:

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1056 (b) There shall be a 30-day supply limit for prescription  
 1057 card purchases and 90-day supply limit for mail order or mail  
 1058 order prescription drug purchases. The Department of Management  
 1059 Services may implement a 90-day supply limit program for certain  
 1060 maintenance drugs as determined by the department at retail  
 1061 pharmacies participating in the program if the department  
 1062 determines it to be in the best financial interest of the state.

1063 (7) Under the state employees' prescription drug program  
 1064 copayments must be made as follows:

1065 (a) Effective January 1, 2012 ~~2011~~, for the State Group  
 1066 Health Insurance Standard Plan:

- 1067 1. For generic drug with card \$7.
- 1068 2. For preferred brand name drug with card \$30.
- 1069 3. For nonpreferred brand name drug with card \$50.
- 1070 4. For generic mail order drug \$14.
- 1071 5. For preferred brand name mail order drug \$60.
- 1072 6. For nonpreferred brand name mail order drug \$100.

1073 Section 53. (1) The amendment to s. 110.12315(2)(b),  
 1074 Florida Statutes, shall expire July 1, 2013, and the text of  
 1075 that paragraph shall revert to that in existence on June 30,  
 1076 2012, except that any amendments to such text enacted other than  
 1077 by this act shall be preserved and continue to operate to the  
 1078 extent that such amendments are not dependent upon the portions  
 1079 of text which expire pursuant to this sect.

1080 (2) The amendment to s. 110.12315(7)(a), Florida Statutes,  
 1081 as carried forward by this act from chapter 2011-47, Laws of  
 1082 Florida, shall expire on July 1, 2013, and the text of that  
 1083 paragraph shall revert to that in existence on December 31,

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1084 2010, except that any amendments to such text enacted other than  
 1085 by this act shall be preserved and continue to operate to the  
 1086 extent that such amendments are not dependent upon the portions  
 1087 of text which expire pursuant to this section.

1088 Section 54. In order to implement Specific Appropriation  
 1089 209 of the 2012-2013 General Appropriations Act and  
 1090 notwithstanding chapter 287, Florida Statutes, the Agency for  
 1091 Health Care Administration shall competitively reprocure a  
 1092 Florida Discount Drug Card Program to provide market competitive  
 1093 discounts through a broad network of retail pharmacies and a  
 1094 mail order pharmacy within the state and return money to the  
 1095 state on a per prescription dispensed basis. Discounts must be  
 1096 available to Florida residents without income restrictions.  
 1097 Residents must be able to enroll and acquire a member  
 1098 identification card from the participating pharmacies, online  
 1099 and through text messaging, without a charge. Revenues derived  
 1100 from this contract shall be deposited into the agency's Grants  
 1101 and Donations Trust Fund to reduce the cost of Medicaid pharmacy  
 1102 purchases. This section expires July 1, 2013.

1103 Section 55. Any section of this act which implements a  
 1104 specific appropriation or specifically identified proviso  
 1105 language in the 2012-2013 General Appropriations Act is void if  
 1106 the specific appropriation or specifically identified proviso  
 1107 language is vetoed. Any section of this act which implements  
 1108 more than one specific appropriation or more than one portion of  
 1109 specifically identified proviso language in the 2012-2013  
 1110 General Appropriations Act is void if all the specific



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1111 appropriations or portions of specifically identified proviso  
1112 language are vetoed.

1113 Section 56. If any other act passed during the 2012  
1114 Regular Session contains a provision that is substantively the  
1115 same as a provision in this act, but that removes or is  
1116 otherwise not subject to the future repeal applied to such  
1117 provision by this act, the Legislature intends that the  
1118 provision in the other act takes precedence and continues to  
1119 operate, notwithstanding the future repeal provided by this act.

1120 Section 57. If any provision of this act or its  
1121 application to any person or circumstance is held invalid, the  
1122 invalidity does not affect other provisions or applications of  
1123 the act which can be given effect without the invalid provision  
1124 or application, and to this end the provisions of this act are  
1125 severable.

1126 Section 58. Except as otherwise expressly provided in this  
1127 act and except for this section, which shall take effect upon  
1128 this act becoming a law, this act shall take effect July 1,  
1129 2012; or, if this act fails to become a law until after that  
1130 date, it shall take effect upon becoming a law and shall operate  
1131 retroactively to July 1, 2012.