

1 A bill to be entitled
2 An act implementing the 2017-2018 General
3 Appropriations Act; providing legislative intent;
4 incorporating by reference certain calculations of the
5 Florida Education Finance Program; reenacting and
6 amending s. 1012.731, F.S.; delaying the expiration of
7 the Florida Best and Brightest Teacher Scholarship
8 Program; amending s. 1011.62, F.S.; revising the
9 computation of the district sparsity index for
10 districts that meet certain criteria; reenacting s.
11 1004.345(1), F.S., relating to a date by which the
12 Florida Polytechnic University must meet specified
13 criteria established by the Board of Governors;
14 providing for the future expiration and reversion of
15 statutory text related to the district sparsity index
16 and the Florida Polytechnic University; incorporating
17 by reference certain calculations of the Medicaid Low-
18 Income Pool, Disproportionate Share Hospital, and
19 Hospital Reimbursement programs; authorizing the
20 Agency for Health Care Administration, with the
21 Department of Health, to submit a budget amendment to
22 realign funding for certain agencies based on a
23 specific component of the Statewide Medicaid Managed
24 Care program of the Department of Health; requiring
25 the funding realignment to meet certain criteria;

26 | authorizing the Agency for Health Care administration
27 | to submit a request to transfer federal funds to the
28 | Department of Health; requiring the Agency for Persons
29 | with Disabilities to use specified methodologies if it
30 | ceases to have an algorithm and allocation methodology
31 | adopted by valid rule; authorizing increases in
32 | iBudget funding under certain circumstances; amending
33 | s. 893.055, F.S.; extending for 1 fiscal year the
34 | authority of the Department of Health to use certain
35 | funds to administer the prescription drug monitoring
36 | program and prohibit the use of funds received from a
37 | settlement agreement to administer the program;
38 | reenacting and amending s. 296.37, F.S.; extending for
39 | 1 fiscal year the requirement that certain residents
40 | of a veterans' nursing home contribute to their
41 | maintenance and support; amending s. 216.262, F.S. ;
42 | extending for 1 fiscal year the authority of the
43 | Department of Corrections to submit a budget amendment
44 | for additional positions and appropriations under
45 | certain circumstances; amending s. 215.18, F.S. ;
46 | extending for 1 fiscal year the authority and related
47 | repayment requirements for temporary trust fund loans
48 | to the state court system which are sufficient to meet
49 | the system's appropriation; authorizing the Department
50 | of Corrections to submit certain budget amendments to

51 transfer funds into the Inmate Health Services
52 category; providing that such transfers are subject to
53 notice, review, and objection procedures; requiring
54 the Department of Juvenile Justice to review county
55 juvenile detention payments to determine if the county
56 has met specified financial responsibilities;
57 requiring amounts owed by the county for such
58 financial responsibilities to be deducted from certain
59 county funds; requiring the Department of Revenue to
60 transfer funds withheld to specified trust funds;
61 requiring the Department of Revenue to ensure that
62 such reductions in amounts distributed do not reduce
63 distributions below amounts necessary for certain
64 payments due on bonds and comply with bond covenants;
65 requiring the Department of Revenue to notify the
66 Department of Juvenile Justice if bond payment
67 requirements require a reduction in deductions for
68 amounts owed by a county; prohibiting the Department
69 of Juvenile Justice from providing to certain
70 nonfiscally constrained counties reimbursements or
71 credits against identified juvenile detention center
72 costs under specified circumstances; prohibiting a
73 nonfiscally constrained county from applying,
74 deducting, or receiving such reimbursements or
75 credits; amending s. 27.5304, F.S.; revising certain

76 | limitations on compensation for private court-
77 | appointed counsel; requiring the Justice
78 | Administrative Commission to provide funds to the
79 | clerks of court for specified uses related to juries;
80 | providing procedures for clerks of court to receive
81 | such funds; providing an apportionment methodology if
82 | funds are estimated to be insufficient to pay all
83 | amounts requested; requiring the clerks of court to
84 | pay amounts in excess of appropriated amounts;
85 | requiring the Department of Management Services to use
86 | tenant broker services to renegotiate or reprocure
87 | certain private lease agreements for office or storage
88 | space; requiring the Department of Management Services
89 | to provide a report to the Governor and Legislature by
90 | a specified date; specifying the amount of the
91 | transaction fee to be collected for use of an online
92 | procurement system; authorizing the Executive Office
93 | of the Governor, subject to notice, review, and
94 | objection procedures, to transfer funds appropriated
95 | for certain data processing services between
96 | departments for a specified purpose; prohibiting an
97 | agency from transferring funds from a data processing
98 | category to another category that is not a data
99 | processing category; authorizing the Executive Office
100 | of the Governor, subject to notice, review, and

101 objection procedures, to transfer funds between
102 departments for purposes of aligning amounts paid for
103 risk management insurance and for human resource
104 management services; providing for replacement of the
105 Florida Accounting Information Resource Subsystem;
106 providing for project governance structure; amending
107 s. 216.181, F.S.; extending by 1 fiscal year the
108 authority for the Legislative Budget Commission to
109 increase amounts appropriated to the Fish and Wildlife
110 Conservation Commission or the Department of
111 Environmental Protection for certain fixed capital
112 outlay projects from specified sources; amending s.
113 215.18, F.S.; authorizing the Governor, if there is a
114 specified deficiency in a land acquisition trust fund
115 in the Department of Agriculture and Consumer
116 Services, the Department of Environmental Protection,
117 the Department of State, or the Fish and Wildlife
118 Conservation Commission, to transfer funds from other
119 trust funds in the State Treasury as a temporary loan
120 to such trust fund for a specified period; providing
121 procedures for the transfer and repayment of the loan;
122 requiring the Department of Environmental Protection
123 to transfer designated proportions of the revenues
124 deposited in the Land Acquisition Trust Fund within
125 the department to land acquisition trust funds in the

126 Department of Agriculture and Consumer Services, the
127 Department of State, and the Fish and Wildlife
128 Conservation Commission according to specified
129 parameters and calculations; requiring the department
130 to retain a proportionate share of revenues;
131 specifying a limit on distributions; requiring the
132 Department of Environmental Protection to make
133 transfers to land acquisition trust funds; specifying
134 the method of determining transfer amounts; amending
135 s. 373.470, F.S.; requiring distribution of funds to
136 the South Florida Water Management District from the
137 Land Acquisition Trust Fund to be equally matched by
138 cumulative district contributions for certain
139 Everglades restoration efforts; providing for the
140 future expiration and reversion of statutory text
141 related to distribution of funds to the South Florida
142 Water Management District; amending s. 259.105, F.S.;
143 revising amounts to be deposited into the Florida
144 Forever Trust Fund for specified uses; amending s.
145 216.181, F.S.; authorizing the Legislative Budget
146 Commission to increase certain federal funds
147 appropriated to the Department of Environmental
148 Protection for fixed capital outlay projects;
149 specifying uses for those funds; requiring certain
150 information to be provided to the Legislative Budget

151 Commission when an amendment to increase funds is
152 made; amending s. 339.135, F.S.; authorizing the
153 Department of Transportation to request the Executive
154 Office of the Governor to amend the adopted work
155 program for emergencies for certain projects, or
156 phases thereof; providing for the future expiration
157 and reversion of specified statutory text; reenacting
158 s. 216.292(2)(a), F.S., relating to exceptions for
159 nontransferable appropriations; providing for the
160 future expiration and reversion of statutory text
161 related to nontransferable appropriations; prohibiting
162 a state agency from initiating a competitive
163 solicitation for a product or service under certain
164 circumstances; providing an exception; amending s.
165 112.24, F.S.; extending by 1 fiscal year the
166 authorization, subject to specified requirements, for
167 the assignment of an employee of a state agency under
168 an employee interchange agreement; providing that the
169 annual salaries of the members of the Legislature
170 shall be maintained at a specified level; reenacting
171 s. 215.32(2)(b), F.S., relating to the source and use
172 of certain trust funds; providing for the future
173 expiration and reversion of statutory text related to
174 the source and use of specified trust funds; limiting
175 the use of travel funds to activities that are

176 critical to an agency's mission; providing exceptions;
177 placing a monetary cap on the amount of money
178 available for state employee travel to certain
179 meetings organized or sponsored by a state agency or
180 the judicial branch; authorizing employees to expend
181 their own funds for lodging expenses in excess of the
182 monetary caps; requiring executive branch state
183 agencies and the judicial branch to collaborate with
184 the Executive Office of the Governor regarding the
185 statewide travel management system and to use such
186 system; reenacting s. 110.12315, F.S., relating to the
187 state employees' prescription drug program; providing
188 for the future expiration and reversion of statutory
189 text related to the state employees' prescription drug
190 program; prohibiting agencies from entering into
191 contracts containing certain nondisclosure agreements;
192 providing conditions under which the veto of certain
193 appropriations or proviso language in the General
194 Appropriations Act voids language that implements such
195 appropriation; providing for the continued operation
196 of certain provisions notwithstanding a future repeal
197 or expiration provided by the act; providing
198 severability; providing an effective date.

199
200 Be It Enacted by the Legislature of the State of Florida:

201
202 Section 1. It is the intent of the Legislature that the
203 implementing and administering provisions of this act apply to
204 the General Appropriations Act for the 2017-2018 fiscal year.

205 Section 2. In order to implement Specific Appropriations
206 7, 8, 9, 91, and 92 of the 2017-2018 General Appropriations Act,
207 the calculations of the Florida Education Finance Program for
208 the 2017-2018 fiscal year in the document titled "Public School
209 Funding: The Florida Education Finance Program," dated April 24,
210 2017, and filed with the Clerk of the House of Representatives,
211 are incorporated by reference for the purpose of displaying the
212 calculations used by the Legislature, consistent with the
213 requirements of state law, in making appropriations for the
214 Florida Education Finance Program. This section expires July 1,
215 2018.

216 Section 3. In order to implement Specific Appropriation
217 100A of the 2017-2018 General Appropriations Act, section
218 1012.731, Florida Statutes, is reenacted and amended to read:

219 1012.731 The Florida Best and Brightest Teacher
220 Scholarship Program.—

221 (1) The Legislature recognizes that, second only to
222 parents, teachers play the most critical role within schools in
223 preparing students to achieve a high level of academic
224 performance. The Legislature further recognizes that research
225 has linked student outcomes to a teacher's own academic

226 achievement. Therefore, it is the intent of the Legislature to
227 designate teachers who have achieved high academic standards
228 during their own education as Florida's best and brightest
229 teacher scholars.

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

236 (3)(a) To be eligible for a scholarship, a classroom
237 teacher must have achieved a composite score at or above the
238 80th percentile on either the SAT or the ACT based on the
239 National Percentile Ranks in effect when the classroom teacher
240 took the assessment and have been evaluated as highly effective
241 pursuant to s. 1012.34 in the school year immediately preceding
242 the year in which the scholarship will be awarded, unless the
243 classroom teacher is newly hired by the district school board
244 and has not been evaluated pursuant to s. 1012.34.

245 (b) In order to demonstrate eligibility for an award, an
246 eligible classroom teacher must submit to the school district,
247 no later than November 1, an official record of his or her SAT
248 or ACT score demonstrating that the classroom teacher scored at
249 or above the 80th percentile based on the National Percentile
250 Ranks in effect when the teacher took the assessment. Once a

251 classroom teacher is deemed eligible by the school district,
252 including teachers deemed eligible in the 2015-2016 fiscal year,
253 the teacher shall remain eligible as long as he or she remains
254 employed by the school district as a classroom teacher at the
255 time of the award and receives an annual performance evaluation
256 rating of highly effective pursuant to s. 1012.34.

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

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

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

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

274 (8) This section expires July 1, 2018 ~~2017~~.

275 Section 4. In order to implement Specific Appropriation 91

276 of the 2017-2018 General Appropriations Act, upon the expiration
 277 and reversion of the amendment to section 1011.62, Florida
 278 Statutes, pursuant to section 23 of chapter 2016-62, Laws of
 279 Florida, paragraph (b) of subsection (7) of section 1011.62,
 280 Florida Statutes, is amended to read:

281 1011.62 Funds for operation of schools.—If the annual
 282 allocation from the Florida Education Finance Program to each
 283 district for operation of schools is not determined in the
 284 annual appropriations act or the substantive bill implementing
 285 the annual appropriations act, it shall be determined as
 286 follows:

287 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

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

299 Section 5. In order to implement Specific Appropriation
 300 141 of the 2017-2018 General Appropriations Act, subsection (1)

301 of section 1004.345, Florida Statutes, is reenacted to read:

302 1004.345 The Florida Polytechnic University.—

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

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

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

310 (c) Seek discipline-specific accreditation for programs;

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

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

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

324 Section 6. The amendments made by this act to ss. 1011.62
325 and 1004.345, Florida Statutes, expire July 1, 2018, and the

326 text of those sections shall revert to that in existence on June
327 30, 2016, except that any amendments to such text enacted other
328 than by this act shall be preserved and continue to operate to
329 the extent that such amendments are not dependent upon the
330 portions of text which expire pursuant to this section.

331 Section 7. In order to implement Specific Appropriations
332 198, 199, and 203 of the 2017-2018 General Appropriations Act,
333 the calculations for the Medicaid, Disproportionate Share
334 Hospital, and Hospital Reimbursement programs for the 2017-2018
335 fiscal year contained in the document titled "Medicaid Hospital
336 Funding Programs," dated April 24, 2017, and filed with the
337 Clerk of the House of Representatives, are incorporated by
338 reference for the purpose of displaying the calculations used by
339 the Legislature, consistent with the requirements of state law,
340 in making appropriations for the Medicaid Low-Income Pool,
341 Disproportionate Share Hospital, and Hospital Reimbursement
342 programs. This section expires July 1, 2018.

343 Section 8. In order to implement Specific Appropriations
344 191 through 212A and 522 of the 2017-2018 General Appropriations
345 Act and notwithstanding ss. 216.181 and 216.292, Florida
346 Statutes, the Agency for Health Care Administration, in
347 consultation with the Department of Health, may submit a budget
348 amendment, subject to the notice, review, and objection
349 procedures of s. 216.177, Florida Statutes, to realign funding
350 within and between agencies based on implementation of the

351 Managed Medical Assistance component of the Statewide Medicaid
352 Managed Care program for the Children's Medical Services program
353 of the Department of Health. The funding realignment shall
354 reflect the actual enrollment changes due to the transfer of
355 beneficiaries from fee-for-service to the capitated Children's
356 Medical Services Network. The Agency for Health Care
357 Administration may submit a request for nonoperating budget
358 authority to transfer the federal funds to the Department of
359 Health pursuant to s. 216.181(12), Florida Statutes. This
360 section expires July 1, 2018.

361 Section 9. In order to implement Specific Appropriation
362 241 of the 2017-2018 General Appropriations Act:

363 (1) If, during the 2017-2018 fiscal year, the Agency for
364 Persons with Disabilities ceases to have an algorithm and
365 allocation methodology adopted by valid rule pursuant to s.
366 393.0662, Florida Statutes, the agency shall use the following
367 until it adopts a new algorithm and allocation methodology:

368 (a) Each client's iBudget shall remain at that funding
369 level in effect as of the date the agency ceases to have an
370 algorithm and allocation methodology adopted by valid rule
371 pursuant to s. 393.0662, Florida Statutes.

372 (b) The Agency for Persons with Disabilities shall
373 determine the iBudget for each client newly enrolled in the home
374 and community-based services waiver program using the same
375 algorithm and allocation methodology used for the iBudgets

376 determined between January 1, 2017, and June 30, 2017.

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

382 (3) Funding allocated under subsections (1) and (2) may be
383 increased under s. 393.0662(1)(b), Florida Statutes, or as
384 necessary to comply with federal regulations.

385 (4) This section expires July 1, 2018.

386 Section 10. In order to implement Specific Appropriations
387 532 through 542 of the 2017-2018 General Appropriations Act,
388 subsection (17) of section 893.055, Florida Statutes, is amended
389 to read:

390 893.055 Prescription drug monitoring program.—

391 (17) Notwithstanding subsection (10), and for the 2017-
392 2018 ~~2016-2017~~ fiscal year only, the department may use state
393 funds appropriated in the 2017-2018 ~~2016-2017~~ General
394 Appropriations Act to administer the prescription drug
395 monitoring program. Neither the Attorney General nor the
396 department may use funds received as part of a settlement
397 agreement to administer the prescription drug monitoring
398 program. This subsection expires July 1, 2018 ~~2017~~.

399 Section 11. In order to implement Specific Appropriations
400 551 through 562 of the 2017-2018 General Appropriations Act,

401 subsection (3) of section 296.37, Florida Statutes, is reenacted
 402 and amended to read:

403 296.37 Residents; contribution to support.—

404 (3) Notwithstanding subsection (1), each resident of the
 405 home who receives a pension, compensation, or gratuity from the
 406 United States Government, or income from any other source, of
 407 more than \$105 per month shall contribute to his or her
 408 maintenance and support while a resident of the home in
 409 accordance with a payment schedule determined by the
 410 administrator and approved by the director. The total amount of
 411 such contributions shall be to the fullest extent possible, but,
 412 in no case, shall exceed the actual cost of operating and
 413 maintaining the home. This subsection expires July 1, 2018 ~~2017~~.

414 Section 12. In order to implement Specific Appropriations
 415 582 through 706 and 722 through 756 of the 2017-2018 General
 416 Appropriations Act, subsection (4) of section 216.262, Florida
 417 Statutes, is amended to read:

418 216.262 Authorized positions.—

419 (4) Notwithstanding the provisions of this chapter
 420 relating to increasing the number of authorized positions, and
 421 for the 2017-2018 ~~2016-2017~~ fiscal year only, if the actual
 422 inmate population of the Department of Corrections exceeds the
 423 inmate population projections of the February 23, 2017 ~~December~~
 424 ~~17, 2015~~, Criminal Justice Estimating Conference by 1 percent
 425 for 2 consecutive months or 2 percent for any month, the

426 Executive Office of the Governor, with the approval of the
427 Legislative Budget Commission, shall immediately notify the
428 Criminal Justice Estimating Conference, which shall convene as
429 soon as possible to revise the estimates. The Department of
430 Corrections may then submit a budget amendment requesting the
431 establishment of positions in excess of the number authorized by
432 the Legislature and additional appropriations from unallocated
433 general revenue sufficient to provide for essential staff, fixed
434 capital improvements, and other resources to provide
435 classification, security, food services, health services, and
436 other variable expenses within the institutions to accommodate
437 the estimated increase in the inmate population. All actions
438 taken pursuant to this subsection are subject to review and
439 approval by the Legislative Budget Commission. This subsection
440 expires July 1, 2018 ~~2017~~.

441 Section 13. In order to implement Specific Appropriations
442 3145 through 3212 of the 2017-2018 General Appropriations Act,
443 subsection (2) of section 215.18, Florida Statutes, is amended
444 to read:

445 215.18 Transfers between funds; limitation.—

446 (2) The Chief Justice of the Supreme Court may receive one
447 or more trust fund loans to ensure that the state court system
448 has funds sufficient to meet its appropriations in the 2017-2018
449 ~~2016-2017~~ General Appropriations Act. If the Chief Justice
450 accesses the loan, he or she must notify the Governor and the

451 chairs of the legislative appropriations committees in writing.
452 The loan must come from other funds in the State Treasury which
453 are for the time being or otherwise in excess of the amounts
454 necessary to meet the just requirements of such last-mentioned
455 funds. The Governor shall order the transfer of funds within 5
456 days after the written notification from the Chief Justice. If
457 the Governor does not order the transfer, the Chief Financial
458 Officer shall transfer the requested funds. The loan of funds
459 from which any money is temporarily transferred must be repaid
460 by the end of the 2017-2018 ~~2016-2017~~ fiscal year. This
461 subsection expires July 1, 2018 ~~2017~~.

462 Section 14. In order to implement Specific Appropriation
463 727 of the 2017-2018 General Appropriations Act and
464 notwithstanding s. 216.292, Florida Statutes, the Department of
465 Corrections is authorized to submit budget amendments to
466 transfer funds from categories within the department other than
467 fixed capital outlay categories into the Inmate Health Services
468 category to continue the current level of care in the provision
469 of health services. Such transfers are subject to the notice,
470 review, and objection procedures of s. 216.177, Florida
471 Statutes. This section expires July 1, 2018.

472 Section 15. (1) In order to implement Specific
473 Appropriations 1104 through 1116 of the 2017-2018 General
474 Appropriations Act, the Department of Juvenile Justice is
475 required to review county juvenile detention payments to ensure

476 that counties fulfill their financial responsibilities required
477 in s. 985.6865, Florida Statutes. If the Department of Juvenile
478 Justice determines that a county has not met its obligations,
479 the department shall direct the Department of Revenue to deduct
480 the amount owed to the Department of Juvenile Justice from the
481 funds provided to the county under s. 218.23, Florida Statutes.
482 The Department of Revenue shall transfer the funds withheld to
483 the Shared County/State Juvenile Detention Trust Fund.

484 (2) As an assurance to holders of bonds issued by counties
485 before July 1, 2017, for which distributions made pursuant to s.
486 218.23, Florida Statutes, are pledged, or bonds issued to refund
487 such bonds which mature no later than the bonds they refunded
488 and which result in a reduction of debt service payable in each
489 fiscal year, the amount available for distribution to a county
490 shall remain as provided by law and continue to be subject to
491 any lien or claim on behalf of the bondholders. The Department
492 of Revenue must ensure, based on information provided by an
493 affected county, that any reduction in amounts distributed
494 pursuant to subsection (1) does not reduce the amount of
495 distribution to a county below the amount necessary for the
496 timely payment of principal and interest when due on the bonds
497 and the amount necessary to comply with any covenant under the
498 bond resolution or other documents relating to the issuance of
499 the bonds. If a reduction to a county's monthly distribution
500 must be decreased in order to comply with this subsection, the

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501 Department of Revenue must notify the Department of Juvenile
502 Justice of the amount of the decrease, and the Department of
503 Juvenile Justice must send a bill for payment of such amount to
504 the affected county.

505 (3) This section expires July 1, 2018.

506 Section 16. In order to implement Specific Appropriations
507 1104 through 1116 of the 2017-2018 General Appropriations Act,
508 the Department of Juvenile Justice may not provide, make, pay,
509 or deduct, and a nonfiscally constrained county may not apply,
510 deduct, or receive a reimbursement or credit for any previous
511 overpayment of juvenile detention care costs related to or for
512 any previous state fiscal year, against the juvenile detention
513 care costs due from the nonfiscally constrained county in the
514 2017-2018 fiscal year pursuant to s. 985.686, Florida Statutes,
515 or any other law. This section expires July 1, 2018.

516 Section 17. In order to implement Specific Appropriation
517 782 of the 2017-2018 General Appropriations Act, subsection (13)
518 is added to section 27.5304, Florida Statutes, to read:

519 27.5304 Private court-appointed counsel; compensation;
520 notice.—

521 (13) Notwithstanding the limitation set forth in
522 subsection (5) and for the 2017-2018 fiscal year only, the
523 compensation for representation in a criminal proceeding may not
524 exceed the following:

525 (a) For misdemeanors and juveniles represented at the

526 trial level: \$1,000.

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

529 (c) For life felonies represented at the trial level:
530 \$15,000.

531 (d) For capital cases represented at the trial level:
532 \$25,000. For purposes of this paragraph, the term "capital case"
533 means an offense for which the potential sentence is death and
534 the state has not waived the right to seek the death penalty.

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

536 (f) This subsection expires July 1, 2018.

537 Section 18. In order to implement Specific Appropriation
538 774 of the 2017-2018 General Appropriations Act, and
539 notwithstanding ss. 28.35 and 40.24, Florida Statutes, the
540 Justice Administrative Commission shall provide funds to the
541 clerks of the circuit court to pay compensation to jurors for
542 meals or lodging provided to jurors and for jury-related
543 personnel costs as provided in this section. Each clerk of the
544 circuit court shall forward to the Justice Administrative
545 Commission a quarterly estimate of funds necessary to pay
546 compensation to jurors and for meals or lodging provided to
547 jurors. The Florida Clerks of Court Operations Corporation shall
548 forward to the Justice Administrative Commission a quarterly
549 estimate of jury-related personnel costs necessary to pay each
550 clerk of the circuit court personnel costs related to jury

551 management. Upon receipt of such estimates, the Justice
552 Administrative Commission shall endorse the amount deemed
553 necessary for payment to the clerks of the circuit court during
554 the quarter and shall submit a request for payment to the Chief
555 Financial Officer. If the Justice Administrative Commission
556 believes that the amount appropriated by the Legislature is
557 insufficient to meet such costs during the remaining part of the
558 state fiscal year, the commission may apportion the funds
559 appropriated in the General Appropriations Act for those
560 purposes among the several counties, basing the apportionment
561 upon the amount expended for such purposes in each county during
562 the prior fiscal year. In that case, the Chief Financial Officer
563 shall only issue the appropriate apportioned amount by warrant
564 to each county. The clerks of the circuit court are responsible
565 for costs of compensation to jurors, for meals or lodging
566 provided to jurors, and for jury-related personnel costs that
567 exceed the funding provided in the General Appropriations Act
568 for these purposes. This section expires July 1, 2018.

569 Section 19. In order to implement appropriations used to
570 pay existing lease contracts for private lease space in excess
571 of 2,000 square feet in the 2017-2018 General Appropriations
572 Act, the Department of Management Services, with the cooperation
573 of the agencies having the existing lease contracts for office
574 or storage space, shall use tenant broker services to
575 renegotiate or reprocure all private lease agreements for office

576 or storage space expiring between July 1, 2018 and June 30,
577 2020, in order to reduce costs in future years. The department
578 shall incorporate this initiative into its 2017 master leasing
579 report required under s. 255.249(7), Florida Statutes, and may
580 use tenant broker services to explore the possibilities of
581 collocating office or storage space, to review the space needs
582 of each agency, and to review the length and terms of potential
583 renewals or renegotiations. The department shall provide a
584 report to the Executive Office of the Governor, the President of
585 the Senate, and the Speaker of the House of Representatives by
586 November 1, 2017, which lists each lease contract for private
587 office or storage space, the status of renegotiations, and the
588 savings achieved. This section expires July 1, 2018.

589 Section 20. In order to implement Specific Appropriations
590 2768 through 2780A of the 2017-2018 General Appropriations Act
591 and notwithstanding rule 60A-1.031, Florida Administrative Code,
592 the transaction fee collected for use of the online procurement
593 system authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
594 Florida Statutes, shall be seven-tenths of 1 percent for the
595 2017-2018 fiscal year. This section expires July 1, 2018.

596 Section 21. In order to implement the appropriation of
597 funds in the appropriation category "Data Processing Services-
598 State Data Center" in the 2017-2018 General Appropriations Act,
599 and pursuant to the notice, review, and objection procedures of
600 s. 216.177, Florida Statutes, the Executive Office of the

601 Governor may transfer funds appropriated in that category
602 between departments in order to align the budget authority
603 granted based on the estimated billing cycle and methodology
604 used by the State Data Center for data processing services. This
605 section expires July 1, 2018.

606 Section 22. In order to implement appropriations
607 authorized in the 2017-2018 General Appropriations Act for data
608 center services, and notwithstanding s. 216.292(2)(a), Florida
609 Statutes, except as authorized in section 21, an agency may not
610 transfer funds from a data processing category to a category
611 other than another data processing category. This section
612 expires July 1, 2018.

613 Section 23. In order to implement the appropriation of
614 funds in the appropriation category "Special Categories-Risk
615 Management Insurance" in the 2017-2018 General Appropriations
616 Act, and pursuant to the notice, review, and objection
617 procedures of s. 216.177, Florida Statutes, the Executive Office
618 of the Governor may transfer funds appropriated in that category
619 between departments in order to align the budget authority
620 granted with the premiums paid by each department for risk
621 management insurance. This section expires July 1, 2018.

622 Section 24. In order to implement the appropriation of
623 funds in the appropriation category "Special Categories-Transfer
624 to Department of Management Services-Human Resources Services
625 Purchased per Statewide Contract" in the 2017-2018 General

626 Appropriations Act, and pursuant to the notice, review, and
627 objection procedures of s. 216.177, Florida Statutes, the
628 Executive Office of the Governor may transfer funds appropriated
629 in that category between departments in order to align the
630 budget authority granted with the assessments that must be paid
631 by each agency to the Department of Management Services for
632 human resource management services. This section expires July 1,
633 2018.

634 Section 25. In order to implement Specific Appropriation
635 2334 of the 2017-2018 General Appropriations Act:

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

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

650 (b) Agency business processes related to any of the

651 functions included in the Personnel Information System, the
652 Purchasing Subsystem, or the Legislative Appropriations
653 System/Planning and Budgeting Subsystem.

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

656 (a) Take into consideration the cost and implementation
657 data identified for Option 3 as recommended in the March 31,
658 2014, Florida Department of Financial Services FLAIR Study,
659 version 031.

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

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

666 1. The Chief Financial Officer or the executive sponsor of
667 the project.

668 2. A representative of the Division of Treasury of the
669 Department of Financial Services appointed by the Chief
670 Financial Officer.

671 3. A representative of the Division of Information Systems
672 of the Department of Financial Services appointed by the Chief
673 Financial Officer.

674 4. Four employees from the Division of Accounting and
675 Auditing of the Department of Financial Services appointed by

676 the Chief Financial Officer. Each employee must have experience
677 relating to at least one of the four main components that
678 comprise FLAIR.

679 5. Two employees from the Executive Office of the Governor
680 appointed by the Governor. One employee must have experience
681 relating to the Legislative Appropriations System/Planning and
682 Budgeting Subsystem.

683 6. One employee from the Department of Revenue appointed
684 by the executive director of the department who has experience
685 relating to the department's SUNTAX system.

686 7. Two employees from the Department of Management
687 Services appointed by the Secretary of Management Services. One
688 employee must have experience relating to the department's
689 personnel information subsystem and one employee must have
690 experience relating to the department's purchasing subsystem.

691 8. Three state agency administrative services directors
692 appointed by the Governor. One director must represent a
693 regulatory and licensing state agency and one director must
694 represent a health care-related state agency.

695 (3) The Chief Financial Officer or the executive sponsor
696 of the project shall serve as chair of the executive steering
697 committee, and the committee shall take action by a vote of at
698 least eight affirmative votes with the Chief Financial Officer
699 or the executive sponsor of the project voting on the prevailing
700 side. A quorum of the executive steering committee consists of

701 at least ten members.

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

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

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

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

716 (d) Approve all major project deliverables.

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

719 (5) This section expires July 1, 2018.

720 Section 26. In order to implement Specific Appropriations
721 1603A, 1603B, 1604, and 1743 of the 2017-2018 General
722 Appropriations Act, paragraph (d) of subsection (11) of section
723 216.181, Florida Statutes, is amended to read:

724 216.181 Approved budgets for operations and fixed capital
725 outlay.—

726 (11)
727 (d) Notwithstanding paragraph (b) and paragraph (2) (b),
728 and for the 2017-2018 ~~2016-2017~~ fiscal year only, the
729 Legislative Budget Commission may increase the amounts
730 appropriated to the Fish and Wildlife Conservation Commission or
731 the Department of Environmental Protection for fixed capital
732 outlay projects, including additional fixed capital outlay
733 projects, using funds provided to the state from the Gulf
734 Environmental Benefit Fund administered by the National Fish and
735 Wildlife Foundation; funds provided to the state from the Gulf
736 Coast Restoration Trust Fund related to the Resources and
737 Ecosystems Sustainability, Tourist Opportunities, and Revived
738 Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds
739 provided by the British Petroleum Corporation (BP) for natural
740 resource damage assessment restoration projects. Concurrent with
741 submission of an amendment to the Legislative Budget Commission
742 pursuant to this paragraph, any project that carries a
743 continuing commitment for future appropriations by the
744 Legislature must be specifically identified, together with the
745 projected amount of the future commitment associated with the
746 project and the fiscal years in which the commitment is expected
747 to commence. This paragraph expires July 1, 2018 ~~2017~~.
748
749 The provisions of this subsection are subject to the notice and
750 objection procedures set forth in s. 216.177.

751 Section 27. In order to implement specific appropriations
752 from the land acquisition trust funds within the Department of
753 Agriculture and Consumer Services, the Department of
754 Environmental Protection, the Department of State, and the Fish
755 and Wildlife Conservation Commission which are contained in the
756 2017-2018 General Appropriations Act, subsection (3) of section
757 215.18, Florida Statutes, is reenacted and amended to read:

758 215.18 Transfers between funds; limitation.—

759 (3) Notwithstanding subsection (1) and only with respect
760 to a land acquisition trust fund in the Department of
761 Agriculture and Consumer Services, the Department of
762 Environmental Protection, the Department of State, or the Fish
763 and Wildlife Conservation Commission, whenever there is a
764 deficiency in a land acquisition trust fund which would render
765 that trust fund temporarily insufficient to meet its just
766 requirements, including the timely payment of appropriations
767 from that trust fund, and other trust funds in the State
768 Treasury have moneys that are for the time being or otherwise in
769 excess of the amounts necessary to meet the just requirements,
770 including appropriated obligations, of those other trust funds,
771 the Governor may order a temporary transfer of moneys from one
772 or more of the other trust funds to a land acquisition trust
773 fund in the Department of Agriculture and Consumer Services, the
774 Department of Environmental Protection, the Department of State,
775 or the Fish and Wildlife Conservation Commission. Any action

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776 proposed pursuant to this subsection is subject to the notice,
777 review, and objection procedures of s. 216.177, and the Governor
778 shall provide notice of such action at least 7 days before the
779 effective date of the transfer of trust funds, except that
780 during July 2017 ~~2016~~, notice of such action shall be provided
781 at least 3 days before the effective date of a transfer unless
782 such 3-day notice is waived by the chair and vice-chair of the
783 Legislative Budget Commission. Any transfer of trust funds to a
784 land acquisition trust fund in the Department of Agriculture and
785 Consumer Services, the Department of Environmental Protection,
786 the Department of State, or the Fish and Wildlife Conservation
787 Commission must be repaid to the trust funds from which the
788 moneys were loaned by the end of the 2017-2018 ~~2016-2017~~ fiscal
789 year. The Legislature has determined that the repayment of the
790 other trust fund moneys temporarily loaned to a land acquisition
791 trust fund in the Department of Agriculture and Consumer
792 Services, the Department of Environmental Protection, the
793 Department of State, or the Fish and Wildlife Conservation
794 Commission pursuant to this subsection is an allowable use of
795 the moneys in a land acquisition trust fund because the moneys
796 from other trust funds temporarily loaned to a land acquisition
797 trust fund shall be expended solely and exclusively in
798 accordance with s. 28, Art. X of the State Constitution. This
799 subsection expires July 1, 2018 ~~2017~~.

800 Section 28. (1) In order to implement specific

801 appropriations from the land acquisition trust funds within the
802 Department of Agriculture and Consumer Services, the Department
803 of Environmental Protection, the Department of State, and the
804 Fish and Wildlife Conservation Commission which are contained in
805 the 2017-2018 General Appropriations Act, the Department of
806 Environmental Protection shall transfer revenues from the Land
807 Acquisition Trust Fund within the department to the land
808 acquisition trust funds within the Department of Agriculture and
809 Consumer Services, the Department of State, and the Fish and
810 Wildlife Conservation Commission, as provided in this section.
811 As used in this section, the term "department" means the
812 Department of Environmental Protection.

813 (2) After subtracting any required debt service payments,
814 the proportionate share of revenues to be transferred to each
815 land acquisition trust fund shall be calculated by dividing the
816 appropriations from each of the land acquisition trust funds for
817 the fiscal year by the total appropriations from the Land
818 Acquisition Trust Fund within the department and the land
819 acquisition trust funds within the Department of Agriculture and
820 Consumer Services, the Department of State, and the Fish and
821 Wildlife Commission for the fiscal year. The department shall
822 transfer the proportionate share of the revenues in the Land
823 Acquisition Trust Fund within the department on a monthly basis
824 to the appropriate land acquisition trust funds within the
825 Department of Agriculture and Consumer Services, the Department

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826 of State, and the Fish and Wildlife Commission and shall retain
827 its proportionate share of the revenues in the Land Acquisition
828 Trust Fund within the department. Total distributions to a land
829 acquisition trust fund within the Department of Agriculture and
830 Consumer Services, the Department of State, and the Fish and
831 Wildlife Commission may not exceed the total appropriations from
832 such trust fund for the fiscal year.

833 (3) In addition, the Department of Environmental
834 Protection shall transfer from the Land Acquisition Trust Fund
835 to land acquisition trust funds within the Department of
836 Agriculture and Consumer Services, the Department of State, and
837 the Fish and Wildlife Conservation Commission amounts equal to
838 the difference between the amounts appropriated in chapter 2016-
839 66, Laws of Florida, to the department's Land Acquisition Trust
840 Fund and the other land acquisition trust funds, and the amounts
841 actually transferred between those trust funds during the 2016-
842 2017 fiscal year.

843 (4) This section expires July 1, 2018.

844 Section 29. In order to implement Specific Appropriation
845 1594 of the 2017-2018 General Appropriations Act, paragraph (a)
846 of subsection (6) of section 373.470, Florida Statutes, is
847 amended to read:

848 373.470 Everglades restoration.—

849 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

850 (a) Except as provided in paragraphs (d) and (e) and for

851 funds appropriated for debt service, the department shall
852 distribute funds in the Save Our Everglades Trust Fund to the
853 district in accordance with a legislative appropriation and s.
854 373.026(8)(b). Distribution of funds to the district from the
855 Save Our Everglades Trust Fund or the Land Acquisition Trust
856 Fund shall be equally matched by the cumulative contributions
857 from the district by fiscal year 2019-2020 by providing funding
858 or credits toward project components. The dollar value of in-
859 kind project design and construction work by the district in
860 furtherance of the comprehensive plan and existing interest in
861 public lands needed for a project component are credits towards
862 the district's contributions.

863 Section 30. The amendment made by this act to s.
864 373.470(6)(a), Florida Statutes, expires July 1, 2018, and the
865 text of that paragraph shall revert to that in existence on June
866 30, 2017, except that any amendments to such text enacted other
867 than by this act shall be preserved and continue to operate to
868 the extent that such amendments are not dependent upon the
869 portions of text which expire pursuant to this section.

870 Section 31. In order to implement Specific Appropriation
871 1552 and 1553 of the 2017-2018 General Appropriations Act,
872 paragraph (m) of subsection (3) of section 259.105, Florida
873 Statutes, is amended to read:

874 259.105 The Florida Forever Act.—

875 (3) Less the costs of issuing and the costs of funding

876 reserve accounts and other costs associated with bonds, the
877 proceeds of cash payments or bonds issued pursuant to this
878 section shall be deposited into the Florida Forever Trust Fund
879 created by s. 259.1051. The proceeds shall be distributed by the
880 Department of Environmental Protection in the following manner:

881 (m) Notwithstanding paragraphs (a)-(j) and for the 2017-
882 2018 ~~2016-2017~~ fiscal year only:

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

887 2. The amount of \$5,360,906 for grants to local
888 governments and eligible nonprofit organizations to acquire
889 lands for parks, open space and greenways.

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

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

900 ~~b. The Department of Environmental Protection may waive~~

901 ~~the local government matching fund requirement of paragraph (c)~~
902 ~~for projects acquiring conservation or recreation lands to~~
903 ~~enhance recreational opportunities for individuals with unique~~
904 ~~abilities.~~

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

918

919 This paragraph expires July 1, 2018 2017.

920 Section 32. In order to implement Specific Appropriation
921 1610 and 1611 of the 2017-2018 General Appropriations Act
922 paragraph (e) is added to subsection (11) of section 216.181,
923 Florida Statutes, to read:

924 216.181 Approved budgets for operations and fixed capital
925 outlay.—

926 (11)

927 (e) Notwithstanding paragraph (b) and paragraph (2)(b),
928 and for the 2017-2018 fiscal year only, the Legislative Budget
929 Commission may increase the amounts appropriated to the
930 Department of Environmental Protection for fixed capital outlay
931 projects using funds provided to the state from the United
932 States Environmental Protection Agency, as a result of the Safe
933 Drinking Water Act and the Clean Water Act. Funds can be used
934 for low-interest loans for investments in water and sanitation
935 infrastructure such as sewage treatment, stormwater management
936 facilities, and drinking water treatment, as well as for
937 implementation of nonpoint source pollution control and estuary
938 protection projects. Concurrent with submission of an amendment
939 to the Legislative Budget Commission pursuant to this paragraph,
940 any project that carries a continuing commitment for future
941 appropriations by the Legislature must be specifically
942 identified, together with the projected amount of the future
943 commitment associated with the project and the fiscal years in
944 which the commitment is expected to commence. This paragraph
945 expires July 1, 2018.

946
947 The provisions of this subsection are subject to the notice and
948 objection procedures set forth in s. 216.177.

949 Section 33. In order to implement Specific Appropriations
950 1869 through 1882, 1888 through 1891, 1905 through 1925, and

951 1964 through 1976 of the 2017-2018 General Appropriations Act,
952 paragraph (e) of subsection (7) of section 339.135, Florida
953 Statutes, is amended to read:

954 339.135 Work program; legislative budget request;
955 definitions; preparation, adoption, execution, and amendment.—

956 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

957 (e) Notwithstanding paragraphs (d), ~~and~~ (g), and (h) and
958 ss. 216.177(2) and 216.351, the secretary may request the
959 Executive Office of the Governor to amend the adopted work
960 program when an emergency exists, as defined in s. 252.34, and
961 the emergency relates to the repair or rehabilitation of any
962 state transportation facility. The Executive Office of the
963 Governor may approve the amendment to the adopted work program
964 and amend that portion of the department's approved budget if a
965 delay incident to the notification requirements in paragraph (d)
966 would be detrimental to the interests of the state. However, the
967 department shall immediately notify the parties specified in
968 paragraph (d) and provide such parties written justification for
969 the emergency action within 7 days after approval by the
970 Executive Office of the Governor of the amendment to the adopted
971 work program and the department's budget. The adopted work
972 program may not be amended under this subsection without
973 certification by the comptroller of the department that there
974 are sufficient funds available pursuant to the 36-month cash
975 forecast and applicable statutes.

976 Section 34. The amendment made by this act to s.
 977 339.135(7), Florida Statutes, expires July 1, 2018, and the text
 978 of that section shall revert to that in existence on June 30,
 979 2017, except that any amendments to such text enacted other than
 980 by this act shall be preserved and continue to operate to the
 981 extent that such amendments are not dependent upon the portions
 982 of text which expire pursuant to this section.

983 Section 35. In order to implement the salaries and
 984 benefits, expenses, other personal services, contracted
 985 services, special categories, and operating capital outlay
 986 categories of the 2017-2018 General Appropriations Act,
 987 paragraph (a) of subsection (2) of section 216.292, Florida
 988 Statutes, is reenacted to read:

989 216.292 Appropriations nontransferable; exceptions.—

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

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

999 1. Between categories of appropriations within a budget
 1000 entity, if no category of appropriation is increased or

1001 decreased by more than 5 percent of the original approved budget
 1002 or \$250,000, whichever is greater, by all action taken under
 1003 this subsection.

1004 2. Between budget entities within identical categories of
 1005 appropriations, if no category of appropriation is increased or
 1006 decreased by more than 5 percent of the original approved budget
 1007 or \$250,000, whichever is greater, by all action taken under
 1008 this subsection.

1009 3. Any agency exceeding salary rate established pursuant
 1010 to s. 216.181(8) on June 30th of any fiscal year shall not be
 1011 authorized to make transfers pursuant to subparagraphs 1. and 2.
 1012 in the subsequent fiscal year.

1013 4. Notice of proposed transfers under subparagraphs 1. and
 1014 2. shall be provided to the Executive Office of the Governor and
 1015 the chairs of the legislative appropriations committees at least
 1016 3 days prior to agency implementation in order to provide an
 1017 opportunity for review.

1018 Section 36. The amendment to s. 216.292(2)(a), Florida
 1019 Statutes, as carried forward by this act from chapter 2015-222,
 1020 Laws of Florida, expires July 1, 2018, and the text of that
 1021 paragraph shall revert to that in existence on June 30, 2014,
 1022 except that any amendments to such text enacted other than by
 1023 this act shall be preserved and continue to operate to the
 1024 extent that such amendments are not dependent upon the portions
 1025 of text which expire pursuant to this section.

1026 Section 37. In order to implement the appropriation of
 1027 funds in the special categories, contracted services, and
 1028 expenses categories of the 2017-2018 General Appropriations Act,
 1029 a state agency may not initiate a competitive solicitation for a
 1030 product or service if the completion of such competitive
 1031 solicitation would:

- 1032 (1) Require a change in law; or
- 1033 (2) Require a change to the agency's budget other than a
 1034 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
 1035 unless the initiation of such competitive solicitation is
 1036 specifically authorized in law, in the General Appropriations
 1037 Act, or by the Legislative Budget Commission.

1038
 1039 This section does not apply to a competitive solicitation for
 1040 which the agency head certifies that a valid emergency exists.
 1041 This section expires July 1, 2018.

1042 Section 38. In order to implement appropriations for
 1043 salaries and benefits in the 2017-2018 General Appropriations
 1044 Act, subsection (6) of section 112.24, Florida Statutes, is
 1045 amended to read:

1046 112.24 Intergovernmental interchange of public employees.—
 1047 To encourage economical and effective utilization of public
 1048 employees in this state, the temporary assignment of employees
 1049 among agencies of government, both state and local, and
 1050 including school districts and public institutions of higher

1051 education is authorized under terms and conditions set forth in
1052 this section. State agencies, municipalities, and political
1053 subdivisions are authorized to enter into employee interchange
1054 agreements with other state agencies, the Federal Government,
1055 another state, a municipality, or a political subdivision
1056 including a school district, or with a public institution of
1057 higher education. State agencies are also authorized to enter
1058 into employee interchange agreements with private institutions
1059 of higher education and other nonprofit organizations under the
1060 terms and conditions provided in this section. In addition, the
1061 Governor or the Governor and Cabinet may enter into employee
1062 interchange agreements with a state agency, the Federal
1063 Government, another state, a municipality, or a political
1064 subdivision including a school district, or with a public
1065 institution of higher learning to fill, subject to the
1066 requirements of chapter 20, appointive offices which are within
1067 the executive branch of government and which are filled by
1068 appointment by the Governor or the Governor and Cabinet. Under
1069 no circumstances shall employee interchange agreements be
1070 utilized for the purpose of assigning individuals to participate
1071 in political campaigns. Duties and responsibilities of
1072 interchange employees shall be limited to the mission and goals
1073 of the agencies of government.

1074 (6) For the 2017-2018 ~~2016-2017~~ fiscal year only, the
1075 assignment of an employee of a state agency as provided in this

1076 section may be made if recommended by the Governor or Chief
 1077 Justice, as appropriate, and approved by the chairs of the
 1078 legislative appropriations committees. Such actions shall be
 1079 deemed approved if neither chair provides written notice of
 1080 objection within 14 days after receiving notice of the action
 1081 pursuant to s. 216.177. This subsection expires July 1, 2018
 1082 ~~2017~~.

1083 Section 39. In order to implement Specific Appropriations
 1084 2681 and 2682 of the 2017-2018 General Appropriations Act and
 1085 notwithstanding s. 11.13(1), Florida Statutes, the authorized
 1086 salaries for members of the Legislature for the 2017-2018 fiscal
 1087 year shall be set at the same level in effect on July 1, 2010.
 1088 This section expires July 1, 2018.

1089 Section 40. In order to implement the transfer of funds to
 1090 the General Revenue Fund from trust funds in the 2017-2018
 1091 General Appropriations Act, paragraph (b) of subsection (2) of
 1092 section 215.32, Florida Statutes, is reenacted to read:

1093 215.32 State funds; segregation.—

1094 (2) The source and use of each of these funds shall be as
 1095 follows:

1096 (b)1. The trust funds shall consist of moneys received by
 1097 the state which under law or under trust agreement are
 1098 segregated for a purpose authorized by law. The state agency or
 1099 branch of state government receiving or collecting such moneys
 1100 is responsible for their proper expenditure as provided by law.

1101 Upon the request of the state agency or branch of state
1102 government responsible for the administration of the trust fund,
1103 the Chief Financial Officer may establish accounts within the
1104 trust fund at a level considered necessary for proper
1105 accountability. Once an account is established, the Chief
1106 Financial Officer may authorize payment from that account only
1107 upon determining that there is sufficient cash and releases at
1108 the level of the account.

1109 2. In addition to other trust funds created by law, to the
1110 extent possible, each agency shall use the following trust funds
1111 as described in this subparagraph for day-to-day operations:

1112 a. Operations or operating trust fund, for use as a
1113 depository for funds to be used for program operations funded by
1114 program revenues, with the exception of administrative
1115 activities when the operations or operating trust fund is a
1116 proprietary fund.

1117 b. Operations and maintenance trust fund, for use as a
1118 depository for client services funded by third-party payors.

1119 c. Administrative trust fund, for use as a depository for
1120 funds to be used for management activities that are departmental
1121 in nature and funded by indirect cost earnings and assessments
1122 against trust funds. Proprietary funds are excluded from the
1123 requirement of using an administrative trust fund.

1124 d. Grants and donations trust fund, for use as a
1125 depository for funds to be used for allowable grant or donor

1126 agreement activities funded by restricted contractual revenue
1127 from private and public nonfederal sources.

1128 e. Agency working capital trust fund, for use as a
1129 depository for funds to be used pursuant to s. 216.272.

1130 f. Clearing funds trust fund, for use as a depository for
1131 funds to account for collections pending distribution to lawful
1132 recipients.

1133 g. Federal grant trust fund, for use as a depository for
1134 funds to be used for allowable grant activities funded by
1135 restricted program revenues from federal sources.

1136

1137 To the extent possible, each agency must adjust its internal
1138 accounting to use existing trust funds consistent with the
1139 requirements of this subparagraph. If an agency does not have
1140 trust funds listed in this subparagraph and cannot make such
1141 adjustment, the agency must recommend the creation of the
1142 necessary trust funds to the Legislature no later than the next
1143 scheduled review of the agency's trust funds pursuant to s.
1144 215.3206.

1145 3. All such moneys are hereby appropriated to be expended
1146 in accordance with the law or trust agreement under which they
1147 were received, subject always to the provisions of chapter 216
1148 relating to the appropriation of funds and to the applicable
1149 laws relating to the deposit or expenditure of moneys in the
1150 State Treasury.

1151 4.a. Notwithstanding any provision of law restricting the
1152 use of trust funds to specific purposes, unappropriated cash
1153 balances from selected trust funds may be authorized by the
1154 Legislature for transfer to the Budget Stabilization Fund and
1155 General Revenue Fund in the General Appropriations Act.

1156 b. This subparagraph does not apply to trust funds
1157 required by federal programs or mandates; trust funds
1158 established for bond covenants, indentures, or resolutions whose
1159 revenues are legally pledged by the state or public body to meet
1160 debt service or other financial requirements of any debt
1161 obligations of the state or any public body; the Division of
1162 Licensing Trust Fund in the Department of Agriculture and
1163 Consumer Services; the State Transportation Trust Fund; the
1164 trust fund containing the net annual proceeds from the Florida
1165 Education Lotteries; the Florida Retirement System Trust Fund;
1166 trust funds under the management of the State Board of Education
1167 or the Board of Governors of the State University System, where
1168 such trust funds are for auxiliary enterprises, self-insurance,
1169 and contracts, grants, and donations, as those terms are defined
1170 by general law; trust funds that serve as clearing funds or
1171 accounts for the Chief Financial Officer or state agencies;
1172 trust funds that account for assets held by the state in a
1173 trustee capacity as an agent or fiduciary for individuals,
1174 private organizations, or other governmental units; and other
1175 trust funds authorized by the State Constitution.

1176 Section 41. The amendment to s. 215.32(2)(b), Florida
1177 Statutes, as carried forward by this act from chapter 2011-47,
1178 Laws of Florida, expires July 1, 2018, and the text of that
1179 paragraph shall revert to that in existence on June 30, 2011,
1180 except that any amendments to such text enacted other than by
1181 this act shall be preserved and continue to operate to the
1182 extent that such amendments are not dependent upon the portions
1183 of text which expire pursuant to this section.

1184 Section 42. In order to implement appropriations in the
1185 2017-2018 General Appropriations Act for state employee travel,
1186 the funds appropriated to each state agency which may be used
1187 for travel by state employees shall be limited during the 2017-
1188 2018 fiscal year to travel for activities that are critical to
1189 each state agency's mission. Funds may not be used for travel by
1190 state employees to foreign countries, other states, conferences,
1191 staff training activities, or other administrative functions
1192 unless the agency head has approved, in writing, that such
1193 activities are critical to the agency's mission. The agency head
1194 shall consider using teleconferencing and other forms of
1195 electronic communication to meet the needs of the proposed
1196 activity before approving mission-critical travel. This section
1197 does not apply to travel for law enforcement purposes, military
1198 purposes, emergency management activities, or public health
1199 activities. This section expires July 1, 2018.

1200 Section 43. In order to implement appropriations in the

1201 2017-2018 General Appropriations Act for state employee travel
1202 and notwithstanding s. 112.061, Florida Statutes, costs for
1203 lodging associated with a meeting, conference, or convention
1204 organized or sponsored in whole or in part by a state agency or
1205 the judicial branch may not exceed \$150 per day. An employee may
1206 expend his or her own funds for any lodging expenses in excess
1207 of \$150 per day. For purposes of this section, a meeting does
1208 not include travel activities for conducting an audit,
1209 examination, inspection, or investigation or travel activities
1210 related to a litigation or emergency response. This section
1211 expires July 1, 2018.

1212 Section 44. In order to implement appropriations in the
1213 2017-2018 General Appropriations Act for executive branch and
1214 judicial branch employee travel, the executive branch state
1215 agencies and the judicial branch must collaborate with the
1216 Executive Office of the Governor and the Department of
1217 Management Services to implement the statewide travel management
1218 system funded in Specific Appropriation 2718A in the 2017-2018
1219 General Appropriations Act. For the purpose of complying with s.
1220 112.061, Florida Statutes, all executive branch state agencies
1221 and the judicial branch must use the statewide travel management
1222 system. This section expires July 1, 2018.

1223 Section 45. In order to implement section 8 of the 2017-
1224 2018 General Appropriations Act, section 110.12315, Florida
1225 Statutes, is reenacted to read:

1226 110.12315 Prescription drug program.—The state employees'
1227 prescription drug program is established. This program shall be
1228 administered by the Department of Management Services, according
1229 to the terms and conditions of the plan as established by the
1230 relevant provisions of the annual General Appropriations Act and
1231 implementing legislation, subject to the following conditions:

1232 (1) The department shall allow prescriptions written by
1233 health care providers under the plan to be filled by any
1234 licensed pharmacy pursuant to contractual claims-processing
1235 provisions. Nothing in this section may be construed as
1236 prohibiting a mail order prescription drug program distinct from
1237 the service provided by retail pharmacies.

1238 (2) In providing for reimbursement of pharmacies for
1239 prescription medicines dispensed to members of the state group
1240 health insurance plan and their dependents under the state
1241 employees' prescription drug program:

1242 (a) Retail pharmacies participating in the program must be
1243 reimbursed at a uniform rate and subject to uniform conditions,
1244 according to the terms and conditions of the plan.

1245 (b) There shall be a 30-day supply limit for prescription
1246 card purchases, a 90-day supply limit for maintenance
1247 prescription drug purchases, and a 90-day supply limit for mail
1248 order or mail order prescription drug purchases.

1249 (c) The pharmacy dispensing fee shall be negotiated by the
1250 department.

1251 (3) Pharmacy reimbursement rates shall be as follows:
 1252 (a) For mail order and specialty pharmacies contracting
 1253 with the department, reimbursement rates shall be as established
 1254 in the contract.
 1255 (b) For retail pharmacies, the reimbursement rate shall be
 1256 at the same rate as mail order pharmacies under contract with
 1257 the department.
 1258 (4) The department shall maintain the preferred brand name
 1259 drug list to be used in the administration of the state
 1260 employees' prescription drug program.
 1261 (5) The department shall maintain a list of maintenance
 1262 drugs.
 1263 (a) Preferred provider organization health plan members
 1264 may have prescriptions for maintenance drugs filled up to three
 1265 times as a 30-day supply through a retail pharmacy; thereafter,
 1266 prescriptions for the same maintenance drug must be filled as a
 1267 90-day supply either through the department's contracted mail
 1268 order pharmacy or through a retail pharmacy.
 1269 (b) Health maintenance organization health plan members
 1270 may have prescriptions for maintenance drugs filled as a 90-day
 1271 supply either through a mail order pharmacy or through a retail
 1272 pharmacy.
 1273 (6) Copayments made by health plan members for a 90-day
 1274 supply through a retail pharmacy shall be the same as copayments
 1275 made for a 90-day supply through the department's contracted

1276 mail order pharmacy.

1277 (7) The department shall establish the reimbursement
1278 schedule for prescription pharmaceuticals dispensed under the
1279 program. Reimbursement rates for a prescription pharmaceutical
1280 must be based on the cost of the generic equivalent drug if a
1281 generic equivalent exists, unless the physician, advanced
1282 registered nurse practitioner, or physician assistant
1283 prescribing the pharmaceutical clearly states on the
1284 prescription that the brand name drug is medically necessary or
1285 that the drug product is included on the formulary of drug
1286 products that may not be interchanged as provided in chapter
1287 465, in which case reimbursement must be based on the cost of
1288 the brand name drug as specified in the reimbursement schedule
1289 adopted by the department.

1290 (8) The department shall conduct a prescription
1291 utilization review program. In order to participate in the state
1292 employees' prescription drug program, retail pharmacies
1293 dispensing prescription medicines to members of the state group
1294 health insurance plan or their covered dependents, or to
1295 subscribers or covered dependents of a health maintenance
1296 organization plan under the state group insurance program, shall
1297 make their records available for this review.

1298 (9) The department shall implement such additional cost-
1299 saving measures and adjustments as may be required to balance
1300 program funding within appropriations provided, including a

1301 trial or starter dose program and dispensing of long-term-
 1302 maintenance medication in lieu of acute therapy medication.

1303 (10) Participating pharmacies must use a point-of-sale
 1304 device or an online computer system to verify a participant's
 1305 eligibility for coverage. The state is not liable for
 1306 reimbursement of a participating pharmacy for dispensing
 1307 prescription drugs to any person whose current eligibility for
 1308 coverage has not been verified by the state's contracted
 1309 administrator or by the department.

1310 (11) Under the state employees' prescription drug program
 1311 copayments must be made as follows:

1312 (a) Effective January 1, 2013, for the State Group Health
 1313 Insurance Standard Plan:

- 1314 1. For generic drug with card.....\$7.
- 1315 2. For preferred brand name drug with card.....\$30.
- 1316 3. For nonpreferred brand name drug with card.....\$50.
- 1317 4. For generic mail order drug.....\$14.
- 1318 5. For preferred brand name mail order drug.....\$60.
- 1319 6. For nonpreferred brand name mail order drug.....\$100.

1320 (b) Effective January 1, 2006, for the State Group Health
 1321 Insurance High Deductible Plan:

- 1322 1. Retail coinsurance for generic drug with card.....30%.
- 1323 2. Retail coinsurance for preferred brand name drug with
 1324 card 30%.
- 1325 3. Retail coinsurance for nonpreferred brand name drug

- 1326 with card.....50%.
- 1327 4. Mail order coinsurance for generic drug.....30%.
- 1328 5. Mail order coinsurance for preferred brand name drug30%.
- 1329 6. Mail order coinsurance for nonpreferred brand name drug50%.

1330 (c) The department shall create a preferred brand name
 1331 drug list to be used in the administration of the state
 1332 employees' prescription drug program.

1333 Section 46. (1) The amendment to s. 110.12315(2)(b),
 1334 Florida Statutes, as carried forward by this act from chapter
 1335 2014-53, Laws of Florida, expires July 1, 2018, and the text of
 1336 that paragraph shall revert to that in existence on June 30,
 1337 2012, except that any amendments to such text enacted other than
 1338 by this act shall be preserved and continue to operate to the
 1339 extent that such amendments are not dependent upon the portions
 1340 of text which expire pursuant to this section.

1341 (2) The amendments to s. 110.12315(2)(c) and (3)-(6),
 1342 Florida Statutes, as carried forward by this act from chapter
 1343 2014-53, Laws of Florida, expire July 1, 2018, and the text and
 1344 numbering of those provisions shall revert to that in existence
 1345 on June 30, 2014, except that any amendments to such text
 1346 enacted other than by this act shall be preserved and continue
 1347 to operate to the extent that such amendments are not dependent
 1348 upon the portions of text that expire pursuant to this section.

1349 (3) The amendment to s. 110.12315(7), Florida Statutes, as
 1350 carried forward by this act from chapter 2014-53, Laws of

1351 Florida, expires July 1, 2018, and shall revert to the text of
1352 that subsection in existence on December 31, 2010, except that
1353 any amendments to such text enacted other than by this act shall
1354 be preserved and continue to operate to the extent that such
1355 amendments are not dependent upon the portions of text which
1356 expire pursuant to this section.

1357 Section 47. In order to implement the appropriation of
1358 funds in the special categories, contracted services, and
1359 expenses categories of the 2017-2018 General Appropriations Act,
1360 a state agency may not enter into a contract containing a
1361 nondisclosure clause that prohibits the contractor from
1362 disclosing information relevant to the performance of the
1363 contract to members or staff of the Senate or the House of
1364 Representatives. This section expires July 1, 2018.

1365 Section 48. Any section of this act which implements a
1366 specific appropriation or specifically identified proviso
1367 language in the 2017-2018 General Appropriations Act is void if
1368 the specific appropriation or specifically identified proviso
1369 language is vetoed. Any section of this act which implements
1370 more than one specific appropriation or more than one portion of
1371 specifically identified proviso language in the 2017-2018
1372 General Appropriations Act is void if all the specific
1373 appropriations or portions of specifically identified proviso
1374 language are vetoed.

1375 Section 49. If any other act passed during the 2017

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2017

1376 Regular Session of the Legislature contains a provision that is
1377 substantively the same as a provision in this act, but that
1378 removes or is otherwise not subject to the future repeal applied
1379 to such provision by this act, the Legislature intends that the
1380 provision in the other act takes precedence and continues to
1381 operate, notwithstanding the future repeal provided by this act.

1382 Section 50. If any provision of this act or its
1383 application to any person or circumstance is held invalid, the
1384 invalidity does not affect other provisions or applications of
1385 the act which can be given effect without the invalid provision
1386 or application, and to this end the provisions of this act are
1387 severable.

1388 Section 51. This act shall take effect July 1, 2017.