



652590

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Conference Committee on SB 2502 recommended the following:

1 **Senate Conference Committee Amendment (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. It is the intent of the Legislature that the
7 implementing and administering provisions of this act apply to
8 the General Appropriations Act for the 2021-2022 fiscal year.

9 Section 2. In order to implement Specific Appropriations 7,
10 8, 90, and 91 of the 2021-2022 General Appropriations Act, the
11 calculations of the Florida Education Finance Program for the



652590

12 2021-2022 fiscal year included in the document titled "Public
13 School Funding: The Florida Education Finance Program (FEFP)
14 Fiscal Year 2021-2022," dated April 27, 2021, and filed with the
15 Secretary of the Senate, are incorporated by reference for the
16 purpose of displaying the calculations used by the Legislature,
17 consistent with the requirements of state law, in making
18 appropriations for the Florida Education Finance Program. This
19 section expires July 1, 2022.

20 Section 3. In order to implement Specific Appropriations 7
21 and 90 of the 2021-2022 General Appropriations Act, and
22 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
23 1011.62 (6) (b) 3., and 1011.67, Florida Statutes, relating to the
24 expenditure of funds provided for instructional materials, for
25 the 2021-2022 fiscal year, funds provided for instructional
26 materials shall be released and expended as required in the
27 proviso language for Specific Appropriation 90 of the 2021-2022
28 General Appropriations Act. This section expires July 1, 2022.

29 Section 4. In order to implement Specific Appropriation 19
30 of the 2021-2022 General Appropriations Act, and notwithstanding
31 the expiration date in section 6 of chapter 2020-114, Laws of
32 Florida, subsection (1) of section 1013.62, Florida Statutes, is
33 reenacted and amended to read:

34 1013.62 Charter schools capital outlay funding.—

35 (1) For the 2021-2022 ~~2020-2021~~ fiscal year, charter school
36 capital outlay funding shall consist of state funds appropriated
37 in the 2021-2022 ~~2020-2021~~ General Appropriations Act. Beginning
38 in fiscal year 2022-2023 ~~2021-2022~~, charter school capital
39 outlay funding shall consist of state funds when such funds are
40 appropriated in the General Appropriations Act and revenue



652590

41 resulting from the discretionary millage authorized in s.
42 1011.71(2) if the amount of state funds appropriated for charter
43 school capital outlay in any fiscal year is less than the
44 average charter school capital outlay funds per unweighted full-
45 time equivalent student for the 2018-2019 fiscal year,
46 multiplied by the estimated number of charter school students
47 for the applicable fiscal year, and adjusted by changes in the
48 Consumer Price Index issued by the United States Department of
49 Labor from the previous fiscal year. Nothing in this subsection
50 prohibits a school district from distributing to charter schools
51 funds resulting from the discretionary millage authorized in s.
52 1011.71(2).

53 (a) To be eligible to receive capital outlay funds, a
54 charter school must:

55 1.a. Have been in operation for 2 or more years;

56 b. Be governed by a governing board established in the
57 state for 2 or more years which operates both charter schools
58 and conversion charter schools within the state;

59 c. Be an expanded feeder chain of a charter school within
60 the same school district that is currently receiving charter
61 school capital outlay funds;

62 d. Have been accredited by a regional accrediting
63 association as defined by State Board of Education rule; or

64 e. Serve students in facilities that are provided by a
65 business partner for a charter school-in-the-workplace pursuant
66 to s. 1002.33(15)(b).

67 2. Have an annual audit that does not reveal any of the
68 financial emergency conditions provided in s. 218.503(1) for the
69 most recent fiscal year for which such audit results are



652590

70 available.

71 3. Have satisfactory student achievement based on state
72 accountability standards applicable to the charter school.

73 4. Have received final approval from its sponsor pursuant
74 to s. 1002.33 for operation during that fiscal year.

75 5. Serve students in facilities that are not provided by
76 the charter school's sponsor.

77 (b) A charter school is not eligible to receive capital
78 outlay funds if it was created by the conversion of a public
79 school and operates in facilities provided by the charter
80 school's sponsor for a nominal fee, or at no charge, or if it is
81 directly or indirectly operated by the school district.

82 Section 5. The amendments to s. 1013.62(1), Florida
83 Statutes, by this act expire July 1, 2022, and the text of that
84 subsection shall revert to that in existence on June 30, 2020,
85 except that any amendments to such text enacted other than by
86 this act shall be preserved and continue to operate to the
87 extent that such amendments are not dependent upon the portions
88 of text which expire pursuant to this section.

89 Section 6. In order to implement Specific Appropriations 7
90 and 90 of the 2021-2022 General Appropriations Act, subsection
91 (17) of section 1011.62, Florida Statutes, is amended to read:

92 1011.62 Funds for operation of schools.—If the annual
93 allocation from the Florida Education Finance Program to each
94 district for operation of schools is not determined in the
95 annual appropriations act or the substantive bill implementing
96 the annual appropriations act, it shall be determined as
97 follows:

98 (17) FUNDING COMPRESSION AND HOLD HARMLESS ALLOCATION.—The



652590

99 Legislature may provide an annual funding compression and hold
100 harmless allocation in the General Appropriations Act. The
101 allocation is created to provide additional funding to school
102 districts if the school district's total funds per FTE in the
103 prior year were less than the statewide average or if the school
104 district's district cost differential in the current year is
105 less than the prior year. The total allocation shall be
106 distributed to eligible school districts as follows:

107 (a) Using the most recent prior year FEFP calculation for
108 each eligible school district, subtract the total school
109 district funds per FTE from the state average funds per FTE, not
110 including any adjustments made pursuant to paragraph (19) (b) .
111 The resulting funds per FTE difference, or a portion thereof, as
112 designated in the General Appropriations Act, shall then be
113 multiplied by the school district's total unweighted FTE.

114 (b) Multiply the absolute value of the difference between
115 the eligible school district's current year district cost
116 differential and the prior year district cost differential by a
117 hold harmless factor as designated in the General Appropriations
118 Act. The result is the district cost differential hold harmless
119 index. Multiply the index by the eligible school district's
120 weighted FTE and by the base student allocation as designated in
121 the General Appropriations Act.

122 (c) For each district, select the greater of ~~Add~~ the
123 amounts calculated in paragraphs (a) and (b) and upon summation,
124 if the total amount is greater than the amount included in the
125 General Appropriations Act, the allocation shall be prorated to
126 the appropriation amount based on each participating school
127 district's share.



128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156

This subsection expires July 1, 2022 ~~2021~~.

Section 7. In order to implement Specific Appropriation 119 of the 2021-2022 General Appropriations Act, and notwithstanding the expiration date in section 8 of chapter 2020-114, Laws of Florida, subsection (1) of section 1001.26, Florida Statutes, is reenacted to read:

1001.26 Public broadcasting program system.—

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

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

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

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

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

(e) Provision of both statewide programming funds and



652590

157 station programming support for educational television to meet
158 statewide priorities. Priorities for station programming need
159 not be the same as priorities for programming to be used
160 statewide. Station programming may include, but shall not be
161 limited to, citizens' participation programs, music and fine
162 arts programs, coverage of public hearings and governmental
163 meetings, equal air time for political candidates, and other
164 public interest programming.

165 Section 8. The text of s. 1001.26(1), Florida Statutes, as
166 carried forward from chapter 2018-10, Laws of Florida, by this
167 act, expires July 1, 2022, and the text of that subsection shall
168 revert to that in existence on June 30, 2018, except that any
169 amendment enacted other than by this act shall be preserved and
170 continue to operate to the extent that such amendments are not
171 dependent upon the portions of text which expire pursuant to
172 this section.

173 Section 9. In order to implement Specific Appropriations
174 202, 206, and 210 of the 2021-2022 General Appropriations Act,
175 the calculations for the hospital reimbursement program for the
176 2021-2022 fiscal year contained in the document titled "Hospital
177 Reimbursement Program, Fiscal Year 2021-2022," dated April 27,
178 2021, and filed with the Secretary of the Senate, are
179 incorporated by reference for the purpose of displaying the
180 calculations used by the Legislature, consistent with the
181 requirements of state law, in making appropriations for the
182 hospital reimbursement program. This section expires July 1,
183 2022.

184 Section 10. In order to implement Specific Appropriations
185 196 through 223 and 515 of the 2021-2022 General Appropriations



652590

186 Act, and notwithstanding ss. 216.181 and 216.292, Florida
187 Statutes, the Agency for Health Care Administration, in
188 consultation with the Department of Health, may submit a budget
189 amendment, subject to the notice, review, and objection
190 procedures of s. 216.177, Florida Statutes, to realign funding
191 within and between agencies based on implementation of the
192 managed medical assistance component of the Statewide Medicaid
193 Managed Care program for the Children's Medical Services program
194 of the Department of Health. The funding realignment shall
195 reflect the actual enrollment changes due to the transfer of
196 beneficiaries from fee-for-service to the capitated Children's
197 Medical Services network. The Agency for Health Care
198 Administration may submit a request for nonoperating budget
199 authority to transfer the federal funds to the Department of
200 Health pursuant to s. 216.181(12), Florida Statutes. This
201 section expires July 1, 2022.

202 Section 11. In order to implement Specific Appropriations
203 196 through 223 of the 2021-2022 General Appropriations Act, and
204 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
205 Agency for Health Care Administration may submit a budget
206 amendment, subject to the notice, review, and objection
207 procedures of s. 216.177, Florida Statutes, to realign funding
208 within the Medicaid program appropriation categories to address
209 projected surpluses and deficits within the program and to
210 maximize the use of state trust funds. A single budget amendment
211 shall be submitted in the last quarter of the 2021-2022 fiscal
212 year only. This section expires July 1, 2022.

213 Section 12. In order to implement Specific Appropriations
214 175 through 180 and 515 of the 2021-2022 General Appropriations



652590

215 Act, and notwithstanding ss. 216.181 and 216.292, Florida
216 Statutes, the Agency for Health Care Administration and the
217 Department of Health may each submit a budget amendment, subject
218 to the notice, review, and objection procedures of s. 216.177,
219 Florida Statutes, to realign funding within the Florida Kidcare
220 program appropriation categories, or to increase budget
221 authority in the Children's Medical Services network category,
222 to address projected surpluses and deficits within the program
223 or to maximize the use of state trust funds. A single budget
224 amendment must be submitted by each agency in the last quarter
225 of the 2021-2022 fiscal year only. This section expires July 1,
226 2022.

227 Section 13. In order to implement Specific Appropriations
228 460 through 462, 466, 467, 469A, and 474 of the 2021-2022
229 General Appropriations Act, subsection (17) of section 381.986,
230 Florida Statutes, is amended to read:

231 381.986 Medical use of marijuana.—

232 (17) Rules adopted pursuant to this section before July 1,
233 2022 ~~2021~~, are not subject to ss. 120.54(3)(b) and 120.541. This
234 subsection expires July 1, 2022 ~~2021~~.

235 Section 14. In order to implement Specific Appropriations
236 460 through 462, 466, 467, 469A, and 474 of the 2021-2022
237 General Appropriations Act, subsection (11) of section 381.988,
238 Florida Statutes, is amended to read:

239 381.988 Medical marijuana testing laboratories; marijuana
240 tests conducted by a certified laboratory.—

241 (11) Rules adopted under subsection (9) before July 1, 2022
242 ~~2021~~, are not subject to ss. 120.54(3)(b) and 120.541. This
243 subsection expires July 1, 2022 ~~2021~~.



652590

244 Section 15. Effective July 1, 2021, upon the expiration and
245 reversion of the amendments made to subsection (1) of section 14
246 of chapter 2017-232, Laws of Florida, pursuant to section 34 of
247 chapter 2020-114, Laws of Florida, and in order to implement
248 Specific Appropriations 460 through 462, 466, 467, 469A, and 474
249 of the 2021-2022 General Appropriations Act, subsection (1) of
250 section 14 of chapter 2017-232, Laws of Florida, is amended to
251 read:

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

254 (1) EMERGENCY RULEMAKING.—

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

269 (b) For emergency rules adopted under this section, the
270 department and the applicable boards need not make the findings
271 required by s. 120.54(4)(a), Florida Statutes. Emergency rules
272 adopted under this section are exempt from ss. 120.54(3)(b) and



652590

273 120.541, Florida Statutes. The department and the applicable
274 boards shall meet the procedural requirements in s. 120.54(4)(a)
275 ~~s. 120.54(a)~~, Florida Statutes, if the department or the
276 applicable boards have, before July 1, 2019 ~~the effective date~~
277 ~~of this act~~, held any public workshops or hearings on the
278 subject matter of the emergency rules adopted under this
279 subsection. Challenges to emergency rules adopted under this
280 subsection are subject to the time schedules provided in s.
281 120.56(5), Florida Statutes.

282 (c) Emergency rules adopted under this section are exempt
283 from s. 120.54(4)(c), Florida Statutes, and shall remain in
284 effect until replaced by rules adopted under the nonemergency
285 rulemaking procedures of the Administrative Procedures Act.
286 Rules adopted under the nonemergency rulemaking procedures of
287 the Administrative Procedures Act to replace emergency rules
288 adopted under this section are exempt from ss. 120.54(3)(b) and
289 120.541, Florida Statutes. By July 1, 2022 ~~January 1, 2018~~, the
290 department and the applicable boards shall initiate nonemergency
291 rulemaking pursuant to the Administrative Procedures Act to
292 replace all emergency rules adopted under this section by
293 publishing a notice of rule development in the Florida
294 Administrative Register. Except as provided in paragraph (a),
295 after July 1, 2022 ~~January 1, 2018~~, the department and
296 applicable boards may not adopt rules pursuant to the emergency
297 rulemaking procedures provided in this section.

298 Section 16. The amendments to s. 14(1) of chapter 2017-232,
299 Laws of Florida, made by this act expire July 1, 2022, and the
300 text of that subsection shall revert to that in existence on
301 June 30, 2019, except that any amendments to such text enacted



652590

302 other than by this act shall be preserved and continue to
303 operate to the extent that such amendments are not dependent
304 upon the portions of text which expire pursuant to this section.

305 Section 17. In order to implement Specific Appropriations
306 202, 206, and 210 of the 2021-2022 General Appropriations Act,
307 the Agency for Health Care Administration, upon approval from
308 the Centers for Medicare and Medicaid Services, may establish a
309 directed payment program for hospitals providing inpatient and
310 outpatient services to Medicaid managed care enrollees. The
311 Agency for Health Care Administration is authorized to submit a
312 budget amendment pursuant to chapter 216, Florida Statutes,
313 requesting additional spending authority to implement the
314 program. This section expires July 1, 2022.

315 Section 18. In order to implement Specific Appropriations
316 321, 323, 352, and 353 of the 2021-2022 General Appropriations
317 Act, and notwithstanding ss. 216.181 and 216.292, Florida
318 Statutes, the Department of Children and Families may submit a
319 budget amendment, subject to the notice, review, and objection
320 procedures of s. 216.177, Florida Statutes, to realign funding
321 within the department based on the implementation of the
322 Guardianship Assistance Program, between and among the specific
323 appropriations for guardianship assistance payments, foster care
324 Level 1 room and board payments, relative caregiver payments,
325 and nonrelative caregiver payments. This section expires July 1,
326 2022.

327 Section 19. In order to implement Specific Appropriations
328 303 through 306, 310, 311, 314, 319 through 321, and 323 of the
329 2021-2022 General Appropriations Act, and notwithstanding ss.
330 216.181 and 216.292, Florida Statutes, the Department of



652590

331 Children and Families may submit a budget amendment, subject to
332 the notice, review, and objection procedures of s. 216.177,
333 Florida Statutes, to realign funding within the Family Safety
334 Program to maximize the use of Title IV-E and other federal
335 funds. This section expires July 1, 2022.

336 Section 20. In order to implement Specific Appropriations
337 463 and 500 of the 2021-2022 General Appropriations Act, and
338 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the
339 Department of Health may submit a budget amendment, subject to
340 the notice, review, and objection procedures of s. 216.177,
341 Florida Statutes, to increase budget authority for the HIV/AIDS
342 Prevention and Treatment Program if additional federal revenues
343 specific to HIV/AIDS prevention and treatment become available
344 in the 2021-2022 fiscal year. This section expires July 1, 2022.

345 Section 21. In order to implement Specific Appropriation
346 190 of the 2021-2022 General Appropriations Act, subsections (1)
347 through (5) of section 42 of chapter 2020-114, Laws of Florida,
348 are reenacted and amended to read:

349 Section 42. (1) The Agency for Health Care Administration
350 shall replace the current Florida Medicaid Management
351 Information System (FMMIS) and fiscal agent operations with a
352 system that is modular, interoperable, and scalable for the
353 Florida Medicaid program that complies with all applicable
354 federal and state laws and requirements. The agency may not
355 include in the project to replace the current FMMIS and fiscal
356 agent contract:

357 (a) Functionality that duplicates any of the information
358 systems of the other health and human services state agencies;
359 or



652590

360 (b) Procurement for agency requirements external to
361 Medicaid programs with the intent to leverage the Medicaid
362 technology infrastructure for other purposes without legislative
363 appropriation or legislative authorization to procure these
364 requirements.

365
366 The new system, the Florida Health Care Connection (FX) system,
367 must provide better integration with subsystems supporting
368 Florida's Medicaid program; uniformity, consistency, and
369 improved access to data; and compatibility with the Centers for
370 Medicare and Medicaid Services' Medicaid Information Technology
371 Architecture (MITA) as the system matures and expands its
372 functionality.

373 (2) For purposes of replacing FMMIS and the current
374 Medicaid fiscal agent, the Agency for Health Care Administration
375 shall:

376 (a) Prioritize procurements for the replacement of the
377 current functions of FMMIS and the responsibilities of the
378 current Medicaid fiscal agent, to minimize the need to extend
379 all or portions of the current fiscal agent contract.

380 (b) Comply with and not exceed the Centers for Medicare and
381 Medicaid Services funding authorizations for the FX system.

382 (c) Ensure compliance and uniformity with published MITA
383 framework and guidelines.

384 (d) Ensure that all business requirements and technical
385 specifications have been provided to all affected state agencies
386 for their review and input and approved by the executive
387 steering committee established in paragraph (g).

388 (e) Consult with the Executive Office of the Governor's



652590

389 working group for interagency information technology integration
390 for the development of competitive solicitations that provide
391 for data interoperability and shared information technology
392 services across the state's health and human services agencies.

393 (f) Implement a data governance structure for the project
394 to coordinate data sharing and interoperability across state
395 healthcare entities.

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

398 1. The Secretary of Health Care Administration, or the
399 executive sponsor of the project.

400 2. A representative of the Division of Operations of the
401 Agency for Health Care Administration, appointed by the
402 Secretary of Health Care Administration ~~The Assistant Secretary~~
403 ~~for Child Welfare of the Department of Children and Families, or~~
404 ~~his or her designee.~~

405 3. ~~The Assistant Secretary for Economic Self-Sufficiency of~~
406 ~~the Department of Children and Families, or his or her designee.~~

407 4. Two representatives ~~employees~~ from the Division of
408 Medicaid of the Agency for Health Care Administration, appointed
409 by the Secretary of Health Care Administration.

410 ~~4.5.~~ A representative of the Division of Health Quality
411 Assurance of the Agency for Health Care Administration,
412 appointed by the Secretary of Health Care Administration.

413 ~~5.6.~~ A representative of the Florida Center for Health
414 Information and Transparency of the Agency for Health Care
415 Administration, appointed by the Secretary of Health Care
416 Administration.

417 ~~7. A representative of the Division of Operations of the~~



652590

418 ~~Agency for Health Care Administration, appointed by the~~
419 ~~Secretary of Health Care Administration.~~

420 ~~6.8.~~ The Chief Information Officer of the Agency for Health
421 Care Administration, or his or her designee.

422 ~~7.9.~~ The state chief information officer, or his or her
423 designee.

424 ~~8.10.~~ Two representatives of the Department of Children and
425 Families, appointed by the Secretary of Children and Families
426 ~~The Deputy Secretary for Children's Medical Services of the~~
427 ~~Department of Health, or his or her designee.~~

428 ~~9.~~ A representative of the Department of Health, appointed
429 by the State Surgeon General.

430 ~~10.11.~~ A representative of the Agency for Persons with
431 Disabilities ~~who has experience with the preparation and~~
432 ~~submission of waivers to the Centers for Medicare and Medicaid~~
433 ~~Services, appointed by the director of the Agency for Persons~~
434 with Disabilities.

435 ~~11.12.~~ A representative from the Florida Healthy Kids
436 Corporation.

437 ~~12.13.~~ A representative from the Department of Elderly
438 Affairs ~~who has experience with the Medicaid Program within that~~
439 ~~department, appointed by the Secretary of Elderly Affairs.~~

440 ~~13.14.~~ A representative of the Department of Financial
441 Services who has experience with the state's financial processes
442 including development of the PALM system, appointed by the Chief
443 Financial Officer.

444 (3) The Secretary of Health Care Administration or the
445 executive sponsor of the project shall serve as chair of the
446 executive steering committee, and the committee shall take



652590

447 action by a vote of at least 10 affirmative votes with the chair
448 voting on the prevailing side. A quorum of the executive
449 steering committee consists of at least 11 members.

450 (4) The executive steering committee has the overall
451 responsibility for ensuring that the project to replace FMMIS
452 and the Medicaid fiscal agent meets its primary business
453 objectives and shall:

454 (a) Identify and recommend to the Executive Office of the
455 Governor, the President of the Senate, and the Speaker of the
456 House of Representatives any statutory changes needed to
457 implement the modular replacement to standardize, to the fullest
458 extent possible, the state's healthcare data and business
459 processes.

460 (b) Review and approve any changes to the project's scope,
461 schedule, and budget which do not conflict with the requirements
462 of subsections (1) and (2).

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

465 (d) Approve all major project deliverables.

466 (e) Review and verify that ~~Approve~~ all procurement and
467 contractual solicitation-related documents associated with the
468 replacement of the current FMMIS and Medicaid fiscal agent align
469 with the scope, schedule, and anticipated budget for the
470 project.

471 (5) This section expires July 1, 2022 ~~2021~~.

472 Section 22. Effective upon becoming a law, in order to
473 implement section 58 of the 2021-2022 General Appropriations
474 Act, subsection (7) is added to section 409.916, Florida
475 Statutes, to read:



652590

476 409.916 Grants and Donations Trust Fund.—

477 (7) Funds may be used for other purposes as specified in
478 the General Appropriations Act. This subsection expires July 1,
479 2021.

480 Section 23. In order to implement Specific Appropriations
481 572 through 680 and 692 through 726 of the 2021-2022 General
482 Appropriations Act, subsection (4) of section 216.262, Florida
483 Statutes, is amended to read:

484 216.262 Authorized positions.—

485 (4) Notwithstanding the provisions of this chapter relating
486 to increasing the number of authorized positions, and for the
487 2021-2022 ~~2020-2021~~ fiscal year only, if the actual inmate
488 population of the Department of Corrections exceeds the inmate
489 population projections of the March 17, 2021 ~~December 17, 2019~~,
490 Criminal Justice Estimating Conference by 1 percent for 2
491 consecutive months or 2 percent for any month, the Executive
492 Office of the Governor, with the approval of the Legislative
493 Budget Commission, shall immediately notify the Criminal Justice
494 Estimating Conference, which shall convene as soon as possible
495 to revise the estimates. The Department of Corrections may then
496 submit a budget amendment requesting the establishment of
497 positions in excess of the number authorized by the Legislature
498 and additional appropriations from unallocated general revenue
499 sufficient to provide for essential staff, fixed capital
500 improvements, and other resources to provide classification,
501 security, food services, health services, and other variable
502 expenses within the institutions to accommodate the estimated
503 increase in the inmate population. All actions taken pursuant to
504 this subsection are subject to review and approval by the



652590

505 Legislative Budget Commission. This subsection expires July 1,
506 2022 ~~2021~~.

507 Section 24. In order to implement Specific Appropriation
508 714 of the 2021-2022 General Appropriations Act, and upon the
509 expiration and reversion of the amendments made by section 54 of
510 chapter 2020-114, Laws of Florida, paragraph (b) of subsection
511 (8) of section 1011.80, Florida Statutes, is amended to read:

512 1011.80 Funds for operation of workforce education
513 programs.—

514 (8)

515 (b) State funds provided for the operation of postsecondary
516 workforce programs may not be expended for the education of
517 state or federal inmates, except to the extent that such funds
518 are specifically appropriated for such purpose in the 2021-2022
519 General Appropriations Act ~~with more than 24 months of time~~
520 ~~remaining to serve on their sentences or federal inmates.~~

521 Section 25. The amendment to s. 1011.80(8)(b), Florida
522 Statutes, made by this act expires July 1, 2022, and the text of
523 that paragraph shall revert to that in existence on July 1,
524 2019, but not including any amendments made by this act or
525 chapters 2020-114, 2019-116, and 2018-10, Laws of Florida, and
526 any amendments to such text enacted other than by this act shall
527 be preserved and continue to operate to the extent that such
528 amendments are not dependent upon the portions of text which
529 expire pursuant to this section.

530 Section 26. In order to implement Specific Appropriations
531 3113 through 3179 of the 2021-2022 General Appropriations Act,
532 subsection (2) of section 215.18, Florida Statutes, is amended
533 to read:



652590

534 215.18 Transfers between funds; limitation.-

535 (2) The Chief Justice of the Supreme Court may receive one
536 or more trust fund loans to ensure that the state court system
537 has funds sufficient to meet its appropriations in the 2021-2022
538 ~~2020-2021~~ General Appropriations Act. If the Chief Justice
539 accesses the loan, he or she must notify the Governor and the
540 chairs of the legislative appropriations committees in writing.
541 The loan must come from other funds in the State Treasury which
542 are for the time being or otherwise in excess of the amounts
543 necessary to meet the just requirements of such last-mentioned
544 funds. The Governor shall order the transfer of funds within 5
545 days after the written notification from the Chief Justice. If
546 the Governor does not order the transfer, the Chief Financial
547 Officer shall transfer the requested funds. The loan of funds
548 from which any money is temporarily transferred must be repaid
549 by the end of the 2021-2022 ~~2020-2021~~ fiscal year. This
550 subsection expires July 1, 2022 ~~2021~~.

551 Section 27. In order to implement Specific Appropriations
552 1105 through 1116 of the 2021-2022 General Appropriations Act:

553 (1) The Department of Juvenile Justice is required to
554 review county juvenile detention payments to ensure that
555 counties fulfill their financial responsibilities required in s.
556 985.6865, Florida Statutes. If the Department of Juvenile
557 Justice determines that a county has not met its obligations,
558 the department shall direct the Department of Revenue to deduct
559 the amount owed to the Department of Juvenile Justice from the
560 funds provided to the county under s. 218.23, Florida Statutes.
561 The Department of Revenue shall transfer the funds withheld to
562 the Shared County/State Juvenile Detention Trust Fund.



652590

563 (2) As an assurance to holders of bonds issued by counties
564 before July 1, 2021, for which distributions made pursuant to s.
565 218.23, Florida Statutes, are pledged, or bonds issued to refund
566 such bonds which mature no later than the bonds they refunded
567 and which result in a reduction of debt service payable in each
568 fiscal year, the amount available for distribution to a county
569 shall remain as provided by law and continue to be subject to
570 any lien or claim on behalf of the bondholders. The Department
571 of Revenue must ensure, based on information provided by an
572 affected county, that any reduction in amounts distributed
573 pursuant to subsection (1) does not reduce the amount of
574 distribution to a county below the amount necessary for the
575 timely payment of principal and interest when due on the bonds
576 and the amount necessary to comply with any covenant under the
577 bond resolution or other documents relating to the issuance of
578 the bonds. If a reduction to a county's monthly distribution
579 must be decreased in order to comply with this section, the
580 Department of Revenue must notify the Department of Juvenile
581 Justice of the amount of the decrease, and the Department of
582 Juvenile Justice must send a bill for payment of such amount to
583 the affected county.

584 (3) This section expires July 1, 2022.

585 Section 28. In order to implement Specific Appropriations
586 736 through 757, 905 through 1048, and 1069 through 1104 of the
587 2021-2022 General Appropriations Act, and notwithstanding the
588 expiration date in section 59 of chapter 2020-114, Laws of
589 Florida, subsection (1), paragraph (a) of subsection (2),
590 paragraph (a) of subsection (3), and subsections (5), (6), and
591 (7) of section 27.40, Florida Statutes, are reenacted to read:



652590

592 27.40 Court-appointed counsel; circuit registries; minimum
593 requirements; appointment by court.—

594 (1) Counsel shall be appointed to represent any individual
595 in a criminal or civil proceeding entitled to court-appointed
596 counsel under the Federal or State Constitution or as authorized
597 by general law. The court shall appoint a public defender to
598 represent indigent persons as authorized in s. 27.51. The office
599 of criminal conflict and civil regional counsel shall be
600 appointed to represent persons in those cases in which provision
601 is made for court-appointed counsel, but only after the public
602 defender has certified to the court in writing that the public
603 defender is unable to provide representation due to a conflict
604 of interest or is not authorized to provide representation. The
605 public defender shall report, in the aggregate, the specific
606 basis of all conflicts of interest certified to the court. On a
607 quarterly basis, the public defender shall submit this
608 information to the Justice Administrative Commission.

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



652590

621 (3) In using a registry:

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

628 1. Meets any minimum requirements established by the chief
629 judge and by general law for court appointment;

630 2. Is available to represent indigent defendants in cases
631 requiring court appointment of private counsel; and

632 3. Is willing to abide by the terms of the contract for
633 services, s. 27.5304, and this section.

634
635 To be included on a registry, an attorney must enter into a
636 contract for services with the Justice Administrative
637 Commission. Failure to comply with the terms of the contract for
638 services may result in termination of the contract and removal
639 from the registry. Each attorney on the registry is responsible
640 for notifying the clerk of the court and the Justice
641 Administrative Commission of any change in his or her status.
642 Failure to comply with this requirement is cause for termination
643 of the contract for services and removal from the registry until
644 the requirement is fulfilled.

645 (5) The Justice Administrative Commission shall approve
646 uniform contract forms for use in procuring the services of
647 private court-appointed counsel and uniform procedures and forms
648 for use by a court-appointed attorney in support of billing for
649 attorney's fees, costs, and related expenses to demonstrate the



652590

650 attorney's completion of specified duties. Such uniform
651 contracts and forms for use in billing must be consistent with
652 s. 27.5304, s. 216.311, and the General Appropriations Act and
653 must contain the following statement: "The State of Florida's
654 performance and obligation to pay under this contract is
655 contingent upon an annual appropriation by the Legislature."

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

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

669 (b) 1. The flat fee established in s. 27.5304 and the
670 General Appropriations Act shall be presumed by the court to be
671 sufficient compensation. The attorney shall maintain appropriate
672 documentation, including contemporaneous and detailed hourly
673 accounting of time spent representing the client. If the
674 attorney fails to maintain such contemporaneous and detailed
675 hourly records, the attorney waives the right to seek
676 compensation in excess of the flat fee established in s. 27.5304
677 and the General Appropriations Act. These records and documents
678 are subject to review by the Justice Administrative Commission



652590

679 and audit by the Auditor General, subject to the attorney-client
680 privilege and work-product privilege. The attorney shall
681 maintain the records and documents in a manner that enables the
682 attorney to redact any information subject to a privilege in
683 order to facilitate the commission's review of the records and
684 documents and not to impede such review. The attorney may redact
685 information from the records and documents only to the extent
686 necessary to comply with the privilege. The Justice
687 Administrative Commission shall review such records and shall
688 contemporaneously document such review before authorizing
689 payment to an attorney. Objections by or on behalf of the
690 Justice Administrative Commission to records or documents or to
691 claims for payment by the attorney shall be presumed correct by
692 the court unless the court determines, in writing, that
693 competent and substantial evidence exists to justify overcoming
694 the presumption.

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

701 3. A finding by the commission that an attorney has waived
702 the right to seek compensation in excess of the flat fee
703 established in s. 27.5304 and the General Appropriations Act, as
704 provided in this paragraph, shall be presumed to be correct,
705 unless the court determines, in writing, that competent and
706 substantial evidence exists to justify overcoming the
707 presumption.



652590

708 Section 29. The amendments to s. 27.40(1), (2)(a), (3)(a),
709 (5), (6), and (7), Florida Statutes, as carried forward from
710 chapter 2019-116, Laws of Florida, by this act, expire July 1,
711 2022, and the text of those subsections and paragraphs, as
712 applicable, shall revert to that in existence on June 30, 2019,
713 except that any amendments to such text enacted other than by
714 this act shall be preserved and continue to operate to the
715 extent that such amendments are not dependent upon the portions
716 of text which expire pursuant to this section.

717 Section 30. In order to implement Specific Appropriations
718 736 through 757, 905 through 1048, and 1069 through 1104 of the
719 2021-2022 General Appropriations Act, and notwithstanding the
720 expiration date in section 59 of chapter 2020-114, Laws of
721 Florida, subsection (13) of section 27.5304, Florida Statutes,
722 is amended, and subsections (1), (3), (7), and (11), and
723 paragraphs (a) through (e) of subsection (12) of that section
724 are reenacted, to read:

725 27.5304 Private court-appointed counsel; compensation;
726 notice.—

727 (1) Private court-appointed counsel appointed in the manner
728 prescribed in s. 27.40(1) and (2)(a) shall be compensated by the
729 Justice Administrative Commission only as provided in this
730 section and the General Appropriations Act. The flat fees
731 prescribed in this section are limitations on compensation. The
732 specific flat fee amounts for compensation shall be established
733 annually in the General Appropriations Act. The attorney also
734 shall be reimbursed for reasonable and necessary expenses in
735 accordance with s. 29.007. If the attorney is representing a
736 defendant charged with more than one offense in the same case,



652590

737 the attorney shall be compensated at the rate provided for the
738 most serious offense for which he or she represented the
739 defendant. This section does not allow stacking of the fee
740 limits established by this section.

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

747 (7) Counsel eligible to receive compensation from the state
748 for representation pursuant to court appointment made in
749 accordance with the requirements of s. 27.40(1) and (2)(a) in a
750 proceeding under chapter 384, chapter 390, chapter 392, chapter
751 393, chapter 394, chapter 397, chapter 415, chapter 743, chapter
752 744, or chapter 984 shall receive compensation not to exceed the
753 limits prescribed in the General Appropriations Act. Any such
754 compensation must be determined as provided in s. 27.40(7).

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

764 (a) If court-appointed counsel moves to withdraw prior to
765 the full performance of his or her duties through the completion



652590

766 of the case, the court shall presume that the attorney is not
767 entitled to the payment of the full flat fee established under
768 this section and the General Appropriations Act.

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

776
777 This subsection constitutes notice to any subsequently appointed
778 attorney that he or she will not be compensated the full flat
779 fee.

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

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

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

791 2. The Justice Administrative Commission shall review the
792 billings, affidavit, and documentation for completeness and
793 compliance with contractual and statutory requirements and shall
794 contemporaneously document such review before authorizing



652590

795 payment to an attorney. If the Justice Administrative Commission
796 objects to any portion of the proposed billing, the objection
797 and supporting reasons must be communicated in writing to the
798 private court-appointed counsel. The counsel may thereafter file
799 his or her motion, which must specify whether the commission
800 objects to any portion of the billing or the sufficiency of
801 documentation, and shall attach the commission's letter stating
802 its objection.

803 (b) Following receipt of the motion to exceed the fee
804 limits, the chief judge or a single designee shall hold an
805 evidentiary hearing. The chief judge may select only one judge
806 per circuit to hear and determine motions pursuant to this
807 subsection, except multicounty circuits and the eleventh circuit
808 may have up to two designees.

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

820 2. Objections by or on behalf of the Justice Administrative
821 Commission to records or documents or to claims for payment by
822 the attorney shall be presumed correct by the court unless the
823 court determines, in writing, that competent and substantial



652590

824 evidence exists to justify overcoming the presumption. The chief
825 judge or single designee shall enter a written order detailing
826 his or her findings and identifying the extraordinary nature of
827 the time and efforts of the attorney in the case which warrant
828 exceeding the flat fee established by this section and the
829 General Appropriations Act.

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

846 (d) If the chief judge or a single designee finds that
847 counsel has proved by competent and substantial evidence that
848 the case required extraordinary and unusual efforts, the chief
849 judge or single designee shall order the compensation to be paid
850 to the attorney at a percentage above the flat fee rate,
851 depending on the extent of the unusual and extraordinary effort
852 required. The percentage must be only the rate necessary to



652590

853 ensure that the fees paid are not confiscatory under common law.
854 The percentage may not exceed 200 percent of the established
855 flat fee, absent a specific finding that 200 percent of the flat
856 fee in the case would be confiscatory. If the chief judge or
857 single designee determines that 200 percent of the flat fee
858 would be confiscatory, he or she shall order the amount of
859 compensation using an hourly rate not to exceed \$75 per hour for
860 a noncapital case and \$100 per hour for a capital case. However,
861 the compensation calculated by using the hourly rate shall be
862 only that amount necessary to ensure that the total fees paid
863 are not confiscatory, subject to the requirements of s.
864 27.40(7).

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

869 (13) Notwithstanding the limitation set forth in subsection
870 (5) and for the 2021-2022 ~~2020-2021~~ fiscal year only, the
871 compensation for representation in a criminal proceeding may not
872 exceed the following:

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

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

877 (c) For life felonies represented at the trial level:
878 \$15,000.

879 (d) For capital cases represented at the trial level:
880 \$25,000. For purposes of this paragraph, a "capital case" is any
881 offense for which the potential sentence is death and the state



652590

882 has not waived seeking the death penalty.

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

884 (f) This subsection expires July 1, 2022 ~~2021~~.

885 Section 31. The amendments to s. 27.5304(1), (3), (7),
886 (11), and (12)(a)-(e), Florida Statutes, as carried forward from
887 chapter 2019-116, Laws of Florida, by this act, expire July 1,
888 2022, and the text of those subsections and paragraphs, as
889 applicable, shall revert to that in existence on June 30, 2019,
890 except that any amendments to such text enacted other than by
891 this act shall be preserved and continue to operate to the
892 extent that such amendments are not dependent upon the portions
893 of text which expire pursuant to this section.

894 Section 32. In order to implement Specific Appropriations
895 1105 through 1187A of the 2021-2022 General Appropriations Act,
896 and notwithstanding the expiration date in section 65 of chapter
897 2020-114, Laws of Florida, subsections (2) and (3) of section
898 20.316, Florida Statutes, are reenacted to read:

899 20.316 Department of Juvenile Justice.—There is created a
900 Department of Juvenile Justice.

901 (2) DEPARTMENT PROGRAMS.—The following programs are
902 established within the Department of Juvenile Justice:

- 903 (a) Accountability and Program Support.
- 904 (b) Administration.
- 905 (c) Intake and Detention.
- 906 (d) Prevention.
- 907 (e) Probation and Community Corrections.
- 908 (f) Residential and Correctional Facilities.

909
910 The secretary may establish assistant secretary positions and a



652590

911 chief of staff position as necessary to administer the
912 requirements of this section.

913 (3) JUVENILE JUSTICE OPERATING CIRCUITS.—The department
914 shall plan and administer its programs through a substate
915 structure that conforms to the boundaries of the judicial
916 circuits prescribed in s. 26.021. A county may seek placement in
917 a juvenile justice operating circuit other than as prescribed in
918 s. 26.021 for participation in the Prevention Program and the
919 Probation and Community Corrections Program by making a request
920 of the chief circuit judge in each judicial circuit affected by
921 such request. Upon a showing that geographic proximity,
922 community identity, or other legitimate concern for efficiency
923 of operations merits alternative placement, each affected chief
924 circuit judge may authorize the execution of an interagency
925 agreement specifying the alternative juvenile justice operating
926 circuit in which the county is to be placed and the basis for
927 the alternative placement. Upon the execution of said
928 interagency agreement by each affected chief circuit judge, the
929 secretary may administratively place a county in an alternative
930 juvenile justice operating circuit pursuant to the agreement.

931 Section 33. The amendments to s. 20.316(2) and (3), Florida
932 Statutes, as carried forward from chapter 2020-114, Laws of
933 Florida, by this act, expire July 1, 2022, and the text of those
934 subsections shall revert to that in existence on June 30, 2020,
935 except that any amendments to such text enacted other than this
936 act shall be preserved and continue to operate to the extent
937 that such amendments are not dependent upon the portions of text
938 which expire pursuant to this section.

939 Section 34. In order to implement appropriations used to



652590

940 pay existing lease contracts for private lease space in excess
941 of 2,000 square feet in the 2021-2022 General Appropriations
942 Act, the Department of Management Services, with the cooperation
943 of the agencies having the existing lease contracts for office
944 or storage space, shall use tenant broker services to
945 renegotiate or reprocure all private lease agreements for office
946 or storage space expiring between July 1, 2022, and June 30,
947 2024, in order to reduce costs in future years. The department
948 shall incorporate this initiative into its 2021 master leasing
949 report required under s. 255.249(7), Florida Statutes, and may
950 use tenant broker services to explore the possibilities of
951 collocating office or storage space, to review the space needs
952 of each agency, and to review the length and terms of potential
953 renewals or renegotiations. The department shall provide a
954 report to the Executive Office of the Governor, the President of
955 the Senate, and the Speaker of the House of Representatives by
956 November 1, 2021, which lists each lease contract for private
957 office or storage space, the status of renegotiations, and the
958 savings achieved. This section expires July 1, 2022.

959 Section 35. In order to implement appropriations authorized
960 in the 2021-2022 General Appropriations Act for data center
961 services, and notwithstanding s. 216.292(2)(a), Florida
962 Statutes, an agency may not transfer funds from a data
963 processing category to a category other than another data
964 processing category. This section expires July 1, 2022.

965 Section 36. In order to implement the appropriation of
966 funds in the appropriation category "Data Processing Assessment-
967 Department of Management Services" in the 2021-2022 General
968 Appropriations Act, and pursuant to the notice, review, and



652590

969 objection procedures of s. 216.177, Florida Statutes, the
970 Executive Office of the Governor may transfer funds appropriated
971 in that category between departments in order to align the
972 budget authority granted based on the estimated billing cycle
973 and methodology used for data processing services provided to
974 agencies in fiscal year 2020-2021. This section expires July 1,
975 2022.

976 Section 37. In order to implement the appropriation of
977 funds in the appropriation category "Special Categories-Risk
978 Management Insurance" in the 2021-2022 General Appropriations
979 Act, and pursuant to the notice, review, and objection
980 procedures of s. 216.177, Florida Statutes, the Executive Office
981 of the Governor may transfer funds appropriated in that category
982 between departments in order to align the budget authority
983 granted with the premiums paid by each department for risk
984 management insurance. This section expires July 1, 2022.

985 Section 38. In order to implement the appropriation of
986 funds in the appropriation category "Special Categories-Transfer
987 to Department of Management Services-Human Resources Services
988 Purchased per Statewide Contract" in the 2021-2022 General
989 Appropriations Act, and pursuant to the notice, review, and
990 objection procedures of s. 216.177, Florida Statutes, the
991 Executive Office of the Governor may transfer funds appropriated
992 in that category between departments in order to align the
993 budget authority granted with the assessments that must be paid
994 by each agency to the Department of Management Services for
995 human resource management services. This section expires July 1,
996 2022.

997 Section 39. In order to implement Specific Appropriations



652590

998 2343 through 2346 of the 2021-2022 General Appropriations Act,
999 subsections (1) through (5) of section 72 of chapter 2020-114,
1000 Laws of Florida, are reenacted and amended to read:

1001 Section 72. (1) The Department of Financial Services shall
1002 replace the four main components of the Florida Accounting
1003 Information Resource Subsystem (FLAIR), which include central
1004 FLAIR, departmental FLAIR, payroll, and information warehouse,
1005 and shall replace the cash management and accounting management
1006 components of the Cash Management Subsystem (CMS) with an
1007 integrated enterprise system that allows the state to organize,
1008 define, and standardize its financial management business
1009 processes and that complies with ss. 215.90-215.96, Florida
1010 Statutes. The department may not include in the replacement of
1011 FLAIR and CMS:

1012 (a) Functionality that duplicates any of the other
1013 information subsystems of the Florida Financial Management
1014 Information System; or

1015 (b) Agency business processes related to any of the
1016 functions included in the Personnel Information System, the
1017 Purchasing Subsystem, or the Legislative Appropriations
1018 System/Planning and Budgeting Subsystem.

1019 (2) For purposes of replacing FLAIR and CMS, the Department
1020 of Financial Services shall:

1021 (a) Take into consideration the cost and implementation
1022 data identified for Option 3 as recommended in the March 31,
1023 2014, Florida Department of Financial Services FLAIR Study,
1024 version 031.

1025 (b) Ensure that all business requirements and technical
1026 specifications have been provided to all state agencies for



652590

1027 their review and input and approved by the executive steering
1028 committee established in paragraph (c).

1029 (c) Implement a project governance structure that includes
1030 an executive steering committee composed of:

1031 1. The Chief Financial Officer or the executive sponsor of
1032 the project.

1033 2. A representative of the Division of Treasury of the
1034 Department of Financial Services, appointed by the Chief
1035 Financial Officer.

1036 3. A representative of the Division of Information Systems
1037 of the Department of Financial Services, appointed by the Chief
1038 Financial Officer.

1039 4. Four employees from the Division of Accounting and
1040 Auditing of the Department of Financial Services, appointed by
1041 the Chief Financial Officer. Each employee must have experience
1042 relating to at least one of the four main components that
1043 compose FLAIR.

1044 5. Two employees from the Executive Office of the Governor,
1045 appointed by the Governor. One employee must have experience
1046 relating to the Legislative Appropriations System/Planning and
1047 Budgeting Subsystem.

1048 6. One employee from the Department of Revenue, appointed
1049 by the executive director, who has experience relating to the
1050 department's SUNTAX system.

1051 7. Two employees from the Department of Management
1052 Services, appointed by the Secretary of Management Services. One
1053 employee must have experience relating to the department's
1054 personnel information subsystem and one employee must have
1055 experience relating to the department's purchasing subsystem.



652590

1056 8. Three state agency administrative services directors,
1057 appointed by the Governor. One director must represent a
1058 regulatory and licensing state agency and one director must
1059 represent a health care-related state agency.

1060 9. The executive sponsor of the Florida Health Care
1061 Connection (FX) System or his or her designee, appointed by the
1062 Secretary of Health Care Administration.

1063 10. The State Chief Information Officer, or his or her
1064 designee, as a nonvoting member. The State Chief Information
1065 Officer, or his or her designee, shall provide monthly status
1066 reports pursuant to the oversight responsibilities in s.
1067 282.0051, Florida Statutes.

1068 (3) (a) The Chief Financial Officer or the executive sponsor
1069 of the project shall serve as chair of the executive steering
1070 committee, and the committee shall take action by a vote of at
1071 least eight affirmative votes with the Chief Financial Officer
1072 or the executive sponsor of the project voting on the prevailing
1073 side. A quorum of the executive steering committee consists of
1074 at least 10 members.

1075 (b) No later than 14 days before a meeting of the executive
1076 steering committee, the chair shall request input from committee
1077 members on agenda items for the next scheduled meeting.

1078 (4) The executive steering committee has the overall
1079 responsibility for ensuring that the project to replace FLAIR
1080 and CMS meets its primary business objectives and shall:

1081 (a) Identify and recommend to the Executive Office of the
1082 Governor, the President of the Senate, and the Speaker of the
1083 House of Representatives any statutory changes needed to
1084 implement the replacement subsystem that will standardize, to



652590

1085 the fullest extent possible, the state's financial management
1086 business processes.

1087 (b) Review and approve any changes to the project's scope,
1088 schedule, and budget which do not conflict with the requirements
1089 of subsection (1).

1090 (c) Ensure that adequate resources are provided throughout
1091 all phases of the project.

1092 (d) Approve all major project deliverables and any cost
1093 changes to each deliverable over \$250,000.

1094 (e) Approve contract amendments and changes to all
1095 contract-related documents associated with the replacement of
1096 FLAIR and CMS.

1097 (f) Ensure compliance with ss. 216.181(16), 216.311,
1098 216.313, 282.318(4)(h), and 287.058, Florida Statutes.

1099 (5) This section expires July 1, 2022 ~~2021~~.

1100 Section 40. In order to implement specific appropriations
1101 from the land acquisition trust funds within the Department of
1102 Agriculture and Consumer Services, the Department of
1103 Environmental Protection, the Department of State, and the Fish
1104 and Wildlife Conservation Commission, which are contained in the
1105 2021-2022 General Appropriations Act, subsection (3) of section
1106 215.18, Florida Statutes, is amended to read:

1107 215.18 Transfers between funds; limitation.-

1108 (3) Notwithstanding subsection (1) and only with respect to
1109 a land acquisition trust fund in the Department of Agriculture
1110 and Consumer Services, the Department of Environmental
1111 Protection, the Department of State, or the Fish and Wildlife
1112 Conservation Commission, whenever there is a deficiency in a
1113 land acquisition trust fund which would render that trust fund



652590

1114 temporarily insufficient to meet its just requirements,
1115 including the timely payment of appropriations from that trust
1116 fund, and other trust funds in the State Treasury have moneys
1117 that are for the time being or otherwise in excess of the
1118 amounts necessary to meet the just requirements, including
1119 appropriated obligations, of those other trust funds, the
1120 Governor may order a temporary transfer of moneys from one or
1121 more of the other trust funds to a land acquisition trust fund
1122 in the Department of Agriculture and Consumer Services, the
1123 Department of Environmental Protection, the Department of State,
1124 or the Fish and Wildlife Conservation Commission. Any action
1125 proposed pursuant to this subsection is subject to the notice,
1126 review, and objection procedures of s. 216.177, and the Governor
1127 shall provide notice of such action at least 7 days before the
1128 effective date of the transfer of trust funds, except that
1129 during July 2021 ~~2020~~, notice of such action shall be provided
1130 at least 3 days before the effective date of a transfer unless
1131 such 3-day notice is waived by the chair and vice-chair of the
1132 Legislative Budget Commission. Any transfer of trust funds to a
1133 land acquisition trust fund in the Department of Agriculture and
1134 Consumer Services, the Department of Environmental Protection,
1135 the Department of State, or the Fish and Wildlife Conservation
1136 Commission must be repaid to the trust funds from which the
1137 moneys were loaned by the end of the 2021-2022 ~~2020-2021~~ fiscal
1138 year. The Legislature has determined that the repayment of the
1139 other trust fund moneys temporarily loaned to a land acquisition
1140 trust fund in the Department of Agriculture and Consumer
1141 Services, the Department of Environmental Protection, the
1142 Department of State, or the Fish and Wildlife Conservation



652590

1143 Commission pursuant to this subsection is an allowable use of
1144 the moneys in a land acquisition trust fund because the moneys
1145 from other trust funds temporarily loaned to a land acquisition
1146 trust fund shall be expended solely and exclusively in
1147 accordance with s. 28, Art. X of the State Constitution. This
1148 subsection expires July 1, 2022 ~~2021~~.

1149 Section 41. (1) In order to implement specific
1150 appropriations from the land acquisition trust funds within the
1151 Department of Agriculture and Consumer Services, the Department
1152 of Environmental Protection, the Department of State, and the
1153 Fish and Wildlife Conservation Commission, which are contained
1154 in the 2021-2022 General Appropriations Act, the Department of
1155 Environmental Protection shall transfer revenues from the Land
1156 Acquisition Trust Fund within the department to the land
1157 acquisition trust funds within the Department of Agriculture and
1158 Consumer Services, the Department of State, and the Fish and
1159 Wildlife Conservation Commission, as provided in this section.
1160 As used in this section, the term "department" means the
1161 Department of Environmental Protection.

1162 (2) After subtracting any required debt service payments,
1163 the proportionate share of revenues to be transferred to each
1164 land acquisition trust fund shall be calculated by dividing the
1165 appropriations from each of the land acquisition trust funds for
1166 the fiscal year by the total appropriations from the Land
1167 Acquisition Trust Fund within the department and the land
1168 acquisition trust funds within the Department of Agriculture and
1169 Consumer Services, the Department of State, and the Fish and
1170 Wildlife Conservation Commission for the fiscal year. The
1171 department shall transfer the proportionate share of the



652590

1172 revenues in the Land Acquisition Trust Fund within the
1173 department on a monthly basis to the appropriate land
1174 acquisition trust funds within the Department of Agriculture and
1175 Consumer Services, the Department of State, and the Fish and
1176 Wildlife Conservation Commission and shall retain its
1177 proportionate share of the revenues in the Land Acquisition
1178 Trust Fund within the department. Total distributions to a land
1179 acquisition trust fund within the Department of Agriculture and
1180 Consumer Services, the Department of State, and the Fish and
1181 Wildlife Conservation Commission may not exceed the total
1182 appropriations from such trust fund for the fiscal year.

1183 (3) In addition, the department shall transfer from the
1184 Land Acquisition Trust Fund to land acquisition trust funds
1185 within the Department of Agriculture and Consumer Services, the
1186 Department of State, and the Fish and Wildlife Conservation
1187 Commission amounts equal to the difference between the amounts
1188 appropriated in chapter 2020-111, Laws of Florida, to the
1189 department's Land Acquisition Trust Fund and the other land
1190 acquisition trust funds, and the amounts actually transferred
1191 between those trust funds during the 2020-2021 fiscal year.

1192 (4) The department may advance funds from the beginning
1193 unobligated fund balance in the Land Acquisition Trust Fund to
1194 the Land Acquisition Trust Fund within the Fish and Wildlife
1195 Conservation Commission needed for cash flow purposes based on a
1196 detailed expenditure plan. The department shall prorate amounts
1197 transferred quarterly to the Fish and Wildlife Conservation
1198 Commission to recoup the amount of funds advanced by June 30,
1199 2022.

1200 (5) This section expires July 1, 2022.



652590

1201 Section 42. In order to implement appropriations from the
1202 Land Acquisition Trust Fund within the Department of
1203 Environmental Protection in the 2021-2022 General Appropriations
1204 Act, paragraph (b) of subsection (3) of section 375.041, Florida
1205 Statutes, is amended to read:

1206 375.041 Land Acquisition Trust Fund.—

1207 (3) Funds distributed into the Land Acquisition Trust Fund
1208 pursuant to s. 201.15 shall be applied:

1209 (b) Of the funds remaining after the payments required
1210 under paragraph (a), but before funds may be appropriated,
1211 pledged, or dedicated for other uses:

1212 1. A minimum of the lesser of 25 percent or \$200 million
1213 shall be appropriated annually for Everglades projects that
1214 implement the Comprehensive Everglades Restoration Plan as set
1215 forth in s. 373.470, including the Central Everglades Planning
1216 Project subject to Congressional authorization; the Long-Term
1217 Plan as defined in s. 373.4592(2); and the Northern Everglades
1218 and Estuaries Protection Program as set forth in s. 373.4595.
1219 From these funds, \$32 million shall be distributed each fiscal
1220 year through the 2023-2024 fiscal year to the South Florida
1221 Water Management District for the Long-Term Plan as defined in
1222 s. 373.4592(2). After deducting the \$32 million distributed
1223 under this subparagraph, from the funds remaining, a minimum of
1224 the lesser of 76.5 percent or \$100 million shall be appropriated
1225 each fiscal year through the 2025-2026 fiscal year for the
1226 planning, design, engineering, and construction of the
1227 Comprehensive Everglades Restoration Plan as set forth in s.
1228 373.470, including the Central Everglades Planning Project, the
1229 Everglades Agricultural Area Storage Reservoir Project, the Lake



652590

1230 Okeechobee Watershed Project, the C-43 West Basin Storage
1231 Reservoir Project, the Indian River Lagoon-South Project, the
1232 Western Everglades Restoration Project, and the Picayune Strand
1233 Restoration Project. The Department of Environmental Protection
1234 and the South Florida Water Management District shall give
1235 preference to those Everglades restoration projects that reduce
1236 harmful discharges of water from Lake Okeechobee to the St.
1237 Lucie or Caloosahatchee estuaries in a timely manner. For the
1238 purpose of performing the calculation provided in this
1239 subparagraph, the amount of debt service paid pursuant to
1240 paragraph (a) for bonds issued after July 1, 2016, for the
1241 purposes set forth under paragraph (b) shall be added to the
1242 amount remaining after the payments required under paragraph
1243 (a). The amount of the distribution calculated shall then be
1244 reduced by an amount equal to the debt service paid pursuant to
1245 paragraph (a) on bonds issued after July 1, 2016, for the
1246 purposes set forth under this subparagraph.

1247 2. A minimum of the lesser of 7.6 percent or \$50 million
1248 shall be appropriated annually for spring restoration,
1249 protection, and management projects. For the purpose of
1250 performing the calculation provided in this subparagraph, the
1251 amount of debt service paid pursuant to paragraph (a) for bonds
1252 issued after July 1, 2016, for the purposes set forth under
1253 paragraph (b) shall be added to the amount remaining after the
1254 payments required under paragraph (a). The amount of the
1255 distribution calculated shall then be reduced by an amount equal
1256 to the debt service paid pursuant to paragraph (a) on bonds
1257 issued after July 1, 2016, for the purposes set forth under this
1258 subparagraph.



652590

1259 3. The sum of \$5 million shall be appropriated annually
1260 each fiscal year through the 2025-2026 fiscal year to the St.
1261 Johns River Water Management District for projects dedicated to
1262 the restoration of Lake Apopka. This distribution shall be
1263 reduced by an amount equal to the debt service paid pursuant to
1264 paragraph (a) on bonds issued after July 1, 2016, for the
1265 purposes set forth in this subparagraph.

1266 4. The sum of \$64 million is appropriated and shall be
1267 transferred to the Everglades Trust Fund for the 2018-2019
1268 fiscal year, and each fiscal year thereafter, for the EAA
1269 reservoir project pursuant to s. 373.4598. Any funds remaining
1270 in any fiscal year shall be made available only for Phase II of
1271 the C-51 reservoir project or projects identified in
1272 subparagraph 1. and must be used in accordance with laws
1273 relating to such projects. Any funds made available for such
1274 purposes in a fiscal year are in addition to the amount
1275 appropriated under subparagraph 1. This distribution shall be
1276 reduced by an amount equal to the debt service paid pursuant to
1277 paragraph (a) on bonds issued after July 1, 2017, for the
1278 purposes set forth in this subparagraph.

1279 5. Notwithstanding subparagraph 3., for the 2021-2022 ~~2020-~~
1280 ~~2021~~ fiscal year, funds shall be appropriated as provided in the
1281 General Appropriations Act. This subparagraph expires July 1,
1282 2022 ~~2021~~.

1283 Section 43. In order to implement Specific Appropriation
1284 1363 of the 2021-2022 General Appropriations Act, and
1285 notwithstanding the expiration date in section 80 of chapter
1286 2020-114, Laws of Florida, paragraph (a) of subsection (1) of
1287 section 570.93, Florida Statutes, is reenacted to read:



652590

1288 570.93 Department of Agriculture and Consumer Services;
1289 agricultural water conservation and agricultural water supply
1290 planning.—

1291 (1) The department shall establish an agricultural water
1292 conservation program that includes the following:

1293 (a) A cost-share program, coordinated with the United
1294 States Department of Agriculture and other federal, state,
1295 regional, and local agencies when appropriate, for irrigation
1296 system retrofit and application of mobile irrigation laboratory
1297 evaluations, and for water conservation and water quality
1298 improvement pursuant to s. 403.067(7)(c).

1299 Section 44. The amendment to s. 570.93(1)(a), Florida
1300 Statutes, as carried forward from chapter 2019-116, Laws of
1301 Florida, by this act, expires July 1, 2022, and the text of that
1302 paragraph shall revert to that in existence on June 30, 2019,
1303 except that any amendments to such text enacted other than by
1304 this act, shall be preserved and continue to operate to the
1305 extent that such amendments are not dependent upon the portions
1306 of text which expire pursuant to this section.

1307 Section 45. In order to implement Specific Appropriation
1308 1692A of the 2021-2022 General Appropriations Act, paragraph (m)
1309 of subsection (3) of section 259.105, Florida Statutes, is
1310 amended to read:

1311 259.105 The Florida Forever Act.—

1312 (3) Less the costs of issuing and the costs of funding
1313 reserve accounts and other costs associated with bonds, the
1314 proceeds of cash payments or bonds issued pursuant to this
1315 section shall be deposited into the Florida Forever Trust Fund
1316 created by s. 259.1051. The proceeds shall be distributed by the



652590

1317 Department of Environmental Protection in the following manner:

1318 (m) Notwithstanding paragraphs (a)-(j) and for the 2021-
1319 2022 ~~2020-2021~~ fiscal year, the amount of \$1,998,100 ~~\$6 million~~
1320 to only the Department of Environmental Protection for grants
1321 pursuant to s. 375.075. This paragraph expires July 1, 2022
1322 ~~2021~~.

1323 Section 46. In order to implement Specific Appropriation
1324 1647 of the 2021-2022 General Appropriations Act, subsection
1325 (22) is added to section 161.101, Florida Statutes, to read:

1326 161.101 State and local participation in authorized
1327 projects and studies relating to beach management and erosion
1328 control.-

1329 (22) Notwithstanding subsections (1), (15), and (16), and
1330 for the 2021-2022 fiscal year, in the event that beaches are
1331 impacted by hurricanes or other storm events within communities
1332 with a per capita annual income that is less than the state's
1333 per capita annual income as shown in the most recent release
1334 from the United States Census Bureau of the United States
1335 Department of Commerce which includes both measurements, the
1336 department may waive or reduce the match requirements. This
1337 subsection expires July 1, 2022.

1338 Section 47. In order to implement Specific Appropriation
1339 1670 of the 2021-2022 General Appropriations Act, and
1340 notwithstanding the expiration date in section 84 of chapter
1341 2020-114, Laws of Florida, paragraph (g) of subsection (15) of
1342 section 376.3071, Florida Statutes, is reenacted to read:

1343 376.3071 Inland Protection Trust Fund; creation; purposes;
1344 funding.-

1345 (15) ETHANOL OR BIODIESEL DAMAGE; PREVENTIVE MEASURES.-The



652590

1346 department shall pay, pursuant to this subsection, up to \$10
1347 million each fiscal year from the fund for the costs of labor
1348 and equipment to repair or replace petroleum storage systems
1349 that may have been damaged due to the storage of fuels blended
1350 with ethanol or biodiesel, or for preventive measures to reduce
1351 the potential for such damage.

1352 (g) Payments may not be made for the following:

1353 1. Proposal costs or costs related to preparation of the
1354 application and required documentation;

1355 2. Certified public accountant costs;

1356 3. Except as provided in paragraph (j), any costs in excess
1357 of the amount approved by the department under paragraph (b) or
1358 which are not in substantial compliance with the purchase order;

1359 4. Costs associated with storage tanks, piping, or
1360 ancillary equipment that has previously been repaired or
1361 replaced for which costs have been paid under this section;

1362 5. Facilities that are not in compliance with department
1363 storage tank rules, until the noncompliance issues have been
1364 resolved; or

1365 6. Costs associated with damage to petroleum storage
1366 systems caused in whole or in part by causes other than the
1367 storage of fuels blended with ethanol or biodiesel.

1368 Section 48. The amendment to s. 376.3071(15)(g), Florida
1369 Statutes, as carried forward from chapter 2020-114, Laws of
1370 Florida, by this act, expires July 1, 2022, and the text of that
1371 paragraph shall revert to that in existence on July 1, 2020, not
1372 including any amendments made by this act or chapter 2020-114,
1373 Laws of Florida, except that any amendments to such text enacted
1374 other than by this act shall be preserved and continue to



652590

1375 operate to the extent that such amendments are not dependent
1376 upon the portion of text which expires pursuant to this section.

1377 Section 49. In order to implement Specific Appropriation
1378 2604 of the 2021-2022 General Appropriations Act, paragraph (b)
1379 of subsection (3) and subsection (5) of section 321.04, Florida
1380 Statutes, are amended to read:

1381 321.04 Personnel of the highway patrol; rank
1382 classifications; probationary status of new patrol officers;
1383 subsistence; special assignments.—

1384 (3)

1385 (b) For the 2021-2022 ~~2020-2021~~ fiscal year only, upon the
1386 request of the Governor, the Department of Highway Safety and
1387 Motor Vehicles shall assign one or more patrol officers to the
1388 office of the Lieutenant Governor for security services. This
1389 paragraph expires July 1, 2022 ~~2021~~.

1390 (5) For the 2021-2022 ~~2020-2021~~ fiscal year only, the
1391 assignment of a patrol officer by the department shall include a
1392 Cabinet member specified in s. 4, Art. IV of the State
1393 Constitution if deemed appropriate by the department or in
1394 response to a threat and upon written request of such Cabinet
1395 member. This subsection expires July 1, 2022 ~~2021~~.

1396 Section 50. Effective upon this act becoming a law and in
1397 order to implement Specific Appropriations 2583 and 2592 of the
1398 2021-2022 General Appropriations Act, subsection (7) of section
1399 215.559, Florida Statutes, is amended to read:

1400 215.559 Hurricane Loss Mitigation Program.—A Hurricane Loss
1401 Mitigation Program is established in the Division of Emergency
1402 Management.

1403 (7) This section is repealed June 30, 2022 ~~2021~~.



652590

1404 Section 51. In order to implement Specific Appropriation
1405 2237 of the 2021-2022 General Appropriations Act, subsection (7)
1406 of section 288.0655, Florida Statutes, is amended to read:

1407 288.0655 Rural Infrastructure Fund.—

1408 (7) For the 2021-2022 ~~2020-2021~~ fiscal year, the funds
1409 appropriated for the grant program for Florida Panhandle
1410 counties shall be distributed pursuant to and for the purposes
1411 described in the proviso language associated with Specific
1412 Appropriation 2237 ~~2280~~ of the 2021-2022 ~~2020-2021~~ General
1413 Appropriations Act. This subsection expires July 1, 2022 ~~2021~~.

1414 Section 52. In order to implement section 124 of the 2021-
1415 2022 General Appropriations Act, subsection (4) of section
1416 288.80125, Florida Statutes, is amended to read:

1417 288.80125 Triumph Gulf Coast Trust Fund.—

1418 (4) For the 2021-2022 ~~2020-2021~~ fiscal year, funds shall be
1419 used for the Rebuild Florida Revolving Loan Fund program to
1420 provide assistance to businesses impacted by Hurricane Michael
1421 as provided in the General Appropriations Act. This subsection
1422 expires July 1, 2022 ~~2021~~.

1423 Section 53. In order to implement sections 151 and 152 of
1424 the 2021-2022 General Appropriations Act, subsections (4) and
1425 (5) are added to section 339.08, Florida Statutes, to read:

1426 339.08 Use of moneys in State Transportation Trust Fund.—

1427 (4) Notwithstanding the provisions of this section and ss.
1428 215.32(2)(b)4. and 339.09(1), and for the 2021-2022 fiscal year
1429 only, funds may be transferred from the State Transportation
1430 Trust Fund to the General Revenue Fund as specified in the
1431 General Appropriations Act. Notwithstanding ss. 206.46(3) and
1432 206.606(2), the total amount transferred shall be reduced from



652590

1433 total state revenues deposited into the State Transportation
1434 Trust Fund for the calculation requirements of ss. 206.46(3) and
1435 206.606(2). This subsection expires July 1, 2022.

1436 (5) Notwithstanding any other law, and for the 2021-2022
1437 fiscal year only, funds appropriated to the State Transportation
1438 Trust Fund from the General Revenue Fund shall be used on State
1439 Highway System projects and grants to Florida ports as provided
1440 in the General Appropriations Act. The department is not
1441 required to deplete the resources transferred from the General
1442 Revenue Fund for the fiscal year as required in s. 339.135(3) (b)
1443 and the funds may not be used in calculating the required
1444 quarterly cash balance of the trust fund as required in s.
1445 339.135(6) (b). The department shall track and account for such
1446 appropriated funds as a separate funding source for eligible
1447 projects on the State Highway System and grants to Florida
1448 ports. This subsection expires July 1, 2022.

1449 Section 54. In order to implement Specific Appropriations
1450 1865 through 1878, 1884 through 1887, 1899 through 1908, 1910
1451 through 1919, and 1953 through 1966 of the 2021-2022 General
1452 Appropriations Act, paragraphs (g) and (h) of subsection (7) of
1453 section 339.135, Florida Statutes, are amended to read:

1454 339.135 Work program; legislative budget request;
1455 definitions; preparation, adoption, execution, and amendment.-

1456 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.-

1457 (g)1. Any work program amendment which also requires the
1458 transfer of fixed capital outlay appropriations between
1459 categories within the department or the increase of an
1460 appropriation category is subject to the approval of the
1461 Legislative Budget Commission.



652590

1462 2. If the department submits an amendment to a meeting of
1463 the Legislative Budget Commission and the commission does not
1464 meet or consider the amendment cannot be held within 30 days
1465 after its submittal the department submits an amendment to the
1466 Legislative Budget Commission, the chair and vice chair of the
1467 Legislative Budget Commission may authorize such amendment to be
1468 approved pursuant to s. 216.177. This subparagraph expires July
1469 1, 2022 ~~2021~~.

1470 (h)1. Any work program amendment that also adds a new
1471 project, or phase thereof, to the adopted work program in excess
1472 of \$3 million is subject to approval by the Legislative Budget
1473 Commission. Any work program amendment submitted under this
1474 paragraph must include, as supplemental information, a list of
1475 projects, or phases thereof, in the current 5-year adopted work
1476 program which are eligible for the funds within the
1477 appropriation category being used for the proposed amendment.
1478 The department shall provide a narrative with the rationale for
1479 not advancing an existing project, or phase thereof, in lieu of
1480 the proposed amendment.

1481 2. If the department submits an amendment to a meeting of
1482 the Legislative Budget Commission and the commission does not
1483 meet or consider the amendment cannot be held within 30 days
1484 after its submittal the department submits an amendment to the
1485 commission, the chair and vice chair of the commission may
1486 authorize the amendment to be approved pursuant to s. 216.177.
1487 This subparagraph expires July 1, 2022 ~~2021~~.

1488 Section 55. In order to implement Specific Appropriation
1489 1867 of the 2021-2022 General Appropriations Act, paragraphs (a)
1490 and (b) of subsection (3) of section 341.052, Florida Statutes,



652590

1491 are amended to read:

1492 341.052 Public transit block grant program; administration;
1493 eligible projects; limitation.—

1494 (3) The following limitations shall apply to the use of
1495 public transit block grant program funds:

1496 (a)1. State participation in eligible capital projects
1497 shall be limited to 50 percent of the nonfederal share of such
1498 project costs.

1499 2. For the 2021-2022 fiscal year only, local participation
1500 in eligible capital projects may be less than 50 percent of the
1501 nonfederal share of such project costs. This subparagraph
1502 expires July 1, 2022.

1503 (b)1. State participation in eligible public transit
1504 operating costs may not exceed 50 percent of such costs or an
1505 amount equal to the total revenue, excluding farebox, charter,
1506 and advertising revenue and federal funds, received by the
1507 provider for operating costs, whichever amount is less.

1508 2. For the 2021-2022 fiscal year only, local participation
1509 in eligible public transit operating costs may be less than 50
1510 percent of such operating costs. This subparagraph expires July
1511 1, 2022.

1512 Section 56. In order to implement Specific Appropriations
1513 2544 of the 2021-2022 General Appropriations Act, paragraph (d)
1514 of subsection (4) of section 112.061, Florida Statutes, is
1515 amended to read:

1516 112.061 Per diem and travel expenses of public officers,
1517 employees, and authorized persons; statewide travel management
1518 system.—

1519 (4) OFFICIAL HEADQUARTERS.—The official headquarters of an



652590

1520 officer or employee assigned to an office shall be the city or
1521 town in which the office is located except that:

1522 (d) A Lieutenant Governor who permanently resides outside
1523 of Leon County, may, if he or she so requests, have an
1524 appropriate facility in his or her county designated as his or
1525 her official headquarters for purposes of this section. This
1526 official headquarters may only serve as the Lieutenant
1527 Governor's personal office. The Lieutenant Governor may not use
1528 state funds to lease space in any facility for his or her
1529 official headquarters.

1530 1. A Lieutenant Governor for whom an official headquarters
1531 is established in his or her county of residence pursuant to
1532 this paragraph is eligible for subsistence at a rate to be
1533 established by the Governor for each day or partial day that the
1534 Lieutenant Governor is at the State Capitol to conduct official
1535 state business. In addition to the subsistence allowance, a
1536 Lieutenant Governor is eligible for reimbursement for
1537 transportation expenses as provided in subsection (7) for travel
1538 between the Lieutenant Governor's official headquarters and the
1539 State Capitol to conduct state business.

1540 2. Payment of subsistence and reimbursement for
1541 transportation between a Lieutenant Governor's official
1542 headquarters and the State Capitol shall be made to the extent
1543 appropriated funds are available, as determined by the Governor.

1544 3. This paragraph expires July 1, 2022 ~~2021~~.

1545 Section 57. In order to implement section 8 of the 2021-
1546 2022 General Appropriations Act, notwithstanding s.
1547 110.123(3)(f) and (j), Florida Statutes, the Department of
1548 Management Services shall maintain and offer the same PPO and



652590

1549 HMO health plan alternatives to the participants of the State
1550 Group Health Insurance Program during the 2021-2022 fiscal year
1551 which were in effect for the 2020-2021 fiscal year. This section
1552 expires July 1, 2022.

1553 Section 58. In order to implement the appropriation of
1554 funds in the special categories, contracted services, and
1555 expenses categories of the 2021-2022 General Appropriations Act,
1556 a state agency may not initiate a competitive solicitation for a
1557 product or service if the completion of such competitive
1558 solicitation would:

1559 (1) Require a change in law; or

1560 (2) Require a change to the agency's budget other than a
1561 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
1562 unless the initiation of such competitive solicitation is
1563 specifically authorized in law, in the General Appropriations
1564 Act, or by the Legislative Budget Commission.

1565
1566 This section does not apply to a competitive solicitation for
1567 which the agency head certifies that a valid emergency exists.
1568 This section expires July 1, 2022.

1569 Section 59. In order to implement Specific Appropriations
1570 2670 and 2671 of the 2021-2022 General Appropriations Act, and
1571 notwithstanding s. 11.13(1), Florida Statutes, the authorized
1572 salaries for members of the Legislature for the 2021-2022 fiscal
1573 year shall be set at the same level in effect on July 1, 2010.
1574 This section expires July 1, 2022.

1575 Section 60. In order to implement the transfer of funds
1576 from the General Revenue Fund from trust funds for the 2021-2022
1577 General Appropriations Act, and notwithstanding the expiration



652590

1578 date in section 102 of chapter 2020-114, Laws of Florida,
1579 paragraph (b) of subsection (2) of section 215.32, Florida
1580 Statutes, is reenacted to read:

1581 215.32 State funds; segregation.—

1582 (2) The source and use of each of these funds shall be as
1583 follows:

1584 (b)1. The trust funds shall consist of moneys received by
1585 the state which under law or under trust agreement are
1586 segregated for a purpose authorized by law. The state agency or
1587 branch of state government receiving or collecting such moneys
1588 is responsible for their proper expenditure as provided by law.
1589 Upon the request of the state agency or branch of state
1590 government responsible for the administration of the trust fund,
1591 the Chief Financial Officer may establish accounts within the
1592 trust fund at a level considered necessary for proper
1593 accountability. Once an account is established, the Chief
1594 Financial Officer may authorize payment from that account only
1595 upon determining that there is sufficient cash and releases at
1596 the level of the account.

1597 2. In addition to other trust funds created by law, to the
1598 extent possible, each agency shall use the following trust funds
1599 as described in this subparagraph for day-to-day operations:

1600 a. Operations or operating trust fund, for use as a
1601 depository for funds to be used for program operations funded by
1602 program revenues, with the exception of administrative
1603 activities when the operations or operating trust fund is a
1604 proprietary fund.

1605 b. Operations and maintenance trust fund, for use as a
1606 depository for client services funded by third-party payors.



652590

1607 c. Administrative trust fund, for use as a depository for
1608 funds to be used for management activities that are departmental
1609 in nature and funded by indirect cost earnings and assessments
1610 against trust funds. Proprietary funds are excluded from the
1611 requirement of using an administrative trust fund.

1612 d. Grants and donations trust fund, for use as a depository
1613 for funds to be used for allowable grant or donor agreement
1614 activities funded by restricted contractual revenue from private
1615 and public nonfederal sources.

1616 e. Agency working capital trust fund, for use as a
1617 depository for funds to be used pursuant to s. 216.272.

1618 f. Clearing funds trust fund, for use as a depository for
1619 funds to account for collections pending distribution to lawful
1620 recipients.

1621 g. Federal grant trust fund, for use as a depository for
1622 funds to be used for allowable grant activities funded by
1623 restricted program revenues from federal sources.

1624
1625 To the extent possible, each agency must adjust its internal
1626 accounting to use existing trust funds consistent with the
1627 requirements of this subparagraph. If an agency does not have
1628 trust funds listed in this subparagraph and cannot make such
1629 adjustment, the agency must recommend the creation of the
1630 necessary trust funds to the Legislature no later than the next
1631 scheduled review of the agency's trust funds pursuant to s.
1632 215.3206.

1633 3. All such moneys are hereby appropriated to be expended
1634 in accordance with the law or trust agreement under which they
1635 were received, subject always to the provisions of chapter 216



652590

1636 relating to the appropriation of funds and to the applicable
1637 laws relating to the deposit or expenditure of moneys in the
1638 State Treasury.

1639 4.a. Notwithstanding any provision of law restricting the
1640 use of trust funds to specific purposes, unappropriated cash
1641 balances from selected trust funds may be authorized by the
1642 Legislature for transfer to the Budget Stabilization Fund and
1643 General Revenue Fund in the General Appropriations Act.

1644 b. This subparagraph does not apply to trust funds required
1645 by federal programs or mandates; trust funds established for
1646 bond covenants, indentures, or resolutions whose revenues are
1647 legally pledged by the state or public body to meet debt service
1648 or other financial requirements of any debt obligations of the
1649 state or any public body; the Division of Licensing Trust Fund
1650 in the Department of Agriculture and Consumer Services; the
1651 State Transportation Trust Fund; the trust fund containing the
1652 net annual proceeds from the Florida Education Lotteries; the
1653 Florida Retirement System Trust Fund; trust funds under the
1654 management of the State Board of Education or the Board of
1655 Governors of the State University System, where such trust funds
1656 are for auxiliary enterprises, self-insurance, and contracts,
1657 grants, and donations, as those terms are defined by general
1658 law; trust funds that serve as clearing funds or accounts for
1659 the Chief Financial Officer or state agencies; trust funds that
1660 account for assets held by the state in a trustee capacity as an
1661 agent or fiduciary for individuals, private organizations, or
1662 other governmental units; and other trust funds authorized by
1663 the State Constitution.

1664 Section 61. The text of s. 215.32(2)(b), Florida Statutes,



652590

1665 as carried forward from chapter 2011-47, Laws of Florida, by
1666 this act, expires July 1, 2022, and the text of that paragraph
1667 shall revert to that in existence on June 30, 2011, except that
1668 any amendments to such text enacted other than by this act shall
1669 be preserved and continue to operate to the extent that such
1670 amendments are not dependent upon the portions of text which
1671 expire pursuant to this section.

1672 Section 62. In order to implement appropriations in the
1673 2021-2022 General Appropriations Act for state employee travel,
1674 the funds appropriated to each state agency which may be used
1675 for travel by state employees are limited during the 2021-2022
1676 fiscal year to travel for activities that are critical to each
1677 state agency's mission. Funds may not be used for travel by
1678 state employees to foreign countries, other states, conferences,
1679 staff training activities, or other administrative functions
1680 unless the agency head has approved, in writing, that such
1681 activities are critical to the agency's mission. The agency head
1682 shall consider using teleconferencing and other forms of
1683 electronic communication to meet the needs of the proposed
1684 activity before approving mission-critical travel. This section
1685 does not apply to travel for law enforcement purposes, military
1686 purposes, emergency management activities, or public health
1687 activities. This section expires July 1, 2022.

1688 Section 63. In order to implement appropriations in the
1689 2021-2022 General Appropriations Act for state employee travel
1690 and notwithstanding s. 112.061, Florida Statutes, costs for
1691 lodging associated with a meeting, conference, or convention
1692 organized or sponsored in whole or in part by a state agency or
1693 the judicial branch may not exceed \$175 per day. An employee may



652590

1694 expend his or her own funds for any lodging expenses in excess
1695 of \$175 per day. For purposes of this section, a meeting does
1696 not include travel activities for conducting an audit,
1697 examination, inspection, or investigation or travel activities
1698 related to a litigation or emergency response. This section
1699 expires July 1, 2022.

1700 Section 64. In order to implement the appropriation of
1701 funds in the special categories, contracted services, and
1702 expenses categories of the 2021-2022 General Appropriations Act,
1703 a state agency may not enter into a contract containing a
1704 nondisclosure clause that prohibits the contractor from
1705 disclosing information relevant to the performance of the
1706 contract to members or staff of the Senate or the House of
1707 Representatives. This section expires July 1, 2022.

1708 Section 65. In order to implement the appropriation of
1709 funds in the special categories, contracted services, and
1710 expenses categories of the 2021-2022 General Appropriations Act,
1711 section 216.1366, Florida Statutes, is reenacted and amended to
1712 read:

1713 216.1366 Contract terms.—

1714 (1) In order to preserve the interest of the state in the
1715 prudent expenditure of state funds, each public agency contract
1716 for services entered into or amended on or after July 1, 2020,
1717 shall authorize the public agency to inspect the:

1718 (a) Financial records, papers, and documents of the
1719 contractor that are directly related to the performance of the
1720 contract or the expenditure of state funds.

1721 (b) Programmatic records, papers, and documents of the
1722 contractor which the public agency determines are necessary to



652590

1723 monitor the performance of the contract or to ensure that the
1724 terms of the contract are being met.

1725 (2) The contract shall require the contractor to provide
1726 such records, papers, and documents requested by the public
1727 agency within 10 business days after the request is made.

1728 (3) This section expires July 1, 2022 ~~2021~~.

1729 Section 66. In order to implement section 152 of the 2021-
1730 2022 General Appropriations Act, paragraph (f) is added to
1731 subsection (11) of section 216.181, Florida Statutes, to read:

1732 216.181 Approved budgets for operations and fixed capital
1733 outlay.-

1734 (11)

1735 (f) Notwithstanding paragraph (b) and paragraph (2)(b), and
1736 for the 2021-2022 fiscal year only, the Legislative Budget
1737 Commission may increase the amounts appropriated to state
1738 agencies for fixed capital outlay projects using funds provided
1739 to the state from the General Revenue Fund. The projects must be
1740 for deferred maintenance needs in state, college, or university
1741 facilities and must be specifically identified in a funding plan
1742 submitted to the Legislative Budget Commission for approval.
1743 This paragraph expires July 1, 2022.

1744
1745 The provisions of this subsection are subject to the notice and
1746 objection procedures set forth in s. 216.177.

1747 Section 67. In order to implement sections 10 through 17 of
1748 the 2021-2022 General Appropriations Act, the detailed
1749 reversions by state agency, budget entity, appropriation
1750 category, and fund included in the document titled "Fiscal Year
1751 2020-2021 Immediate Reversions" dated April 27, 2021, and filed



652590

1752 with the Secretary of the Senate, are incorporated by reference
1753 for the purpose of displaying calculations used by the
1754 Legislature, consistent with the requirements of state law, in
1755 making appropriations for the 2020-2021 fiscal year. This
1756 section expires July 1, 2022.

1757 Section 68. In order to implement section 8 of the 2021-
1758 2022 General Appropriations Act:

1759 (1) Notwithstanding s. 216.181(2) (h), Florida Statutes,
1760 state agencies may submit budget amendments, subject to the
1761 notice, review, and objection procedures of s. 216.177, Florida
1762 Statutes, to implement salary increases necessary to address pay
1763 plan compression issues as a result of the increase of the
1764 minimum wage to \$13 per hour.

1765 (2) Notwithstanding s. 947.04(1), Florida Statutes,
1766 consenting retired commissioners of the Florida Commission on
1767 Offender Review who are assigned to temporary duty may be paid
1768 \$13 per hour.

1769
1770 This section expires July 1, 2022.

1771 Section 69. Effective upon becoming a law, in order to
1772 implement Specific Appropriations 2852 through 2863 and sections
1773 121 and 122 of the 2021-2022 General Appropriations Act, and
1774 notwithstanding the proviso language for Specific Appropriation
1775 2920 in chapter 2020-111, Laws of Florida, subsection (3) of
1776 section 282.709, Florida Statutes, is amended to read:

1777 282.709 State agency law enforcement radio system and
1778 interoperability network.—

1779 (3) In recognition of the critical nature of the statewide
1780 law enforcement radio communications system, the Legislature



652590

1781 finds that there is an immediate danger to the public health,
1782 safety, and welfare, and that it is in the best interest of the
1783 state to continue partnering with the system's current operator.
1784 The Legislature finds that continuity of coverage is critical to
1785 supporting law enforcement, first responders, and other public
1786 safety users. The potential for a loss in coverage or a lack of
1787 interoperability between users requires emergency action and is
1788 a serious concern for officers' safety and their ability to
1789 communicate and respond to various disasters and events.

1790 (a) The department, pursuant to s. 287.057(10), shall enter
1791 into a 15-year contract with the entity that was operating the
1792 statewide radio communications system on January 1, 2021. The
1793 contract must include:

- 1794 1. The purchase of radios;
1795 2. The upgrade to the Project 25 communications standard;
1796 3. Increased system capacity and enhanced coverage for
1797 system users;
1798 4. Operations, maintenance, and support at a fixed annual
1799 rate;
1800 5. The conveyance of communications towers to the
1801 department; and
1802 6. The assignment of communications tower leases to the
1803 department.

1804 (b) The State Agency Law Enforcement Radio System Trust
1805 Fund is established in the department and funded from surcharges
1806 collected under ss. 318.18, 320.0802, and 328.72. Upon
1807 appropriation, moneys in the trust fund may be used by the
1808 department to acquire ~~by competitive procurement~~ the equipment,
1809 software, and engineering, administrative, and maintenance



652590

1810 services it needs to construct, operate, and maintain the
1811 statewide radio system. Moneys in the trust fund from surcharges
1812 shall be used to help fund the costs of the system. Upon
1813 completion of the system, moneys in the trust fund may also be
1814 used by the department for payment of the recurring maintenance
1815 costs of the system.

1816 Section 70. The amendments to s. 282.709(3), Florida
1817 Statutes, made by this act expire July 1, 2022, and the text of
1818 that subsection shall revert to that in existence on the day
1819 before the date that this act becomes a law, except that any
1820 amendments to such text enacted other than by this act shall be
1821 preserved and continue to operate to the extent that such
1822 amendments are not dependent upon the portions of text which
1823 expire pursuant to this section.

1824 Section 71. In order to implement Specific Appropriation
1825 2675 of the 2021-2022 General Appropriations Act, subsection (4)
1826 is added to section 350.0614, Florida Statutes, to read:

1827 350.0614 Public Counsel; compensation and expenses.—

1828 (4) Notwithstanding subsection (1), the operating budget,
1829 as approved jointly by the President of the Senate and the
1830 Speaker of the House of Representatives from the moneys
1831 appropriated to the Public Counsel by the Legislature,
1832 constitutes the allocation under which the Public Counsel will
1833 manage the duties of his or her office. The Public Counsel:

1834 (a) Shall submit an annual budget request to the
1835 Legislature in the format, detail, and schedule determined by
1836 the President of the Senate and the Speaker of the House of
1837 Representatives.

1838 (b) May employ technical and clerical personnel and retain



652590

1839 additional counsel and experts, including expert witnesses. In
1840 employing such personnel, retaining additional counsel and
1841 experts, and exercising all other administrative duties of the
1842 office, the Public Counsel must follow applicable provisions of
1843 the most recent version of the Joint Policies and Procedures of
1844 the Presiding Officers. Any guidance for administrative issues
1845 not addressed by the Joint Policies and Procedures of the
1846 Presiding Officers requires consultation and joint agreement of
1847 the President of the Senate and the Speaker of the House of
1848 Representatives.

1849
1850 This subsection expires July 1, 2022.

1851 Section 72. In order to implement section 152 of the 2021-
1852 2022 General Appropriations Act, and in order to expedite the
1853 closure of the Piney Point facility located in Manatee County,
1854 the Department of Environmental Protection is exempt from the
1855 competitive procurement requirements of s. 287.057, Florida
1856 Statutes, for any procurement of commodities or contractual
1857 services in support of the site closure or to address
1858 environmental impacts associated with the system failure. This
1859 section expires July 1, 2022.

1860 Section 73. In order to implement Specific Appropriation
1861 604 of the 2021-2022 General Appropriations Act, and
1862 notwithstanding the proviso language related to that
1863 appropriation, funds may be provided for the provision of the
1864 continuum of care program at the Graceville Correctional
1865 Facility. This section expires July 1, 2022.

1866 Section 74. In order to implement Specific Appropriation
1867 2544 of the 2021-2022 General Appropriations Act, section 14.35,



652590

1868 Florida Statutes, is reenacted and amended to read:

1869 14.35 Governor's Medal of Freedom.—

1870 (1) The Governor may present, in the name of the State of
1871 Florida, a medal to be known as the "Governor's Medal of
1872 Freedom," which shall bear a suitable inscription and ribbon of
1873 appropriate design, to any person who has made an especially
1874 meritorious contribution to the interests and citizens of the
1875 state, its culture, or other significant public or private
1876 endeavor.

1877 (2) (a) In the event of the death of an individual who has
1878 been chosen to receive the Governor's Medal of Freedom, the
1879 medal may be presented to a designated representative of the
1880 chosen recipient.

1881 (b) The Governor's Medal of Freedom may only be presented
1882 to an individual once.

1883 (3) This section expires July 1, 2022 ~~2021~~.

1884 Section 75. Any section of this act which implements a
1885 specific appropriation or specifically identified proviso
1886 language in the 2021-2022 General Appropriations Act is void if
1887 the specific appropriation or specifically identified proviso
1888 language is vetoed. Any section of this act which implements
1889 more than one specific appropriation or more than one portion of
1890 specifically identified proviso language in the 2021-2022
1891 General Appropriations Act is void if all the specific
1892 appropriations or portions of specifically identified proviso
1893 language are vetoed.

1894 Section 76. If any other act passed during the 2021 Regular
1895 Session of the Legislature contains a provision that is
1896 substantively the same as a provision in this act, but that



652590

1897 removes or is otherwise not subject to the future repeal applied
1898 to such provision by this act, the Legislature intends that the
1899 provision in the other act takes precedence and continues to
1900 operate, notwithstanding the future repeal provided by this act.

1901 Section 77. If any provision of this act or its application
1902 to any person or circumstance is held invalid, the invalidity
1903 does not affect other provisions or applications of the act
1904 which can be given effect without the invalid provision or
1905 application, and to this end the provisions of this act are
1906 severable.

1907 Section 78. Except as otherwise expressly provided in this
1908 act and except for this section, which shall take effect upon
1909 this act becoming a law, this act shall take effect July 1,
1910 2021, or, if this act fails to become a law until after that
1911 date, it shall take effect upon becoming a law and shall operate
1912 retroactively to July 1, 2021.

1913
1914 ===== T I T L E A M E N D M E N T =====

1915 And the title is amended as follows:

1916 Delete everything before the enacting clause
1917 and insert:

1918 A bill to be entitled
1919 An act implementing the 2021-2022 General
1920 Appropriations Act; providing legislative intent;
1921 incorporating by reference certain calculations of the
1922 Florida Education Finance Program; providing that
1923 funds for instructional materials must be released and
1924 expended as required in the General Appropriations
1925 Act; reenacting and amending s. 1013.62(1), F.S.;



652590

1926 specifying the source of capital outlay funding for
1927 charter schools; providing for the future expiration
1928 and reversion of specified statutory text; amending s.
1929 1011.62, F.S.; extending for 1 fiscal year
1930 authorization for the Legislature to provide a funding
1931 compression and hold harmless allocation; modifying
1932 the manner of prorating appropriations made under the
1933 funding compression and hold harmless allocation;
1934 reenacting s. 1001.26(1), F.S., relating to the public
1935 broadcasting program system; extending for 1 fiscal
1936 year authorization for the Department of Education to
1937 provide certain appropriated funds to certain
1938 education television stations and public colleges and
1939 universities for public broadcasting; providing for
1940 the future expiration and reversion of specified
1941 statutory text; incorporating by reference certain
1942 calculations for the hospital reimbursement program;
1943 authorizing the Agency for Health Care Administration,
1944 in consultation with the Department of Health, to
1945 submit a budget amendment to realign funding for a
1946 component of the Children's Medical Services program
1947 to reflect actual enrollment changes; specifying
1948 requirements for such realignment; authorizing the
1949 agency to request nonoperating budget authority for
1950 transferring certain federal funds to the Department
1951 of Health; authorizing the Agency for Health Care
1952 Administration to submit a budget amendment to realign
1953 Medicaid funding for specified purposes, subject to
1954 certain limitations; authorizing the Agency for Health



652590

1955 Care Administration and the Department of Health to
1956 each submit a budget amendment to realign funding
1957 within the Florida Kidcare program appropriation
1958 categories or increase budget authority for certain
1959 purposes; specifying the time period within each such
1960 budget amendment must be submitted; amending ss.
1961 381.986 and 381.988, F.S.; extending for 1 year the
1962 exemption of certain rules pertaining to the medical
1963 use of marijuana from certain rulemaking requirements;
1964 amending s. 14(1), chapter 2017-232, Laws of Florida;
1965 exempting certain rules pertaining to medical
1966 marijuana adopted to replace emergency rules from
1967 specified rulemaking requirements; providing for the
1968 future expiration and reversion of specified law;
1969 authorizing the Agency for Health Care Administration,
1970 upon specified federal approval, to establish a
1971 directed payment program for hospitals providing
1972 inpatient and outpatient service to certain enrollees;
1973 authorizing the Agency for Health Care Administration
1974 to submit a budget amendment seeking additional
1975 spending authority to implement the program;
1976 authorizing the Department of Children and Families to
1977 submit a budget amendment to realign funding for
1978 implementation of the Guardianship Assistance Program;
1979 authorizing the Department of Children and Families to
1980 submit a budget amendment to realign funding within
1981 the Family Safety Program for specified purposes;
1982 authorizing the Department of Health to submit a
1983 budget amendment to increase budget authority for the



652590

1984 HIV/AIDS Prevention and Treatment Program if a certain
1985 condition is met; reenacting and amending s. 42(1)-(5)
1986 of chapter 2020-114, Laws of Florida; extending for 1
1987 fiscal year provisions governing the Agency for Health
1988 Care Administration's replacement of the Florida
1989 Medicaid Management Information System (FMMIS) and
1990 fiscal agent operations; modifying the composition and
1991 duties of the executive steering committee overseeing
1992 the replacement; amending s. 409.916, F.S.;

1993 authorizing funds in the Grants and Donations Trust
1994 Fund supporting the Medicaid program to be used as
1995 provided in the General Appropriations Act; amending
1996 s. 216.262, F.S.; extending for 1 fiscal year the
1997 authority of the Department of Corrections to submit a
1998 budget amendment for additional positions and
1999 appropriations under certain circumstances; requiring
2000 review and approval by the Legislative Budget
2001 Commission; amending s. 1011.80, F.S.; specifying the
2002 manner by which state funds for postsecondary
2003 workforce programs may be used for inmate education;
2004 providing for the future expiration and reversion of
2005 specified statutory text; amending s. 215.18, F.S.;

2006 extending for 1 fiscal year the authority and related
2007 repayment requirements for temporary trust fund loans
2008 to the state court system which are sufficient to meet
2009 the system's appropriation; requiring the Department
2010 of Juvenile Justice to review county juvenile
2011 detention payments to determine whether a county has
2012 met specified financial responsibilities; requiring



652590

2013 amounts owed by the county for such financial
2014 responsibilities to be deducted from certain county
2015 funds; requiring the Department of Revenue to transfer
2016 withheld funds to a specified trust fund; requiring
2017 the Department of Revenue to ensure that such
2018 reductions in amounts distributed do not reduce
2019 distributions below amounts necessary for certain
2020 payments due on bonds and to comply with bond
2021 covenants; requiring the Department of Revenue to
2022 notify the Department of Juvenile Justice if bond
2023 payment requirements mandate a reduction in deductions
2024 for amounts owed by a county; reenacting s. 27.40(1),
2025 (2)(a), (3)(a), (5), (6), and (7), F.S., relating to
2026 court-appointed counsel; extending for 1 fiscal year
2027 provisions governing the appointment of court-
2028 appointed counsel; providing for the future expiration
2029 and reversion of specified statutory text; amending s.
2030 27.5304, F.S., and reenacting subsections (1), (3),
2031 (7), and (11), and paragraphs (12)(a)-(e), relating to
2032 private court-appointed counsel; extending for 1
2033 fiscal year limitations on compensation for
2034 representation in criminal proceedings; providing for
2035 the future expiration and reversion of specified
2036 statutory text; reenacting s. 20.316(2) and (3), F.S.,
2037 relating to the Department of Juvenile Justice;
2038 extending for 1 fiscal year provisions creating the
2039 Accountability and Program Support program within the
2040 department; providing for the future expiration and
2041 reversion of specified statutory text; requiring the



652590

2042 Department of Management Services to use tenant broker
2043 services to renegotiate or reprocure certain private
2044 lease agreements for office or storage space;
2045 requiring the Department of Management Services to
2046 provide a report to the Governor and the Legislature
2047 by a specified date; prohibiting an agency from
2048 transferring funds from a data processing category to
2049 another category that is not a data processing
2050 category; authorizing the Executive Office of the
2051 Governor to transfer funds appropriated for data
2052 processing assessment between departments for a
2053 specified purpose; authorizing the Executive Office of
2054 the Governor to transfer funds between departments for
2055 purposes of aligning amounts paid for risk management
2056 insurance and for human resources services purchased
2057 per statewide contract; reenacting and amending s.
2058 72(1)-(5), chapter 2020-114, Laws of Florida;
2059 extending for 1 fiscal year provisions requiring the
2060 Department of Financial Services to replace specified
2061 components of the Florida Accounting Information
2062 Resource Subsystem (FLAIR) and the Cash Management
2063 Subsystem (CMS); revising the composition of the
2064 executive steering committee overseeing the
2065 replacement of FLAIR and CMS; requiring the chair of
2066 the executive steering committee to request input on
2067 agenda items before a committee meeting; revising
2068 certain duties of the executive steering committee;
2069 amending s. 215.18, F.S.; extending for 1 fiscal year
2070 the authority of the Governor, if there is a specified



652590

2071 temporary deficiency in a land acquisition trust fund
2072 in the Department of Agriculture and Consumer
2073 Services, the Department of Environmental Protection,
2074 the Department of State, or the Fish and Wildlife
2075 Conservation Commission, to transfer funds from other
2076 trust funds in the State Treasury as a temporary loan
2077 to such trust fund; providing a deadline for the
2078 repayment of a temporary loan; requiring the
2079 Department of Environmental Protection to transfer
2080 designated proportions of the revenues deposited in
2081 the Land Acquisition Trust Fund within the department
2082 to land acquisition trust funds in the Department of
2083 Agriculture and Consumer Services, the Department of
2084 State, and the Fish and Wildlife Conservation
2085 Commission according to specified parameters and
2086 calculations; defining the term "department";
2087 requiring the Department of Environmental Protection
2088 to make transfers to land acquisition trust funds
2089 monthly; specifying the method of determining transfer
2090 amounts; authorizing the Department of Environmental
2091 Protection to advance funds from its land acquisition
2092 trust fund to the Fish and Wildlife Conservation
2093 Commission's land acquisition trust fund for specified
2094 purposes; amending s. 375.041, F.S.; specifying that
2095 certain funds for projects dedicated to restoring Lake
2096 Apopka shall be appropriated as provided in the
2097 General Appropriations Act; reenacting s.
2098 570.93(1)(a), F.S., relating to the agricultural water
2099 conservation program of the Department of Agriculture



652590

2100 and Consumer Services; extending for 1 fiscal year
2101 provisions governing administration of a cost-share
2102 program; providing for the future expiration and
2103 reversion of specified statutory text; amending s.
2104 259.105, F.S.; providing for the distribution of
2105 proceeds from the Florida Forever Trust Fund for the
2106 2021-2022 fiscal year; amending s. 161.101, F.S.;
2107 authorizing the Department of Environmental Protection
2108 to waive or reduce certain matching requirements for
2109 local governments for beach management and erosion
2110 control projects under specified circumstances;
2111 reenacting s. 376.3071(15)(g), F.S., relating to the
2112 Inland Protection Trust Fund; exempting specified
2113 costs incurred by certain petroleum storage system
2114 owners or operators during a specified period from the
2115 prohibition against making payments in excess of
2116 amounts approved by the Department of Environmental
2117 Protection; providing for the future expiration and
2118 reversion of specified statutory text; amending s.
2119 321.04, F.S.; extending for 1 fiscal year the
2120 requirement that the Department of Highway Safety and
2121 Motor Vehicles assign one or more patrol officers to
2122 the office of Lieutenant Governor for security
2123 purposes, upon request of the Governor; extending for
2124 1 fiscal year the requirement that the Department of
2125 Highway Safety and Motor Vehicles assign a patrol
2126 officer to a Cabinet member under certain
2127 circumstances; amending s. 215.559, F.S.; delaying the
2128 repeal of provisions governing the Division of



652590

2129 Emergency Management's Hurricane Loss Mitigation
2130 Program; amending s. 288.0655, F.S.; specifying the
2131 manner of distributing grant funds for rural
2132 infrastructure for Florida Panhandle counties for the
2133 2021-2022 fiscal year; amending s. 288.80125, F.S.;
2134 extending for 1 fiscal year a requirement that funds
2135 in the Triumph Gulf Coast Trust Fund be used for the
2136 Rebuild Florida Revolving Loan Fund program for
2137 purposes related to Hurricane Michael recovery;
2138 amending s. 339.08, F.S.; authorizing the transfer of
2139 funds from the State Transportation Trust Fund to the
2140 General Revenue Fund as provided in the General
2141 Appropriations Act; specifying that any amount
2142 transferred be reduced from the total state revenue
2143 deposited into the State Transportation Trust Fund;
2144 authorizing the use of any such funds appropriated
2145 from the General Revenue Fund for specified purposes;
2146 waiving certain requirements under the state work
2147 program for such funds; requiring the Department of
2148 Transportation to track and account for any such funds
2149 appropriated; amending s. 339.135, F.S.; authorizing
2150 the chair and vice chair of the Legislative Budget
2151 Commission to approve certain work program amendments
2152 under specified circumstances; amending s. 341.052,
2153 F.S.; waiving the limitation on local participation
2154 for certain public transit grants; amending s.
2155 112.061, F.S.; extending for 1 fiscal year the
2156 authorization for the Lieutenant Governor to designate
2157 an alternative official headquarters under certain



652590

2158 conditions; specifying restrictions, limitations,
2159 eligibility for the subsistence allowance,
2160 reimbursement of transportation expenses, and payment
2161 thereof; requiring the Department of Management
2162 Services to maintain and offer the same health
2163 insurance options for participants of the State Group
2164 Health Insurance Program for the 2021-2022 fiscal year
2165 as applied in the preceding fiscal year; prohibiting a
2166 state agency from initiating a competitive
2167 solicitation for a product or service under certain
2168 circumstances; providing an exception; providing that
2169 the annual salaries of the members of the Legislature
2170 be maintained at a specified level; reenacting s.
2171 215.32(2)(b), F.S., relating to the source and use of
2172 certain trust funds; providing for the future
2173 expiration and reversion of statutory text; specifying
2174 the types of travel which may be used with state
2175 employee travel funds; providing exceptions; providing
2176 a monetary cap on lodging costs for state employee
2177 travel to certain meetings organized or sponsored by a
2178 state agency or the judicial branch; authorizing
2179 employees to expend their own funds for lodging
2180 expenses that exceed the monetary caps; prohibiting a
2181 state agency from entering into a contract containing
2182 certain nondisclosure agreements; reenacting and
2183 amending s. 216.1366, F.S., relating to contract
2184 terms; extending for 1 fiscal year provisions
2185 requiring each public agency contract for services
2186 after a certain date to authorize public agencies to



652590

2187 inspect specified information related to such
2188 contract; amending s. 216.181, F.S.; authorizing the
2189 Legislative Budget Commission to increase amounts
2190 appropriated to state agencies for specified fixed
2191 capital outlay projects; incorporating by reference
2192 certain calculations of reversions; authorizing state
2193 agencies to submit budget amendments to implement any
2194 necessary salary increases to address pay plan
2195 compression resulting from the increase in the state
2196 minimum wage; authorizing a certain level of payment
2197 for consenting retired commissioners of the Florida
2198 Commission on Offender Review who return to temporary
2199 duty; amending s. 282.709, F.S.; providing legislative
2200 findings regarding the state agency law enforcement
2201 radio system; requiring the Department of Management
2202 Services to enter a contract for a specified term with
2203 the operator of the statewide radio communications
2204 system as of a specified date; specifying requirements
2205 for such contract; removing the requirement that
2206 specified goods and services for the statewide radio
2207 system be acquired through competitive procurement;
2208 providing for the future expiration and reversion of
2209 specified statutory text; amending s. 350.0614, F.S.;
2210 revising provisions governing the budget of the Office
2211 of Public Counsel; requiring the presiding officers of
2212 the Legislature to jointly approve the operating
2213 budget of the office; requiring the Public Counsel to
2214 submit an annual budget request to the Legislature in
2215 a specified manner; authorizing the Public Counsel to



652590

2216 employ specified personnel, subject to applicable
2217 provisions of the Joint Policies and Procedures of the
2218 Presiding Officers; requiring certain input of the
2219 presiding officers regarding administrative matters of
2220 the office not addressed in the joint policies and
2221 procedures; exempting specified competitive
2222 procurement requirements for the Department of
2223 Environmental Protection for the procurement of
2224 commodities and contractual services in response to
2225 the Piney Point facility closure; authorizing the use
2226 of funds towards the continuum of care program at the
2227 Graceville Correctional Facility; reenacting and
2228 amending s. 14.35, F.S.; extending for 1 fiscal year
2229 provisions authorizing the Governor's Medal of
2230 Freedom; providing conditions under which the veto of
2231 certain appropriations or proviso language in the
2232 General Appropriations Act voids language that
2233 implements such appropriation; providing for the
2234 continued operation of certain provisions
2235 notwithstanding a future repeal or expiration provided
2236 by the act; providing severability; providing
2237 effective dates.