

1 A bill to be entitled
2 An act implementing the 2021-2022 General
3 Appropriations Act; providing legislative intent;
4 incorporating by reference certain calculations of the
5 Florida Education Finance Program; providing that
6 funds for instructional materials must be released and
7 expended as required in specified proviso language;
8 amending s. 1013.62, F.S.; specifying the source of
9 charter school capital outlay funding; providing for
10 the expiration and reversion of specified statutory
11 text; incorporating by reference certain calculations
12 for the Medicaid Hospital Funding programs;
13 authorizing the Agency for Health Care Administration,
14 in consultation with the Department of Health, to
15 submit a budget amendment to realign funding for a
16 component of the Children's Medical Services program
17 to reflect actual enrollment changes; specifying
18 requirements for such realignment; authorizing the
19 agency to request nonoperating budget authority for
20 transferring certain federal funds to the Department
21 of Health; amending s. 893.055, F.S.; extending for 1
22 fiscal year a provision prohibiting the Attorney
23 General and the Department of Health from using
24 certain settlement agreement funds to administer the
25 prescription drug monitoring program; amending s.

26 | 409.911, F.S.; updating the average of audited
27 | disproportionate share data for purposes of
28 | calculating disproportionate share payments; updating
29 | the average of audited disproportionate share data for
30 | purposes of calculating disproportionate share
31 | payments; extending for 1 fiscal year the requirement
32 | that the Agency for Health Care Administration
33 | distribute moneys to hospitals that provide a
34 | disproportionate share of Medicaid or charity care
35 | services, as provided in the General Appropriations
36 | Act; amending s. 409.9113, F.S.; extending for 1
37 | fiscal year the requirement that the Agency for Health
38 | Care Administration make disproportionate share
39 | payments to teaching hospitals as provided in the
40 | General Appropriations Act; amending s. 409.9119,
41 | F.S.; extending for 1 fiscal year the requirement that
42 | the Agency for Health Care Administration make
43 | disproportionate share payments to certain specialty
44 | hospitals for children; authorizing the Agency for
45 | Health Care Administration to submit a budget
46 | amendment to realign Medicaid funding for specified
47 | purposes, subject to certain limitations; authorizing
48 | the Agency for Health Care Administration and the
49 | Department of Health to realign funding within the
50 | Kidcare program or to increase budget authority in the

51 Children's Medical Services Network category, for
52 specified purposes; requiring each agency to submit a
53 single budget amendment in a specified quarter;
54 amending ss. 381.986 and 381.988, F.S.; extending for
55 1 fiscal year the exemption of certain rules
56 pertaining to the medical use of marijuana from
57 certain rulemaking requirements; reenacting and
58 amending s. 14(1), chapter 2017-232, Laws of Florida;
59 exempting certain rules pertaining to medical
60 marijuana adopted to replace emergency rules from
61 specified rulemaking requirements; revising the date
62 by which the department and applicable boards shall
63 initiate nonemergency rulemaking; providing for the
64 expiration and reversion of specified law; authorizing
65 the Agency for Health Care Administration, upon
66 specified federal approval, to establish a directed
67 payment program for hospitals providing inpatient and
68 outpatient service to certain enrollees; authorizing
69 the Agency for Health Care Administration to submit a
70 budget amendment seeking additional spending authority
71 to implement the program; authorizing the Department
72 of Children and Families to submit a budget amendment
73 to realign funding within the department based on the
74 implementation of the Guardianship Assistance Program;
75 authorizing the Department of Children and Families to

76 submit a budget amendment to realign funding within
77 the Family Safety Program for specified purposes;
78 reenacting and amending subsections (1) through (5) of
79 s. 42 of chapter 2020-114, Laws of Florida; related to
80 requiring the Agency for Health Care Administration to
81 replace the Florida Medicaid Management Information
82 System (FMMIS) and fiscal agent operations with a
83 specified new system; reenacting and amending s.
84 216.262, F.S.; extending for 1 fiscal year the
85 authority of the Department of Corrections to submit a
86 budget amendment for additional positions and
87 appropriations under certain circumstances; requiring
88 review and approval of all actions by the Legislative
89 Budget Commission; reenacting and amending s. 1011.80,
90 F.S.; prohibiting state funds for postsecondary
91 workforce programs to be used for inmate education
92 unless appropriated by the current General
93 Appropriations Act; providing for the expiration and
94 reversion of specified statutory text; reenacting and
95 amending s. 215.18, F.S.; extending for 1 fiscal year
96 the authority and related repayment requirements for
97 temporary trust fund loans to the state court system
98 which are sufficient to meet the system's
99 appropriation; requiring the Department of Juvenile
100 Justice to review county juvenile detention payments

101 to determine whether a county has met specified
102 financial responsibilities; requiring amounts owed by
103 the county for such financial responsibilities to be
104 deducted from certain county funds; requiring the
105 Department of Revenue to transfer withheld funds to a
106 specified trust fund; requiring the Department of
107 Revenue to ensure that such reductions in amounts
108 distributed do not reduce distributions below amounts
109 necessary for certain payments due on bonds and to
110 comply with bond covenants; requiring the Department
111 of Revenue to notify the Department of Juvenile
112 Justice if bond payment requirements mandate a
113 reduction in deductions for amounts owed by a county;
114 reenacting s. 27.40(1), (2)(a), (3)(a), (5), (6), and
115 (7), F.S., relating to court-appointed counsel;
116 providing for the expiration and reversion of
117 specified statutory text; reenacting and amending s.
118 27.5304, F.S., relating to private court-appointed
119 counsel; extending for 1 fiscal year limitations on
120 compensation for representation in criminal
121 proceedings; providing for the expiration and
122 reversion of specified statutory text; reenacting s.
123 20.316 (2) and (3), F.S., relating to the
124 Accountability and Program Support program within the
125 Department of Juvenile Justice; providing for the

126 expiration and reversion of specified statutory text;
127 requiring the Department of Management Services to use
128 tenant broker services to renegotiate or reprocure
129 certain private lease agreements for office or storage
130 space; requiring the Department of Management Services
131 to provide a report to the Governor and the
132 Legislature by a specified date; prohibiting an agency
133 from transferring funds from a data processing
134 category to another category that is not a data
135 processing category; authorizing the Executive Office
136 of the Governor to transfer funds appropriated for
137 data processing assessment between departments for a
138 specified purpose; authorizing the Executive Office of
139 the Governor to transfer funds between departments for
140 purposes of aligning amounts paid for risk management
141 insurance and for human resource management services;
142 reenacting and amending s. 72 of ch. 2020-114, Laws of
143 Florida; revising the composition of the executive
144 steering committee; specifying a time period within
145 which the chair must request certain input from
146 members; requiring the committee to approve costs
147 changes to certain deliverables and contract
148 amendments and changes over a specified amount;
149 reenacting and amending s. 215.18, F.S.; extending for
150 1 fiscal year the authority of the Governor, if there

151 is a specified temporary deficiency in a land
152 acquisition trust fund in the Department of
153 Agriculture and Consumer Services, the Department of
154 Environmental Protection, the Department of State, or
155 the Fish and Wildlife Conservation Commission, to
156 transfer funds from other trust funds in the State
157 Treasury as a temporary loan to such trust fund;
158 extending for 1 fiscal year a deadline for the
159 repayment of a temporary loan; requiring the
160 Department of Environmental Protection to transfer
161 designated proportions of the revenues deposited in
162 the Land Acquisition Trust Fund within the department
163 to land acquisition trust funds in the Department of
164 Agriculture and Consumer Services, the Department of
165 State, and the Fish and Wildlife Conservation
166 Commission according to specified parameters and
167 calculations; requiring the Department of
168 Environmental Protection to make transfers to land
169 acquisition trust funds monthly; specifying the method
170 of determining transfer amounts; authorizing the
171 Department of Environmental Protection to advance
172 funds from its land acquisition trust fund to the Fish
173 and Wildlife Conservation Commission's land
174 acquisition trust fund for specified purposes;
175 reenacting and amending s. 375.041(3)(b), F.S.;

176 specifying that certain funds for projects dedicated
177 to restoring Lake Apopka shall be appropriated as
178 provided in the General Appropriations Act; reenacting
179 s. 570.93(1)(a), F.S., relating to the agricultural
180 water conservation program of the Department of
181 Agriculture and Consumer Services; extending for 1
182 fiscal year provisions governing a cost-share program;
183 providing for the expiration and reversion of
184 specified statutory text; reenacting s.
185 376.3071(15)(g), F.S., relating to specified costs
186 incurred by certain petroleum storage system owners or
187 operators during a specified period to exceed amounts
188 approved by the Department of Environmental Protection
189 to repair or replace certain petroleum storage
190 systems; providing for the expiration and reversion of
191 specified statutory text; replacing certain water
192 quality monitoring rules with other water quality
193 monitoring requirements under law for specified
194 purposes; providing that there shall be no
195 appropriation from the General Revenue Fund to the
196 Agricultural Emergency Eradication Trust Fund
197 notwithstanding general law provisions requiring
198 certain amounts to be transferred to the trust fund;
199 amending s. 253,.01, F.S.; authorizing certain funds
200 from the Internal Improvement Trust Fund to be used

201 for water pollution control financial assistance and
202 the drinking water state revolving loan fund; amending
203 s. 378.035, F.S.; authorizing certain funds from the
204 Nonmandatory Land Reclamation Trust Fund to be used
205 for water pollution control financial assistance;
206 amending s. 403.0874, F.S.; authorizing certain funds
207 from the Air Pollution Control Trust Fund to be used
208 for water pollution control financial assistance;
209 reenacting and amending s. 321.04(3) and (5), F.S.;
210 extending for 1 fiscal year the requirement that the
211 Department of Highway Safety and Motor Vehicles assign
212 one or more patrol officers to the office of
213 Lieutenant Governor for security purposes, upon
214 request of the Governor; extending for 1 fiscal year
215 the requirement that the Department of Highway Safety
216 and Motor Vehicles assign a patrol officer to a
217 Cabinet member under certain circumstances; reenacting
218 and amending s. 288.0655(7), F.S.; specifying how
219 funds appropriated for the grant program under the
220 Rural Infrastructure Fund for Florida Panhandle
221 counties are to be distributed; reenacting and
222 amending s. 288.80125(4), F.S.; extending for 1 fiscal
223 year the requirement that funds in the Triumph Gulf
224 Coast Trust Fund be used for the Rebuild Florida
225 Revolving Loan Fund program for specified purposes;

226 | reenacting and amending s. 339.135(7)(h), F.S.;

227 | extending for 1 fiscal year the authorization for the

228 | chair and vice chair of the Legislative Budget

229 | Commission to approve the Department of

230 | Transportation's budget amendment under specified

231 | circumstances; extending for 1 fiscal year the

232 | authority for the chair and vice chair of the

233 | Legislative Budget Commission to approve budget

234 | amendments that exceed a specified monetary threshold;

235 | reenacting and amending s. 112.061(4), F.S.; extending

236 | for fiscal 1 year the authorization for the Lieutenant

237 | Governor to designate an alternative official

238 | headquarters under certain conditions; extending for 1

239 | fiscal year the restrictions, limitations, payments

240 | for subsistence allowances, and reimbursement of

241 | transportation expenses; requiring the Department of

242 | Management Services to maintain and offer the same

243 | health insurance options for participants of the State

244 | Group Health Insurance Program for the 2021-2022

245 | fiscal year as applied in a certain previous fiscal

246 | year; prohibiting a state agency from initiating a

247 | competitive solicitation for a product or service

248 | under certain circumstances; providing an exception;

249 | providing that the annual salaries of the members of

250 | the Legislature be maintained at a specified level;

251 reenacting s. 215.32(2)(b), F.S., relating to the
252 source and use of certain trust funds; providing for
253 the future expiration and reversion of statutory text;
254 specifying the types of travel which may be used with
255 state employee travel funds; providing exceptions;
256 providing a monetary cap on lodging costs for state
257 employees travel to certain meetings organized or
258 sponsored by a state agency or the judicial branch;
259 authorizing employees to expend their own funds for
260 lodging expenses in excess of the monetary caps;
261 prohibiting a state agency from entering into a
262 contract containing certain nondisclosure agreement;
263 reenacting and amending s. 216.1366, F.S.; extending
264 for 1 fiscal year the requirement that each public
265 agency contract for services entered into after a
266 certain date must allow public agencies to inspect
267 specified information related to such contract;
268 extending for 1 fiscal year the timeframe for
269 providing such information; amending s. 216.181, F.S.;
270 authorizing the Legislative Budget Commission to
271 increase the amounts appropriated to state agencies
272 for certain fixed capital outlay projects using
273 specified federal funds; requiring the projects to be
274 identified in funding plans for approval;
275 incorporating by reference a document that displays

276 calculations used by the Legislature for certain
 277 appropriations purposes; providing conditions under
 278 which the veto of certain appropriations or proviso
 279 language in the General Appropriations Act voids
 280 language that implements such appropriation; providing
 281 for the continued operation of certain provisions
 282 notwithstanding a future repeal or expiration provided
 283 by the act; providing severability; providing
 284 effective dates.

285

286 Be It Enacted by the Legislature of the State of Florida:

287

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

291 Section 2. In order to implement Specific Appropriations
 292 7, 8, 90, 91, and 92A of the 2021-2022 General Appropriations
 293 Act:

294 (1) The calculations of the Florida Education Finance
 295 Program for the 2021-2022 fiscal year included in the document
 296 titled "Public School Funding: The Florida Education Finance
 297 Program," dated March 26, 2021, and filed with the Clerk of the
 298 House of Representatives, are incorporated by reference for the
 299 purpose of displaying the calculations used by the Legislature,
 300 consistent with the requirements of state law, in making

301 appropriations for the Florida Education Finance Program.

302 (2) This section expires July 1, 2022.

303 Section 3. In order to implement Specific Appropriations 7
304 and 90 of the 2021-2022 General Appropriations Act:

305 (1) Notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
306 1011.62(6)(b)3., and 1011.67, Florida Statutes, relating to the
307 expenditure of funds provided for instructional materials, for
308 the 2021-2022 fiscal year, funds provided for instructional
309 materials shall be released and expended as required in the
310 proviso language for Specific Appropriation 90 of the 2021-2022
311 General Appropriations Act.

312 (2) This section expires July 1, 2022.

313 Section 4. In order to implement Specific Appropriation 19
314 of the 2021-2022 General Appropriations Act, subsection (1) of
315 section 1013.62, Florida Statutes, is reenacted and amended to
316 read:

317 1013.62 Charter schools capital outlay funding.—

318 (1) For the 2021-2022 ~~2020-2021~~ fiscal year, charter
319 school capital outlay funding shall consist of state funds
320 appropriated in the 2021-2022 ~~2020-2021~~ General Appropriations
321 Act. Beginning in fiscal year 2021-2022, charter school capital
322 outlay funding shall consist of state funds when such funds are
323 appropriated in the General Appropriations Act and revenue
324 resulting from the discretionary millage authorized in s.
325 1011.71(2) if the amount of state funds appropriated for charter

326 school capital outlay in any fiscal year is less than the
327 average charter school capital outlay funds per unweighted full-
328 time equivalent student for the 2018-2019 fiscal year,
329 multiplied by the estimated number of charter school students
330 for the applicable fiscal year, and adjusted by changes in the
331 Consumer Price Index issued by the United States Department of
332 Labor from the previous fiscal year. Nothing in this subsection
333 prohibits a school district from distributing to charter schools
334 funds resulting from the discretionary millage authorized in s.
335 1011.71(2).

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

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

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

342 c. Be an expanded feeder chain of a charter school within
343 the same school district that is currently receiving charter
344 school capital outlay funds;

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

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

350 2. Have an annual audit that does not reveal any of the

351 financial emergency conditions provided in s. 218.503(1) for the
352 most recent fiscal year for which such audit results are
353 available.

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

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

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

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

365 Section 5. The amendments to s. 1013.62(1), Florida
366 Statutes, by this act expire July 1, 2022, and the text of that
367 subsection shall revert to that in existence on June 30, 2020,
368 except that any amendments to such text enacted other than by
369 this act shall be preserved and continue to operate to the
370 extent that such amendments are not dependent upon the portions
371 of text which expire pursuant to this section.

372 Section 6. In order to implement Specific Appropriations
373 202, 206, and 210 of the 2021-2022 General Appropriations Act:

374 (1) The calculations for the Medicaid Hospital Funding
375 programs for the 2021-2022 fiscal year contained in the document

376 titled "Medicaid Hospital Funding Programs, Fiscal Year 2021-
377 2022," dated March 26, 2021, and filed with the Clerk of the
378 House of Representatives, are incorporated by reference for the
379 purpose of displaying the calculations used by the Legislature,
380 consistent with the requirements of state law, in making
381 appropriations for the Medicaid Hospital Funding programs.

382 (2) This section expires July 1, 2022.

383 Section 7. In order to implement Specific Appropriations
384 196 through 223 and 515 of the 2021-2022 General Appropriations
385 Act:

386 (1) Notwithstanding ss. 216.181 and 216.292, Florida
387 Statutes, the Agency for Health Care Administration, in
388 consultation with the Department of Health, may submit a budget
389 amendment, subject to the notice, review, and objection
390 procedures of s. 216.177, Florida Statutes, to realign funding
391 within and between agencies based on implementation of the
392 Managed Medical Assistance component of the Statewide Medicaid
393 Managed Care program for the Children's Medical Services program
394 of the Department of Health. The funding realignment shall
395 reflect the actual enrollment changes due to the transfer of
396 beneficiaries from fee-for-service to the capitated Children's
397 Medical Services Network. The Agency for Health Care
398 Administration may submit a request for nonoperating budget
399 authority to transfer the federal funds to the Department of
400 Health pursuant to s. 216.181(12), Florida Statutes.

401 (2) This section expires July 1, 2022.

402 Section 8. In order to implement Specific Appropriations
403 524 through 536 of the 2021-2022 General Appropriations Act,
404 subsection (17) of section 893.055, Florida Statutes, is
405 reenacted and amended to read:

406 893.055 Prescription drug monitoring program.—

407 (17) For the 2021-2022 ~~2020-2021~~ fiscal year only, neither
408 the Attorney General nor the department may use funds received
409 as part of a settlement agreement to administer the prescription
410 drug monitoring program. This subsection expires July 1, 2022
411 ~~2021~~.

412 Section 9. In order to implement Specific Appropriation
413 203 of the 2021-2022 General Appropriations Act, subsections (2)
414 and (10) of section 409.911, Florida Statutes, are reenacted and
415 amended to read:

416 409.911 Disproportionate share program.—Subject to
417 specific allocations established within the General
418 Appropriations Act and any limitations established pursuant to
419 chapter 216, the agency shall distribute, pursuant to this
420 section, moneys to hospitals providing a disproportionate share
421 of Medicaid or charity care services by making quarterly
422 Medicaid payments as required. Notwithstanding the provisions of
423 s. 409.915, counties are exempt from contributing toward the
424 cost of this special reimbursement for hospitals serving a
425 disproportionate share of low-income patients.

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

430 (a) The average of the ~~2012, 2013, and 2014,~~ and 2015
431 audited disproportionate share data to determine each hospital's
432 Medicaid days and charity care for the 2021-2022 ~~2020-2021~~ state
433 fiscal year.

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

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

444 (10) Notwithstanding any provision of this section to the
445 contrary, for the 2021-2022 ~~2020-2021~~ state fiscal year, the
446 agency shall distribute moneys to hospitals providing a
447 disproportionate share of Medicaid or charity care services as
448 provided in the 2021-2022 ~~2020-2021~~ General Appropriations Act.
449 This subsection expires July 1, 2022 ~~2021~~.

450 Section 10. In order to implement Specific Appropriation

451 203 of the 2021-2022 General Appropriations Act, subsection (3)
452 of section 409.9113, Florida Statutes, is reenacted and amended
453 to read:

454 409.9113 Disproportionate share program for teaching
455 hospitals.—In addition to the payments made under s. 409.911,
456 the agency shall make disproportionate share payments to
457 teaching hospitals, as defined in s. 408.07, for their increased
458 costs associated with medical education programs and for
459 tertiary health care services provided to the indigent. This
460 system of payments must conform to federal requirements and
461 distribute funds in each fiscal year for which an appropriation
462 is made by making quarterly Medicaid payments. Notwithstanding
463 s. 409.915, counties are exempt from contributing toward the
464 cost of this special reimbursement for hospitals serving a
465 disproportionate share of low-income patients. The agency shall
466 distribute the moneys provided in the General Appropriations Act
467 to statutorily defined teaching hospitals and family practice
468 teaching hospitals, as defined in s. 395.805, pursuant to this
469 section. The funds provided for statutorily defined teaching
470 hospitals shall be distributed as provided in the General
471 Appropriations Act. The funds provided for family practice
472 teaching hospitals shall be distributed equally among family
473 practice teaching hospitals.

474 (3) Notwithstanding any provision of this section to the
475 contrary, for the 2021-2022 ~~2020-2021~~ state fiscal year, the

476 agency shall make disproportionate share payments to teaching
477 hospitals, as defined in s. 408.07, as provided in the 2021-2022
478 ~~2020-2021~~ General Appropriations Act. This subsection expires
479 July 1, 2022 ~~2021~~.

480 Section 11. In order to implement Specific Appropriation
481 203 of the 2021-2022 General Appropriations Act, subsection (4)
482 of section 409.9119, Florida Statutes, is reenacted and amended
483 to read:

484 409.9119 Disproportionate share program for specialty
485 hospitals for children.—In addition to the payments made under
486 s. 409.911, the Agency for Health Care Administration shall
487 develop and implement a system under which disproportionate
488 share payments are made to those hospitals that are separately
489 licensed by the state as specialty hospitals for children, have
490 a federal Centers for Medicare and Medicaid Services
491 certification number in the 3300-3399 range, have Medicaid days
492 that exceed 55 percent of their total days and Medicare days
493 that are less than 5 percent of their total days, and were
494 licensed on January 1, 2013, as specialty hospitals for
495 children. This system of payments must conform to federal
496 requirements and must distribute funds in each fiscal year for
497 which an appropriation is made by making quarterly Medicaid
498 payments. Notwithstanding s. 409.915, counties are exempt from
499 contributing toward the cost of this special reimbursement for
500 hospitals that serve a disproportionate share of low-income

501 patients. The agency may make disproportionate share payments to
 502 specialty hospitals for children as provided for in the General
 503 Appropriations Act.

504 (4) Notwithstanding any provision of this section to the
 505 contrary, for the 2021-2022 ~~2020-2021~~ state fiscal year, for
 506 hospitals achieving full compliance under subsection (3), the
 507 agency shall make disproportionate share payments to specialty
 508 hospitals for children as provided in the 2021-2022 ~~2020-2021~~
 509 General Appropriations Act. This subsection expires July 1, 2022
 510 ~~2021~~.

511 Section 12. In order to implement Specific Appropriations
 512 196 through 223 of the 2021-2022 General Appropriations Act:

513 (1) Notwithstanding ss. 216.181 and 216.292, Florida
 514 Statutes, the Agency for Health Care Administration may submit a
 515 budget amendment, subject to the notice, review, and objection
 516 procedures of s. 216.177, Florida Statutes, to realign funding
 517 within the Medicaid program appropriation categories to address
 518 projected surpluses and deficits within the program and to
 519 maximize the use of state trust funds. A single budget amendment
 520 shall be submitted in the last quarter of the 2021-2022 fiscal
 521 year only.

522 (2) This section expires July 1, 2022.

523 Section 13. In order to implement Specific Appropriations
 524 175 through 180 and 515 of the 2021-2022 General Appropriations
 525 Act::

526 (1) Notwithstanding ss. 216.181 and 216.292, Florida
 527 Statutes, the Agency for Health Care Administration and the
 528 Department of Health may each submit a budget amendment, subject
 529 to the notice, review, and objection procedures of s. 216.177,
 530 Florida Statutes, to realign funding within the Florida Kidcare
 531 program appropriation categories, or to increase budget
 532 authority in the Children's Medical Services Network category,
 533 to address projected surpluses and deficits within the program
 534 or to maximize the use of state trust funds. A single budget
 535 amendment must be submitted by each agency in the last quarter
 536 of the 2021-2022 fiscal year only.

537 (2) This section expires July 1, 2022.

538 Section 14. In order to implement Specific Appropriations
 539 460 through 474 of the 2021-2022 General Appropriations Act,
 540 subsection (17) of section 381.986, Florida Statutes, is
 541 reenacted and amended to read:

542 381.986 Medical use of marijuana.—

543 (17) Rules adopted pursuant to this section before July 1,
 544 2022 ~~2021~~, are not subject to ss. 120.54(3)(b) and 120.541. This
 545 subsection expires July 1, 2022 ~~2021~~.

546 Section 15. In order to implement Specific Appropriations
 547 460 through 474 of the 2021-2022 General Appropriations Act,
 548 subsection (11) of section 381.988, Florida Statutes, is
 549 reenacted and amended to read:

550 381.988 Medical marijuana testing laboratories; marijuana

551 tests conducted by a certified laboratory.—

552 (11) Rules adopted under subsection (9) before July 1,
 553 2022 ~~2021~~, are not subject to ss. 120.54(3)(b) and 120.541. This
 554 subsection expires July 1, 2022 ~~2021~~.

555 Section 16. In order to implement Specific Appropriations
 556 460 through 474 of the 2021-2022 General Appropriations Act,
 557 subsection (1) of section 14 of chapter 2017-232, Laws of
 558 Florida, as amended by section 34 of chapter 2020-114, Laws of
 559 Florida, is reenacted and amended to read:

560 (1) Department of Health; authority to adopt rules; cause
 561 of action.—

562 (a) ~~(1)~~ EMERGENCY RULEMAKING.—~~(a)~~ The Department of Health
 563 and the applicable boards shall adopt emergency rules pursuant
 564 to s. 120.54(4), Florida Statutes, and this section necessary to
 565 implement ss. 381.986 and 381.988, Florida Statutes. If an
 566 emergency rule adopted under this section is held to be
 567 unconstitutional or an invalid exercise of delegated legislative
 568 authority, and becomes void, the department or the applicable
 569 boards may adopt an emergency rule pursuant to this section to
 570 replace the rule that has become void. If the emergency rule
 571 adopted to replace the void emergency rule is also held to be
 572 unconstitutional or an invalid exercise of delegated legislative
 573 authority and becomes void, the department and the applicable
 574 boards must follow the nonemergency rulemaking procedures of the
 575 Administrative Procedures Act to replace the rule that has

576 become void.

577 (b) For emergency rules adopted under this section, the
578 department and the applicable boards need not make the findings
579 required by s. 120.54(4)(a), Florida Statutes. Emergency rules
580 adopted under this section are exempt from ss. 120.54(3)(b) and
581 120.541, Florida Statutes. The department and the applicable
582 boards shall meet the procedural requirements in s. 120.54(4)(a)
583 ~~s. 120.54(a)~~, Florida Statutes, if the department or the
584 applicable boards have, before July 1, 2019 ~~the effective date~~
585 ~~of this act~~, held any public workshops or hearings on the
586 subject matter of the emergency rules adopted under this
587 subsection. Challenges to emergency rules adopted under this
588 subsection are subject to the time schedules provided in s.
589 120.56(5), Florida Statutes.

590 (c) Emergency rules adopted under this section are exempt
591 from s. 120.54(4)(c), Florida Statutes, and shall remain in
592 effect until replaced by rules adopted under the nonemergency
593 rulemaking procedures of the Administrative Procedures Act.
594 Rules adopted under the nonemergency rulemaking procedures of
595 the Administrative Procedures Act to replace emergency rules
596 adopted under this section are exempt from ss. 120.54(3)(b) and
597 120.541, Florida Statutes. By July 1, 2021 ~~January 1, 2018~~, the
598 department and the applicable boards shall initiate nonemergency
599 rulemaking pursuant to the Administrative Procedures Act to
600 replace all emergency rules adopted under this section by

601 publishing a notice of rule development in the Florida
602 Administrative Register. Except as provided in paragraph (a),
603 after July 1, 2021 ~~January 1, 2018~~, the department and
604 applicable boards may not adopt rules pursuant to the emergency
605 rulemaking procedures provided in this section.

606 Section 17. The amendments to section 14(1) of chapter
607 2017-232, Laws of Florida, by this act expire July 1, 2022, and
608 the text of that subsection shall revert to that in existence on
609 June 30, 2019, except that any amendments to such text enacted
610 other than by this act shall be preserved and continue to
611 operate to the extent that such amendments are not dependent
612 upon the portions of text which expire pursuant to this section.

613 Section 18. In order to implement Specific Appropriations
614 202, 206, and 210 of the 2021-2022 General Appropriations Act:

615 (1) The Agency for Health Care Administration, upon
616 approval from the Centers for Medicare and Medicaid Services,
617 may establish a directed payment program for hospitals providing
618 inpatient and outpatient services to Medicaid managed care
619 enrollees. The Agency for Health Care Administration is
620 authorized to submit a budget amendment pursuant to chapter 216,
621 Florida Statutes, requesting additional spending authority to
622 implement the program.

623 (2) This section expires June 1, 2022.

624 Section 19. In order to implement Specific Appropriations
625 323 of the 2021-2022 General Appropriations Act:

626 (1) Notwithstanding ss. 216.181 and 216.292, Florida
627 Statutes, the Department of Children and Families may submit a
628 budget amendment, subject to the notice, review, and objection
629 procedures of s. 216.177, Florida Statutes, to realign funding
630 within the department based on the implementation of the
631 Guardianship Assistance Program, between and among the specific
632 appropriations for guardianship assistance payments, foster care
633 Level 1 room and board payments, relative caregiver payments,
634 and nonrelative caregiver payments.

635 (2) This section expires July 1, 2022.

636 Section 20. In order to implement Specific Appropriations
637 303 through 306, 310, 311, 314, 319 through 321, and 323 of the
638 2021-2022 General Appropriations Act:

639 (1) Notwithstanding ss. 216.181 and 216.292, Florida
640 Statutes, the Department of Children and Families may submit a
641 budget amendment, subject to the notice, review, and objection
642 procedures of s. 216.177, Florida Statutes, to realign funding
643 within the Family Safety Program to maximize the use of Title
644 IV-E and other federal funds.

645 (2) This section expires July 1, 2022.

646 Section 21. In order to implement Specific Appropriation
647 190 of the 2021-2022 General Appropriations Act, subsections
648 (1), (2), (3), (4), and (5) of section 42 of chapter 2020-114,
649 Laws of Florida, are reenacted and amended to read:

650 (1) The Agency for Health Care Administration shall

651 replace the current Florida Medicaid Management Information
652 System (FMMIS) and fiscal agent operations with a system that is
653 modular, interoperable, and scalable for the Florida Medicaid
654 program that complies with all applicable federal and state laws
655 and requirements. The agency may not include in the project to
656 replace the current FMMIS and fiscal agent contract:

657 (a) Functionality that duplicates any of the information
658 systems of the other health and human services state agencies;
659 or

660 (b) Procurement for agency requirements external to
661 Medicaid programs with the intent to leverage the Medicaid
662 technology infrastructure for other purposes without legislative
663 appropriation or legislative authorization to procure these
664 requirements.

665
666 The new system, the Florida Health Care Connection (FX) system,
667 must provide better integration with subsystems supporting
668 Florida's Medicaid program; uniformity, consistency, and
669 improved access to data; and compatibility with the Centers for
670 Medicare and Medicaid Services' Medicaid Information Technology
671 Architecture (MITA) as the system matures and expands its
672 functionality.

673 (2) For purposes of replacing FMMIS and the current
674 Medicaid fiscal agent, the Agency for Health Care Administration
675 shall:

676 (a) Prioritize procurements for the replacement of the
677 current functions of FMMIS and the responsibilities of the
678 current Medicaid fiscal agent, to minimize the need to extend
679 all or portions of the current fiscal agent contract.

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

682 (c) Ensure compliance and uniformity with published MITA
683 framework and guidelines.

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

688 (e) Consult with the Executive Office of the Governor's
689 working group for interagency information technology integration
690 for the development of competitive solicitations that provide
691 for data interoperability and shared information technology
692 services across the state's health and human services agencies.

693 (f) Implement a data governance structure for the project
694 to coordinate data sharing and interoperability across state
695 healthcare entities.

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

698 1. The Secretary of Health Care Administration, or the
699 executive sponsor of the project.

700 2. The Assistant Secretary for Child Welfare of the

701 Department of Children and Families, or his or her designee.

702 3. The Assistant Secretary for Economic Self-Sufficiency
703 of the Department of Children and Families, or his or her
704 designee.

705 4. Two employees from the Division of Medicaid of the
706 Agency for Health Care Administration, appointed by the
707 Secretary of Health Care Administration.

708 5. A representative of the Division of Health Quality
709 Assurance of the Agency for Health Care Administration,
710 appointed by the Secretary of Health Care Administration.

711 6. A representative of the Florida Center for Health
712 Information and Transparency of the Agency for Health Care
713 Administration, appointed by the Secretary of Health Care
714 Administration.

715 7. A representative of the Division of Operations of the
716 Agency for Health Care Administration, appointed by the
717 Secretary of Health Care Administration.

718 8. The Chief Information Officer of the Agency for Health
719 Care Administration, or his or her designee.

720 9. The state chief information officer or designee.

721 10. The Deputy Secretary for Children's Medical Services
722 of the Department of Health, or his or her designee.

723 11. A representative of the Agency for Persons with
724 Disabilities who has experience with the preparation and
725 submission of waivers to the Centers for Medicare and Medicaid

726 Services, appointed by the director of the Agency for Persons
 727 with Disabilities.

728 12. A representative from the Florida Healthy Kids
 729 Corporation.

730 13. A representative from the Department of Elderly
 731 Affairs who has experience with the Medicaid Program within that
 732 department, appointed by the Secretary of Elderly Affairs.

733 14. A representative of the Department of Financial
 734 Services who has experience with the state's financial processes
 735 including development of the PALM system, appointed by the Chief
 736 Financial Officer.

737 (3) The Secretary of Health Care Administration or the
 738 executive sponsor of the project shall serve as chair of the
 739 executive steering committee, and the committee shall take
 740 action by a vote of at least 10 affirmative votes with the chair
 741 voting on the prevailing side. A quorum of the executive
 742 steering committee consists of at least 11 members.

743 (4) The executive steering committee has the overall
 744 responsibility for ensuring that the project to replace FMMIS
 745 and the Medicaid fiscal agent meets its primary business
 746 objectives and shall:

747 (a) Identify and recommend to the Executive Office of the
 748 Governor, the President of the Senate, and the Speaker of the
 749 House of Representatives any statutory changes needed to
 750 implement the modular replacement to standardize, to the fullest

751 extent possible, the state's healthcare data and business
 752 processes.

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

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

758 (d) Approve all major project deliverables.

759 (e) Approve all solicitation-related documents associated
 760 with the replacement of the current FMMIS and Medicaid fiscal
 761 agent.

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

763 Section 22. In order to implement Specific Appropriations
 764 572 through 680 and 692 through 726 of the 2021-2022 General
 765 Appropriations Act, subsection (4) of section 216.262, Florida
 766 Statutes, is reenacted and amended to read:

767 216.262 Authorized positions.—

768 (4) Notwithstanding the provisions of this chapter
 769 relating to increasing the number of authorized positions, and
 770 for the 2021-2022 ~~2020-2021~~ fiscal year only, if the actual
 771 inmate population of the Department of Corrections exceeds the
 772 inmate population projections of the March 17, 2021 ~~December 17,~~
 773 ~~2019~~, Criminal Justice Estimating Conference by 1 percent for 2
 774 consecutive months or 2 percent for any month, the Executive
 775 Office of the Governor, with the approval of the Legislative

776 Budget Commission, shall immediately notify the Criminal Justice
777 Estimating Conference, which shall convene as soon as possible
778 to revise the estimates. The Department of Corrections may then
779 submit a budget amendment requesting the establishment of
780 positions in excess of the number authorized by the Legislature
781 and additional appropriations from unallocated general revenue
782 sufficient to provide for essential staff, fixed capital
783 improvements, and other resources to provide classification,
784 security, food services, health services, and other variable
785 expenses within the institutions to accommodate the estimated
786 increase in the inmate population. All actions taken pursuant to
787 this subsection are subject to review and approval by the
788 Legislative Budget Commission. This subsection expires July 1,
789 2022 ~~2021~~.

790 Section 23. In order to implement Specific Appropriation
791 714 of the 2021-2022 General Appropriations Act, paragraph (b)
792 of subsection (8) of section 1011.80, Florida Statutes, is
793 reenacted and amended to read:

794 1011.80 Funds for operation of workforce education
795 programs.—

796 (8)

797 (b) State funds provided for the operation of
798 postsecondary workforce programs may not be expended for the
799 education of state or federal inmates, except to the extent that
800 such funds are specifically appropriated for such purpose in the

801 2021-2022 ~~2020-2021~~ General Appropriations Act.

802 Section 24. The amendment made to s. 1011.80(8)(b),
803 Florida Statutes, as carried forward from chapter 2020-114, by
804 this act expires July 1, 2022, and the text of that paragraph
805 shall revert to that in existence on June 30, 2018, and any
806 amendments to such text enacted other than by this act shall be
807 preserved and continue to operate to the extent that such
808 amendments are not dependent upon the portions of text which
809 expire pursuant to this section.

810 Section 25. In order to implement Specific Appropriations
811 3113 through 3179 of the 2021-2022 General Appropriations Act,
812 subsection (2) of section 215.18, Florida Statutes, is reenacted
813 and amended to read:

814 215.18 Transfers between funds; limitation.—

815 (2) The Chief Justice of the Supreme Court may receive one
816 or more trust fund loans to ensure that the state court system
817 has funds sufficient to meet its appropriations in the 2021-2022
818 ~~2020-2021~~ General Appropriations Act. If the Chief Justice
819 accesses the loan, he or she must notify the Governor and the
820 chairs of the legislative appropriations committees in writing.
821 The loan must come from other funds in the State Treasury which
822 are for the time being or otherwise in excess of the amounts
823 necessary to meet the just requirements of such last-mentioned
824 funds. The Governor shall order the transfer of funds within 5
825 days after the written notification from the Chief Justice. If

826 the Governor does not order the transfer, the Chief Financial
827 Officer shall transfer the requested funds. The loan of funds
828 from which any money is temporarily transferred must be repaid
829 by the end of the 2021-2022 ~~2020-2021~~ fiscal year. This
830 subsection expires July 1, 2022 ~~2021~~.

831 Section 26. In order to implement Specific Appropriations
832 1105 through 1116 of the 2021-2022 General Appropriations Act:

833 (1) The Department of Juvenile Justice is required to
834 review county juvenile detention payments to ensure that
835 counties fulfill their financial responsibilities required in s.
836 985.6865, Florida Statutes. If the Department of Juvenile
837 Justice determines that a county has not met its obligations,
838 the department shall direct the Department of Revenue to deduct
839 the amount owed to the Department of Juvenile Justice from the
840 funds provided to the county under s. 218.23, Florida Statutes.
841 The Department of Revenue shall transfer the funds withheld to
842 the Shared County/State Juvenile Detention Trust Fund.

843 (2) As an assurance to holders of bonds issued by counties
844 before July 1, 2021, for which distributions made pursuant to s.
845 218.23, Florida Statutes, are pledged, or bonds issued to refund
846 such bonds which mature no later than the bonds they refunded
847 and which result in a reduction of debt service payable in each
848 fiscal year, the amount available for distribution to a county
849 shall remain as provided by law and continue to be subject to
850 any lien or claim on behalf of the bondholders. The Department

851 of Revenue must ensure, based on information provided by an
852 affected county, that any reduction in amounts distributed
853 pursuant to subsection (1) does not reduce the amount of
854 distribution to a county below the amount necessary for the
855 timely payment of principal and interest when due on the bonds
856 and the amount necessary to comply with any covenant under the
857 bond resolution or other documents relating to the issuance of
858 the bonds. If a reduction to a county's monthly distribution
859 must be decreased in order to comply with this section, the
860 Department of Revenue must notify the Department of Juvenile
861 Justice of the amount of the decrease, and the Department of
862 Juvenile Justice must send a bill for payment of such amount to
863 the affected county.

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

865 Section 27. In order to implement Specific Appropriations
866 736 through 757, 905 through 1048, and 1069 through 1104 of the
867 2021-2022 General Appropriations Act, subsection (1), paragraph
868 (a) of subsection (2), paragraph (a) of subsection (3), and
869 subsections (5), (6), and (7) of section 27.40, Florida
870 Statutes, are reenacted, to read:

871 27.40 Court-appointed counsel; circuit registries; minimum
872 requirements; appointment by court.—

873 (1) Counsel shall be appointed to represent any individual
874 in a criminal or civil proceeding entitled to court-appointed
875 counsel under the Federal or State Constitution or as authorized

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

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

900 (3) In using a registry:

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

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

913
 914 To be included on a registry, an attorney must enter into a
 915 contract for services with the Justice Administrative
 916 Commission. Failure to comply with the terms of the contract for
 917 services may result in termination of the contract and removal
 918 from the registry. Each attorney on the registry is responsible
 919 for notifying the clerk of the court and the Justice
 920 Administrative Commission of any change in his or her status.
 921 Failure to comply with this requirement is cause for termination
 922 of the contract for services and removal from the registry until
 923 the requirement is fulfilled.

924 (5) The Justice Administrative Commission shall approve
 925 uniform contract forms for use in procuring the services of

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

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

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

948 (b)1. The flat fee established in s. 27.5304 and the
949 General Appropriations Act shall be presumed by the court to be
950 sufficient compensation. The attorney shall maintain appropriate

951 documentation, including contemporaneous and detailed hourly
952 accounting of time spent representing the client. If the
953 attorney fails to maintain such contemporaneous and detailed
954 hourly records, the attorney waives the right to seek
955 compensation in excess of the flat fee established in s. 27.5304
956 and the General Appropriations Act. These records and documents
957 are subject to review by the Justice Administrative Commission
958 and audit by the Auditor General, subject to the attorney-client
959 privilege and work-product privilege. The attorney shall
960 maintain the records and documents in a manner that enables the
961 attorney to redact any information subject to a privilege in
962 order to facilitate the commission's review of the records and
963 documents and not to impede such review. The attorney may redact
964 information from the records and documents only to the extent
965 necessary to comply with the privilege. The Justice
966 Administrative Commission shall review such records and shall
967 contemporaneously document such review before authorizing
968 payment to an attorney. Objections by or on behalf of the
969 Justice Administrative Commission to records or documents or to
970 claims for payment by the attorney shall be presumed correct by
971 the court unless the court determines, in writing, that
972 competent and substantial evidence exists to justify overcoming
973 the presumption.

974 2. If an attorney fails, refuses, or declines to permit
975 the commission or the Auditor General to review documentation

976 for a case as provided in this paragraph, the attorney waives
977 the right to seek, and the commission may not pay, compensation
978 in excess of the flat fee established in s. 27.5304 and the
979 General Appropriations Act for that case.

980 3. A finding by the commission that an attorney has waived
981 the right to seek compensation in excess of the flat fee
982 established in s. 27.5304 and the General Appropriations Act, as
983 provided in this paragraph, shall be presumed to be correct,
984 unless the court determines, in writing, that competent and
985 substantial evidence exists to justify overcoming the
986 presumption.

987 Section 28. The text to s. 27.40(1), (2)(a), (3)(a), (5),
988 (6), and (7), Florida Statutes, as carried forward from chapter
989 2020-114, Laws of Florida, by this act, expires July 1, 2022,
990 and the text of those subsections and paragraphs, as applicable,
991 shall revert to that in existence on June 30, 2019, except that
992 any amendments to such text enacted other than by this act shall
993 be preserved and continue to operate to the extent that such
994 amendments are not dependent upon the portions of text which
995 expire pursuant to this section.

996 Section 29. In order to implement Specific Appropriations
997 736 through 757, 905 through 1048, and 1069 through 1104 of the
998 2021-2022 General Appropriations Act, subsections (1), (3), (7),
999 and (11), and paragraphs (a) through (e) of subsection (12), of
1000 section 27.5304, Florida Statutes, are reenacted, and subsection

1001 (13) is reenacted and amended, to read:

1002 27.5304 Private court-appointed counsel; compensation;
 1003 notice.—

1004 (1) Private court-appointed counsel appointed in the
 1005 manner prescribed in s. 27.40(1) and (2)(a) shall be compensated
 1006 by the Justice Administrative Commission only as provided in
 1007 this section and the General Appropriations Act. The flat fees
 1008 prescribed in this section are limitations on compensation. The
 1009 specific flat fee amounts for compensation shall be established
 1010 annually in the General Appropriations Act. The attorney also
 1011 shall be reimbursed for reasonable and necessary expenses in
 1012 accordance with s. 29.007. If the attorney is representing a
 1013 defendant charged with more than one offense in the same case,
 1014 the attorney shall be compensated at the rate provided for the
 1015 most serious offense for which he or she represented the
 1016 defendant. This section does not allow stacking of the fee
 1017 limits established by this section.

1018 (3) The court retains primary authority and responsibility
 1019 for determining the reasonableness of all billings for attorney
 1020 fees, costs, and related expenses, subject to statutory
 1021 limitations and the requirements of s. 27.40(7). Private court-
 1022 appointed counsel is entitled to compensation upon final
 1023 disposition of a case.

1024 (7) Counsel eligible to receive compensation from the
 1025 state for representation pursuant to court appointment made in

1026 accordance with the requirements of s. 27.40(1) and (2)(a) in a
1027 proceeding under chapter 384, chapter 390, chapter 392, chapter
1028 393, chapter 394, chapter 397, chapter 415, chapter 743, chapter
1029 744, or chapter 984 shall receive compensation not to exceed the
1030 limits prescribed in the General Appropriations Act. Any such
1031 compensation must be determined as provided in s. 27.40(7).

1032 (11) It is the intent of the Legislature that the flat
1033 fees prescribed under this section and the General
1034 Appropriations Act comprise the full and complete compensation
1035 for private court-appointed counsel. It is further the intent of
1036 the Legislature that the fees in this section are prescribed for
1037 the purpose of providing counsel with notice of the limit on the
1038 amount of compensation for representation in particular
1039 proceedings and the sole procedure and requirements for
1040 obtaining payment for the same.

1041 (a) If court-appointed counsel moves to withdraw prior to
1042 the full performance of his or her duties through the completion
1043 of the case, the court shall presume that the attorney is not
1044 entitled to the payment of the full flat fee established under
1045 this section and the General Appropriations Act.

1046 (b) If court-appointed counsel is allowed to withdraw from
1047 representation prior to the full performance of his or her
1048 duties through the completion of the case and the court appoints
1049 a subsequent attorney, the total compensation for the initial
1050 and any and all subsequent attorneys may not exceed the flat fee

1051 established under this section and the General Appropriations
1052 Act, except as provided in subsection (12).

1053

1054 This subsection constitutes notice to any subsequently appointed
1055 attorney that he or she will not be compensated the full flat
1056 fee.

1057 (12) The Legislature recognizes that on rare occasions an
1058 attorney may receive a case that requires extraordinary and
1059 unusual effort.

1060 (a) If counsel seeks compensation that exceeds the limits
1061 prescribed by law, he or she must file a motion with the chief
1062 judge for an order approving payment of attorney fees in excess
1063 of these limits.

1064 1. Before filing the motion, the counsel shall deliver a
1065 copy of the intended billing, together with supporting
1066 affidavits and all other necessary documentation, to the Justice
1067 Administrative Commission.

1068 2. The Justice Administrative Commission shall review the
1069 billings, affidavit, and documentation for completeness and
1070 compliance with contractual and statutory requirements and shall
1071 contemporaneously document such review before authorizing
1072 payment to an attorney. If the Justice Administrative Commission
1073 objects to any portion of the proposed billing, the objection
1074 and supporting reasons must be communicated in writing to the
1075 private court-appointed counsel. The counsel may thereafter file

1076 his or her motion, which must specify whether the commission
1077 objects to any portion of the billing or the sufficiency of
1078 documentation, and shall attach the commission's letter stating
1079 its objection.

1080 (b) Following receipt of the motion to exceed the fee
1081 limits, the chief judge or a single designee shall hold an
1082 evidentiary hearing. The chief judge may select only one judge
1083 per circuit to hear and determine motions pursuant to this
1084 subsection, except multicounty circuits and the eleventh circuit
1085 may have up to two designees.

1086 1. At the hearing, the attorney seeking compensation must
1087 prove by competent and substantial evidence that the case
1088 required extraordinary and unusual efforts. The chief judge or
1089 single designee shall consider criteria such as the number of
1090 witnesses, the complexity of the factual and legal issues, and
1091 the length of trial. The fact that a trial was conducted in a
1092 case does not, by itself, constitute competent substantial
1093 evidence of an extraordinary and unusual effort. In a criminal
1094 case, relief under this section may not be granted if the number
1095 of work hours does not exceed 75 or the number of the state's
1096 witnesses deposed does not exceed 20.

1097 2. Objections by or on behalf of the Justice
1098 Administrative Commission to records or documents or to claims
1099 for payment by the attorney shall be presumed correct by the
1100 court unless the court determines, in writing, that competent

1101 and substantial evidence exists to justify overcoming the
1102 presumption. The chief judge or single designee shall enter a
1103 written order detailing his or her findings and identifying the
1104 extraordinary nature of the time and efforts of the attorney in
1105 the case which warrant exceeding the flat fee established by
1106 this section and the General Appropriations Act.

1107 (c) A copy of the motion and attachments shall be served
1108 on the Justice Administrative Commission at least 20 business
1109 days before the date of a hearing. The Justice Administrative
1110 Commission has standing to appear before the court, and may
1111 appear in person or telephonically, including at the hearing
1112 under paragraph (b), to contest any motion for an order
1113 approving payment of attorney fees, costs, or related expenses
1114 and may participate in a hearing on the motion by use of
1115 telephonic or other communication equipment. The Justice
1116 Administrative Commission may contract with other public or
1117 private entities or individuals to appear before the court for
1118 the purpose of contesting any motion for an order approving
1119 payment of attorney fees, costs, or related expenses. The fact
1120 that the Justice Administrative Commission has not objected to
1121 any portion of the billing or to the sufficiency of the
1122 documentation is not binding on the court.

1123 (d) If the chief judge or a single designee finds that
1124 counsel has proved by competent and substantial evidence that
1125 the case required extraordinary and unusual efforts, the chief

1126 judge or single designee shall order the compensation to be paid
1127 to the attorney at a percentage above the flat fee rate,
1128 depending on the extent of the unusual and extraordinary effort
1129 required. The percentage must be only the rate necessary to
1130 ensure that the fees paid are not confiscatory under common law.
1131 The percentage may not exceed 200 percent of the established
1132 flat fee, absent a specific finding that 200 percent of the flat
1133 fee in the case would be confiscatory. If the chief judge or
1134 single designee determines that 200 percent of the flat fee
1135 would be confiscatory, he or she shall order the amount of
1136 compensation using an hourly rate not to exceed \$75 per hour for
1137 a noncapital case and \$100 per hour for a capital case. However,
1138 the compensation calculated by using the hourly rate shall be
1139 only that amount necessary to ensure that the total fees paid
1140 are not confiscatory, subject to the requirements of s.
1141 27.40(7).

1142 (e) Any order granting relief under this subsection must
1143 be attached to the final request for a payment submitted to the
1144 Justice Administrative Commission and must satisfy the
1145 requirements of subparagraph (b)2.

1146 (13) Notwithstanding the limitation set forth in
1147 subsection (5) and for the 2021-2022 ~~2020-2021~~ fiscal year only,
1148 the compensation for representation in a criminal proceeding may
1149 not exceed the following:

1150 (a) For misdemeanors and juveniles represented at the

HB 5003

2021

1151 trial level: \$1,000.

1152 (b) For noncapital, nonlife felonies represented at the
1153 trial level: \$15,000.

1154 (c) For life felonies represented at the trial level:
1155 \$15,000.

1156 (d) For capital cases represented at the trial level:
1157 \$25,000. For purposes of this paragraph, a "capital case" is any
1158 offense for which the potential sentence is death and the state
1159 has not waived seeking the death penalty.

1160 (e) For representation on appeal: \$9,000.

1161 (f) This subsection expires July 1, 2022 ~~2021~~.

1162 Section 30. The amendments to s. 27.5304(1), (3), (7),
1163 (11), and (12)(a)-(e), Florida Statutes, as carried forward from
1164 chapter 2020-114, Laws of Florida, by this act expire July 1,
1165 2022, and the text of those subsections and paragraphs, as
1166 applicable, shall revert to that in existence on June 30, 2019,
1167 except that any amendments to such text enacted other than by
1168 this act shall be preserved and continue to operate to the
1169 extent that such amendments are not dependent upon the portions
1170 of text which expire pursuant to this section.

1171 Section 31. In order to implement Specific Appropriation
1172 1105 through 1187 of the 2021-2022 General Appropriations Act,
1173 subsections (2) and (3) of section 20.316, Florida Statutes, are
1174 reenacted to read:

1175 20.316 Department of Juvenile Justice.—There is created a

1176 Department of Juvenile Justice.

1177 (2) DEPARTMENT PROGRAMS.—The following programs are
 1178 established within the Department of Juvenile Justice:

- 1179 (a) Accountability and Program Support.
- 1180 (b) Administration.
- 1181 (c) Intake and Detention.
- 1182 (d) Prevention.
- 1183 (e) Probation and Community Corrections.
- 1184 (f) Residential and Correctional Facilities.

1185

1186 The secretary may establish assistant secretary positions and a
 1187 chief of staff position as necessary to administer the
 1188 requirements of this section.

1189 (3) JUVENILE JUSTICE OPERATING CIRCUITS.—The department
 1190 shall plan and administer its programs through a substate
 1191 structure that conforms to the boundaries of the judicial
 1192 circuits prescribed in s. 26.021. A county may seek placement in
 1193 a juvenile justice operating circuit other than as prescribed in
 1194 s. 26.021 for participation in the Prevention Program and the
 1195 Probation and Community Corrections Program by making a request
 1196 of the chief circuit judge in each judicial circuit affected by
 1197 such request. Upon a showing that geographic proximity,
 1198 community identity, or other legitimate concern for efficiency
 1199 of operations merits alternative placement, each affected chief
 1200 circuit judge may authorize the execution of an interagency

HB 5003

2021

1201 agreement specifying the alternative juvenile justice operating
1202 circuit in which the county is to be placed and the basis for
1203 the alternative placement. Upon the execution of said
1204 interagency agreement by each affected chief circuit judge, the
1205 secretary may administratively place a county in an alternative
1206 juvenile justice operating circuit pursuant to the agreement.

1207 Section 32. The text of s. 20.316(2) and (3), Florida
1208 Statutes, as carried forward from chapter 2020-114, Laws of
1209 Florida, by this act expires July 1, 2022, and the text of those
1210 subsections shall revert to that in existence on June 30, 2020,
1211 except that any amendments to such text enacted other than this
1212 act shall be preserved and continue to operate to the extent
1213 that such amendments are not dependent upon the portions of text
1214 which expire pursuant to this section.

1215 Section 33. In order to implement appropriations used to
1216 pay existing lease contracts for private lease space in excess
1217 of 2,000 square feet in the 2021-2022 General Appropriations
1218 Act:

1219 (1) The Department of Management Services, with the
1220 cooperation of the agencies having the existing lease contracts
1221 in excess of 2,000 square feet for office or storage space,
1222 shall use tenant broker services to renegotiate or reprocure all
1223 private lease agreements for office or storage space expiring
1224 between July 1, 2022, and June 30, 2024, in order to reduce
1225 costs in future years. The department shall incorporate this

1226 initiative into its 2021 master leasing report required under s.
1227 255.249(7), Florida Statutes, and may use tenant broker services
1228 to explore the possibilities of collocating office or storage
1229 space, to review the space needs of each agency, and to review
1230 the length and terms of potential renewals or renegotiations.

1231 (2) The department shall provide a report to the Executive
1232 Office of the Governor, the President of the Senate, and the
1233 Speaker of the House of Representatives by November 1, 2021,
1234 which lists each lease contract for private office or storage
1235 space, the status of renegotiations, and the savings achieved.

1236 (3) This section expires July 1, 2022.

1237 Section 34. In order to implement appropriations
1238 authorized in the 2021-2022 General Appropriations Act for data
1239 center services:

1240 (1) Notwithstanding s. 216.292(2)(a), Florida Statutes, an
1241 agency may not transfer funds from a data processing category to
1242 a category other than another data processing category.

1243 (2) This section expires July 1, 2022.

1244 Section 35. In order to implement the appropriation of
1245 funds in the appropriation category "Data Processing Assessment-
1246 Department of Management Services" in the 2021-2022 General
1247 Appropriations Act:

1248 (1) Pursuant to the notice, review, and objection
1249 procedures of s. 216.177, Florida Statutes, the Executive Office
1250 of the Governor may transfer funds appropriated in that category

1251 between departments in order to align the budget authority
1252 granted based on the estimated billing cycle and methodology
1253 used for data processing services provided to agencies in fiscal
1254 year 2020-2021.

1255 (2) This section expires July 1, 2022.

1256 Section 36. In order to implement the appropriation of
1257 funds in the appropriation category "Special Categories-Risk
1258 Management Insurance" in the 2021-2022 General Appropriations
1259 Act:

1260 (1) Pursuant to the notice, review, and objection
1261 procedures of s. 216.177, Florida Statutes, the Executive Office
1262 of the Governor may transfer funds appropriated in that category
1263 between departments in order to align the budget authority
1264 granted with the premiums paid by each department for risk
1265 management insurance.

1266 (2) This section expires July 1, 2022.

1267 Section 37. In order to implement the appropriation of
1268 funds in the appropriation category "Special Categories-Transfer
1269 to Department of Management Services-Human Resources Services
1270 Purchased per Statewide Contract" in the 2021-2022 General
1271 Appropriations Act:

1272 (1) Pursuant to the notice, review, and objection
1273 procedures of s. 216.177, Florida Statutes, the Executive Office
1274 of the Governor may transfer funds appropriated in that category
1275 between departments in order to align the budget authority

1276 granted with the assessments that must be paid by each agency to
1277 the Department of Management Services for human resource
1278 management services.

1279 (2) This section expires July 1, 2022.

1280 Section 38. In order to implement Specific Appropriations
1281 2343 through 2346 of the 2021-2022 General Appropriations Act,
1282 subsections (1), (2), (3), (4), and (5) of section 72 of chapter
1283 2020-114, Laws of Florida, is reenacted and amended to read:

1284 (1) The Department of Financial Services shall replace the
1285 four main components of the Florida Accounting Information
1286 Resource Subsystem (FLAIR), which include central FLAIR,
1287 departmental FLAIR, payroll, and information warehouse, and
1288 shall replace the cash management and accounting management
1289 components of the Cash Management Subsystem (CMS) with an
1290 integrated enterprise system that allows the state to organize,
1291 define, and standardize its financial management business
1292 processes and that complies with ss. 215.90-215.96, Florida
1293 Statutes. The department may not include in the replacement of
1294 FLAIR and CMS:

1295 (a) Functionality that duplicates any of the other
1296 information subsystems of the Florida Financial Management
1297 Information System; or

1298 (b) Agency business processes related to any of the
1299 functions included in the Personnel Information System, the
1300 Purchasing Subsystem, or the Legislative Appropriations

1301 System/Planning and Budgeting Subsystem.

1302 (2) For purposes of replacing FLAIR and CMS, the
 1303 Department of Financial Services shall:

1304 (a) Take into consideration the cost and implementation
 1305 data identified for Option 3 as recommended in the March 31,
 1306 2014, Florida Department of Financial Services FLAIR Study,
 1307 version 031.

1308 (b) Ensure that all business requirements and technical
 1309 specifications have been provided to all state agencies for
 1310 their review and input and approved by the executive steering
 1311 committee established in paragraph (c).

1312 (c) Implement a project governance structure that includes
 1313 an executive steering committee composed of:

1314 1. The Chief Financial Officer or the executive sponsor of
 1315 the project.

1316 2. A representative of the Division of Treasury of the
 1317 Department of Financial Services, appointed by the Chief
 1318 Financial Officer.

1319 3. A representative of the Division of Information Systems
 1320 of the Department of Financial Services, appointed by the Chief
 1321 Financial Officer.

1322 4. Four employees from the Division of Accounting and
 1323 Auditing of the Department of Financial Services, appointed by
 1324 the Chief Financial Officer. Each employee must have experience
 1325 relating to at least one of the four main components that

1326 | compose FLAIR.

1327 | 5. Two employees from the Executive Office of the
 1328 | Governor, appointed by the Governor. One employee must have
 1329 | experience relating to the Legislative Appropriations
 1330 | System/Planning and Budgeting Subsystem.

1331 | 6. One employee from the Department of Revenue, appointed
 1332 | by the executive director, who has experience relating to the
 1333 | department's SUNTAX system.

1334 | 7. Two employees from the Department of Management
 1335 | Services, appointed by the Secretary of Management Services. One
 1336 | employee must have experience relating to the department's
 1337 | personnel information subsystem and one employee must have
 1338 | experience relating to the department's purchasing subsystem.

1339 | 8. Three state agency administrative services directors,
 1340 | appointed by the Governor. One director must represent a
 1341 | regulatory and licensing state agency and one director must
 1342 | represent a health care-related state agency.

1343 | 9. The executive sponsor of the Florida Health Care
 1344 | Connection (FX) System or designee, appointed by the Secretary
 1345 | of the Agency for Health Care Administration.

1346 | 10. The State Chief Information Officer, or designee, as a
 1347 | nonvoting member. The State Chief Information Officer or
 1348 | designee will provide monthly status reports pursuant to the
 1349 | oversight responsibilities in s. 282.0051.

1350 | (3) (a) The Chief Financial Officer or the executive

1351 sponsor of the project shall serve as chair of the executive
1352 steering committee, and the committee shall take action by a
1353 vote of at least eight affirmative votes with the Chief
1354 Financial Officer or the executive sponsor of the project voting
1355 on the prevailing side. A quorum of the executive steering
1356 committee consists of at least 10 members.

1357 (b) No later than 14 days before a meeting of the
1358 Executive Steering Committee, the chair shall request input from
1359 committee members on agenda items for the next scheduled
1360 meeting.

1361 (4) The executive steering committee has the overall
1362 responsibility for ensuring that the project to replace FLAIR
1363 and CMS meets its primary business objectives and shall:

1364 (a) Identify and recommend to the Executive Office of the
1365 Governor, the President of the Senate, and the Speaker of the
1366 House of Representatives any statutory changes needed to
1367 implement the replacement subsystem that will standardize, to
1368 the fullest extent possible, the state's financial management
1369 business processes.

1370 (b) Review and approve any changes to the project's scope,
1371 schedule, and budget which do not conflict with the requirements
1372 of subsection (1).

1373 (c) Ensure that adequate resources are provided throughout
1374 all phases of the project.

1375 (d) Approve all major project deliverables and any costs

1376 | changes to each deliverable over \$250,000.

1377 | (e) Approve contract amendments and changes to all
 1378 | contract-related documents associated with the replacement of
 1379 | FLAIR and CMS.

1380 | (f) Ensure compliance with ss. 216.181(16), 216.311,
 1381 | 216.313, 287.058, and 282.318(4) (h).

1382 | (5) This section expires July 1, 2022 ~~2021~~.

1383 | Section 39. In order to implement specific appropriations
 1384 | from the land acquisition trust funds within the Department of
 1385 | Agriculture and Consumer Services, the Department of
 1386 | Environmental Protection, the Department of State, and the Fish
 1387 | and Wildlife Conservation Commission, which are contained in the
 1388 | 2021-2022 General Appropriations Act, subsection (3) of section
 1389 | 215.18, Florida Statutes, is reenacted and amended to read:

1390 | 215.18 Transfers between funds; limitation.—

1391 | (3) Notwithstanding subsection (1) and only with respect
 1392 | to a land acquisition trust fund in the Department of
 1393 | Agriculture and Consumer Services, the Department of
 1394 | Environmental Protection, the Department of State, or the Fish
 1395 | and Wildlife Conservation Commission, whenever there is a
 1396 | deficiency in a land acquisition trust fund which would render
 1397 | that trust fund temporarily insufficient to meet its just
 1398 | requirements, including the timely payment of appropriations
 1399 | from that trust fund, and other trust funds in the State
 1400 | Treasury have moneys that are for the time being or otherwise in

HB 5003

2021

1401 excess of the amounts necessary to meet the just requirements,
1402 including appropriated obligations, of those other trust funds,
1403 the Governor may order a temporary transfer of moneys from one
1404 or more of the other trust funds to a land acquisition trust
1405 fund in the Department of Agriculture and Consumer Services, the
1406 Department of Environmental Protection, the Department of State,
1407 or the Fish and Wildlife Conservation Commission. Any action
1408 proposed pursuant to this subsection is subject to the notice,
1409 review, and objection procedures of s. 216.177, and the Governor
1410 shall provide notice of such action at least 7 days before the
1411 effective date of the transfer of trust funds, except that
1412 during July 2021 ~~2020~~, notice of such action shall be provided
1413 at least 3 days before the effective date of a transfer unless
1414 such 3-day notice is waived by the chair and vice-chair of the
1415 Legislative Budget Commission. Any transfer of trust funds to a
1416 land acquisition trust fund in the Department of Agriculture and
1417 Consumer Services, the Department of Environmental Protection,
1418 the Department of State, or the Fish and Wildlife Conservation
1419 Commission must be repaid to the trust funds from which the
1420 moneys were loaned by the end of the 2021-2022 ~~2020-2021~~ fiscal
1421 year. The Legislature has determined that the repayment of the
1422 other trust fund moneys temporarily loaned to a land acquisition
1423 trust fund in the Department of Agriculture and Consumer
1424 Services, the Department of Environmental Protection, the
1425 Department of State, or the Fish and Wildlife Conservation

1426 Commission pursuant to this subsection is an allowable use of
1427 the moneys in a land acquisition trust fund because the moneys
1428 from other trust funds temporarily loaned to a land acquisition
1429 trust fund shall be expended solely and exclusively in
1430 accordance with s. 28, Art. X of the State Constitution. This
1431 subsection expires July 1, 2022 ~~2021~~.

1432 Section 40. In order to implement specific appropriations
1433 from the land acquisition trust funds within the Department of
1434 Agriculture and Consumer Services, the Department of
1435 Environmental Protection, the Department of State, and the Fish
1436 and Wildlife Conservation Commission, which are contained in the
1437 2021-2022 General Appropriations Act:

1438 (1) The Department of Environmental Protection shall
1439 transfer revenues from the Land Acquisition Trust Fund within
1440 the department to the land acquisition trust funds within the
1441 Department of Agriculture and Consumer Services, the Department
1442 of State, and the Fish and Wildlife Conservation Commission, as
1443 provided in this section. As used in this section, the term
1444 "department" means the Department of Environmental Protection.

1445 (2) After subtracting any required debt service payments,
1446 the proportionate share of revenues to be transferred to each
1447 land acquisition trust fund shall be calculated by dividing the
1448 appropriations from each of the land acquisition trust funds for
1449 the fiscal year by the total appropriations from the Land
1450 Acquisition Trust Fund within the department and the land

1451 acquisition trust funds within the Department of Agriculture and
1452 Consumer Services, the Department of State, and the Fish and
1453 Wildlife Conservation Commission for the fiscal year. The
1454 department shall transfer the proportionate share of the
1455 revenues in the Land Acquisition Trust Fund within the
1456 department on a monthly basis to the appropriate land
1457 acquisition trust funds within the Department of Agriculture and
1458 Consumer Services, the Department of State, and the Fish and
1459 Wildlife Conservation Commission and shall retain its
1460 proportionate share of the revenues in the Land Acquisition
1461 Trust Fund within the department. Total distributions to a land
1462 acquisition trust fund within the Department of Agriculture and
1463 Consumer Services, the Department of State, and the Fish and
1464 Wildlife Conservation Commission may not exceed the total
1465 appropriations from such trust fund for the fiscal year.

1466 (3) In addition, the department shall transfer from the
1467 Land Acquisition Trust Fund to land acquisition trust funds
1468 within the Department of Agriculture and Consumer Services, the
1469 Department of State, and the Fish and Wildlife Conservation
1470 Commission amounts equal to the difference between the amounts
1471 appropriated in chapter 2020-114, Laws of Florida, to the
1472 department's Land Acquisition Trust Fund and the other land
1473 acquisition trust funds, and the amounts actually transferred
1474 between those trust funds during the 2020-2021 fiscal year.

1475 (4) The department may advance funds from the beginning

1476 unobligated fund balance in the Land Acquisition Trust Fund to
1477 the Land Acquisition Trust Fund within the Fish and Wildlife
1478 Conservation Commission needed for cash flow purposes based on a
1479 detailed expenditure plan. The department shall prorate amounts
1480 transferred quarterly to the Fish and Wildlife Conservation
1481 Commission to recoup the amount of funds advanced by June 30,
1482 2022.

1483 (5) This section expires July 1, 2022.

1484 Section 41. In order to implement appropriations from the
1485 Land Acquisition Trust Fund within the Department of
1486 Environmental Protection in the 2021-2022 General Appropriations
1487 Act, paragraph (b) of subsection (3) of section 375.041, Florida
1488 Statutes, is reenacted and amended to read:

1489 375.041 Land Acquisition Trust Fund.—

1490 (3) Funds distributed into the Land Acquisition Trust Fund
1491 pursuant to s. 201.15 shall be applied:

1492 (b) Of the funds remaining after the payments required
1493 under paragraph (a), but before funds may be appropriated,
1494 pledged, or dedicated for other uses:

1495 1. A minimum of the lesser of 25 percent or \$200 million
1496 shall be appropriated annually for Everglades projects that
1497 implement the Comprehensive Everglades Restoration Plan as set
1498 forth in s. 373.470, including the Central Everglades Planning
1499 Project subject to Congressional authorization; the Long-Term
1500 Plan as defined in s. 373.4592(2); and the Northern Everglades

1501 and Estuaries Protection Program as set forth in s. 373.4595.
 1502 From these funds, \$32 million shall be distributed each fiscal
 1503 year through the 2023-2024 fiscal year to the South Florida
 1504 Water Management District for the Long-Term Plan as defined in
 1505 s. 373.4592(2). After deducting the \$32 million distributed
 1506 under this subparagraph, from the funds remaining, a minimum of
 1507 the lesser of 76.5 percent or \$100 million shall be appropriated
 1508 each fiscal year through the 2025-2026 fiscal year for the
 1509 planning, design, engineering, and construction of the
 1510 Comprehensive Everglades Restoration Plan as set forth in s.
 1511 373.470, including the Central Everglades Planning Project, the
 1512 Everglades Agricultural Area Storage Reservoir Project, the Lake
 1513 Okeechobee Watershed Project, the C-43 West Basin Storage
 1514 Reservoir Project, the Indian River Lagoon-South Project, the
 1515 Western Everglades Restoration Project, and the Picayune Strand
 1516 Restoration Project. The Department of Environmental Protection
 1517 and the South Florida Water Management District shall give
 1518 preference to those Everglades restoration projects that reduce
 1519 harmful discharges of water from Lake Okeechobee to the St.
 1520 Lucie or Caloosahatchee estuaries in a timely manner. For the
 1521 purpose of performing the calculation provided in this
 1522 subparagraph, the amount of debt service paid pursuant to
 1523 paragraph (a) for bonds issued after July 1, 2016, for the
 1524 purposes set forth under paragraph (b) shall be added to the
 1525 amount remaining after the payments required under paragraph

1526 (a). The amount of the distribution calculated shall then be
1527 reduced by an amount equal to the debt service paid pursuant to
1528 paragraph (a) on bonds issued after July 1, 2016, for the
1529 purposes set forth under this subparagraph.

1530 2. A minimum of the lesser of 7.6 percent or \$50 million
1531 shall be appropriated annually for spring restoration,
1532 protection, and management projects. For the purpose of
1533 performing the calculation provided in this subparagraph, the
1534 amount of debt service paid pursuant to paragraph (a) for bonds
1535 issued after July 1, 2016, for the purposes set forth under
1536 paragraph (b) shall be added to the amount remaining after the
1537 payments required under paragraph (a). The amount of the
1538 distribution calculated shall then be reduced by an amount equal
1539 to the debt service paid pursuant to paragraph (a) on bonds
1540 issued after July 1, 2016, for the purposes set forth under this
1541 subparagraph.

1542 3. The sum of \$5 million shall be appropriated annually
1543 each fiscal year through the 2025-2026 fiscal year to the St.
1544 Johns River Water Management District for projects dedicated to
1545 the restoration of Lake Apopka. This distribution shall be
1546 reduced by an amount equal to the debt service paid pursuant to
1547 paragraph (a) on bonds issued after July 1, 2016, for the
1548 purposes set forth in this subparagraph.

1549 4. The sum of \$64 million is appropriated and shall be
1550 transferred to the Everglades Trust Fund for the 2018-2019

1551 fiscal year, and each fiscal year thereafter, for the EAA
 1552 reservoir project pursuant to s. 373.4598. Any funds remaining
 1553 in any fiscal year shall be made available only for Phase II of
 1554 the C-51 reservoir project or projects identified in
 1555 subparagraph 1. and must be used in accordance with laws
 1556 relating to such projects. Any funds made available for such
 1557 purposes in a fiscal year are in addition to the amount
 1558 appropriated under subparagraph 1. This distribution shall be
 1559 reduced by an amount equal to the debt service paid pursuant to
 1560 paragraph (a) on bonds issued after July 1, 2017, for the
 1561 purposes set forth in this subparagraph.

1562 5. Notwithstanding subparagraph 3., for the 2021-2022
 1563 ~~2020-2021~~ fiscal year, funds shall be appropriated as provided
 1564 in the General Appropriations Act. This subparagraph expires
 1565 July 1, 2022 ~~2021~~.

1566 Section 42. In order to implement Specific Appropriation
 1567 1363 of the 2021-2022 General Appropriations Act, paragraph (a)
 1568 of subsection (1) of section 570.93, Florida Statutes, is
 1569 reenacted to read:

1570 570.93 Department of Agriculture and Consumer Services;
 1571 agricultural water conservation and agricultural water supply
 1572 planning.—

1573 (1) The department shall establish an agricultural water
 1574 conservation program that includes the following:

1575 (a) A cost-share program, coordinated with the United

1576 States Department of Agriculture and other federal, state,
1577 regional, and local agencies when appropriate, for irrigation
1578 system retrofit and application of mobile irrigation laboratory
1579 evaluations, and for water conservation and water quality
1580 improvement pursuant to s. 403.067(7)(c).

1581 Section 43. The text to s. 570.93(1)(a), Florida Statutes,
1582 as carried forward from chapter 2020-114, Laws of Florida, by
1583 this act expires July 1, 2022, and the text of that paragraph
1584 shall revert to that in existence on June 30, 2019, except that
1585 any amendments to such text enacted other than by this act shall
1586 be preserved and continue to operate to the extent that such
1587 amendments are not dependent upon the portions of text which
1588 expire pursuant to this section.

1589 Section 44. In order to implement Specific Appropriation
1590 1670 of the 2021-2022 General Appropriations Act, paragraph (g)
1591 of subsection (15) of section 376.3071, Florida Statutes, is
1592 reenacted to read:

1593 376.3071 Inland Protection Trust Fund; creation; purposes;
1594 funding.—

1595 (15) ETHANOL OR BIODIESEL DAMAGE; PREVENTIVE MEASURES.—The
1596 department shall pay, pursuant to this subsection, up to \$10
1597 million each fiscal year from the fund for the costs of labor
1598 and equipment to repair or replace petroleum storage systems
1599 that may have been damaged due to the storage of fuels blended
1600 with ethanol or biodiesel, or for preventive measures to reduce

1601 the potential for such damage.

1602 (g) Payments may not be made for the following:

1603 1. Proposal costs or costs related to preparation of the
1604 application and required documentation;

1605 2. Certified public accountant costs;

1606 3. Except as provided in paragraph (j), any costs in
1607 excess of the amount approved by the department under paragraph
1608 (b) or which are not in substantial compliance with the purchase
1609 order;

1610 4. Costs associated with storage tanks, piping, or
1611 ancillary equipment that has previously been repaired or
1612 replaced for which costs have been paid under this section;

1613 5. Facilities that are not in compliance with department
1614 storage tank rules, until the noncompliance issues have been
1615 resolved; or

1616 6. Costs associated with damage to petroleum storage
1617 systems caused in whole or in part by causes other than the
1618 storage of fuels blended with ethanol or biodiesel.

1619 Section 45. The text to s. 376.3071(15)(g), Florida
1620 Statutes, as carried forward from chapter 2020-114, Laws of
1621 Florida, by this act expires July 1, 2022, and the text of that
1622 paragraph shall revert to that in existence on June 30, 2020,
1623 except that any amendments to such text enacted other than this
1624 act shall be preserved and continue to operate to the extent
1625 that such amendments are not dependent upon the portion of text

1626 which expire pursuant to this section.

1627 Section 46. In order to implement Specific Appropriation
1628 1589 of the 2021-2022 General Appropriations Act:

1629 (1) To provide a unified procedure to verify
1630 implementation of water quality monitoring pursuant to s.
1631 403.067(7)(d)2.a., Florida Statutes, the rulemaking required by
1632 s. 373.4595(3)(b)21., (4)(b)8., and (4)(d)8., Florida Statutes,
1633 are limited to procedures to implement water quality monitoring
1634 required in lieu of implementation of best management practices
1635 or other measures and replace existing rule 40E-61, Florida
1636 Administrative Code.

1637 (2) This section expires July 1, 2022.

1638 Section 47. In order to implement appropriations from the
1639 Agricultural Emergency Eradication Trust Fund within the
1640 Department of Agriculture and Consumer Services in the 2021-2022
1641 General Appropriations Act:

1642 (1) Notwithstanding s. 570.1912, Florida Statutes, there
1643 shall be no appropriation from the General Revenue Fund to the
1644 Agricultural Emergency Eradication Trust Fund in an amount equal
1645 to the prior year's transfers into the trust fund from ss.
1646 206.606 and 206.608, Florida Statutes, for the 2021-2022 fiscal
1647 year.

1648 (2) This section expires July 1, 2022.

1649 Section 48. In order to implement Specific Appropriations
1650 1610 and 1611 of the 2021-2022 General Appropriations Act,

1651 subsection (3) is added to section 253.01, Florida Statutes, to
 1652 read:

1653 253.01 Internal Improvement Trust Fund established.—

1654 (3) Notwithstanding subsection (2) and for the 2021-2022
 1655 fiscal year, funds credited to the Internal Improvement Trust
 1656 Fund may be used for water pollution control financial
 1657 assistance pursuant to s. 403.1835 and the drinking water state
 1658 revolving loan fund pursuant to s. 403.8532. This subsection
 1659 expires July 1, 2022.

1660 Section 49. In order to implement Specific Appropriation
 1661 1611 of the 2021-2022 General Appropriations Act, paragraph (e)
 1662 is added to subsection (5) of section 378.035, Florida Statutes,
 1663 to read:

1664 378.035 Department responsibilities and duties with
 1665 respect to Nonmandatory Land Reclamation Trust Fund.—

1666 (5) Funds within the Nonmandatory Land Reclamation Trust
 1667 Fund are also authorized for use by the department for the
 1668 following purposes:

1669 (e) For the 2021-2022 fiscal year, for water pollution
 1670 control financial assistance pursuant to s. 403.1835. This
 1671 paragraph expires July 1, 2022.

1672 Section 50. In order to implement Specific Appropriation
 1673 1611 of the 2021-2022 General Appropriations Act, subsection (4)
 1674 is added to section 403.0874, Florida Statutes, to read:

1675 403.0874 Air Pollution Control Trust Fund.—

1676 (4) Notwithstanding subsection (2) and for the 2021-2022
 1677 fiscal year, funds credited to the Air Pollution Control Trust
 1678 Fund may be used for water pollution control financial
 1679 assistance pursuant to s. 403.1835. This subsection expires July
 1680 1, 2022.

1681 Section 51. In order to implement Specific Appropriation
 1682 2604 of the 2021-2022 General Appropriations Act, paragraph (b)
 1683 of subsection (3) and subsection (5) of section 321.04, Florida
 1684 Statutes, are reenacted and amended to read:

1685 321.04 Personnel of the highway patrol; rank
 1686 classifications; probationary status of new patrol officers;
 1687 subsistence; special assignments.—

1688 (3) (b) For the 2021-2022 ~~2020-2021~~ fiscal year only, upon
 1689 the request of the Governor, the Department of Highway Safety
 1690 and Motor Vehicles shall assign one or more patrol officers to
 1691 the office of the Lieutenant Governor for security services.
 1692 This paragraph expires July 1, 2022 ~~2021~~.

1693 (5) For the 2021-2022 ~~2020-2021~~ fiscal year only, the
 1694 assignment of a patrol officer by the department shall include a
 1695 Cabinet member specified in s. 4, Art. IV of the State
 1696 Constitution if deemed appropriate by the department or in
 1697 response to a threat and upon written request of such Cabinet
 1698 member. This subsection expires July 1, 2022 ~~2021~~.

1699 Section 52. In order to implement Specific Appropriation
 1700 2237 of the 2021-2022 General Appropriations Act, subsection (7)

1701 of section 288.0655, Florida Statutes, is reenacted and amended
 1702 to read:

1703 288.0655 Rural Infrastructure Fund.—

1704 (7) For the 2021-2022 ~~2020-2021~~ fiscal year, the funds
 1705 appropriated for the grant program for Florida Panhandle
 1706 counties shall be distributed pursuant to and for the purposes
 1707 described in the proviso language associated with Specific
 1708 Appropriation 2237 ~~2280~~ of the 2021-2022 ~~2020-2021~~ General
 1709 Appropriations Act. This subsection expires July 1, 2022 ~~2021~~.

1710 Section 53. In order to implement section 79 of the 2021-
 1711 2022 General Appropriations Act, subsection (4) of section
 1712 288.80125, Florida Statutes, is reenacted and amended to read:

1713 288.80125 Triumph Gulf Coast Trust Fund.—

1714 (4) For the 2021-2022 ~~2020-2021~~ fiscal year, funds shall
 1715 be used for the Rebuild Florida Revolving Loan Fund program to
 1716 provide assistance to businesses impacted by Hurricane Michael
 1717 as provided in the General Appropriations Act. This subsection
 1718 expires July 1, 2022 ~~2021~~.

1719 Section 54. In order to implement Specific Appropriations
 1720 1865 through 1878, 1884 through 1887, 1899 through 1908, 1910
 1721 through 1919, and 1953 through 1966 of the 2021-2022 General
 1722 Appropriations Act, paragraphs (g) and (h) of subsection (7) of
 1723 section 339.135, Florida Statutes, are reenacted and amended to
 1724 read:

1725 339.135 Work program; legislative budget request;

1726 definitions; preparation, adoption, execution, and amendment.—

1727 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

1728 (g)1. Any work program amendment which also requires the
 1729 transfer of fixed capital outlay appropriations between
 1730 categories within the department or the increase of an
 1731 appropriation category is subject to the approval of the
 1732 Legislative Budget Commission.

1733 2. If the department submits an amendment to a meeting of
 1734 the Legislative Budget Commission and the commission does not
 1735 meet or consider the amendment ~~cannot be held~~ within 30 days
 1736 after its submission ~~the department submits an amendment to the~~
 1737 ~~Legislative Budget Commission~~, the chair and vice chair of the
 1738 Legislative Budget Commission may authorize such amendment to be
 1739 approved pursuant to s. 216.177. This subparagraph expires July
 1740 1, 2022 ~~2021~~.

1741 (h)1. Any work program amendment that also adds a new
 1742 project, or phase thereof, to the adopted work program in excess
 1743 of \$3 million is subject to approval by the Legislative Budget
 1744 Commission. Any work program amendment submitted under this
 1745 paragraph must include, as supplemental information, a list of
 1746 projects, or phases thereof, in the current 5-year adopted work
 1747 program which are eligible for the funds within the
 1748 appropriation category being used for the proposed amendment.
 1749 The department shall provide a narrative with the rationale for
 1750 not advancing an existing project, or phase thereof, in lieu of

HB 5003

2021

1751 the proposed amendment.

1752 2. If the department submits an amendment to a meeting of
1753 the Legislative Budget Commission and the commission does not
1754 meet or consider the amendment cannot be held within 30 days
1755 after its submission ~~the department submits an amendment to the~~
1756 ~~commission~~, the chair and vice chair of the Legislative Budget
1757 Commission may authorize the amendment to be approved pursuant
1758 to s. 216.177. This subparagraph expires July 1, 2022 ~~2021~~.

1759 Section 55. In order to implement Specific Appropriations
1760 2544 of the 2021-2022 General Appropriations Act, paragraph (d)
1761 of subsection (4) of section 112.061, Florida Statutes, is
1762 reenacted and amended to read:

1763 112.061 Per diem and travel expenses of public officers,
1764 employees, and authorized persons; statewide travel management
1765 system.—

1766 (4) OFFICIAL HEADQUARTERS.—The official headquarters of an
1767 officer or employee assigned to an office shall be the city or
1768 town in which the office is located except that:

1769 (d) A Lieutenant Governor who permanently resides outside
1770 of Leon County, may, if he or she so requests, have an
1771 appropriate facility in his or her county designated as his or
1772 her official headquarters for purposes of this section. This
1773 official headquarters may only serve as the Lieutenant
1774 Governor's personal office. The Lieutenant Governor may not use
1775 state funds to lease space in any facility for his or her

1776 official headquarters.

1777 1. A Lieutenant Governor for whom an official headquarters
 1778 is established in his or her county of residence pursuant to
 1779 this paragraph is eligible for subsistence at a rate to be
 1780 established by the Governor for each day or partial day that the
 1781 Lieutenant Governor is at the State Capitol to conduct official
 1782 state business. In addition to the subsistence allowance, a
 1783 Lieutenant Governor is eligible for reimbursement for
 1784 transportation expenses as provided in subsection (7) for travel
 1785 between the Lieutenant Governor's official headquarters and the
 1786 State Capitol to conduct state business.

1787 2. Payment of subsistence and reimbursement for
 1788 transportation between a Lieutenant Governor's official
 1789 headquarters and the State Capitol shall be made to the extent
 1790 appropriated funds are available, as determined by the Governor.

1791 3. This paragraph expires July 1, 2022 ~~2021~~.

1792 Section 56. In order to implement section 8 of the 2021-
 1793 2022 General Appropriations Act:

1794 (1) Notwithstanding s. 110.123(3)(f) and (j), Florida
 1795 Statutes, the Department of Management Services shall maintain
 1796 and offer the same PPO and HMO health plan alternatives to the
 1797 participants of the State Group Health Insurance Program during
 1798 the 2021-2022 fiscal year which were in effect for the 2020-2021
 1799 fiscal year.

1800 (2) This section expires July 1, 2022.

1801 Section 57. In order to implement the appropriation of
 1802 funds in the special categories, contracted services, and
 1803 expenses categories of the 2021-2022 General Appropriations Act:

1804 (1) A state agency may not initiate a competitive
 1805 solicitation for a product or service if the completion of such
 1806 competitive solicitation would:

1807 (a) Require a change in law; or

1808 (b) Require a change to the agency's budget other than a
 1809 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
 1810 unless the initiation of such competitive solicitation is
 1811 specifically authorized in law, in the General Appropriations
 1812 Act, or by the Legislative Budget Commission.

1813 (2) This section does not apply to a competitive
 1814 solicitation for which the agency head certifies that a valid
 1815 emergency exists.

1816 (3) This section expires July 1, 2022.

1817 Section 58. In order to implement Specific Appropriations
 1818 2670 and 2671 of the 2021-2022 General Appropriations Act:

1819 (1) Notwithstanding s. 11.13(1), Florida Statutes, the
 1820 authorized salaries for members of the Legislature for the 2021-
 1821 2022 fiscal year shall be set at the same level in effect on
 1822 July 1, 2010.

1823 (2) This section expires July 1, 2022.

1824 Section 59. In order to implement the transfer of funds to
 1825 the General Revenue Fund from trust funds for the 2021-2022

1826 General Appropriations Act, paragraph (b) of subsection (2) of
 1827 section 215.32, Florida Statutes, is reenacted to read:

1828 215.32 State funds; segregation.—

1829 (2) The source and use of each of these funds shall be as
 1830 follows:

1831 (b)1. The trust funds shall consist of moneys received by
 1832 the state which under law or under trust agreement are
 1833 segregated for a purpose authorized by law. The state agency or
 1834 branch of state government receiving or collecting such moneys
 1835 is responsible for their proper expenditure as provided by law.
 1836 Upon the request of the state agency or branch of state
 1837 government responsible for the administration of the trust fund,
 1838 the Chief Financial Officer may establish accounts within the
 1839 trust fund at a level considered necessary for proper
 1840 accountability. Once an account is established, the Chief
 1841 Financial Officer may authorize payment from that account only
 1842 upon determining that there is sufficient cash and releases at
 1843 the level of the account.

1844 2. In addition to other trust funds created by law, to the
 1845 extent possible, each agency shall use the following trust funds
 1846 as described in this subparagraph for day-to-day operations:

1847 a. Operations or operating trust fund, for use as a
 1848 depository for funds to be used for program operations funded by
 1849 program revenues, with the exception of administrative
 1850 activities when the operations or operating trust fund is a

1851 proprietary fund.

1852 b. Operations and maintenance trust fund, for use as a
1853 depository for client services funded by third-party payors.

1854 c. Administrative trust fund, for use as a depository for
1855 funds to be used for management activities that are departmental
1856 in nature and funded by indirect cost earnings and assessments
1857 against trust funds. Proprietary funds are excluded from the
1858 requirement of using an administrative trust fund.

1859 d. Grants and donations trust fund, for use as a
1860 depository for funds to be used for allowable grant or donor
1861 agreement activities funded by restricted contractual revenue
1862 from private and public nonfederal sources.

1863 e. Agency working capital trust fund, for use as a
1864 depository for funds to be used pursuant to s. 216.272.

1865 f. Clearing funds trust fund, for use as a depository for
1866 funds to account for collections pending distribution to lawful
1867 recipients.

1868 g. Federal grant trust fund, for use as a depository for
1869 funds to be used for allowable grant activities funded by
1870 restricted program revenues from federal sources.

1871

1872 To the extent possible, each agency must adjust its internal
1873 accounting to use existing trust funds consistent with the
1874 requirements of this subparagraph. If an agency does not have
1875 trust funds listed in this subparagraph and cannot make such

1876 adjustment, the agency must recommend the creation of the
1877 necessary trust funds to the Legislature no later than the next
1878 scheduled review of the agency's trust funds pursuant to s.
1879 215.3206.

1880 3. All such moneys are hereby appropriated to be expended
1881 in accordance with the law or trust agreement under which they
1882 were received, subject always to the provisions of chapter 216
1883 relating to the appropriation of funds and to the applicable
1884 laws relating to the deposit or expenditure of moneys in the
1885 State Treasury.

1886 4.a. Notwithstanding any provision of law restricting the
1887 use of trust funds to specific purposes, unappropriated cash
1888 balances from selected trust funds may be authorized by the
1889 Legislature for transfer to the Budget Stabilization Fund and
1890 General Revenue Fund in the General Appropriations Act.

1891 b. This subparagraph does not apply to trust funds
1892 required by federal programs or mandates; trust funds
1893 established for bond covenants, indentures, or resolutions whose
1894 revenues are legally pledged by the state or public body to meet
1895 debt service or other financial requirements of any debt
1896 obligations of the state or any public body; the Division of
1897 Licensing Trust Fund in the Department of Agriculture and
1898 Consumer Services; the State Transportation Trust Fund; the
1899 trust fund containing the net annual proceeds from the Florida
1900 Education Lotteries; the Florida Retirement System Trust Fund;

1901 trust funds under the management of the State Board of Education
1902 or the Board of Governors of the State University System, where
1903 such trust funds are for auxiliary enterprises, self-insurance,
1904 and contracts, grants, and donations, as those terms are defined
1905 by general law; trust funds that serve as clearing funds or
1906 accounts for the Chief Financial Officer or state agencies;
1907 trust funds that account for assets held by the state in a
1908 trustee capacity as an agent or fiduciary for individuals,
1909 private organizations, or other governmental units; and other
1910 trust funds authorized by the State Constitution.

1911 Section 60. The text of s. 215.32(2)(b), Florida Statutes,
1912 as carried forward from chapter 2020-114, Laws of Florida, by
1913 this act expires July 1, 2022, and the text of that paragraph
1914 shall revert to that in existence on June 30, 2011, except that
1915 any amendments to such text enacted other than by this act shall
1916 be preserved and continue to operate to the extent that such
1917 amendments are not dependent upon the portions of text which
1918 expire pursuant to this section.

1919 Section 61. In order to implement appropriations in the
1920 2021-2022 General Appropriations Act for state employee travel:

1921 (1) The funds appropriated to each state agency which may
1922 be used for travel by state employees are limited during the
1923 2021-2022 fiscal year to travel for activities that are critical
1924 to each state agency's mission. Funds may not be used for travel
1925 by state employees to foreign countries, other states,

1926 conferences, staff training activities, or other administrative
1927 functions unless the agency head has approved, in writing, that
1928 such activities are critical to the agency's mission. The agency
1929 head shall consider using teleconferencing and other forms of
1930 electronic communication to meet the needs of the proposed
1931 activity before approving mission-critical travel.

1932 (2) This section does not apply to travel for law
1933 enforcement purposes, military purposes, emergency management
1934 activities, or public health activities.

1935 (3) This section expires July 1, 2022.

1936 Section 62. In order to implement appropriations in the
1937 2021-2022 General Appropriations Act for state employee travel:

1938 (1) Notwithstanding s. 112.061, Florida Statutes, costs
1939 for lodging associated with a meeting, conference, or convention
1940 organized or sponsored in whole or in part by a state agency or
1941 the judicial branch may not exceed \$175 per day. An employee may
1942 expend his or her own funds for any lodging expenses in excess
1943 of \$175 per day.

1944 (2) For purposes of this section, a meeting does not
1945 include travel activities for conducting an audit, examination,
1946 inspection, or investigation or travel activities related to a
1947 litigation or emergency response.

1948 (3) This section expires July 1, 2022.

1949 Section 63. In order to implement the appropriation of
1950 funds in the special categories, contracted services, and

1951 expenses categories of the 2021-2022 General Appropriations Act:

1952 (1) A state agency may not enter into a contract
 1953 containing a nondisclosure clause that prohibits the contractor
 1954 from disclosing information relevant to the performance of the
 1955 contract to members or staff of the Senate or the House of
 1956 Representatives.

1957 (2) This section expires July 1, 2022.

1958 Section 64. In order to implement the appropriation of
 1959 funds in the special categories, contracted services, and
 1960 expenses categories of the 2021-2022 General Appropriations Act,
 1961 section 216.1366, Florida Statutes, is reenacted and amended to
 1962 read:

1963 216.1366 Contract terms.—

1964 (1) In order to preserve the interest of the state in the
 1965 prudent expenditure of state funds, each public agency contract
 1966 for services entered into or amended on or after July 1, 2021
 1967 ~~2020~~, shall authorize the public agency to inspect the:

1968 (a) Financial records, papers, and documents of the
 1969 contractor that are directly related to the performance of the
 1970 contract or the expenditure of state funds.

1971 (b) Programmatic records, papers, and documents of the
 1972 contractor which the public agency determines are necessary to
 1973 monitor the performance of the contract or to ensure that the
 1974 terms of the contract are being met.

1975 (2) The contract shall require the contractor to provide

1976 such records, papers, and documents requested by the public
 1977 agency within 10 business days after the request is made.

1978 (3) This section expires July 1, 2022 ~~2021~~.

1979 Section 65. In order to implement section 98 of the 2021-
 1980 2022 General Appropriations Act, paragraph (f) of subsection
 1981 (11) of section 216.181, Florida Statutes, is added to read:

1982 (11)

1983 (f) Notwithstanding paragraph (b) and paragraph (2)(b),
 1984 and for the 2021-2022 fiscal year only, the Legislative Budget
 1985 Commission may increase the amounts appropriated to state
 1986 agencies for fixed capital outlay projects using funds provided
 1987 to the state from the federal Coronavirus State Fiscal Recovery
 1988 Fund contained in Public Law No. 117-2. The projects must be for
 1989 deferred maintenance needs in state and school facilities and
 1990 must be specifically identified in a funding plan submitted to
 1991 the Legislative Budget Commission for approval. This paragraph
 1992 expires July 1, 2022.

1993
 1994 The provisions of this subsection are subject to the notice and
 1995 objection procedures set forth in s. 216.177.

1996 Section 66. In order to implement sections 9 through 16 of
 1997 the 2021-2022 General Appropriations Act:

1998 (1) The detailed reversions by state agency, budget
 1999 entity, appropriation category, and fund type included in the
 2000 document titled "Fiscal Year 2020-2021 Immediate Reversions"

2001 dated March 26, 2021, and filed with the Clerk of the House of
2002 Representatives, are incorporated by reference for the purpose
2003 of displaying the calculations used by the Legislature,
2004 consistent with the requirements of state law, in making
2005 appropriations for the 2020-2021 fiscal year.

2006 (2) This section expires July 1, 2022.

2007 Section 67. Any section of this act which implements a
2008 specific appropriation or specifically identified proviso
2009 language in the 2021-2022 General Appropriations Act is void if
2010 the specific appropriation or specifically identified proviso
2011 language is vetoed. Any section of this act which implements
2012 more than one specific appropriation or more than one portion of
2013 specifically identified proviso language in the 2021-2022
2014 General Appropriations Act is void if all the specific
2015 appropriations or portions of specifically identified proviso
2016 language are vetoed.

2017 Section 68. If any other act passed during the 2021
2018 Regular Session of the Legislature contains a provision that is
2019 substantively the same as a provision in this act, but that
2020 removes or is otherwise not subject to the future repeal applied
2021 to such provision by this act, the Legislature intends that the
2022 provision in the other act takes precedence and continues to
2023 operate, notwithstanding the future repeal provided by this act.

2024 Section 69. If any provision of this act or its
2025 application to any person or circumstance is held invalid, the

HB 5003

2021

2026 | invalidity does not affect other provisions or applications of
2027 | the act which can be given effect without the invalid provision
2028 | or application, and to this end the provisions of this act are
2029 | severable.

2030 | Section 70. Except as otherwise expressly provided in this
2031 | act and except for this section, which shall take effect upon
2032 | this act becoming a law, this act shall take effect July 1,
2033 | 2021, or, if this act fails to become a law until after that
2034 | date, it shall take effect upon becoming a law and shall operate
2035 | retroactively to July 1, 2021.