

20212502er

1  
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 the General Appropriations  
8 Act; reenacting and amending s. 1013.62(1), F.S.;  
9 specifying the source of capital outlay funding for  
10 charter schools; providing for the future expiration  
11 and reversion of specified statutory text; amending s.  
12 1011.62, F.S.; extending for 1 fiscal year  
13 authorization for the Legislature to provide a funding  
14 compression and hold harmless allocation; modifying  
15 the manner of prorating appropriations made under the  
16 funding compression and hold harmless allocation;  
17 reenacting s. 1001.26(1), F.S., relating to the public  
18 broadcasting program system; extending for 1 fiscal  
19 year authorization for the Department of Education to  
20 provide certain appropriated funds to certain  
21 education television stations and public colleges and  
22 universities for public broadcasting; providing for  
23 the future expiration and reversion of specified  
24 statutory text; incorporating by reference certain  
25 calculations for the hospital reimbursement program;  
26 authorizing the Agency for Health Care Administration,  
27 in consultation with the Department of Health, to  
28 submit a budget amendment to realign funding for a  
29 component of the Children's Medical Services program

20212502er

30 to reflect actual enrollment changes; specifying  
31 requirements for such realignment; authorizing the  
32 agency to request nonoperating budget authority for  
33 transferring certain federal funds to the Department  
34 of Health; authorizing the Agency for Health Care  
35 Administration to submit a budget amendment to realign  
36 Medicaid funding for specified purposes, subject to  
37 certain limitations; authorizing the Agency for Health  
38 Care Administration and the Department of Health to  
39 each submit a budget amendment to realign funding  
40 within the Florida Kidcare program appropriation  
41 categories or increase budget authority for certain  
42 purposes; specifying the time period within each such  
43 budget amendment must be submitted; amending ss.  
44 381.986 and 381.988, F.S.; extending for 1 year the  
45 exemption of certain rules pertaining to the medical  
46 use of marijuana from certain rulemaking requirements;  
47 amending s. 14(1), chapter 2017-232, Laws of Florida;  
48 exempting certain rules pertaining to medical  
49 marijuana adopted to replace emergency rules from  
50 specified rulemaking requirements; providing for the  
51 future expiration and reversion of specified law;  
52 authorizing the Agency for Health Care Administration,  
53 upon specified federal approval, to establish a  
54 directed payment program for hospitals providing  
55 inpatient and outpatient service to certain enrollees;  
56 authorizing the Agency for Health Care Administration  
57 to submit a budget amendment seeking additional  
58 spending authority to implement the program;

20212502er

59 authorizing the Department of Children and Families to  
60 submit a budget amendment to realign funding for  
61 implementation of the Guardianship Assistance Program;  
62 authorizing the Department of Children and Families to  
63 submit a budget amendment to realign funding within  
64 the Family Safety Program for specified purposes;  
65 authorizing the Department of Health to submit a  
66 budget amendment to increase budget authority for the  
67 HIV/AIDS Prevention and Treatment Program if a certain  
68 condition is met; reenacting and amending s. 42(1)-(5)  
69 of chapter 2020-114, Laws of Florida; extending for 1  
70 fiscal year provisions governing the Agency for Health  
71 Care Administration's replacement of the Florida  
72 Medicaid Management Information System (FMMIS) and  
73 fiscal agent operations; modifying the composition and  
74 duties of the executive steering committee overseeing  
75 the replacement; amending s. 409.916, F.S.;

76 authorizing funds in the Grants and Donations Trust  
77 Fund supporting the Medicaid program to be used as  
78 provided in the General Appropriations Act; amending  
79 s. 216.262, F.S.; extending for 1 fiscal year the  
80 authority of the Department of Corrections to submit a  
81 budget amendment for additional positions and  
82 appropriations under certain circumstances; requiring  
83 review and approval by the Legislative Budget  
84 Commission; amending s. 1011.80, F.S.; specifying the  
85 manner by which state funds for postsecondary  
86 workforce programs may be used for inmate education;  
87 providing for the future expiration and reversion of

20212502er

88 specified statutory text; amending s. 215.18, F.S.;

89 extending for 1 fiscal year the authority and related

90 repayment requirements for temporary trust fund loans

91 to the state court system which are sufficient to meet

92 the system's appropriation; requiring the Department

93 of Juvenile Justice to review county juvenile

94 detention payments to determine whether a county has

95 met specified financial responsibilities; requiring

96 amounts owed by the county for such financial

97 responsibilities to be deducted from certain county

98 funds; requiring the Department of Revenue to transfer

99 withheld funds to a specified trust fund; requiring

100 the Department of Revenue to ensure that such

101 reductions in amounts distributed do not reduce

102 distributions below amounts necessary for certain

103 payments due on bonds and to comply with bond

104 covenants; requiring the Department of Revenue to

105 notify the Department of Juvenile Justice if bond

106 payment requirements mandate a reduction in deductions

107 for amounts owed by a county; reenacting s. 27.40(1),

108 (2)(a), (3)(a), (5), (6), and (7), F.S., relating to

109 court-appointed counsel; extending for 1 fiscal year

110 provisions governing the appointment of court-

111 appointed counsel; providing for the future expiration

112 and reversion of specified statutory text; amending s.

113 27.5304, F.S., and reenacting subsections (1), (3),

114 (7), and (11), and paragraphs (12)(a)-(e), relating to

115 private court-appointed counsel; extending for 1

116 fiscal year limitations on compensation for

20212502er

117 representation in criminal proceedings; providing for  
118 the future expiration and reversion of specified  
119 statutory text; reenacting s. 20.316(2) and (3), F.S.,  
120 relating to the Department of Juvenile Justice;  
121 extending for 1 fiscal year provisions creating the  
122 Accountability and Program Support program within the  
123 department; providing for the future expiration and  
124 reversion of specified statutory text; requiring the  
125 Department of Management Services to use tenant broker  
126 services to renegotiate or reprocur certain private  
127 lease agreements for office or storage space;  
128 requiring the Department of Management Services to  
129 provide a report to the Governor and the Legislature  
130 by a specified date; prohibiting an agency from  
131 transferring funds from a data processing category to  
132 another category that is not a data processing  
133 category; authorizing the Executive Office of the  
134 Governor to transfer funds appropriated for data  
135 processing assessment between departments for a  
136 specified purpose; authorizing the Executive Office of  
137 the Governor to transfer funds between departments for  
138 purposes of aligning amounts paid for risk management  
139 insurance and for human resources services purchased  
140 per statewide contract; reenacting and amending s.  
141 72(1)-(5), chapter 2020-114, Laws of Florida;  
142 extending for 1 fiscal year provisions requiring the  
143 Department of Financial Services to replace specified  
144 components of the Florida Accounting Information  
145 Resource Subsystem (FLAIR) and the Cash Management

20212502er

146 Subsystem (CMS); revising the composition of the  
147 executive steering committee overseeing the  
148 replacement of FLAIR and CMS; requiring the chair of  
149 the executive steering committee to request input on  
150 agenda items before a committee meeting; revising  
151 certain duties of the executive steering committee;  
152 amending s. 215.18, F.S.; extending for 1 fiscal year  
153 the authority of the Governor, if there is a specified  
154 temporary deficiency in a land acquisition trust fund  
155 in the Department of Agriculture and Consumer  
156 Services, the Department of Environmental Protection,  
157 the Department of State, or the Fish and Wildlife  
158 Conservation Commission, to transfer funds from other  
159 trust funds in the State Treasury as a temporary loan  
160 to such trust fund; providing a deadline for the  
161 repayment of a temporary loan; requiring the  
162 Department of Environmental Protection to transfer  
163 designated proportions of the revenues deposited in  
164 the Land Acquisition Trust Fund within the department  
165 to land acquisition trust funds in the Department of  
166 Agriculture and Consumer Services, the Department of  
167 State, and the Fish and Wildlife Conservation  
168 Commission according to specified parameters and  
169 calculations; defining the term "department";  
170 requiring the Department of Environmental Protection  
171 to make transfers to land acquisition trust funds  
172 monthly; specifying the method of determining transfer  
173 amounts; authorizing the Department of Environmental  
174 Protection to advance funds from its land acquisition

20212502er

175 trust fund to the Fish and Wildlife Conservation  
176 Commission's land acquisition trust fund for specified  
177 purposes; amending s. 375.041, F.S.; specifying that  
178 certain funds for projects dedicated to restoring Lake  
179 Apopka shall be appropriated as provided in the  
180 General Appropriations Act; reenacting s.  
181 570.93(1)(a), F.S., relating to the agricultural water  
182 conservation program of the Department of Agriculture  
183 and Consumer Services; extending for 1 fiscal year  
184 provisions governing administration of a cost-share  
185 program; providing for the future expiration and  
186 reversion of specified statutory text; amending s.  
187 259.105, F.S.; providing for the distribution of  
188 proceeds from the Florida Forever Trust Fund for the  
189 2021-2022 fiscal year; amending s. 161.101, F.S.;  
190 authorizing the Department of Environmental Protection  
191 to waive or reduce certain matching requirements for  
192 local governments for beach management and erosion  
193 control projects under specified circumstances;  
194 reenacting s. 376.3071(15)(g), F.S., relating to the  
195 Inland Protection Trust Fund; exempting specified  
196 costs incurred by certain petroleum storage system  
197 owners or operators during a specified period from the  
198 prohibition against making payments in excess of  
199 amounts approved by the Department of Environmental  
200 Protection; providing for the future expiration and  
201 reversion of specified statutory text; amending s.  
202 321.04, F.S.; extending for 1 fiscal year the  
203 requirement that the Department of Highway Safety and

20212502er

204 Motor Vehicles assign one or more patrol officers to  
205 the office of Lieutenant Governor for security  
206 purposes, upon request of the Governor; extending for  
207 1 fiscal year the requirement that the Department of  
208 Highway Safety and Motor Vehicles assign a patrol  
209 officer to a Cabinet member under certain  
210 circumstances; amending s. 215.559, F.S.; delaying the  
211 repeal of provisions governing the Division of  
212 Emergency Management's Hurricane Loss Mitigation  
213 Program; amending s. 288.0655, F.S.; specifying the  
214 manner of distributing grant funds for rural  
215 infrastructure for Florida Panhandle counties for the  
216 2021-2022 fiscal year; amending s. 288.80125, F.S.;  
217 extending for 1 fiscal year a requirement that funds  
218 in the Triumph Gulf Coast Trust Fund be used for the  
219 Rebuild Florida Revolving Loan Fund program for  
220 purposes related to Hurricane Michael recovery;  
221 amending s. 339.08, F.S.; authorizing the transfer of  
222 funds from the State Transportation Trust Fund to the  
223 General Revenue Fund as provided in the General  
224 Appropriations Act; specifying that any amount  
225 transferred be reduced from the total state revenue  
226 deposited into the State Transportation Trust Fund;  
227 authorizing the use of any such funds appropriated  
228 from the General Revenue Fund for specified purposes;  
229 waiving certain requirements under the state work  
230 program for such funds; requiring the Department of  
231 Transportation to track and account for any such funds  
232 appropriated; amending s. 339.135, F.S.; authorizing



20212502er

233 the chair and vice chair of the Legislative Budget  
234 Commission to approve certain work program amendments  
235 under specified circumstances; amending s. 341.052,  
236 F.S.; waiving the limitation on local participation  
237 for certain public transit grants; amending s.  
238 112.061, F.S.; extending for 1 fiscal year the  
239 authorization for the Lieutenant Governor to designate  
240 an alternative official headquarters under certain  
241 conditions; specifying restrictions, limitations,  
242 eligibility for the subsistence allowance,  
243 reimbursement of transportation expenses, and payment  
244 thereof; requiring the Department of Management  
245 Services to maintain and offer the same health  
246 insurance options for participants of the State Group  
247 Health Insurance Program for the 2021-2022 fiscal year  
248 as applied in the preceding fiscal year; prohibiting a  
249 state agency from initiating a competitive  
250 solicitation for a product or service under certain  
251 circumstances; providing an exception; providing that  
252 the annual salaries of the members of the Legislature  
253 be maintained at a specified level; reenacting s.  
254 215.32(2)(b), F.S., relating to the source and use of  
255 certain trust funds; providing for the future  
256 expiration and reversion of statutory text; specifying  
257 the types of travel which may be used with state  
258 employee travel funds; providing exceptions; providing  
259 a monetary cap on lodging costs for state employee  
260 travel to certain meetings organized or sponsored by a  
261 state agency or the judicial branch; authorizing

20212502er

262 employees to expend their own funds for lodging  
263 expenses that exceed the monetary caps; prohibiting a  
264 state agency from entering into a contract containing  
265 certain nondisclosure agreements; reenacting and  
266 amending s. 216.1366, F.S., relating to contract  
267 terms; extending for 1 fiscal year provisions  
268 requiring each public agency contract for services  
269 after a certain date to authorize public agencies to  
270 inspect specified information related to such  
271 contract; amending s. 216.181, F.S.; authorizing the  
272 Legislative Budget Commission to increase amounts  
273 appropriated to state agencies for specified fixed  
274 capital outlay projects; incorporating by reference  
275 certain calculations of reversions; authorizing state  
276 agencies to submit budget amendments to implement any  
277 necessary salary increases to address pay plan  
278 compression resulting from the increase in the state  
279 minimum wage; authorizing a certain level of payment  
280 for consenting retired commissioners of the Florida  
281 Commission on Offender Review who return to temporary  
282 duty; amending s. 282.709, F.S.; providing legislative  
283 findings regarding the state agency law enforcement  
284 radio system; requiring the Department of Management  
285 Services to enter a contract for a specified term with  
286 the operator of the statewide radio communications  
287 system as of a specified date; specifying requirements  
288 for such contract; removing the requirement that  
289 specified goods and services for the statewide radio  
290 system be acquired through competitive procurement;

20212502er

291 providing for the future expiration and reversion of  
292 specified statutory text; amending s. 350.0614, F.S.;  
293 revising provisions governing the budget of the Office  
294 of Public Counsel; requiring the presiding officers of  
295 the Legislature to jointly approve the operating  
296 budget of the office; requiring the Public Counsel to  
297 submit an annual budget request to the Legislature in  
298 a specified manner; authorizing the Public Counsel to  
299 employ specified personnel, subject to applicable  
300 provisions of the Joint Policies and Procedures of the  
301 Presiding Officers; requiring certain input of the  
302 presiding officers regarding administrative matters of  
303 the office not addressed in the joint policies and  
304 procedures; exempting specified competitive  
305 procurement requirements for the Department of  
306 Environmental Protection for the procurement of  
307 commodities and contractual services in response to  
308 the Piney Point facility closure; authorizing the use  
309 of funds towards the continuum of care program at the  
310 Graceville Correctional Facility; reenacting and  
311 amending s. 14.35, F.S.; extending for 1 fiscal year  
312 provisions authorizing the Governor's Medal of  
313 Freedom; providing conditions under which the veto of  
314 certain appropriations or proviso language in the  
315 General Appropriations Act voids language that  
316 implements such appropriation; providing for the  
317 continued operation of certain provisions  
318 notwithstanding a future repeal or expiration provided  
319 by the act; providing severability; providing

20212502er

320 effective dates.

321  
322 Be It Enacted by the Legislature of the State of Florida:  
323

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

327 Section 2. In order to implement Specific Appropriations 7,  
328 8, 90, and 91 of the 2021-2022 General Appropriations Act, the  
329 calculations of the Florida Education Finance Program for the  
330 2021-2022 fiscal year included in the document titled "Public  
331 School Funding: The Florida Education Finance Program (FEFP)  
332 Fiscal Year 2021-2022," dated April 27, 2021, and filed with the  
333 Secretary of the Senate, are incorporated by reference for the  
334 purpose of displaying the calculations used by the Legislature,  
335 consistent with the requirements of state law, in making  
336 appropriations for the Florida Education Finance Program. This  
337 section expires July 1, 2022.

338 Section 3. In order to implement Specific Appropriations 7  
339 and 90 of the 2021-2022 General Appropriations Act, and  
340 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,  
341 1011.62(6)(b)3., and 1011.67, Florida Statutes, relating to the  
342 expenditure of funds provided for instructional materials, for  
343 the 2021-2022 fiscal year, funds provided for instructional  
344 materials shall be released and expended as required in the  
345 proviso language for Specific Appropriation 90 of the 2021-2022  
346 General Appropriations Act. This section expires July 1, 2022.

347 Section 4. In order to implement Specific Appropriation 19  
348 of the 2021-2022 General Appropriations Act, and notwithstanding

20212502er

349 the expiration date in section 6 of chapter 2020-114, Laws of  
350 Florida, subsection (1) of section 1013.62, Florida Statutes, is  
351 reenacted and amended to read:

352 1013.62 Charter schools capital outlay funding.—

353 (1) For the 2021-2022 ~~2020-2021~~ fiscal year, charter school  
354 capital outlay funding shall consist of state funds appropriated  
355 in the 2021-2022 ~~2020-2021~~ General Appropriations Act. Beginning  
356 in fiscal year 2022-2023 ~~2021-2022~~, charter school capital  
357 outlay funding shall consist of state funds when such funds are  
358 appropriated in the General Appropriations Act and revenue  
359 resulting from the discretionary millage authorized in s.

360 1011.71(2) if the amount of state funds appropriated for charter  
361 school capital outlay in any fiscal year is less than the  
362 average charter school capital outlay funds per unweighted full-  
363 time equivalent student for the 2018-2019 fiscal year,  
364 multiplied by the estimated number of charter school students  
365 for the applicable fiscal year, and adjusted by changes in the  
366 Consumer Price Index issued by the United States Department of  
367 Labor from the previous fiscal year. Nothing in this subsection  
368 prohibits a school district from distributing to charter schools  
369 funds resulting from the discretionary millage authorized in s.  
370 1011.71(2).

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

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

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

377 c. Be an expanded feeder chain of a charter school within

20212502er

378 the same school district that is currently receiving charter  
379 school capital outlay funds;

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

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

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

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

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

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

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

400 Section 5. The amendments to s. 1013.62(1), Florida  
401 Statutes, by this act expire July 1, 2022, and the text of that  
402 subsection shall revert to that in existence on June 30, 2020,  
403 except that any amendments to such text enacted other than by  
404 this act shall be preserved and continue to operate to the  
405 extent that such amendments are not dependent upon the portions  
406 of text which expire pursuant to this section.

20212502er

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

410 1011.62 Funds for operation of schools.—If the annual  
411 allocation from the Florida Education Finance Program to each  
412 district for operation of schools is not determined in the  
413 annual appropriations act or the substantive bill implementing  
414 the annual appropriations act, it shall be determined as  
415 follows:

416 (17) FUNDING COMPRESSION AND HOLD HARMLESS ALLOCATION.—The  
417 Legislature may provide an annual funding compression and hold  
418 harmless allocation in the General Appropriations Act. The  
419 allocation is created to provide additional funding to school  
420 districts if the school district's total funds per FTE in the  
421 prior year were less than the statewide average or if the school  
422 district's district cost differential in the current year is  
423 less than the prior year. The total allocation shall be  
424 distributed to eligible school districts as follows:

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

432 (b) Multiply the absolute value of the difference between  
433 the eligible school district's current year district cost  
434 differential and the prior year district cost differential by a  
435 hold harmless factor as designated in the General Appropriations

20212502er

436 Act. The result is the district cost differential hold harmless  
437 index. Multiply the index by the eligible school district's  
438 weighted FTE and by the base student allocation as designated in  
439 the General Appropriations Act.

440 (c) For each district, select the greater of ~~Add~~ the  
441 amounts calculated in paragraphs (a) and (b) and upon summation,  
442 if the total amount is greater than the amount included in the  
443 General Appropriations Act, the allocation shall be prorated to  
444 the appropriation amount based on each participating school  
445 district's share.

446  
447 This subsection expires July 1, 2022 ~~2021~~.

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

453 1001.26 Public broadcasting program system.—

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

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

464 (b) Maintenance of quality broadcast capability for



20212502er

465 educational stations that are part of the program system.

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

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

474 (e) Provision of both statewide programming funds and  
475 station programming support for educational television to meet  
476 statewide priorities. Priorities for station programming need  
477 not be the same as priorities for programming to be used  
478 statewide. Station programming may include, but shall not be  
479 limited to, citizens' participation programs, music and fine  
480 arts programs, coverage of public hearings and governmental  
481 meetings, equal air time for political candidates, and other  
482 public interest programming.

483 Section 8. The text of s. 1001.26(1), Florida Statutes, as  
484 carried forward from chapter 2018-10, Laws of Florida, by this  
485 act, expires July 1, 2022, and the text of that subsection shall  
486 revert to that in existence on June 30, 2018, except that any  
487 amendment enacted other than by this act shall be preserved and  
488 continue to operate to the extent that such amendments are not  
489 dependent upon the portions of text which expire pursuant to  
490 this section.

491 Section 9. In order to implement Specific Appropriations  
492 202, 206, and 210 of the 2021-2022 General Appropriations Act,  
493 the calculations for the hospital reimbursement program for the

20212502er

494 2021-2022 fiscal year contained in the document titled "Hospital  
495 Reimbursement Program, Fiscal Year 2021-2022," dated April 27,  
496 2021, and filed with the Secretary of the Senate, are  
497 incorporated by reference for the purpose of displaying the  
498 calculations used by the Legislature, consistent with the  
499 requirements of state law, in making appropriations for the  
500 hospital reimbursement program. This section expires July 1,  
501 2022.

502 Section 10. In order to implement Specific Appropriations  
503 196 through 223 and 515 of the 2021-2022 General Appropriations  
504 Act, and notwithstanding ss. 216.181 and 216.292, Florida  
505 Statutes, the Agency for Health Care Administration, in  
506 consultation with the Department of Health, may submit a budget  
507 amendment, subject to the notice, review, and objection  
508 procedures of s. 216.177, Florida Statutes, to realign funding  
509 within and between agencies based on implementation of the  
510 managed medical assistance component of the Statewide Medicaid  
511 Managed Care program for the Children's Medical Services program  
512 of the Department of Health. The funding realignment shall  
513 reflect the actual enrollment changes due to the transfer of  
514 beneficiaries from fee-for-service to the capitated Children's  
515 Medical Services network. The Agency for Health Care  
516 Administration may submit a request for nonoperating budget  
517 authority to transfer the federal funds to the Department of  
518 Health pursuant to s. 216.181(12), Florida Statutes. This  
519 section expires July 1, 2022.

520 Section 11. In order to implement Specific Appropriations  
521 196 through 223 of the 2021-2022 General Appropriations Act, and  
522 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the

20212502er

523 Agency for Health Care Administration may submit a budget  
524 amendment, subject to the notice, review, and objection  
525 procedures of s. 216.177, Florida Statutes, to realign funding  
526 within the Medicaid program appropriation categories to address  
527 projected surpluses and deficits within the program and to  
528 maximize the use of state trust funds. A single budget amendment  
529 shall be submitted in the last quarter of the 2021-2022 fiscal  
530 year only. This section expires July 1, 2022.

531       Section 12. In order to implement Specific Appropriations  
532 175 through 180 and 515 of the 2021-2022 General Appropriations  
533 Act, and notwithstanding ss. 216.181 and 216.292, Florida  
534 Statutes, the Agency for Health Care Administration and the  
535 Department of Health may each submit a budget amendment, subject  
536 to the notice, review, and objection procedures of s. 216.177,  
537 Florida Statutes, to realign funding within the Florida Kidcare  
538 program appropriation categories, or to increase budget  
539 authority in the Children's Medical Services network category,  
540 to address projected surpluses and deficits within the program  
541 or to maximize the use of state trust funds. A single budget  
542 amendment must be submitted by each agency in the last quarter  
543 of the 2021-2022 fiscal year only. This section expires July 1,  
544 2022.

545       Section 13. In order to implement Specific Appropriations  
546 460 through 462, 466, 467, 469A, and 474 of the 2021-2022  
547 General Appropriations Act, subsection (17) of section 381.986,  
548 Florida Statutes, is amended to read:

549       381.986 Medical use of marijuana.—

550       (17) Rules adopted pursuant to this section before July 1,  
551 2022 ~~2021~~, are not subject to ss. 120.54(3)(b) and 120.541. This

20212502er

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

553 Section 14. In order to implement Specific Appropriations  
554 460 through 462, 466, 467, 469A, and 474 of the 2021-2022  
555 General Appropriations Act, subsection (11) of section 381.988,  
556 Florida Statutes, is amended to read:

557 381.988 Medical marijuana testing laboratories; marijuana  
558 tests conducted by a certified laboratory.—

559 (11) Rules adopted under subsection (9) before July 1, 2022  
560 ~~2021~~, are not subject to ss. 120.54(3)(b) and 120.541. This  
561 subsection expires July 1, 2022 ~~2021~~.

562 Section 15. Effective July 1, 2021, upon the expiration and  
563 reversion of the amendments made to subsection (1) of section 14  
564 of chapter 2017-232, Laws of Florida, pursuant to section 34 of  
565 chapter 2020-114, Laws of Florida, and in order to implement  
566 Specific Appropriations 460 through 462, 466, 467, 469A, and 474  
567 of the 2021-2022 General Appropriations Act, subsection (1) of  
568 section 14 of chapter 2017-232, Laws of Florida, is amended to  
569 read:

570 Section 14. Department of Health; authority to adopt rules;  
571 cause of action.—

572 (1) EMERGENCY RULEMAKING.—

573 (a) The Department of Health and the applicable boards  
574 shall adopt emergency rules pursuant to s. 120.54(4), Florida  
575 Statutes, and this section necessary to implement ss. 381.986  
576 and 381.988, Florida Statutes. If an emergency rule adopted  
577 under this section is held to be unconstitutional or an invalid  
578 exercise of delegated legislative authority, and becomes void,  
579 the department or the applicable boards may adopt an emergency  
580 rule pursuant to this section to replace the rule that has

20212502er

581 become void. If the emergency rule adopted to replace the void  
582 emergency rule is also held to be unconstitutional or an invalid  
583 exercise of delegated legislative authority and becomes void,  
584 the department and the applicable boards must follow the  
585 nonemergency rulemaking procedures of the Administrative  
586 Procedures Act to replace the rule that has become void.

587 (b) For emergency rules adopted under this section, the  
588 department and the applicable boards need not make the findings  
589 required by s. 120.54(4)(a), Florida Statutes. Emergency rules  
590 adopted under this section are exempt from ss. 120.54(3)(b) and  
591 120.541, Florida Statutes. The department and the applicable  
592 boards shall meet the procedural requirements in s. 120.54(4)(a)  
593 ~~s. 120.54(a)~~, Florida Statutes, if the department or the  
594 applicable boards have, before July 1, 2019 ~~the effective date~~  
595 ~~of this act~~, held any public workshops or hearings on the  
596 subject matter of the emergency rules adopted under this  
597 subsection. Challenges to emergency rules adopted under this  
598 subsection are subject to the time schedules provided in s.  
599 120.56(5), Florida Statutes.

600 (c) Emergency rules adopted under this section are exempt  
601 from s. 120.54(4)(c), Florida Statutes, and shall remain in  
602 effect until replaced by rules adopted under the nonemergency  
603 rulemaking procedures of the Administrative Procedures Act.  
604 Rules adopted under the nonemergency rulemaking procedures of  
605 the Administrative Procedures Act to replace emergency rules  
606 adopted under this section are exempt from ss. 120.54(3)(b) and  
607 120.541, Florida Statutes. By July 1, 2022 ~~January 1, 2018~~, the  
608 department and the applicable boards shall initiate nonemergency  
609 rulemaking pursuant to the Administrative Procedures Act to

20212502er

610 replace all emergency rules adopted under this section by  
611 publishing a notice of rule development in the Florida  
612 Administrative Register. Except as provided in paragraph (a),  
613 after July 1, 2022 ~~January 1, 2018~~, the department and  
614 applicable boards may not adopt rules pursuant to the emergency  
615 rulemaking procedures provided in this section.

616 Section 16. The amendments to s. 14(1) of chapter 2017-232,  
617 Laws of Florida, made by this act expire July 1, 2022, and the  
618 text of that subsection shall revert to that in existence on  
619 June 30, 2019, except that any amendments to such text enacted  
620 other than by this act shall be preserved and continue to  
621 operate to the extent that such amendments are not dependent  
622 upon the portions of text which expire pursuant to this section.

623 Section 17. In order to implement Specific Appropriations  
624 202, 206, and 210 of the 2021-2022 General Appropriations Act,  
625 the Agency for Health Care Administration, upon approval from  
626 the Centers for Medicare and Medicaid Services, may establish a  
627 directed payment program for hospitals providing inpatient and  
628 outpatient services to Medicaid managed care enrollees. The  
629 Agency for Health Care Administration is authorized to submit a  
630 budget amendment pursuant to chapter 216, Florida Statutes,  
631 requesting additional spending authority to implement the  
632 program. This section expires July 1, 2022.

633 Section 18. In order to implement Specific Appropriations  
634 321, 323, 352, and 353 of the 2021-2022 General Appropriations  
635 Act, and notwithstanding ss. 216.181 and 216.292, Florida  
636 Statutes, the Department of Children and Families may submit a  
637 budget amendment, subject to the notice, review, and objection  
638 procedures of s. 216.177, Florida Statutes, to realign funding

20212502er

639 within the department based on the implementation of the  
640 Guardianship Assistance Program, between and among the specific  
641 appropriations for guardianship assistance payments, foster care  
642 Level 1 room and board payments, relative caregiver payments,  
643 and nonrelative caregiver payments. This section expires July 1,  
644 2022.

645 Section 19. In order to implement Specific Appropriations  
646 303 through 306, 310, 311, 314, 319 through 321, and 323 of the  
647 2021-2022 General Appropriations Act, and notwithstanding ss.  
648 216.181 and 216.292, Florida Statutes, the Department of  
649 Children and Families may submit a budget amendment, subject to  
650 the notice, review, and objection procedures of s. 216.177,  
651 Florida Statutes, to realign funding within the Family Safety  
652 Program to maximize the use of Title IV-E and other federal  
653 funds. This section expires July 1, 2022.

654 Section 20. In order to implement Specific Appropriations  
655 463 and 500 of the 2021-2022 General Appropriations Act, and  
656 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the  
657 Department of Health may submit a budget amendment, subject to  
658 the notice, review, and objection procedures of s. 216.177,  
659 Florida Statutes, to increase budget authority for the HIV/AIDS  
660 Prevention and Treatment Program if additional federal revenues  
661 specific to HIV/AIDS prevention and treatment become available  
662 in the 2021-2022 fiscal year. This section expires July 1, 2022.

663 Section 21. In order to implement Specific Appropriation  
664 190 of the 2021-2022 General Appropriations Act, subsections (1)  
665 through (5) of section 42 of chapter 2020-114, Laws of Florida,  
666 are reenacted and amended to read:

667 Section 42. (1) The Agency for Health Care Administration

20212502er

668 shall replace the current Florida Medicaid Management  
669 Information System (FMMIS) and fiscal agent operations with a  
670 system that is modular, interoperable, and scalable for the  
671 Florida Medicaid program that complies with all applicable  
672 federal and state laws and requirements. The agency may not  
673 include in the project to replace the current FMMIS and fiscal  
674 agent contract:

675 (a) Functionality that duplicates any of the information  
676 systems of the other health and human services state agencies;  
677 or

678 (b) Procurement for agency requirements external to  
679 Medicaid programs with the intent to leverage the Medicaid  
680 technology infrastructure for other purposes without legislative  
681 appropriation or legislative authorization to procure these  
682 requirements.

683  
684 The new system, the Florida Health Care Connection (FX) system,  
685 must provide better integration with subsystems supporting  
686 Florida's Medicaid program; uniformity, consistency, and  
687 improved access to data; and compatibility with the Centers for  
688 Medicare and Medicaid Services' Medicaid Information Technology  
689 Architecture (MITA) as the system matures and expands its  
690 functionality.

691 (2) For purposes of replacing FMMIS and the current  
692 Medicaid fiscal agent, the Agency for Health Care Administration  
693 shall:

694 (a) Prioritize procurements for the replacement of the  
695 current functions of FMMIS and the responsibilities of the  
696 current Medicaid fiscal agent, to minimize the need to extend



20212502er

697 all or portions of the current fiscal agent contract.

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

700 (c) Ensure compliance and uniformity with published MITA  
701 framework and guidelines.

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

706 (e) Consult with the Executive Office of the Governor's  
707 working group for interagency information technology integration  
708 for the development of competitive solicitations that provide  
709 for data interoperability and shared information technology  
710 services across the state's health and human services agencies.

711 (f) Implement a data governance structure for the project  
712 to coordinate data sharing and interoperability across state  
713 healthcare entities.

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

716 1. The Secretary of Health Care Administration, or the  
717 executive sponsor of the project.

718 2. A representative of the Division of Operations of the  
719 Agency for Health Care Administration, appointed by the  
720 Secretary of Health Care Administration ~~The Assistant Secretary~~  
721 ~~for Child Welfare of the Department of Children and Families, or~~  
722 ~~his or her designee.~~

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

725 4. Two representatives ~~employees~~ from the Division of

20212502er

726 Medicaid of the Agency for Health Care Administration, appointed  
727 by the Secretary of Health Care Administration.

728 ~~4.5.~~ A representative of the Division of Health Quality  
729 Assurance of the Agency for Health Care Administration,  
730 appointed by the Secretary of Health Care Administration.

731 ~~5.6.~~ A representative of the Florida Center for Health  
732 Information and Transparency of the Agency for Health Care  
733 Administration, appointed by the Secretary of Health Care  
734 Administration.

735 ~~7. A representative of the Division of Operations of the~~  
736 ~~Agency for Health Care Administration, appointed by the~~  
737 ~~Secretary of Health Care Administration.~~

738 ~~6.8.~~ The Chief Information Officer of the Agency for Health  
739 Care Administration, or his or her designee.

740 ~~7.9.~~ The state chief information officer, or his or her  
741 designee.

742 ~~8.10.~~ Two representatives of the Department of Children and  
743 Families, appointed by the Secretary of Children and Families  
744 ~~The Deputy Secretary for Children's Medical Services of the~~  
745 ~~Department of Health, or his or her designee.~~

746 9. A representative of the Department of Health, appointed  
747 by the State Surgeon General.

748 ~~10.11.~~ A representative of the Agency for Persons with  
749 Disabilities ~~who has experience with the preparation and~~  
750 ~~submission of waivers to the Centers for Medicare and Medicaid~~  
751 ~~Services, appointed by the director of the Agency for Persons~~  
752 with Disabilities.

753 ~~11.12.~~ A representative from the Florida Healthy Kids  
754 Corporation.

20212502er

755           ~~12.13.~~ A representative from the Department of Elderly  
756 Affairs ~~who has experience with the Medicaid Program within that~~  
757 ~~department~~, appointed by the Secretary of Elderly Affairs.

758           13.14. A representative of the Department of Financial  
759 Services who has experience with the state's financial processes  
760 including development of the PALM system, appointed by the Chief  
761 Financial Officer.

762           (3) The Secretary of Health Care Administration or the  
763 executive sponsor of the project shall serve as chair of the  
764 executive steering committee, and the committee shall take  
765 action by a vote of at least 10 affirmative votes with the chair  
766 voting on the prevailing side. A quorum of the executive  
767 steering committee consists of at least 11 members.

768           (4) The executive steering committee has the overall  
769 responsibility for ensuring that the project to replace FMMIS  
770 and the Medicaid fiscal agent meets its primary business  
771 objectives and shall:

772           (a) Identify and recommend to the Executive Office of the  
773 Governor, the President of the Senate, and the Speaker of the  
774 House of Representatives any statutory changes needed to  
775 implement the modular replacement to standardize, to the fullest  
776 extent possible, the state's healthcare data and business  
777 processes.

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

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

783           (d) Approve all major project deliverables.

20212502er

784 (e) Review and verify that ~~Approve~~ all procurement and  
785 contractual solicitation-related documents associated with the  
786 replacement of the current FMMIS and Medicaid fiscal agent align  
787 with the scope, schedule, and anticipated budget for the  
788 project.

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

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

794 409.916 Grants and Donations Trust Fund.—

795 (7) Funds may be used for other purposes as specified in  
796 the General Appropriations Act. This subsection expires July 1,  
797 2021.

798 Section 23. In order to implement Specific Appropriations  
799 572 through 680 and 692 through 726 of the 2021-2022 General  
800 Appropriations Act, subsection (4) of section 216.262, Florida  
801 Statutes, is amended to read:

802 216.262 Authorized positions.—

803 (4) Notwithstanding the provisions of this chapter relating  
804 to increasing the number of authorized positions, and for the  
805 2021-2022 ~~2020-2021~~ fiscal year only, if the actual inmate  
806 population of the Department of Corrections exceeds the inmate  
807 population projections of the March 17, 2021 ~~December 17, 2019~~,  
808 Criminal Justice Estimating Conference by 1 percent for 2  
809 consecutive months or 2 percent for any month, the Executive  
810 Office of the Governor, with the approval of the Legislative  
811 Budget Commission, shall immediately notify the Criminal Justice  
812 Estimating Conference, which shall convene as soon as possible

20212502er

813 to revise the estimates. The Department of Corrections may then  
814 submit a budget amendment requesting the establishment of  
815 positions in excess of the number authorized by the Legislature  
816 and additional appropriations from unallocated general revenue  
817 sufficient to provide for essential staff, fixed capital  
818 improvements, and other resources to provide classification,  
819 security, food services, health services, and other variable  
820 expenses within the institutions to accommodate the estimated  
821 increase in the inmate population. All actions taken pursuant to  
822 this subsection are subject to review and approval by the  
823 Legislative Budget Commission. This subsection expires July 1,  
824 2022 ~~2021~~.

825 Section 24. In order to implement Specific Appropriation  
826 714 of the 2021-2022 General Appropriations Act, and upon the  
827 expiration and reversion of the amendments made by section 54 of  
828 chapter 2020-114, Laws of Florida, paragraph (b) of subsection  
829 (8) of section 1011.80, Florida Statutes, is amended to read:

830 1011.80 Funds for operation of workforce education  
831 programs.—

832 (8)

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

839 Section 25. The amendment to s. 1011.80(8)(b), Florida  
840 Statutes, made by this act expires July 1, 2022, and the text of  
841 that paragraph shall revert to that in existence on July 1,

20212502er

842 2019, but not including any amendments made by this act or  
843 chapters 2020-114, 2019-116, and 2018-10, Laws of Florida, and  
844 any amendments to such text enacted other than by this act shall  
845 be preserved and continue to operate to the extent that such  
846 amendments are not dependent upon the portions of text which  
847 expire pursuant to this section.

848 Section 26. In order to implement Specific Appropriations  
849 3113 through 3179 of the 2021-2022 General Appropriations Act,  
850 subsection (2) of section 215.18, Florida Statutes, is amended  
851 to read:

852 215.18 Transfers between funds; limitation.—

853 (2) The Chief Justice of the Supreme Court may receive one  
854 or more trust fund loans to ensure that the state court system  
855 has funds sufficient to meet its appropriations in the 2021-2022  
856 ~~2020-2021~~ General Appropriations Act. If the Chief Justice  
857 accesses the loan, he or she must notify the Governor and the  
858 chairs of the legislative appropriations committees in writing.  
859 The loan must come from other funds in the State Treasury which  
860 are for the time being or otherwise in excess of the amounts  
861 necessary to meet the just requirements of such last-mentioned  
862 funds. The Governor shall order the transfer of funds within 5  
863 days after the written notification from the Chief Justice. If  
864 the Governor does not order the transfer, the Chief Financial  
865 Officer shall transfer the requested funds. The loan of funds  
866 from which any money is temporarily transferred must be repaid  
867 by the end of the 2021-2022 ~~2020-2021~~ fiscal year. This  
868 subsection expires July 1, 2022 ~~2021~~.

869 Section 27. In order to implement Specific Appropriations  
870 1105 through 1116 of the 2021-2022 General Appropriations Act:

20212502er

871       (1) The Department of Juvenile Justice is required to  
872 review county juvenile detention payments to ensure that  
873 counties fulfill their financial responsibilities required in s.  
874 985.6865, Florida Statutes. If the Department of Juvenile  
875 Justice determines that a county has not met its obligations,  
876 the department shall direct the Department of Revenue to deduct  
877 the amount owed to the Department of Juvenile Justice from the  
878 funds provided to the county under s. 218.23, Florida Statutes.  
879 The Department of Revenue shall transfer the funds withheld to  
880 the Shared County/State Juvenile Detention Trust Fund.

881       (2) As an assurance to holders of bonds issued by counties  
882 before July 1, 2021, for which distributions made pursuant to s.  
883 218.23, Florida Statutes, are pledged, or bonds issued to refund  
884 such bonds which mature no later than the bonds they refunded  
885 and which result in a reduction of debt service payable in each  
886 fiscal year, the amount available for distribution to a county  
887 shall remain as provided by law and continue to be subject to  
888 any lien or claim on behalf of the bondholders. The Department  
889 of Revenue must ensure, based on information provided by an  
890 affected county, that any reduction in amounts distributed  
891 pursuant to subsection (1) does not reduce the amount of  
892 distribution to a county below the amount necessary for the  
893 timely payment of principal and interest when due on the bonds  
894 and the amount necessary to comply with any covenant under the  
895 bond resolution or other documents relating to the issuance of  
896 the bonds. If a reduction to a county's monthly distribution  
897 must be decreased in order to comply with this section, the  
898 Department of Revenue must notify the Department of Juvenile  
899 Justice of the amount of the decrease, and the Department of

20212502er

900 Juvenile Justice must send a bill for payment of such amount to  
901 the affected county.

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

903 Section 28. In order to implement Specific Appropriations  
904 736 through 757, 905 through 1048, and 1069 through 1104 of the  
905 2021-2022 General Appropriations Act, and notwithstanding the  
906 expiration date in section 59 of chapter 2020-114, Laws of  
907 Florida, subsection (1), paragraph (a) of subsection (2),  
908 paragraph (a) of subsection (3), and subsections (5), (6), and  
909 (7) of section 27.40, Florida Statutes, are reenacted to read:

910 27.40 Court-appointed counsel; circuit registries; minimum  
911 requirements; appointment by court.—

912 (1) Counsel shall be appointed to represent any individual  
913 in a criminal or civil proceeding entitled to court-appointed  
914 counsel under the Federal or State Constitution or as authorized  
915 by general law. The court shall appoint a public defender to  
916 represent indigent persons as authorized in s. 27.51. The office  
917 of criminal conflict and civil regional counsel shall be  
918 appointed to represent persons in those cases in which provision  
919 is made for court-appointed counsel, but only after the public  
920 defender has certified to the court in writing that the public  
921 defender is unable to provide representation due to a conflict  
922 of interest or is not authorized to provide representation. The  
923 public defender shall report, in the aggregate, the specific  
924 basis of all conflicts of interest certified to the court. On a  
925 quarterly basis, the public defender shall submit this  
926 information to the Justice Administrative Commission.

927 (2) (a) Private counsel shall be appointed to represent  
928 persons in those cases in which provision is made for court-



20212502er

929 appointed counsel but only after the office of criminal conflict  
930 and civil regional counsel has been appointed and has certified  
931 to the court in writing that the criminal conflict and civil  
932 regional counsel is unable to provide representation due to a  
933 conflict of interest. The criminal conflict and civil regional  
934 counsel shall report, in the aggregate, the specific basis of  
935 all conflicts of interest certified to the court. On a quarterly  
936 basis, the criminal conflict and civil regional counsel shall  
937 submit this information to the Justice Administrative  
938 Commission.

939 (3) In using a registry:

940 (a) The chief judge of the circuit shall compile a list of  
941 attorneys in private practice, by county and by category of  
942 cases, and provide the list to the clerk of court in each  
943 county. The chief judge of the circuit may restrict the number  
944 of attorneys on the general registry list. To be included on a  
945 registry, an attorney must certify that he or she:

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

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

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

952  
953 To be included on a registry, an attorney must enter into a  
954 contract for services with the Justice Administrative  
955 Commission. Failure to comply with the terms of the contract for  
956 services may result in termination of the contract and removal  
957 from the registry. Each attorney on the registry is responsible

20212502er

958 for notifying the clerk of the court and the Justice  
959 Administrative Commission of any change in his or her status.  
960 Failure to comply with this requirement is cause for termination  
961 of the contract for services and removal from the registry until  
962 the requirement is fulfilled.

963 (5) The Justice Administrative Commission shall approve  
964 uniform contract forms for use in procuring the services of  
965 private court-appointed counsel and uniform procedures and forms  
966 for use by a court-appointed attorney in support of billing for  
967 attorney's fees, costs, and related expenses to demonstrate the  
968 attorney's completion of specified duties. Such uniform  
969 contracts and forms for use in billing must be consistent with  
970 s. 27.5304, s. 216.311, and the General Appropriations Act and  
971 must contain the following statement: "The State of Florida's  
972 performance and obligation to pay under this contract is  
973 contingent upon an annual appropriation by the Legislature."

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

978 (7) (a) A private attorney appointed by the court from the  
979 registry to represent a client is entitled to payment as  
980 provided in s. 27.5304 so long as the requirements of subsection  
981 (1) and paragraph (2) (a) are met. An attorney appointed by the  
982 court who is not on the registry list may be compensated under  
983 s. 27.5304 only if the court finds in the order of appointment  
984 that there were no registry attorneys available for  
985 representation for that case and only if the requirements of  
986 subsection (1) and paragraph (2) (a) are met.

20212502er

987 (b)1. The flat fee established in s. 27.5304 and the  
988 General Appropriations Act shall be presumed by the court to be  
989 sufficient compensation. The attorney shall maintain appropriate  
990 documentation, including contemporaneous and detailed hourly  
991 accounting of time spent representing the client. If the  
992 attorney fails to maintain such contemporaneous and detailed  
993 hourly records, the attorney waives the right to seek  
994 compensation in excess of the flat fee established in s. 27.5304  
995 and the General Appropriations Act. These records and documents  
996 are subject to review by the Justice Administrative Commission  
997 and audit by the Auditor General, subject to the attorney-client  
998 privilege and work-product privilege. The attorney shall  
999 maintain the records and documents in a manner that enables the  
1000 attorney to redact any information subject to a privilege in  
1001 order to facilitate the commission's review of the records and  
1002 documents and not to impede such review. The attorney may redact  
1003 information from the records and documents only to the extent  
1004 necessary to comply with the privilege. The Justice  
1005 Administrative Commission shall review such records and shall  
1006 contemporaneously document such review before authorizing  
1007 payment to an attorney. Objections by or on behalf of the  
1008 Justice Administrative Commission to records or documents or to  
1009 claims for payment by the attorney shall be presumed correct by  
1010 the court unless the court determines, in writing, that  
1011 competent and substantial evidence exists to justify overcoming  
1012 the presumption.

1013 2. If an attorney fails, refuses, or declines to permit the  
1014 commission or the Auditor General to review documentation for a  
1015 case as provided in this paragraph, the attorney waives the

20212502er

1016 right to seek, and the commission may not pay, compensation in  
1017 excess of the flat fee established in s. 27.5304 and the General  
1018 Appropriations Act for that case.

1019 3. A finding by the commission that an attorney has waived  
1020 the right to seek compensation in excess of the flat fee  
1021 established in s. 27.5304 and the General Appropriations Act, as  
1022 provided in this paragraph, shall be presumed to be correct,  
1023 unless the court determines, in writing, that competent and  
1024 substantial evidence exists to justify overcoming the  
1025 presumption.

1026 Section 29. The amendments to s. 27.40(1), (2)(a), (3)(a),  
1027 (5), (6), and (7), Florida Statutes, as carried forward from  
1028 chapter 2019-116, Laws of Florida, by this act, expire July 1,  
1029 2022, and the text of those subsections and paragraphs, as  
1030 applicable, shall revert to that in existence on June 30, 2019,  
1031 except that any amendments to such text enacted other than by  
1032 this act shall be preserved and continue to operate to the  
1033 extent that such amendments are not dependent upon the portions  
1034 of text which expire pursuant to this section.

1035 Section 30. In order to implement Specific Appropriations  
1036 736 through 757, 905 through 1048, and 1069 through 1104 of the  
1037 2021-2022 General Appropriations Act, and notwithstanding the  
1038 expiration date in section 59 of chapter 2020-114, Laws of  
1039 Florida, subsection (13) of section 27.5304, Florida Statutes,  
1040 is amended, and subsections (1), (3), (7), and (11), and  
1041 paragraphs (a) through (e) of subsection (12) of that section  
1042 are reenacted, to read:

1043 27.5304 Private court-appointed counsel; compensation;  
1044 notice.-

20212502er

1045 (1) Private court-appointed counsel appointed in the manner  
1046 prescribed in s. 27.40(1) and (2)(a) shall be compensated by the  
1047 Justice Administrative Commission only as provided in this  
1048 section and the General Appropriations Act. The flat fees  
1049 prescribed in this section are limitations on compensation. The  
1050 specific flat fee amounts for compensation shall be established  
1051 annually in the General Appropriations Act. The attorney also  
1052 shall be reimbursed for reasonable and necessary expenses in  
1053 accordance with s. 29.007. If the attorney is representing a  
1054 defendant charged with more than one offense in the same case,  
1055 the attorney shall be compensated at the rate provided for the  
1056 most serious offense for which he or she represented the  
1057 defendant. This section does not allow stacking of the fee  
1058 limits established by this section.

1059 (3) The court retains primary authority and responsibility  
1060 for determining the reasonableness of all billings for attorney  
1061 fees, costs, and related expenses, subject to statutory  
1062 limitations and the requirements of s. 27.40(7). Private court-  
1063 appointed counsel is entitled to compensation upon final  
1064 disposition of a case.

1065 (7) Counsel eligible to receive compensation from the state  
1066 for representation pursuant to court appointment made in  
1067 accordance with the requirements of s. 27.40(1) and (2)(a) in a  
1068 proceeding under chapter 384, chapter 390, chapter 392, chapter  
1069 393, chapter 394, chapter 397, chapter 415, chapter 743, chapter  
1070 744, or chapter 984 shall receive compensation not to exceed the  
1071 limits prescribed in the General Appropriations Act. Any such  
1072 compensation must be determined as provided in s. 27.40(7).

1073 (11) It is the intent of the Legislature that the flat fees

20212502er

1074 prescribed under this section and the General Appropriations Act  
1075 comprise the full and complete compensation for private court-  
1076 appointed counsel. It is further the intent of the Legislature  
1077 that the fees in this section are prescribed for the purpose of  
1078 providing counsel with notice of the limit on the amount of  
1079 compensation for representation in particular proceedings and  
1080 the sole procedure and requirements for obtaining payment for  
1081 the same.

1082 (a) If court-appointed counsel moves to withdraw prior to  
1083 the full performance of his or her duties through the completion  
1084 of the case, the court shall presume that the attorney is not  
1085 entitled to the payment of the full flat fee established under  
1086 this section and the General Appropriations Act.

1087 (b) If court-appointed counsel is allowed to withdraw from  
1088 representation prior to the full performance of his or her  
1089 duties through the completion of the case and the court appoints  
1090 a subsequent attorney, the total compensation for the initial  
1091 and any and all subsequent attorneys may not exceed the flat fee  
1092 established under this section and the General Appropriations  
1093 Act, except as provided in subsection (12).

1094  
1095 This subsection constitutes notice to any subsequently appointed  
1096 attorney that he or she will not be compensated the full flat  
1097 fee.

1098 (12) The Legislature recognizes that on rare occasions an  
1099 attorney may receive a case that requires extraordinary and  
1100 unusual effort.

1101 (a) If counsel seeks compensation that exceeds the limits  
1102 prescribed by law, he or she must file a motion with the chief

20212502er

1103 judge for an order approving payment of attorney fees in excess  
1104 of these limits.

1105 1. Before filing the motion, the counsel shall deliver a  
1106 copy of the intended billing, together with supporting  
1107 affidavits and all other necessary documentation, to the Justice  
1108 Administrative Commission.

1109 2. The Justice Administrative Commission shall review the  
1110 billings, affidavit, and documentation for completeness and  
1111 compliance with contractual and statutory requirements and shall  
1112 contemporaneously document such review before authorizing  
1113 payment to an attorney. If the Justice Administrative Commission  
1114 objects to any portion of the proposed billing, the objection  
1115 and supporting reasons must be communicated in writing to the  
1116 private court-appointed counsel. The counsel may thereafter file  
1117 his or her motion, which must specify whether the commission  
1118 objects to any portion of the billing or the sufficiency of  
1119 documentation, and shall attach the commission's letter stating  
1120 its objection.

1121 (b) Following receipt of the motion to exceed the fee  
1122 limits, the chief judge or a single designee shall hold an  
1123 evidentiary hearing. The chief judge may select only one judge  
1124 per circuit to hear and determine motions pursuant to this  
1125 subsection, except multicounty circuits and the eleventh circuit  
1126 may have up to two designees.

1127 1. At the hearing, the attorney seeking compensation must  
1128 prove by competent and substantial evidence that the case  
1129 required extraordinary and unusual efforts. The chief judge or  
1130 single designee shall consider criteria such as the number of  
1131 witnesses, the complexity of the factual and legal issues, and

20212502er

1132 the length of trial. The fact that a trial was conducted in a  
1133 case does not, by itself, constitute competent substantial  
1134 evidence of an extraordinary and unusual effort. In a criminal  
1135 case, relief under this section may not be granted if the number  
1136 of work hours does not exceed 75 or the number of the state's  
1137 witnesses deposed does not exceed 20.

1138 2. Objections by or on behalf of the Justice Administrative  
1139 Commission to records or documents or to claims for payment by  
1140 the attorney shall be presumed correct by the court unless the  
1141 court determines, in writing, that competent and substantial  
1142 evidence exists to justify overcoming the presumption. The chief  
1143 judge or single designee shall enter a written order detailing  
1144 his or her findings and identifying the extraordinary nature of  
1145 the time and efforts of the attorney in the case which warrant  
1146 exceeding the flat fee established by this section and the  
1147 General Appropriations Act.

1148 (c) A copy of the motion and attachments shall be served on  
1149 the Justice Administrative Commission at least 20 business days  
1150 before the date of a hearing. The Justice Administrative  
1151 Commission has standing to appear before the court, and may  
1152 appear in person or telephonically, including at the hearing  
1153 under paragraph (b), to contest any motion for an order  
1154 approving payment of attorney fees, costs, or related expenses  
1155 and may participate in a hearing on the motion by use of  
1156 telephonic or other communication equipment. The Justice  
1157 Administrative Commission may contract with other public or  
1158 private entities or individuals to appear before the court for  
1159 the purpose of contesting any motion for an order approving  
1160 payment of attorney fees, costs, or related expenses. The fact



20212502er

1161 that the Justice Administrative Commission has not objected to  
1162 any portion of the billing or to the sufficiency of the  
1163 documentation is not binding on the court.

1164 (d) If the chief judge or a single designee finds that  
1165 counsel has proved by competent and substantial evidence that  
1166 the case required extraordinary and unusual efforts, the chief  
1167 judge or single designee shall order the compensation to be paid  
1168 to the attorney at a percentage above the flat fee rate,  
1169 depending on the extent of the unusual and extraordinary effort  
1170 required. The percentage must be only the rate necessary to  
1171 ensure that the fees paid are not confiscatory under common law.  
1172 The percentage may not exceed 200 percent of the established  
1173 flat fee, absent a specific finding that 200 percent of the flat  
1174 fee in the case would be confiscatory. If the chief judge or  
1175 single designee determines that 200 percent of the flat fee  
1176 would be confiscatory, he or she shall order the amount of  
1177 compensation using an hourly rate not to exceed \$75 per hour for  
1178 a noncapital case and \$100 per hour for a capital case. However,  
1179 the compensation calculated by using the hourly rate shall be  
1180 only that amount necessary to ensure that the total fees paid  
1181 are not confiscatory, subject to the requirements of s.  
1182 27.40(7).

1183 (e) Any order granting relief under this subsection must be  
1184 attached to the final request for a payment submitted to the  
1185 Justice Administrative Commission and must satisfy the  
1186 requirements of subparagraph (b)2.

1187 (13) Notwithstanding the limitation set forth in subsection  
1188 (5) and for the 2021-2022 ~~2020-2021~~ fiscal year only, the  
1189 compensation for representation in a criminal proceeding may not

20212502er

1190 exceed the following:

1191 (a) For misdemeanors and juveniles represented at the trial  
1192 level: \$1,000.

1193 (b) For noncapital, nonlife felonies represented at the  
1194 trial level: \$15,000.

1195 (c) For life felonies represented at the trial level:  
1196 \$15,000.

1197 (d) For capital cases represented at the trial level:  
1198 \$25,000. For purposes of this paragraph, a "capital case" is any  
1199 offense for which the potential sentence is death and the state  
1200 has not waived seeking the death penalty.

1201 (e) For representation on appeal: \$9,000.

1202 (f) This subsection expires July 1, 2022 ~~2021~~.

1203 Section 31. The amendments to s. 27.5304(1), (3), (7),  
1204 (11), and (12) (a)-(e), Florida Statutes, as carried forward from  
1205 chapter 2019-116, Laws of Florida, by this act, expire July 1,  
1206 2022, and the text of those subsections and paragraphs, as  
1207 applicable, shall revert to that in existence on June 30, 2019,  
1208 except that any amendments to such text enacted other than by  
1209 this act shall be preserved and continue to operate to the  
1210 extent that such amendments are not dependent upon the portions  
1211 of text which expire pursuant to this section.

1212 Section 32. In order to implement Specific Appropriations  
1213 1105 through 1187A of the 2021-2022 General Appropriations Act,  
1214 and notwithstanding the expiration date in section 65 of chapter  
1215 2020-114, Laws of Florida, subsections (2) and (3) of section  
1216 20.316, Florida Statutes, are reenacted to read:

1217 20.316 Department of Juvenile Justice.—There is created a  
1218 Department of Juvenile Justice.

20212502er

1219 (2) DEPARTMENT PROGRAMS.—The following programs are  
1220 established within the Department of Juvenile Justice:

1221 (a) Accountability and Program Support.

1222 (b) Administration.

1223 (c) Intake and Detention.

1224 (d) Prevention.

1225 (e) Probation and Community Corrections.

1226 (f) Residential and Correctional Facilities.

1227

1228 The secretary may establish assistant secretary positions and a  
1229 chief of staff position as necessary to administer the  
1230 requirements of this section.

1231 (3) JUVENILE JUSTICE OPERATING CIRCUITS.—The department  
1232 shall plan and administer its programs through a substate  
1233 structure that conforms to the boundaries of the judicial  
1234 circuits prescribed in s. 26.021. A county may seek placement in  
1235 a juvenile justice operating circuit other than as prescribed in  
1236 s. 26.021 for participation in the Prevention Program and the  
1237 Probation and Community Corrections Program by making a request  
1238 of the chief circuit judge in each judicial circuit affected by  
1239 such request. Upon a showing that geographic proximity,  
1240 community identity, or other legitimate concern for efficiency  
1241 of operations merits alternative placement, each affected chief  
1242 circuit judge may authorize the execution of an interagency  
1243 agreement specifying the alternative juvenile justice operating  
1244 circuit in which the county is to be placed and the basis for  
1245 the alternative placement. Upon the execution of said  
1246 interagency agreement by each affected chief circuit judge, the  
1247 secretary may administratively place a county in an alternative

20212502er

1248 juvenile justice operating circuit pursuant to the agreement.

1249       Section 33. The amendments to s. 20.316(2) and (3), Florida  
1250 Statutes, as carried forward from chapter 2020-114, Laws of  
1251 Florida, by this act, expire July 1, 2022, and the text of those  
1252 subsections shall revert to that in existence on June 30, 2020,  
1253 except that any amendments to such text enacted other than this  
1254 act shall be preserved and continue to operate to the extent  
1255 that such amendments are not dependent upon the portions of text  
1256 which expire pursuant to this section.

1257       Section 34. In order to implement appropriations used to  
1258 pay existing lease contracts for private lease space in excess  
1259 of 2,000 square feet in the 2021-2022 General Appropriations  
1260 Act, the Department of Management Services, with the cooperation  
1261 of the agencies having the existing lease contracts for office  
1262 or storage space, shall use tenant broker services to  
1263 renegotiate or reprocure all private lease agreements for office  
1264 or storage space expiring between July 1, 2022, and June 30,  
1265 2024, in order to reduce costs in future years. The department  
1266 shall incorporate this initiative into its 2021 master leasing  
1267 report required under s. 255.249(7), Florida Statutes, and may  
1268 use tenant broker services to explore the possibilities of  
1269 collocating office or storage space, to review the space needs  
1270 of each agency, and to review the length and terms of potential  
1271 renewals or renegotiations. The department shall provide a  
1272 report to the Executive Office of the Governor, the President of  
1273 the Senate, and the Speaker of the House of Representatives by  
1274 November 1, 2021, which lists each lease contract for private  
1275 office or storage space, the status of renegotiations, and the  
1276 savings achieved. This section expires July 1, 2022.

20212502er

1277           Section 35. In order to implement appropriations authorized  
1278 in the 2021-2022 General Appropriations Act for data center  
1279 services, and notwithstanding s. 216.292(2)(a), Florida  
1280 Statutes, an agency may not transfer funds from a data  
1281 processing category to a category other than another data  
1282 processing category. This section expires July 1, 2022.

1283           Section 36. In order to implement the appropriation of  
1284 funds in the appropriation category "Data Processing Assessment-  
1285 Department of Management Services" in the 2021-2022 General  
1286 Appropriations Act, and pursuant to the notice, review, and  
1287 objection procedures of s. 216.177, Florida Statutes, the  
1288 Executive Office of the Governor may transfer funds appropriated  
1289 in that category between departments in order to align the  
1290 budget authority granted based on the estimated billing cycle  
1291 and methodology used for data processing services provided to  
1292 agencies in fiscal year 2020-2021. This section expires July 1,  
1293 2022.

1294           Section 37. In order to implement the appropriation of  
1295 funds in the appropriation category "Special Categories-Risk  
1296 Management Insurance" in the 2021-2022 General Appropriations  
1297 Act, and pursuant to the notice, review, and objection  
1298 procedures of s. 216.177, Florida Statutes, the Executive Office  
1299 of the Governor may transfer funds appropriated in that category  
1300 between departments in order to align the budget authority  
1301 granted with the premiums paid by each department for risk  
1302 management insurance. This section expires July 1, 2022.

1303           Section 38. In order to implement the appropriation of  
1304 funds in the appropriation category "Special Categories-Transfer  
1305 to Department of Management Services-Human Resources Services

20212502er

1306 Purchased per Statewide Contract” in the 2021-2022 General  
1307 Appropriations Act, and pursuant to the notice, review, and  
1308 objection procedures of s. 216.177, Florida Statutes, the  
1309 Executive Office of the Governor may transfer funds appropriated  
1310 in that category between departments in order to align the  
1311 budget authority granted with the assessments that must be paid  
1312 by each agency to the Department of Management Services for  
1313 human resource management services. This section expires July 1,  
1314 2022.

1315       Section 39. In order to implement Specific Appropriations  
1316 2343 through 2346 of the 2021-2022 General Appropriations Act,  
1317 subsections (1) through (5) of section 72 of chapter 2020-114,  
1318 Laws of Florida, are reenacted and amended to read:

1319       Section 72. (1) The Department of Financial Services shall  
1320 replace the four main components of the Florida Accounting  
1321 Information Resource Subsystem (FLAIR), which include central  
1322 FLAIR, departmental FLAIR, payroll, and information warehouse,  
1323 and shall replace the cash management and accounting management  
1324 components of the Cash Management Subsystem (CMS) with an  
1325 integrated enterprise system that allows the state to organize,  
1326 define, and standardize its financial management business  
1327 processes and that complies with ss. 215.90-215.96, Florida  
1328 Statutes. The department may not include in the replacement of  
1329 FLAIR and CMS:

1330       (a) Functionality that duplicates any of the other  
1331 information subsystems of the Florida Financial Management  
1332 Information System; or

1333       (b) Agency business processes related to any of the  
1334 functions included in the Personnel Information System, the

20212502er

1335 Purchasing Subsystem, or the Legislative Appropriations  
1336 System/Planning and Budgeting Subsystem.

1337 (2) For purposes of replacing FLAIR and CMS, the Department  
1338 of Financial Services shall:

1339 (a) Take into consideration the cost and implementation  
1340 data identified for Option 3 as recommended in the March 31,  
1341 2014, Florida Department of Financial Services FLAIR Study,  
1342 version 031.

1343 (b) Ensure that all business requirements and technical  
1344 specifications have been provided to all state agencies for  
1345 their review and input and approved by the executive steering  
1346 committee established in paragraph (c).

1347 (c) Implement a project governance structure that includes  
1348 an executive steering committee composed of:

1349 1. The Chief Financial Officer or the executive sponsor of  
1350 the project.

1351 2. A representative of the Division of Treasury of the  
1352 Department of Financial Services, appointed by the Chief  
1353 Financial Officer.

1354 3. A representative of the Division of Information Systems  
1355 of the Department of Financial Services, appointed by the Chief  
1356 Financial Officer.

1357 4. Four employees from the Division of Accounting and  
1358 Auditing of the Department of Financial Services, appointed by  
1359 the Chief Financial Officer. Each employee must have experience  
1360 relating to at least one of the four main components that  
1361 compose FLAIR.

1362 5. Two employees from the Executive Office of the Governor,  
1363 appointed by the Governor. One employee must have experience

20212502er

1364 relating to the Legislative Appropriations System/Planning and  
1365 Budgeting Subsystem.

1366 6. One employee from the Department of Revenue, appointed  
1367 by the executive director, who has experience relating to the  
1368 department's SUNTAX system.

1369 7. Two employees from the Department of Management  
1370 Services, appointed by the Secretary of Management Services. One  
1371 employee must have experience relating to the department's  
1372 personnel information subsystem and one employee must have  
1373 experience relating to the department's purchasing subsystem.

1374 8. Three state agency administrative services directors,  
1375 appointed by the Governor. One director must represent a  
1376 regulatory and licensing state agency and one director must  
1377 represent a health care-related state agency.

1378 9. The executive sponsor of the Florida Health Care  
1379 Connection (FX) System or his or her designee, appointed by the  
1380 Secretary of Health Care Administration.

1381 10. The State Chief Information Officer, or his or her  
1382 designee, as a nonvoting member. The State Chief Information  
1383 Officer, or his or her designee, shall provide monthly status  
1384 reports pursuant to the oversight responsibilities in s.  
1385 282.0051, Florida Statutes.

1386 (3) (a) The Chief Financial Officer or the executive sponsor  
1387 of the project shall serve as chair of the executive steering  
1388 committee, and the committee shall take action by a vote of at  
1389 least eight affirmative votes with the Chief Financial Officer  
1390 or the executive sponsor of the project voting on the prevailing  
1391 side. A quorum of the executive steering committee consists of  
1392 at least 10 members.



20212502er

1393           (b) No later than 14 days before a meeting of the executive  
1394 steering committee, the chair shall request input from committee  
1395 members on agenda items for the next scheduled meeting.

1396           (4) The executive steering committee has the overall  
1397 responsibility for ensuring that the project to replace FLAIR  
1398 and CMS meets its primary business objectives and shall:

1399           (a) Identify and recommend to the Executive Office of the  
1400 Governor, the President of the Senate, and the Speaker of the  
1401 House of Representatives any statutory changes needed to  
1402 implement the replacement subsystem that will standardize, to  
1403 the fullest extent possible, the state's financial management  
1404 business processes.

1405           (b) Review and approve any changes to the project's scope,  
1406 schedule, and budget which do not conflict with the requirements  
1407 of subsection (1).

1408           (c) Ensure that adequate resources are provided throughout  
1409 all phases of the project.

1410           (d) Approve all major project deliverables and any cost  
1411 changes to each deliverable over \$250,000.

1412           (e) Approve contract amendments and changes to all  
1413 contract-related documents associated with the replacement of  
1414 FLAIR and CMS.

1415           (f) Ensure compliance with ss. 216.181(16), 216.311,  
1416 216.313, 282.318(4) (h), and 287.058, Florida Statutes.

1417           (5) This section expires July 1, 2022 ~~2021~~.

1418           Section 40. In order to implement specific appropriations  
1419 from the land acquisition trust funds within the Department of  
1420 Agriculture and Consumer Services, the Department of  
1421 Environmental Protection, the Department of State, and the Fish

20212502er

1422 and Wildlife Conservation Commission, which are contained in the  
1423 2021-2022 General Appropriations Act, subsection (3) of section  
1424 215.18, Florida Statutes, is amended to read:

1425 215.18 Transfers between funds; limitation.—

1426 (3) Notwithstanding subsection (1) and only with respect to  
1427 a land acquisition trust fund in the Department of Agriculture  
1428 and Consumer Services, the Department of Environmental  
1429 Protection, the Department of State, or the Fish and Wildlife  
1430 Conservation Commission, whenever there is a deficiency in a  
1431 land acquisition trust fund which would render that trust fund  
1432 temporarily insufficient to meet its just requirements,  
1433 including the timely payment of appropriations from that trust  
1434 fund, and other trust funds in the State Treasury have moneys  
1435 that are for the time being or otherwise in excess of the  
1436 amounts necessary to meet the just requirements, including  
1437 appropriated obligations, of those other trust funds, the  
1438 Governor may order a temporary transfer of moneys from one or  
1439 more of the other trust funds to a land acquisition trust fund  
1440 in the Department of Agriculture and Consumer Services, the  
1441 Department of Environmental Protection, the Department of State,  
1442 or the Fish and Wildlife Conservation Commission. Any action  
1443 proposed pursuant to this subsection is subject to the notice,  
1444 review, and objection procedures of s. 216.177, and the Governor  
1445 shall provide notice of such action at least 7 days before the  
1446 effective date of the transfer of trust funds, except that  
1447 during July 2021 ~~2020~~, notice of such action shall be provided  
1448 at least 3 days before the effective date of a transfer unless  
1449 such 3-day notice is waived by the chair and vice-chair of the  
1450 Legislative Budget Commission. Any transfer of trust funds to a

20212502er

1451 land acquisition trust fund in the Department of Agriculture and  
1452 Consumer Services, the Department of Environmental Protection,  
1453 the Department of State, or the Fish and Wildlife Conservation  
1454 Commission must be repaid to the trust funds from which the  
1455 moneys were loaned by the end of the 2021-2022 ~~2020-2021~~ fiscal  
1456 year. The Legislature has determined that the repayment of the  
1457 other trust fund moneys temporarily loaned to a land acquisition  
1458 trust fund in the Department of Agriculture and Consumer  
1459 Services, the Department of Environmental Protection, the  
1460 Department of State, or the Fish and Wildlife Conservation  
1461 Commission pursuant to this subsection is an allowable use of  
1462 the moneys in a land acquisition trust fund because the moneys  
1463 from other trust funds temporarily loaned to a land acquisition  
1464 trust fund shall be expended solely and exclusively in  
1465 accordance with s. 28, Art. X of the State Constitution. This  
1466 subsection expires July 1, 2022 ~~2021~~.

1467       Section 41. (1) In order to implement specific  
1468 appropriations from the land acquisition trust funds within the  
1469 Department of Agriculture and Consumer Services, the Department  
1470 of Environmental Protection, the Department of State, and the  
1471 Fish and Wildlife Conservation Commission, which are contained  
1472 in the 2021-2022 General Appropriations Act, the Department of  
1473 Environmental Protection shall transfer revenues from the Land  
1474 Acquisition Trust Fund within the department to the land  
1475 acquisition trust funds within the Department of Agriculture and  
1476 Consumer Services, the Department of State, and the Fish and  
1477 Wildlife Conservation Commission, as provided in this section.  
1478 As used in this section, the term "department" means the  
1479 Department of Environmental Protection.

20212502er

1480           (2) After subtracting any required debt service payments,  
1481 the proportionate share of revenues to be transferred to each  
1482 land acquisition trust fund shall be calculated by dividing the  
1483 appropriations from each of the land acquisition trust funds for  
1484 the fiscal year by the total appropriations from the Land  
1485 Acquisition Trust Fund within the department and the land  
1486 acquisition trust funds within the Department of Agriculture and  
1487 Consumer Services, the Department of State, and the Fish and  
1488 Wildlife Conservation Commission for the fiscal year. The  
1489 department shall transfer the proportionate share of the  
1490 revenues in the Land Acquisition Trust Fund within the  
1491 department on a monthly basis to the appropriate land  
1492 acquisition trust funds within the Department of Agriculture and  
1493 Consumer Services, the Department of State, and the Fish and  
1494 Wildlife Conservation Commission and shall retain its  
1495 proportionate share of the revenues in the Land Acquisition  
1496 Trust Fund within the department. Total distributions to a land  
1497 acquisition trust fund within the Department of Agriculture and  
1498 Consumer Services, the Department of State, and the Fish and  
1499 Wildlife Conservation Commission may not exceed the total  
1500 appropriations from such trust fund for the fiscal year.

1501           (3) In addition, the department shall transfer from the  
1502 Land Acquisition Trust Fund to land acquisition trust funds  
1503 within the Department of Agriculture and Consumer Services, the  
1504 Department of State, and the Fish and Wildlife Conservation  
1505 Commission amounts equal to the difference between the amounts  
1506 appropriated in chapter 2020-111, Laws of Florida, to the  
1507 department's Land Acquisition Trust Fund and the other land  
1508 acquisition trust funds, and the amounts actually transferred

20212502er

1509 between those trust funds during the 2020-2021 fiscal year.

1510 (4) The department may advance funds from the beginning  
1511 unobligated fund balance in the Land Acquisition Trust Fund to  
1512 the Land Acquisition Trust Fund within the Fish and Wildlife  
1513 Conservation Commission needed for cash flow purposes based on a  
1514 detailed expenditure plan. The department shall prorate amounts  
1515 transferred quarterly to the Fish and Wildlife Conservation  
1516 Commission to recoup the amount of funds advanced by June 30,  
1517 2022.

1518 (5) This section expires July 1, 2022.

1519 Section 42. In order to implement appropriations from the  
1520 Land Acquisition Trust Fund within the Department of  
1521 Environmental Protection in the 2021-2022 General Appropriations  
1522 Act, paragraph (b) of subsection (3) of section 375.041, Florida  
1523 Statutes, is amended to read:

1524 375.041 Land Acquisition Trust Fund.—

1525 (3) Funds distributed into the Land Acquisition Trust Fund  
1526 pursuant to s. 201.15 shall be applied:

1527 (b) Of the funds remaining after the payments required  
1528 under paragraph (a), but before funds may be appropriated,  
1529 pledged, or dedicated for other uses:

1530 1. A minimum of the lesser of 25 percent or \$200 million  
1531 shall be appropriated annually for Everglades projects that  
1532 implement the Comprehensive Everglades Restoration Plan as set  
1533 forth in s. 373.470, including the Central Everglades Planning  
1534 Project subject to Congressional authorization; the Long-Term  
1535 Plan as defined in s. 373.4592(2); and the Northern Everglades  
1536 and Estuaries Protection Program as set forth in s. 373.4595.

1537 From these funds, \$32 million shall be distributed each fiscal

20212502er

1538 year through the 2023-2024 fiscal year to the South Florida  
1539 Water Management District for the Long-Term Plan as defined in  
1540 s. 373.4592(2). After deducting the \$32 million distributed  
1541 under this subparagraph, from the funds remaining, a minimum of  
1542 the lesser of 76.5 percent or \$100 million shall be appropriated  
1543 each fiscal year through the 2025-2026 fiscal year for the  
1544 planning, design, engineering, and construction of the  
1545 Comprehensive Everglades Restoration Plan as set forth in s.  
1546 373.470, including the Central Everglades Planning Project, the  
1547 Everglades Agricultural Area Storage Reservoir Project, the Lake  
1548 Okeechobee Watershed Project, the C-43 West Basin Storage  
1549 Reservoir Project, the Indian River Lagoon-South Project, the  
1550 Western Everglades Restoration Project, and the Picayune Strand  
1551 Restoration Project. The Department of Environmental Protection  
1552 and the South Florida Water Management District shall give  
1553 preference to those Everglades restoration projects that reduce  
1554 harmful discharges of water from Lake Okeechobee to the St.  
1555 Lucie or Caloosahatchee estuaries in a timely manner. For the  
1556 purpose of performing the calculation provided in this  
1557 subparagraph, the amount of debt service paid pursuant to  
1558 paragraph (a) for bonds issued after July 1, 2016, for the  
1559 purposes set forth under paragraph (b) shall be added to the  
1560 amount remaining after the payments required under paragraph  
1561 (a). The amount of the distribution calculated shall then be  
1562 reduced by an amount equal to the debt service paid pursuant to  
1563 paragraph (a) on bonds issued after July 1, 2016, for the  
1564 purposes set forth under this subparagraph.

1565         2. A minimum of the lesser of 7.6 percent or \$50 million  
1566 shall be appropriated annually for spring restoration,

20212502er

1567 protection, and management projects. For the purpose of  
1568 performing the calculation provided in this subparagraph, the  
1569 amount of debt service paid pursuant to paragraph (a) for bonds  
1570 issued after July 1, 2016, for the purposes set forth under  
1571 paragraph (b) shall be added to the amount remaining after the  
1572 payments required under paragraph (a). The amount of the  
1573 distribution calculated shall then be reduced by an amount equal  
1574 to the debt service paid pursuant to paragraph (a) on bonds  
1575 issued after July 1, 2016, for the purposes set forth under this  
1576 subparagraph.

1577 3. The sum of \$5 million shall be appropriated annually  
1578 each fiscal year through the 2025-2026 fiscal year to the St.  
1579 Johns River Water Management District for projects dedicated to  
1580 the restoration of Lake Apopka. This distribution shall be  
1581 reduced by an amount equal to the debt service paid pursuant to  
1582 paragraph (a) on bonds issued after July 1, 2016, for the  
1583 purposes set forth in this subparagraph.

1584 4. The sum of \$64 million is appropriated and shall be  
1585 transferred to the Everglades Trust Fund for the 2018-2019  
1586 fiscal year, and each fiscal year thereafter, for the EAA  
1587 reservoir project pursuant to s. 373.4598. Any funds remaining  
1588 in any fiscal year shall be made available only for Phase II of  
1589 the C-51 reservoir project or projects identified in  
1590 subparagraph 1. and must be used in accordance with laws  
1591 relating to such projects. Any funds made available for such  
1592 purposes in a fiscal year are in addition to the amount  
1593 appropriated under subparagraph 1. This distribution shall be  
1594 reduced by an amount equal to the debt service paid pursuant to  
1595 paragraph (a) on bonds issued after July 1, 2017, for the

20212502er

1596 purposes set forth in this subparagraph.

1597 5. Notwithstanding subparagraph 3., for the 2021-2022 ~~2020-~~  
1598 ~~2021~~ fiscal year, funds shall be appropriated as provided in the  
1599 General Appropriations Act. This subparagraph expires July 1,  
1600 2022 ~~2021~~.

1601 Section 43. In order to implement Specific Appropriation  
1602 1363 of the 2021-2022 General Appropriations Act, and  
1603 notwithstanding the expiration date in section 80 of chapter  
1604 2020-114, Laws of Florida, paragraph (a) of subsection (1) of  
1605 section 570.93, Florida Statutes, is reenacted to read:

1606 570.93 Department of Agriculture and Consumer Services;  
1607 agricultural water conservation and agricultural water supply  
1608 planning.—

1609 (1) The department shall establish an agricultural water  
1610 conservation program that includes the following:

1611 (a) A cost-share program, coordinated with the United  
1612 States Department of Agriculture and other federal, state,  
1613 regional, and local agencies when appropriate, for irrigation  
1614 system retrofit and application of mobile irrigation laboratory  
1615 evaluations, and for water conservation and water quality  
1616 improvement pursuant to s. 403.067(7)(c).

1617 Section 44. The amendment to s. 570.93(1)(a), Florida  
1618 Statutes, as carried forward from chapter 2019-116, Laws of  
1619 Florida, by this act, expires July 1, 2022, and the text of that  
1620 paragraph shall revert to that in existence on June 30, 2019,  
1621 except that any amendments to such text enacted other than by  
1622 this act, shall be preserved and continue to operate to the  
1623 extent that such amendments are not dependent upon the portions  
1624 of text which expire pursuant to this section.



20212502er

1625 Section 45. In order to implement Specific Appropriation  
1626 1692A of the 2021-2022 General Appropriations Act, paragraph (m)  
1627 of subsection (3) of section 259.105, Florida Statutes, is  
1628 amended to read:

1629 259.105 The Florida Forever Act.—

1630 (3) Less the costs of issuing and the costs of funding  
1631 reserve accounts and other costs associated with bonds, the  
1632 proceeds of cash payments or bonds issued pursuant to this  
1633 section shall be deposited into the Florida Forever Trust Fund  
1634 created by s. 259.1051. The proceeds shall be distributed by the  
1635 Department of Environmental Protection in the following manner:

1636 (m) Notwithstanding paragraphs (a)-(j) and for the 2021-  
1637 2022 ~~2020-2021~~ fiscal year, the amount of \$1,998,100 ~~\$6 million~~  
1638 to only the Department of Environmental Protection for grants  
1639 pursuant to s. 375.075. This paragraph expires July 1, 2022  
1640 ~~2021~~.

1641 Section 46. In order to implement Specific Appropriation  
1642 1647 of the 2021-2022 General Appropriations Act, subsection  
1643 (22) is added to section 161.101, Florida Statutes, to read:

1644 161.101 State and local participation in authorized  
1645 projects and studies relating to beach management and erosion  
1646 control.—

1647 (22) Notwithstanding subsections (1), (15), and (16), and  
1648 for the 2021-2022 fiscal year, in the event that beaches are  
1649 impacted by hurricanes or other storm events within communities  
1650 with a per capita annual income that is less than the state's  
1651 per capita annual income as shown in the most recent release  
1652 from the United States Census Bureau of the United States  
1653 Department of Commerce which includes both measurements, the

20212502er

1654 department may waive or reduce the match requirements. This  
1655 subsection expires July 1, 2022.

1656 Section 47. In order to implement Specific Appropriation  
1657 1670 of the 2021-2022 General Appropriations Act, and  
1658 notwithstanding the expiration date in section 84 of chapter  
1659 2020-114, Laws of Florida, paragraph (g) of subsection (15) of  
1660 section 376.3071, Florida Statutes, is reenacted to read:

1661 376.3071 Inland Protection Trust Fund; creation; purposes;  
1662 funding.—

1663 (15) ETHANOL OR BIODIESEL DAMAGE; PREVENTIVE MEASURES.—The  
1664 department shall pay, pursuant to this subsection, up to \$10  
1665 million each fiscal year from the fund for the costs of labor  
1666 and equipment to repair or replace petroleum storage systems  
1667 that may have been damaged due to the storage of fuels blended  
1668 with ethanol or biodiesel, or for preventive measures to reduce  
1669 the potential for such damage.

1670 (g) Payments may not be made for the following:

- 1671 1. Proposal costs or costs related to preparation of the  
1672 application and required documentation;
- 1673 2. Certified public accountant costs;
- 1674 3. Except as provided in paragraph (j), any costs in excess  
1675 of the amount approved by the department under paragraph (b) or  
1676 which are not in substantial compliance with the purchase order;
- 1677 4. Costs associated with storage tanks, piping, or  
1678 ancillary equipment that has previously been repaired or  
1679 replaced for which costs have been paid under this section;
- 1680 5. Facilities that are not in compliance with department  
1681 storage tank rules, until the noncompliance issues have been  
1682 resolved; or

20212502er

1683           6. Costs associated with damage to petroleum storage  
1684 systems caused in whole or in part by causes other than the  
1685 storage of fuels blended with ethanol or biodiesel.

1686           Section 48. The amendment to s. 376.3071(15)(g), Florida  
1687 Statutes, as carried forward from chapter 2020-114, Laws of  
1688 Florida, by this act, expires July 1, 2022, and the text of that  
1689 paragraph shall revert to that in existence on July 1, 2020, not  
1690 including any amendments made by this act or chapter 2020-114,  
1691 Laws of Florida, except that any amendments to such text enacted  
1692 other than by this act shall be preserved and continue to  
1693 operate to the extent that such amendments are not dependent  
1694 upon the portion of text which expires pursuant to this section.

1695           Section 49. In order to implement Specific Appropriation  
1696 2604 of the 2021-2022 General Appropriations Act, paragraph (b)  
1697 of subsection (3) and subsection (5) of section 321.04, Florida  
1698 Statutes, are amended to read:

1699           321.04 Personnel of the highway patrol; rank  
1700 classifications; probationary status of new patrol officers;  
1701 subsistence; special assignments.—

1702           (3)

1703           (b) For the 2021-2022 ~~2020-2021~~ fiscal year only, upon the  
1704 request of the Governor, the Department of Highway Safety and  
1705 Motor Vehicles shall assign one or more patrol officers to the  
1706 office of the Lieutenant Governor for security services. This  
1707 paragraph expires July 1, 2022 ~~2021~~.

1708           (5) For the 2021-2022 ~~2020-2021~~ fiscal year only, the  
1709 assignment of a patrol officer by the department shall include a  
1710 Cabinet member specified in s. 4, Art. IV of the State  
1711 Constitution if deemed appropriate by the department or in

20212502er

1712 response to a threat and upon written request of such Cabinet  
1713 member. This subsection expires July 1, 2022 ~~2021~~.

1714 Section 50. Effective upon this act becoming a law and in  
1715 order to implement Specific Appropriations 2583 and 2592 of the  
1716 2021-2022 General Appropriations Act, subsection (7) of section  
1717 215.559, Florida Statutes, is amended to read:

1718 215.559 Hurricane Loss Mitigation Program.—A Hurricane Loss  
1719 Mitigation Program is established in the Division of Emergency  
1720 Management.

1721 (7) This section is repealed June 30, 2022 ~~2021~~.

1722 Section 51. In order to implement Specific Appropriation  
1723 2237 of the 2021-2022 General Appropriations Act, subsection (7)  
1724 of section 288.0655, Florida Statutes, is amended to read:

1725 288.0655 Rural Infrastructure Fund.—

1726 (7) For the 2021-2022 ~~2020-2021~~ fiscal year, the funds  
1727 appropriated for the grant program for Florida Panhandle  
1728 counties shall be distributed pursuant to and for the purposes  
1729 described in the proviso language associated with Specific  
1730 Appropriation 2237 ~~2280~~ of the 2021-2022 ~~2020-2021~~ General  
1731 Appropriations Act. This subsection expires July 1, 2022 ~~2021~~.

1732 Section 52. In order to implement section 124 of the 2021-  
1733 2022 General Appropriations Act, subsection (4) of section  
1734 288.80125, Florida Statutes, is amended to read:

1735 288.80125 Triumph Gulf Coast Trust Fund.—

1736 (4) For the 2021-2022 ~~2020-2021~~ fiscal year, funds shall be  
1737 used for the Rebuild Florida Revolving Loan Fund program to  
1738 provide assistance to businesses impacted by Hurricane Michael  
1739 as provided in the General Appropriations Act. This subsection  
1740 expires July 1, 2022 ~~2021~~.

20212502er

1741 Section 53. In order to implement sections 151 and 152 of  
1742 the 2021-2022 General Appropriations Act, subsections (4) and  
1743 (5) are added to section 339.08, Florida Statutes, to read:

1744 339.08 Use of moneys in State Transportation Trust Fund.—

1745 (4) Notwithstanding the provisions of this section and ss.  
1746 215.32(2)(b)4. and 339.09(1), and for the 2021-2022 fiscal year  
1747 only, funds may be transferred from the State Transportation  
1748 Trust Fund to the General Revenue Fund as specified in the  
1749 General Appropriations Act. Notwithstanding ss. 206.46(3) and  
1750 206.606(2), the total amount transferred shall be reduced from  
1751 total state revenues deposited into the State Transportation  
1752 Trust Fund for the calculation requirements of ss. 206.46(3) and  
1753 206.606(2). This subsection expires July 1, 2022.

1754 (5) Notwithstanding any other law, and for the 2021-2022  
1755 fiscal year only, funds appropriated to the State Transportation  
1756 Trust Fund from the General Revenue Fund shall be used on State  
1757 Highway System projects and grants to Florida ports as provided  
1758 in the General Appropriations Act. The department is not  
1759 required to deplete the resources transferred from the General  
1760 Revenue Fund for the fiscal year as required in s. 339.135(3)(b)  
1761 and the funds may not be used in calculating the required  
1762 quarterly cash balance of the trust fund as required in s.  
1763 339.135(6)(b). The department shall track and account for such  
1764 appropriated funds as a separate funding source for eligible  
1765 projects on the State Highway System and grants to Florida  
1766 ports. This subsection expires July 1, 2022.

1767 Section 54. In order to implement Specific Appropriations  
1768 1865 through 1878, 1884 through 1887, 1899 through 1908, 1910  
1769 through 1919, and 1953 through 1966 of the 2021-2022 General

20212502er

1770 Appropriations Act, paragraphs (g) and (h) of subsection (7) of  
1771 section 339.135, Florida Statutes, are amended to read:

1772 339.135 Work program; legislative budget request;  
1773 definitions; preparation, adoption, execution, and amendment.—

1774 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

1775 (g)1. Any work program amendment which also requires the  
1776 transfer of fixed capital outlay appropriations between  
1777 categories within the department or the increase of an  
1778 appropriation category is subject to the approval of the  
1779 Legislative Budget Commission.

1780 2. If the department submits an amendment to a meeting of  
1781 the Legislative Budget Commission and the commission does not  
1782 meet or consider the amendment ~~cannot be held~~ within 30 days  
1783 after its submittal ~~the department submits an amendment to the~~  
1784 ~~Legislative Budget Commission~~, the chair and vice chair of the  
1785 Legislative Budget Commission may authorize such amendment to be  
1786 approved pursuant to s. 216.177. This subparagraph expires July  
1787 1, 2022 ~~2021~~.

1788 (h)1. Any work program amendment that also adds a new  
1789 project, or phase thereof, to the adopted work program in excess  
1790 of \$3 million is subject to approval by the Legislative Budget  
1791 Commission. Any work program amendment submitted under this  
1792 paragraph must include, as supplemental information, a list of  
1793 projects, or phases thereof, in the current 5-year adopted work  
1794 program which are eligible for the funds within the  
1795 appropriation category being used for the proposed amendment.  
1796 The department shall provide a narrative with the rationale for  
1797 not advancing an existing project, or phase thereof, in lieu of  
1798 the proposed amendment.

20212502er

1799           2. If the department submits an amendment to a meeting of  
1800 the Legislative Budget Commission and the commission does not  
1801 meet or consider the amendment ~~cannot be held~~ within 30 days  
1802 after its submittal ~~the department submits an amendment to the~~  
1803 ~~commission~~, the chair and vice chair of the commission may  
1804 authorize the amendment to be approved pursuant to s. 216.177.  
1805 This subparagraph expires July 1, 2022 ~~2021~~.

1806           Section 55. In order to implement Specific Appropriation  
1807 1867 of the 2021-2022 General Appropriations Act, paragraphs (a)  
1808 and (b) of subsection (3) of section 341.052, Florida Statutes,  
1809 are amended to read:

1810           341.052 Public transit block grant program; administration;  
1811 eligible projects; limitation.—

1812           (3) The following limitations shall apply to the use of  
1813 public transit block grant program funds:

1814           (a) 1. State participation in eligible capital projects  
1815 shall be limited to 50 percent of the nonfederal share of such  
1816 project costs.

1817           2. For the 2021-2022 fiscal year only, local participation  
1818 in eligible capital projects may be less than 50 percent of the  
1819 nonfederal share of such project costs. This subparagraph  
1820 expires July 1, 2022.

1821           (b) 1. State participation in eligible public transit  
1822 operating costs may not exceed 50 percent of such costs or an  
1823 amount equal to the total revenue, excluding farebox, charter,  
1824 and advertising revenue and federal funds, received by the  
1825 provider for operating costs, whichever amount is less.

1826           2. For the 2021-2022 fiscal year only, local participation  
1827 in eligible public transit operating costs may be less than 50

20212502er

1828 percent of such operating costs. This subparagraph expires July  
1829 1, 2022.

1830 Section 56. In order to implement Specific Appropriations  
1831 2544 of the 2021-2022 General Appropriations Act, paragraph (d)  
1832 of subsection (4) of section 112.061, Florida Statutes, is  
1833 amended to read:

1834 112.061 Per diem and travel expenses of public officers,  
1835 employees, and authorized persons; statewide travel management  
1836 system.—

1837 (4) OFFICIAL HEADQUARTERS.—The official headquarters of an  
1838 officer or employee assigned to an office shall be the city or  
1839 town in which the office is located except that:

1840 (d) A Lieutenant Governor who permanently resides outside  
1841 of Leon County, may, if he or she so requests, have an  
1842 appropriate facility in his or her county designated as his or  
1843 her official headquarters for purposes of this section. This  
1844 official headquarters may only serve as the Lieutenant  
1845 Governor's personal office. The Lieutenant Governor may not use  
1846 state funds to lease space in any facility for his or her  
1847 official headquarters.

1848 1. A Lieutenant Governor for whom an official headquarters  
1849 is established in his or her county of residence pursuant to  
1850 this paragraph is eligible for subsistence at a rate to be  
1851 established by the Governor for each day or partial day that the  
1852 Lieutenant Governor is at the State Capitol to conduct official  
1853 state business. In addition to the subsistence allowance, a  
1854 Lieutenant Governor is eligible for reimbursement for  
1855 transportation expenses as provided in subsection (7) for travel  
1856 between the Lieutenant Governor's official headquarters and the



20212502er

1857 State Capitol to conduct state business.

1858       2. Payment of subsistence and reimbursement for  
1859 transportation between a Lieutenant Governor's official  
1860 headquarters and the State Capitol shall be made to the extent  
1861 appropriated funds are available, as determined by the Governor.

1862       3. This paragraph expires July 1, 2022 ~~2021~~.

1863       Section 57. In order to implement section 8 of the 2021-  
1864 2022 General Appropriations Act, notwithstanding s.  
1865 110.123(3) (f) and (j), Florida Statutes, the Department of  
1866 Management Services shall maintain and offer the same PPO and  
1867 HMO health plan alternatives to the participants of the State  
1868 Group Health Insurance Program during the 2021-2022 fiscal year  
1869 which were in effect for the 2020-2021 fiscal year. This section  
1870 expires July 1, 2022.

1871       Section 58. In order to implement the appropriation of  
1872 funds in the special categories, contracted services, and  
1873 expenses categories of the 2021-2022 General Appropriations Act,  
1874 a state agency may not initiate a competitive solicitation for a  
1875 product or service if the completion of such competitive  
1876 solicitation would:

1877           (1) Require a change in law; or

1878           (2) Require a change to the agency's budget other than a  
1879 transfer authorized in s. 216.292(2) or (3), Florida Statutes,  
1880 unless the initiation of such competitive solicitation is  
1881 specifically authorized in law, in the General Appropriations  
1882 Act, or by the Legislative Budget Commission.

1883  
1884 This section does not apply to a competitive solicitation for  
1885 which the agency head certifies that a valid emergency exists.

20212502er

1886 This section expires July 1, 2022.

1887       Section 59. In order to implement Specific Appropriations  
1888 2670 and 2671 of the 2021-2022 General Appropriations Act, and  
1889 notwithstanding s. 11.13(1), Florida Statutes, the authorized  
1890 salaries for members of the Legislature for the 2021-2022 fiscal  
1891 year shall be set at the same level in effect on July 1, 2010.  
1892 This section expires July 1, 2022.

1893       Section 60. In order to implement the transfer of funds  
1894 from the General Revenue Fund from trust funds for the 2021-2022  
1895 General Appropriations Act, and notwithstanding the expiration  
1896 date in section 102 of chapter 2020-114, Laws of Florida,  
1897 paragraph (b) of subsection (2) of section 215.32, Florida  
1898 Statutes, is reenacted to read:

1899       215.32 State funds; segregation.—

1900       (2) The source and use of each of these funds shall be as  
1901 follows:

1902       (b)1. The trust funds shall consist of moneys received by  
1903 the state which under law or under trust agreement are  
1904 segregated for a purpose authorized by law. The state agency or  
1905 branch of state government receiving or collecting such moneys  
1906 is responsible for their proper expenditure as provided by law.  
1907 Upon the request of the state agency or branch of state  
1908 government responsible for the administration of the trust fund,  
1909 the Chief Financial Officer may establish accounts within the  
1910 trust fund at a level considered necessary for proper  
1911 accountability. Once an account is established, the Chief  
1912 Financial Officer may authorize payment from that account only  
1913 upon determining that there is sufficient cash and releases at  
1914 the level of the account.

20212502er

1915           2. In addition to other trust funds created by law, to the  
1916 extent possible, each agency shall use the following trust funds  
1917 as described in this subparagraph for day-to-day operations:

1918           a. Operations or operating trust fund, for use as a  
1919 depository for funds to be used for program operations funded by  
1920 program revenues, with the exception of administrative  
1921 activities when the operations or operating trust fund is a  
1922 proprietary fund.

1923           b. Operations and maintenance trust fund, for use as a  
1924 depository for client services funded by third-party payors.

1925           c. Administrative trust fund, for use as a depository for  
1926 funds to be used for management activities that are departmental  
1927 in nature and funded by indirect cost earnings and assessments  
1928 against trust funds. Proprietary funds are excluded from the  
1929 requirement of using an administrative trust fund.

1930           d. Grants and donations trust fund, for use as a depository  
1931 for funds to be used for allowable grant or donor agreement  
1932 activities funded by restricted contractual revenue from private  
1933 and public nonfederal sources.

1934           e. Agency working capital trust fund, for use as a  
1935 depository for funds to be used pursuant to s. 216.272.

1936           f. Clearing funds trust fund, for use as a depository for  
1937 funds to account for collections pending distribution to lawful  
1938 recipients.

1939           g. Federal grant trust fund, for use as a depository for  
1940 funds to be used for allowable grant activities funded by  
1941 restricted program revenues from federal sources.

1942  
1943 To the extent possible, each agency must adjust its internal

20212502er

1944 accounting to use existing trust funds consistent with the  
1945 requirements of this subparagraph. If an agency does not have  
1946 trust funds listed in this subparagraph and cannot make such  
1947 adjustment, the agency must recommend the creation of the  
1948 necessary trust funds to the Legislature no later than the next  
1949 scheduled review of the agency's trust funds pursuant to s.  
1950 215.3206.

1951 3. All such moneys are hereby appropriated to be expended  
1952 in accordance with the law or trust agreement under which they  
1953 were received, subject always to the provisions of chapter 216  
1954 relating to the appropriation of funds and to the applicable  
1955 laws relating to the deposit or expenditure of moneys in the  
1956 State Treasury.

1957 4.a. Notwithstanding any provision of law restricting the  
1958 use of trust funds to specific purposes, unappropriated cash  
1959 balances from selected trust funds may be authorized by the  
1960 Legislature for transfer to the Budget Stabilization Fund and  
1961 General Revenue Fund in the General Appropriations Act.

1962 b. This subparagraph does not apply to trust funds required  
1963 by federal programs or mandates; trust funds established for  
1964 bond covenants, indentures, or resolutions whose revenues are  
1965 legally pledged by the state or public body to meet debt service  
1966 or other financial requirements of any debt obligations of the  
1967 state or any public body; the Division of Licensing Trust Fund  
1968 in the Department of Agriculture and Consumer Services; the  
1969 State Transportation Trust Fund; the trust fund containing the  
1970 net annual proceeds from the Florida Education Lotteries; the  
1971 Florida Retirement System Trust Fund; trust funds under the  
1972 management of the State Board of Education or the Board of

20212502er

1973 Governors of the State University System, where such trust funds  
1974 are for auxiliary enterprises, self-insurance, and contracts,  
1975 grants, and donations, as those terms are defined by general  
1976 law; trust funds that serve as clearing funds or accounts for  
1977 the Chief Financial Officer or state agencies; trust funds that  
1978 account for assets held by the state in a trustee capacity as an  
1979 agent or fiduciary for individuals, private organizations, or  
1980 other governmental units; and other trust funds authorized by  
1981 the State Constitution.

1982       Section 61. The text of s. 215.32(2)(b), Florida Statutes,  
1983 as carried forward from chapter 2011-47, Laws of Florida, by  
1984 this act, expires July 1, 2022, and the text of that paragraph  
1985 shall revert to that in existence on June 30, 2011, except that  
1986 any amendments to such text enacted other than by this act shall  
1987 be preserved and continue to operate to the extent that such  
1988 amendments are not dependent upon the portions of text which  
1989 expire pursuant to this section.

1990       Section 62. In order to implement appropriations in the  
1991 2021-2022 General Appropriations Act for state employee travel,  
1992 the funds appropriated to each state agency which may be used  
1993 for travel by state employees are limited during the 2021-2022  
1994 fiscal year to travel for activities that are critical to each  
1995 state agency's mission. Funds may not be used for travel by  
1996 state employees to foreign countries, other states, conferences,  
1997 staff training activities, or other administrative functions  
1998 unless the agency head has approved, in writing, that such  
1999 activities are critical to the agency's mission. The agency head  
2000 shall consider using teleconferencing and other forms of  
2001 electronic communication to meet the needs of the proposed

20212502er

2002 activity before approving mission-critical travel. This section  
2003 does not apply to travel for law enforcement purposes, military  
2004 purposes, emergency management activities, or public health  
2005 activities. This section expires July 1, 2022.

2006 Section 63. In order to implement appropriations in the  
2007 2021-2022 General Appropriations Act for state employee travel  
2008 and notwithstanding s. 112.061, Florida Statutes, costs for  
2009 lodging associated with a meeting, conference, or convention  
2010 organized or sponsored in whole or in part by a state agency or  
2011 the judicial branch may not exceed \$175 per day. An employee may  
2012 expend his or her own funds for any lodging expenses in excess  
2013 of \$175 per day. For purposes of this section, a meeting does  
2014 not include travel activities for conducting an audit,  
2015 examination, inspection, or investigation or travel activities  
2016 related to a litigation or emergency response. This section  
2017 expires July 1, 2022.

2018 Section 64. In order to implement the appropriation of  
2019 funds in the special categories, contracted services, and  
2020 expenses categories of the 2021-2022 General Appropriations Act,  
2021 a state agency may not enter into a contract containing a  
2022 nondisclosure clause that prohibits the contractor from  
2023 disclosing information relevant to the performance of the  
2024 contract to members or staff of the Senate or the House of  
2025 Representatives. This section expires July 1, 2022.

2026 Section 65. In order to implement the appropriation of  
2027 funds in the special categories, contracted services, and  
2028 expenses categories of the 2021-2022 General Appropriations Act,  
2029 section 216.1366, Florida Statutes, is reenacted and amended to  
2030 read:

20212502er

2031 216.1366 Contract terms.—

2032 (1) In order to preserve the interest of the state in the  
2033 prudent expenditure of state funds, each public agency contract  
2034 for services entered into or amended on or after July 1, 2020,  
2035 shall authorize the public agency to inspect the:

2036 (a) Financial records, papers, and documents of the  
2037 contractor that are directly related to the performance of the  
2038 contract or the expenditure of state funds.

2039 (b) Programmatic records, papers, and documents of the  
2040 contractor which the public agency determines are necessary to  
2041 monitor the performance of the contract or to ensure that the  
2042 terms of the contract are being met.

2043 (2) The contract shall require the contractor to provide  
2044 such records, papers, and documents requested by the public  
2045 agency within 10 business days after the request is made.

2046 (3) This section expires July 1, 2022 ~~2021~~.

2047 Section 66. In order to implement section 152 of the 2021-  
2048 2022 General Appropriations Act, paragraph (f) is added to  
2049 subsection (11) of section 216.181, Florida Statutes, to read:

2050 216.181 Approved budgets for operations and fixed capital  
2051 outlay.—

2052 (11)

2053 (f) Notwithstanding paragraph (b) and paragraph (2)(b), and  
2054 for the 2021-2022 fiscal year only, the Legislative Budget  
2055 Commission may increase the amounts appropriated to state  
2056 agencies for fixed capital outlay projects using funds provided  
2057 to the state from the General Revenue Fund. The projects must be  
2058 for deferred maintenance needs in state, college, or university  
2059 facilities and must be specifically identified in a funding plan

20212502er

2060 submitted to the Legislative Budget Commission for approval.  
2061 This paragraph expires July 1, 2022.

2062  
2063 The provisions of this subsection are subject to the notice and  
2064 objection procedures set forth in s. 216.177.

2065 Section 67. In order to implement sections 10 through 17 of  
2066 the 2021-2022 General Appropriations Act, the detailed  
2067 reversions by state agency, budget entity, appropriation  
2068 category, and fund included in the document titled "Fiscal Year  
2069 2020-2021 Immediate Reversions" dated April 27, 2021, and filed  
2070 with the Secretary of the Senate, are incorporated by reference  
2071 for the purpose of displaying calculations used by the  
2072 Legislature, consistent with the requirements of state law, in  
2073 making appropriations for the 2020-2021 fiscal year. This  
2074 section expires July 1, 2022.

2075 Section 68. In order to implement section 8 of the 2021-  
2076 2022 General Appropriations Act:

2077 (1) Notwithstanding s. 216.181(2)(h), Florida Statutes,  
2078 state agencies may submit budget amendments, subject to the  
2079 notice, review, and objection procedures of s. 216.177, Florida  
2080 Statutes, to implement salary increases necessary to address pay  
2081 plan compression issues as a result of the increase of the  
2082 minimum wage to \$13 per hour.

2083 (2) Notwithstanding s. 947.04(1), Florida Statutes,  
2084 consenting retired commissioners of the Florida Commission on  
2085 Offender Review who are assigned to temporary duty may be paid  
2086 \$13 per hour.

2087  
2088 This section expires July 1, 2022.



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2089 Section 69. Effective upon becoming a law, in order to  
2090 implement Specific Appropriations 2852 through 2863 and sections  
2091 121 and 122 of the 2021-2022 General Appropriations Act, and  
2092 notwithstanding the proviso language for Specific Appropriation  
2093 2920 in chapter 2020-111, Laws of Florida, subsection (3) of  
2094 section 282.709, Florida Statutes, is amended to read:

2095 282.709 State agency law enforcement radio system and  
2096 interoperability network.—

2097 (3) In recognition of the critical nature of the statewide  
2098 law enforcement radio communications system, the Legislature  
2099 finds that there is an immediate danger to the public health,  
2100 safety, and welfare, and that it is in the best interest of the  
2101 state to continue partnering with the system's current operator.  
2102 The Legislature finds that continuity of coverage is critical to  
2103 supporting law enforcement, first responders, and other public  
2104 safety users. The potential for a loss in coverage or a lack of  
2105 interoperability between users requires emergency action and is  
2106 a serious concern for officers' safety and their ability to  
2107 communicate and respond to various disasters and events.

2108 (a) The department, pursuant to s. 287.057(10), shall enter  
2109 into a 15-year contract with the entity that was operating the  
2110 statewide radio communications system on January 1, 2021. The  
2111 contract must include:

- 2112 1. The purchase of radios;
- 2113 2. The upgrade to the Project 25 communications standard;
- 2114 3. Increased system capacity and enhanced coverage for  
2115 system users;
- 2116 4. Operations, maintenance, and support at a fixed annual  
2117 rate;

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2118 5. The conveyance of communications towers to the  
2119 department; and

2120 6. The assignment of communications tower leases to the  
2121 department.

2122 (b) The State Agency Law Enforcement Radio System Trust  
2123 Fund is established in the department and funded from surcharges  
2124 collected under ss. 318.18, 320.0802, and 328.72. Upon  
2125 appropriation, moneys in the trust fund may be used by the  
2126 department to acquire ~~by competitive procurement~~ the equipment,  
2127 software, and engineering, administrative, and maintenance  
2128 services it needs to construct, operate, and maintain the  
2129 statewide radio system. Moneys in the trust fund from surcharges  
2130 shall be used to help fund the costs of the system. Upon  
2131 completion of the system, moneys in the trust fund may also be  
2132 used by the department for payment of the recurring maintenance  
2133 costs of the system.

2134 Section 70. The amendments to s. 282.709(3), Florida  
2135 Statutes, made by this act expire July 1, 2022, and the text of  
2136 that subsection shall revert to that in existence on the day  
2137 before the date that this act becomes a law, except that any  
2138 amendments to such text enacted other than by this act shall be  
2139 preserved and continue to operate to the extent that such  
2140 amendments are not dependent upon the portions of text which  
2141 expire pursuant to this section.

2142 Section 71. In order to implement Specific Appropriation  
2143 2675 of the 2021-2022 General Appropriations Act, subsection (4)  
2144 is added to section 350.0614, Florida Statutes, to read:

2145 350.0614 Public Counsel; compensation and expenses.—

2146 (4) Notwithstanding subsection (1), the operating budget,

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2147 as approved jointly by the President of the Senate and the  
2148 Speaker of the House of Representatives from the moneys  
2149 appropriated to the Public Counsel by the Legislature,  
2150 constitutes the allocation under which the Public Counsel will  
2151 manage the duties of his or her office. The Public Counsel:

2152 (a) Shall submit an annual budget request to the  
2153 Legislature in the format, detail, and schedule determined by  
2154 the President of the Senate and the Speaker of the House of  
2155 Representatives.

2156 (b) May employ technical and clerical personnel and retain  
2157 additional counsel and experts, including expert witnesses. In  
2158 employing such personnel, retaining additional counsel and  
2159 experts, and exercising all other administrative duties of the  
2160 office, the Public Counsel must follow applicable provisions of  
2161 the most recent version of the Joint Policies and Procedures of  
2162 the Presiding Officers. Any guidance for administrative issues  
2163 not addressed by the Joint Policies and Procedures of the  
2164 Presiding Officers requires consultation and joint agreement of  
2165 the President of the Senate and the Speaker of the House of  
2166 Representatives.

2167  
2168 This subsection expires July 1, 2022.

2169 Section 72. In order to implement section 152 of the 2021-  
2170 2022 General Appropriations Act, and in order to expedite the  
2171 closure of the Piney Point facility located in Manatee County,  
2172 the Department of Environmental Protection is exempt from the  
2173 competitive procurement requirements of s. 287.057, Florida  
2174 Statutes, for any procurement of commodities or contractual  
2175 services in support of the site closure or to address

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2176 environmental impacts associated with the system failure. This  
2177 section expires July 1, 2022.

2178 Section 73. In order to implement Specific Appropriation  
2179 604 of the 2021-2022 General Appropriations Act, and  
2180 notwithstanding the proviso language related to that  
2181 appropriation, funds may be provided for the provision of the  
2182 continuum of care program at the Graceville Correctional  
2183 Facility. This section expires July 1, 2022.

2184 Section 74. In order to implement Specific Appropriation  
2185 2544 of the 2021-2022 General Appropriations Act, section 14.35,  
2186 Florida Statutes, is reenacted and amended to read:

2187 14.35 Governor's Medal of Freedom.—

2188 (1) The Governor may present, in the name of the State of  
2189 Florida, a medal to be known as the "Governor's Medal of  
2190 Freedom," which shall bear a suitable inscription and ribbon of  
2191 appropriate design, to any person who has made an especially  
2192 meritorious contribution to the interests and citizens of the  
2193 state, its culture, or other significant public or private  
2194 endeavor.

2195 (2) (a) In the event of the death of an individual who has  
2196 been chosen to receive the Governor's Medal of Freedom, the  
2197 medal may be presented to a designated representative of the  
2198 chosen recipient.

2199 (b) The Governor's Medal of Freedom may only be presented  
2200 to an individual once.

2201 (3) This section expires July 1, 2022 ~~2021~~.

2202 Section 75. Any section of this act which implements a  
2203 specific appropriation or specifically identified proviso  
2204 language in the 2021-2022 General Appropriations Act is void if

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2205 the specific appropriation or specifically identified proviso  
2206 language is vetoed. Any section of this act which implements  
2207 more than one specific appropriation or more than one portion of  
2208 specifically identified proviso language in the 2021-2022  
2209 General Appropriations Act is void if all the specific  
2210 appropriations or portions of specifically identified proviso  
2211 language are vetoed.

2212       Section 76. If any other act passed during the 2021 Regular  
2213 Session of the Legislature contains a provision that is  
2214 substantively the same as a provision in this act, but that  
2215 removes or is otherwise not subject to the future repeal applied  
2216 to such provision by this act, the Legislature intends that the  
2217 provision in the other act takes precedence and continues to  
2218 operate, notwithstanding the future repeal provided by this act.

2219       Section 77. If any provision of this act or its application  
2220 to any person or circumstance is held invalid, the invalidity  
2221 does not affect other provisions or applications of the act  
2222 which can be given effect without the invalid provision or  
2223 application, and to this end the provisions of this act are  
2224 severable.

2225       Section 78. Except as otherwise expressly provided in this  
2226 act and except for this section, which shall take effect upon  
2227 this act becoming a law, this act shall take effect July 1,  
2228 2021, or, if this act fails to become a law until after that  
2229 date, it shall take effect upon becoming a law and shall operate  
2230 retroactively to July 1, 2021.