A bill to be entitled
An act implementing the 2020-2021 General
Appropriations Act; providing legislative intent;
incorporating by reference certain calculations of the
Florida Education Finance Program; providing that
funds for instructional materials must be released and
expended as required in specified proviso language;
incorporating by reference certain calculations for
the Medicaid Hospital Funding programs; authorizing
the Agency for Health Care Administration, in
consultation with the Department of Health, to submit
a budget amendment to realign funding for a component
of the Children's Medical Services program to reflect
actual enrollment changes; specifying requirements for
such realignment; authorizing the agency to request
nonoperating budget authority for transferring certain
federal funds to the Department of Health; authorizing
the Agency for Health Care Administration to submit a
budget amendment to realign Medicaid funding for
specified purposes, subject to certain limitations;
authorizing the Agency for Health Care Administration
and the Department of Health to each submit a budget
amendment to realign funding within the Florida
Kidcare program appropriation categories or increase
budget authority for certain purposes; specifying the
time period within each such budget amendment must be submitted; amending s. 381.986, F.S.; extending for 1 year the exemption of certain rules pertaining to the medical use of marijuana from certain rulemaking requirements; amending s. 381.988, F.S.; extending for 1 year the exemption of certain rules pertaining to medical marijuana testing laboratories from certain rulemaking requirements; authorizing the Department of Children and Families to submit a budget amendment to realign funding for implementation of the Guardianship Assistance Program; requiring the Department of Children and Families to establish a formula for the distribution of funds to implement the Guardianship Assistance Program; authorizing the Department of Health to submit a budget amendment to increase budget authority for the HIV/AIDS Prevention and Treatment Program if certain conditions are met; authorizing the Department of Children and Families to submit a budget amendment to realign funding within the Family Safety Program for specified purposes; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; requiring review and approval by the Legislative Budget Commission; amending s.
1011.80, F.S.; specifying the manner by which state funds for postsecondary workforce programs may be used for inmate education; amending s. 215.18, F.S.; extending for 1 fiscal year the authority and related repayment requirements for temporary trust fund loans to the state court system which are sufficient to meet the system's appropriation; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine whether a county has met specified financial responsibilities; requiring amounts owed by the county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to transfer withheld funds to a specified trust fund; requiring the Department of Revenue to ensure that such reductions in amounts distributed do not reduce distributions below amounts necessary for certain payments due on bonds and to comply with bond covenants; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements mandate a reduction in deductions for amounts owed by a county; amending s. 27.40, F.S.; revising circumstances under which the office of criminal conflict and civil regional counsel or private counsel may be appointed; requiring the public
defender and the office of criminal conflict and civil regional counsel to report certain information to the Justice Administrative Commission at specified intervals; requiring inclusion of a specified statement on uniform contracts and forms used for private court-appointed counsel; modifying requirements for the notice of appearance filed by a court-appointed attorney; modifying conditions under which a private attorney is entitled to payment; providing that the flat fee for compensation of private court-appointed counsel is presumed to be sufficient; providing that certain records and documents maintained by the court-appointed attorney are subject to audit by the Auditor General; requiring the Justice Administrative Commission to review such records and documents before authorizing payment to the court-appointed attorney; providing a rebuttable presumption for certain objections made by or on behalf of the Justice Administrative Commission; revising the presumption in favor of the commission regarding a court-appointed attorney's waiver of the right to seek compensation in excess of the flat fee; providing for the expiration and reversion of specified statutory text; amending s. 27.5304, F.S.; specifying the exclusive method for compensating
certain court-appointed counsel; providing a rebuttable presumption for certain objections made by or on behalf of the Justice Administrative Commission at the evidentiary hearing regarding the private court-appointed counsel's compensation; increasing the length of time before the hearing that certain documents must be served on the commission; authorizing the commission to appear in person or telephonically at such hearing; establishing certain limitations on compensation for private court-appointed counsel for the 2020-2021 fiscal year; providing for the expiration and reversion of specified statutory text; specifying that clerks of the circuit court are responsible for certain costs related to juries which exceed a certain funding level; reenacting s. 318.18(19)(c), F.S., relating to penalty amounts for traffic infractions; extending for 1 fiscal year the redirection of revenues from the Public Defenders Revenue Trust Fund to the Indigent Criminal Defense Trust Fund; reenacting s. 817.568(12)(b), F.S., relating to the criminal use of personal identification information; extending for 1 fiscal year the redirection of revenues from the Public Defenders Revenue Trust Fund to the Indigent Criminal Defense Trust Fund; providing for the
expiration and reversion of specified statutory text; requiring the Department of Management Services to use tenant broker services to renegotiate or reprocure certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Governor and the Legislature by a specified date; specifying the amount of the transaction fee to be collected for use of the online procurement system; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer funds appropriated for data processing assessment between departments for a specified purpose; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management insurance and for human resources services purchased per statewide contract; requiring the Department of Financial Services to replace specified components of the Florida Accounting Information Resource Subsystem (FLAIR) and the Cash Management Subsystem (CMS); specifying certain actions to be taken by the Department of Financial Services regarding FLAIR and CMS replacement; providing for the composition of an
executive steering committee to oversee FLAIR and CMS replacement; prescribing duties and responsibilities of the executive steering committee; extending the expiration of the Florida Cybersecurity Task Force and its duties; extending the date by which the Florida Cybersecurity Task Force must submit a final report to specified entities; amending s. 215.18, F.S.; extending for 1 fiscal year the authority of the Governor, if there is a specified temporary deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing a deadline for the repayment of a temporary loan; requiring the Department of Environmental Protection to transfer designated proportions of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; defining the term "department"; requiring the Department of
Environmental Protection to retain a proportionate share of revenues; specifying a limit on distributions; requiring the Department of Environmental Protection to make transfers to land acquisition trust funds; specifying the method of determining transfer amounts; authorizing the Department of Environmental Protection to advance funds from its land acquisition trust fund to the Fish and Wildlife Conservation Commission's land acquisition trust fund for specified purposes; requiring the Department of Environmental Protection to prorate amounts transferred to the Fish and Wildlife Conservation Commission; amending s. 375.041, F.S.; specifying that certain funds for projects dedicated to restoring Lake Apopka shall be appropriated as provided in the General Appropriations Act; amending s. 216.181, F.S.; authorizing the Legislative Budget Commission to increase amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects using specified funds; amending s. 570.441, F.S.; extending for 1 fiscal year a provision authorizing the Department of Agriculture and Consumer Services to use certain funds for purposes related to the Division of Agricultural Environmental Services; amending s.
525.07, F.S.; authorizing the Department of Agriculture and Consumer Services to affix an inspection sticker meeting specified requirements to any petroleum measuring device; requiring the removal of stickers that do not meet specified requirements; amending s. 321.04, F.S.; extending for 1 year the requirement that the Department of Highway Safety and Motor Vehicles assign one or more patrol officers to the office of Lieutenant Governor for security purposes, upon request of the Governor; extending for 1 fiscal year the requirement that the Department of Highway Safety and Motor Vehicles assign a patrol officer to a Cabinet member under certain circumstances; amending s. 420.9079, F.S.; authorizing funds in the Local Government Housing Trust Fund to be used as provided in the General Appropriations Act; amending s. 420.0005, F.S.; extending for 1 year the authorization for certain funds related to state housing to be used as provided in the General Appropriations Act; amending s. 288.0655, F.S.; extending for 1 year the specification of how funds appropriated for the grant program under the Rural Infrastructure Fund for Florida Panhandle counties are to be distributed; amending s. 288.80125, F.S.; requiring funds in the Triumph Gulf Coast Trust Fund
to be used for the Rebuild Florida Revolving Loan Fund program for specified purposes; providing an expiration date; amending s. 339.135, F.S.; extending for 1 year the authorization for the chair and vice chair of the Legislative Budget Commission to approve the Department of Transportation's budget amendment under specified circumstances; amending s. 339.2818, F.S.; authorizing certain counties and municipalities to compete for additional funds for specified purposes related to Hurricane Michael recovery; amending s. 112.061, F.S.; extending for 1 year the authorization for the Lieutenant Governor to designate an alternative official headquarters under certain conditions; specifying restrictions, limitations, eligibility for the subsistence allowance, reimbursement of transportation expenses, and payment thereof; amending s. 216.292, F.S.; extending for 1 fiscal year a provision prescribing requirements for the review of certain transfers of appropriations; requiring the Department of Management Services to maintain and offer the same health insurance options for participants of the State Group Health Insurance Program for the 2020-2021 fiscal year as applied in certain previous fiscal year; prohibiting a state agency from initiating a competitive solicitation for
a product or service under certain circumstances; providing an exception; amending s. 112.24, F.S.; extending for 1 fiscal year the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; providing that the annual salaries of the members of the Legislature be maintained at a specified level; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; providing a monetary cap on lodging expenses for state employee travel to certain meetings organized or sponsored by a state agency or the judicial branch; authorizing employees to expend their own funds for lodging expenses in excess of the monetary caps; prohibiting a state agency from entering into a contract containing certain nondisclosure agreement; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriation; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing effective dates.
Be It Enacted by the Legislature of the State of Florida:

Section 1. It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for the 2020-2021 fiscal year.

Section 2. In order to implement Specific Appropriations 8, 9, 10, 92, and 93 of the 2020-2021 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2020-2021 fiscal year included in the document titled "Public School Funding: The Florida Education Finance Program," dated January 30, 2020, and filed with the Clerk of the House of Representatives, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Florida Education Finance Program. This section expires July 1, 2021.

Section 3. In order to implement Specific Appropriations 8 and 92 of the 2020-2021 General Appropriations Act, and notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42, 1011.62(6)(b)3., and 1011.67, Florida Statutes, relating to the expenditure of funds provided for instructional materials, for the 2020-2021 fiscal year, funds provided for instructional materials shall be released and expended as required in the proviso language for Specific Appropriation 93 of the 2020-2021 General Appropriations Act. This section expires July 1, 2021.
Section 4. In order to implement Specific Appropriations 207, 208, 211, and 215 of the 2020-2021 General Appropriations Act, the calculations for the Medicaid Hospital Funding programs for the 2020-2021 fiscal year contained in the document titled "Medicaid Hospital Funding Programs, Fiscal Year 2020-2021," dated January 30, 2020, and filed with the Clerk of the House of Representatives, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Hospital Funding programs. This section expires July 1, 2021.

Section 5. In order to implement Specific Appropriations 201 through 228 and 526 of the 2020-2021 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration, in consultation with the Department of Health, may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within and between agencies based on implementation of the Managed Medical Assistance component of the Statewide Medicaid Managed Care program for the Children's Medical Services program of the Department of Health. The funding realignment shall reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to the capitated Children's Medical Services Network. The Agency for Health Care
Administration may submit a request for nonoperating budget authority to transfer the federal funds to the Department of Health pursuant to s. 216.181(12), Florida Statutes. This section expires July 1, 2021.

Section 6. In order to implement Specific Appropriations 201 through 228 of the 2020-2021 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the Medicaid program appropriation categories to address projected surpluses and deficits within the program and to maximize the use of state trust funds. A single budget amendment shall be submitted in the last quarter of the 2020-2021 fiscal year only. This section expires July 1, 2021.

Section 7. In order to implement Specific Appropriations 181 through 186 and 526 of the 2020-2021 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration and the Department of Health may each submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the Florida Kidcare program appropriation categories, or to increase budget authority in the Children's Medical Services Network category, to address projected surpluses and deficits within the program.
or to maximize the use of state trust funds. A single budget amendment must be submitted by each agency in the last quarter of the 2020-2021 fiscal year only. This section expires July 1, 2021.

Section 8. In order to implement Specific Appropriations 468, 469, and 475 of the 2020-2021 General Appropriations Act, subsection (17) of section 381.986, Florida Statutes, is amended to read:

381.986 Medical use of marijuana.—
(17) Rules adopted pursuant to this section before July 1, 2021, are not subject to ss. 120.54(3)(b) and 120.541. Notwithstanding paragraph (8)(e), a medical marijuana treatment center may use a laboratory that has not been certified by the department under s. 381.988 until such time as at least one laboratory holds the required certification pursuant to s. 381.988, but in no event later than July 1, 2020. This subsection expires July 1, 2021.

Section 9. In order to implement Specific Appropriations 330, 332, 361, and 362 of the 2020-2021 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Children and Families may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the department based on the implementation of the Guardianship Assistance Program, between and among the specific
appropriations for guardianship assistance payments, foster care Level 1 room and board payments, relative caregiver payments, and nonrelative caregiver payments. This section expires July 1, 2021.

Section 10. In order to implement Specific Appropriations 330 and 332 of the 2020-2021 General Appropriations Act, the Department of Children and Families shall establish a formula to distribute the recurring sums of $19,627,812 from the General Revenue Fund and $15,668,869 from the Federal Grants Trust Fund for actual and direct costs to implement the Guardianship Assistance Program, including Level 1 foster care board payments, licensing staff for community-based care lead agencies, and guardianship assistance payments. This section expires July 1, 2021.

Section 11. In order to implement Specific Appropriations 471 and 510 of the 2020-2021 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Health may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to increase budget authority for the HIV/AIDS Prevention and Treatment Program if additional federal revenues specific to HIV/AIDS prevention and treatment become available in the 2020-2021 fiscal year. This section expires July 1, 2021.

Section 12. In order to implement Specific Appropriations 312 through 315, 319, 320, 323, 328 through 330, and 332 of the
2020-2021 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Children and Families may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the Family Safety Program to maximize the use of Title IV-E and other federal funds. This section expires July 1, 2021.

Section 13. In order to implement Specific Appropriations 215 and 226 of the 2020-2021 General Appropriations Act Subsection (6) is added to section 409.968, Florida Statutes, to read:

409.968 Managed care plan payments.—

(6) The agency shall withhold and set aside a portion of the managed care rates from the rate cells for special needs and home health services in the managed medical assistance and managed long term care programs to implement a home health performance incentive program. The agency shall direct Medicaid managed care plans to submit to the agency proposals to ensure all covered and authorized home health services are provided to recipients, methods for measuring provider compliance and mechanisms for documenting compliance to the agency. Plans must implement a method for families and caregivers to report provider failures to provide services in real time. The agency may disburse the withheld portion of rate in the last quarter of the fiscal year only upon a documented determination by the
agency that the plans ensured all covered and authorized home 
health services were provided. This subsection expires July 1, 
2021.

Section 14. In order to implement Specific Appropriation 
200A of the 2020-2021 General Appropriations Act:

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

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

(b) Procurement for agency requirements external to the 
Division of Medicaid with the intent to leverage the Medicaid 
technology infrastructure without legislative appropriation or 
legislative authorization to procure for these requirements.

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

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

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

(c) Consult with the Executive Office of the Governor’s working group for interagency information technology integration for the development of competitive solicitations that provide for data interoperability and shared information technology services across the state’s health and human services agencies.

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

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

1. The Secretary of the Agency for Health Care Administration or the executive sponsor of the project.

2. Three representatives of the Department of Children and Families, appointed by the secretary of the department.

3. Four employees from the Division of Medicaid within the Agency for Health Care Administration, appointed by the Secretary of the Agency for Health Care Administration.

4. The Chief Information Officer of the Agency for Health Care Administration.
5. The state chief information officer or designee.
6. One staff member from Children’s Medical Services within the Department of Health appointed by the Surgeon General.
7. A representative from the Agency for Persons with Disabilities, appointed by the Executive Director of the Agency for Persons with Disabilities.
8. A representative from the Florida Healthy Kids Corporation.
9. A representative from the Department of Health, appointed by the Surgeon General.
10. A representative from the Department of Elder Affairs, appointed by the Secretary of the department.

(3) The agency secretary or the executive sponsor of the project shall serve as chair of the executive steering committee, and the committee shall take action by a vote of at least eight affirmative votes with the Secretary of the Agency for Health Care Administration or the executive sponsor of the project voting on the prevailing side. A quorum of the executive steering committee consists of at least eight members.

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

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

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

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

(d) Approve all major project deliverables.

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

(5) This section expires July 1, 2021.

Section 15. In order to implement Specific Appropriations 582 through 673 and 685 through 720 of the 2020-2021 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter relating to increasing the number of authorized positions, and for the 2020-2021 fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the December 17, 2019—February 22,
2019, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2021 2020.

Section 16. In order to implement Specific Appropriation 707 of the 2020-2021 General Appropriations Act, upon the expiration and reversion of the amendment made to section 1011.80, Florida Statutes, pursuant to section 53 of chapter 2019-116, Laws of Florida, paragraph (c) is added to subsection (8) of section 1011.80, Florida Statutes, to read:

1011.80 Funds for operation of workforce education programs.
(8)

(c) Notwithstanding paragraph (b), state funds provided for the operation of postsecondary workforce programs may be expended for the education of state inmates with more than 24 months of time remaining on their sentences or federal inmates if funds are specifically appropriated for such purpose in the 2020-2021 General Appropriations Act. This paragraph expires July 1, 2021.

Section 17. In order to implement Specific Appropriations 3187 through 3253 of the 2020-2021 General Appropriations Act, subsection (2) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—
(2) The Chief Justice of the Supreme Court may receive one or more trust fund loans to ensure that the state court system has funds sufficient to meet its appropriations in the 2019-2020 General Appropriations Act. If the Chief Justice accesses the loan, he or she must notify the Governor and the chairs of the legislative appropriations committees in writing. The loan must come from other funds in the State Treasury which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds. The Governor shall order the transfer of funds within 5 days after the written notification from the Chief Justice. If the Governor does not order the transfer, the Chief Financial
Section 18. (1) In order to implement Specific Appropriations 1120 through 1131 of the 2020-2021 General Appropriations Act, the Department of Juvenile Justice is required to review county juvenile detention payments to ensure that counties fulfill their financial responsibilities required in s. 985.6865, Florida Statutes. If the Department of Juvenile Justice determines that a county has not met its obligations, the department shall direct the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from the funds provided to the county under s. 218.23, Florida Statutes. The Department of Revenue shall transfer the funds withheld to the Shared County/State Juvenile Detention Trust Fund.

(2) As an assurance to holders of bonds issued by counties before July 1, 2020, for which distributions made pursuant to s. 218.23, Florida Statutes, are pledged, or bonds issued to refund such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an
affected county, that any reduction in amounts distributed pursuant to subsection (1) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this section, the Department of Revenue must notify the Department of Juvenile Justice of the amount of the decrease, and the Department of Juvenile Justice must send a bill for payment of such amount to the affected county.

(3) This section expires July 1, 2021.

Section 19. In order to implement Specific Appropriations 731 through 752, 916 through 1062, and 1083 through 1119 of the 2020-2021 General Appropriations Act, upon the expiration and reversion of the amendments made to section 27.40, F.S. pursuant to section 57 of chapter 2019-116, Laws of Florida, subsection (1), paragraph (a) of subsection (2), paragraph (a) of subsection (3), and subsections (5), (6), and (7) of section 27.40, Florida Statutes, are amended to read:

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

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

(2)(a) Private counsel shall be appointed to represent persons in those cases in which provision is made for court-appointed counsel but only after the office of criminal conflict and civil regional counsel has been appointed and has certified to the court in writing that the criminal conflict and civil regional counsel is unable to provide representation due to a conflict of interest. The criminal conflict and civil regional counsel shall report, in the aggregate, the specific basis of all conflicts of interest certified to the court. On a quarterly basis, the criminal conflict and civil regional counsel shall submit this information to the Justice Administrative Commission.
(3) In using a registry:

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

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

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

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

To be included on a registry, an attorney must enter into a contract for services with the Justice Administrative Commission. Failure to comply with the terms of the contract for services may result in termination of the contract and removal from the registry. Each attorney on the registry is responsible for notifying the clerk of the court and the Justice Administrative Commission of any change in his or her status.

Failure to comply with this requirement is cause for termination of the contract for services and removal from the registry until the requirement is fulfilled.

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

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

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

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

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

3. A finding by the commission that an attorney has waived
the right to seek compensation in excess of the flat fee
established in s. 27.5304 and the General Appropriations Act, as
provided in this paragraph, shall be presumed to be correct
valid, unless the, as determined by a court determines, in
writing, that competent and substantial evidence exists to
justify overcoming the presumption, the commission's finding is
not supported by competent and substantial evidence.

Section 20. The amendments to s. 27.40(1), (2)(a), (3)(a),
(5), (6), and (7), Florida Statutes, made by this act expire
July 1, 2021, and the text of those subsections and paragraphs,
as applicable, shall revert to that in existence on June 30,
2019, except that any amendments to such text enacted other than
by this act shall be preserved and continue to operate to the
extent that such amendments are not dependent upon the portions
of text which expire pursuant to this section.

Section 21. In order to implement Specific Appropriations
731 through 752, 916 through 1062, and 1083 through 1119 of the
2020-2021 General Appropriations Act, upon the expiration and
reversion of the amendments made to section 27.5304, Florida
Statutes, pursuant to section 59 of chapter 2019-116, Laws of Florida, subsections (1), (3), (7), and (11), paragraphs (a) through (e) of subsection (12), and subsection (13) of section 27.5304, Florida Statutes, are amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

1. At the hearing, the attorney seeking compensation must prove by competent and substantial evidence that the case required extraordinary and unusual efforts. The chief judge or single designee shall consider criteria such as the number of witnesses, the complexity of the factual and legal issues, and the length of trial. The fact that a trial was conducted in a case does not, by itself, constitute competent substantial evidence of an extraordinary and unusual effort. In a criminal case, relief under this section may not be granted if the number of work hours does not exceed 75 or the number of the state's witnesses deposed does not exceed 20.
2. Objections by or on behalf of the Justice Administrative Commission to records or documents or to claims for payment by the attorney shall be presumed correct by the court unless the court determines, in writing, that competent and substantial evidence exists to justify overcoming the presumption. The chief judge or single designee shall enter a written order detailing his or her findings and identifying the extraordinary nature of the time and efforts of the attorney in the case which warrant exceeding the flat fee established by this section and the General Appropriations Act.

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

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

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

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

(a) For misdemeanors and juveniles represented at the trial level: $1,000.
(b) For noncapital, nonlife felonies represented at the trial level: $15,000.
(c) For life felonies represented at the trial level: $15,000.
(d) For capital cases represented at the trial level: $25,000. For purposes of this paragraph, a "capital case" is any offense for which the potential sentence is death and the state has not waived seeking the death penalty.
(e) For representation on appeal: $9,000.
(f) This subsection expires July 1, 2021.

Section 22. The amendments to s. 27.5304(1), (3), (7), (11), and (12)(a)-(e), Florida Statutes, made by this act expire July 1, 2021, and the text of those subsections and paragraphs, as applicable, shall revert to that in existence on June 30, 2019, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 23. In order to implement Specific Appropriation 736 of the 2020-2021 General Appropriations Act, and
notwithstanding s. 28.35, Florida Statutes, the clerks of the circuit court are responsible for any costs of compensation to jurors, for meals or lodging provided to jurors, and for jury-related personnel costs that exceed the funding provided in the General Appropriations Act for these purposes. This section expires July 1, 2021.

Section 24. In order to implement Specific Appropriations 916 through 1062 of the 2020-2021 General Appropriations Act, and notwithstanding the expiration date in section 63 of chapter 2019-116, Laws of Florida, paragraph (c) of subsection (19) of section 318.18, Florida Statutes, is reenacted to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(19) In addition to any penalties imposed, an Article V assessment of $10 must be paid for all noncriminal moving and nonmoving violations under chapters 316, 320, and 322. The assessment is not revenue for purposes of s. 28.36 and may not be used in establishing the budget of the clerk of the court under that section or s. 28.35. Of the funds collected under this subsection:

(c) The sum of $1.67 shall be deposited in the Indigent Criminal Defense Trust Fund for use by the public defenders.
and notwithstanding the expiration date in section 63 of chapter 2019-116, Laws of Florida, paragraph (b) of subsection (12) of section 817.568, Florida Statutes, is reenacted to read:

817.568 Criminal use of personal identification information.—

(12) In addition to any sanction imposed when a person pleads guilty or nolo contendere to, or is found guilty of, regardless of adjudication, a violation of this section, the court shall impose a surcharge of $1,001.

(b) The sum of $250 of the surcharge shall be deposited into the State Attorneys Revenue Trust Fund for the purpose of funding prosecutions of offenses relating to the criminal use of personal identification information. The sum of $250 of the surcharge shall be deposited into the Indigent Criminal Defense Trust Fund for the purposes of indigent criminal defense related to the criminal use of personal identification information.

Section 26. The text of ss. 318.18(19)(c) and 817.568(12)(b), Florida Statutes, as carried forward from chapter 2019-116, Laws of Florida, by this act, expires July 1, 2021, and the text of those paragraphs shall revert to that in existence on June 30, 2018, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.
Section 27. In order to implement appropriations used to pay existing lease contracts for private lease space in excess of 2,000 square feet in the 2020-2021 General Appropriations Act, the Department of Management Services, with the cooperation of the agencies having the existing lease contracts for office or storage space, shall use tenant broker services to renegotiate or repurchase all private lease agreements for office or storage space expiring between July 1, 2021, and June 30, 2023, in order to reduce costs in future years. The department shall incorporate this initiative into its 2020 master leasing report required under s. 255.249(7), Florida Statutes, and may use tenant broker services to explore the possibilities of collocating office or storage space, to review the space needs of each agency, and to review the length and terms of potential renewals or renegotiations. The department shall provide a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2020, which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2021.

Section 28. In order to implement Specific Appropriations 2820 through 2832 of the 2020-2021 General Appropriations Act, and notwithstanding rule 60A-1.031, Florida Administrative Code, the transaction fee collected for use of the online procurement system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
Section 29. In order to implement appropriations authorized in the 2020-2021 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, an agency may not transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2021.

Section 30. In order to implement the appropriation of funds in the appropriation category "Data Processing Assessment-Department of Management Services" in the 2020-2021 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted based on the estimated billing cycle and methodology used by the Department of Management Services for data processing services provided. This section expires July 1, 2021.

Section 31. In order to implement the appropriation of funds in the appropriation category "Special Categories-Risk Management Insurance" in the 2020-2021 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category
between departments in order to align the budget authority
granted with the premiums paid by each department for risk
management insurance. This section expires July 1, 2021.

Section 32. In order to implement the appropriation of
funds in the appropriation category "Special Categories-Transfer
to Department of Management Services-Human Resources Services
Purchased per Statewide Contract" in the 2020-2021 General
Appropriations Act, and pursuant to the notice, review, and
objection procedures of s. 216.177, Florida Statutes, the
Executive Office of the Governor may transfer funds appropriated
in that category between departments in order to align the
budget authority granted with the assessments that must be paid
by each agency to the Department of Management Services for
human resource management services. This section expires July 1,
2021.

Section 33. In order to implement Specific Appropriations
2388 through 2391 of the 2020-2021 General Appropriations Act:
(1) The Department of Financial Services shall replace the
four main components of the Florida Accounting Information
Resource Subsystem (FLAIR), which include central FLAIR,
departmental FLAIR, payroll, and information warehouse, and
shall replace the cash management and accounting management
components of the Cash Management Subsystem (CMS) with an
integrated enterprise system that allows the state to organize,
define, and standardize its financial management business
processes and that complies with ss. 215.90-215.96, Florida Statutes. The department may not include in the replacement of FLAIR and CMS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) Approve all major project deliverables.

(e) Approve all solicitation-related documents associated with the replacement of FLAIR and CMS.
(5) This section expires July 1, 2021.

Section 34. In order to implement Specific Appropriations 2900 through 2946 of the 2020-2021 General Appropriations Act, section 29 of chapter 2019-118, Laws of Florida, is amended to read:

Section 29. Florida Cybersecurity Task Force.—

(1) The Florida Cybersecurity Task Force, a task force as defined in s. 20.03(8), Florida Statutes, is created adjunct to the Department of Management Services to review and conduct an assessment of the state’s cybersecurity infrastructure, governance, and operations. Except as otherwise provided in this section, the task force shall operate in a manner consistent with s. 20.052, Florida Statutes.

(2) The task force consists of the following members:

(a) The Lieutenant Governor, or his or her designee, who shall serve as chair of the task force.

(b) A representative of the computer crime center of the Department of Law Enforcement, appointed by the executive director of the department.

(c) A representative of the fusion center of the Department of Law Enforcement, appointed by the executive director of the department.

(d) The state chief information officer.

(e) The state chief information security officer.

(f) A representative of the Division of Emergency...
Management within the Executive Office of the Governor,
appointed by the director of the division.

(g) A representative of the Office of the Chief Inspector
General in the Executive Office of the Governor, appointed by
the Chief Inspector General.

(h) An individual appointed by the President of the
Senate.

(i) An individual appointed by the Speaker of the House of
Representatives.

(j) Members of the private sector appointed by the
Governor.

(3) The task force shall convene by October 1, 2019, and
shall meet as necessary, but at least quarterly, at the call of
the chair. The Division of State Technology within the
Department of Management Services shall provide staffing and
administrative support to the task force.

(4) The task force shall:

(a) Recommend methods to secure the state's network
systems and data, including standardized plans and procedures to
identify developing threats and to prevent unauthorized access
and destruction of data.

(b) Identify and recommend remediation, if necessary, of
high-risk cybersecurity issues facing state government.

(c) Recommend a process to regularly assess cybersecurity
infrastructure and activities of executive branch agencies.
(d) Identify gaps in the state's overall cybersecurity infrastructure, governance, and current operations. Based on any findings of gaps or deficiencies, the task force shall make recommendations for improvement.

(e) Recommend cybersecurity improvements for the state's emergency management and disaster response systems.

(f) Recommend cybersecurity improvements of the state data center.

(g) Review and recommend improvements relating to the state's current operational plans for the response, coordination, and recovery from a cybersecurity attack.

(5) All executive branch departments and agencies shall cooperate fully with requests for information made by the task force.

(6) On or before February 1, 2021 November 1, 2020, the task force shall submit a final report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(7) This section expires January 1, 2021.

Section 35. In order to implement Specific Appropriation 1633 of the 2020-2021 General Appropriations Act, paragraph (d) of subsection (11) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—
(11)

(d) Notwithstanding paragraph (b) and paragraph (2)(b), and for the 2020-2021 fiscal year only, the Legislative Budget Commission may increase the amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects, including additional fixed capital outlay projects, using funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation; funds provided to the state from the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds provided by the British Petroleum Corporation (BP) for natural resource damage assessment restoration projects. Concurrent with submission of an amendment to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the projected amount of the future commitment associated with the project and the fiscal years in which the commitment is expected to commence. This paragraph expires July 1, 2021.

The provisions of this subsection are subject to the notice and objection procedures set forth in s. 216.177.
Section 36. In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission, which are contained in the 2020-2021 General Appropriations Act, subsection (3) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(3) Notwithstanding subsection (1) and only with respect to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency in a land acquisition trust fund which would render that trust fund temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund, and other trust funds in the State Treasury have moneys that are for the time being or otherwise in excess of the amounts necessary to meet the just requirements, including appropriated obligations, of those other trust funds, the Governor may order a temporary transfer of moneys from one or more of the other trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission. Any action
proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, and the Governor shall provide notice of such action at least 7 days before the effective date of the transfer of trust funds, except that during July 2020, notice of such action shall be provided at least 3 days before the effective date of a transfer unless such 3-day notice is waived by the chair and vice-chair of the Legislative Budget Commission. Any transfer of trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission must be repaid to the trust funds from which the moneys were loaned by the end of the fiscal year. The Legislature has determined that the repayment of the other trust fund moneys temporarily loaned to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission pursuant to this subsection is an allowable use of the moneys in a land acquisition trust fund because the moneys from other trust funds temporarily loaned to a land acquisition trust fund shall be expended solely and exclusively in accordance with s. 28, Art. X of the State Constitution. This subsection expires July 1, 2021.
appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission, which are contained in the 2020-2021 General Appropriations Act, the Department of Environmental Protection shall transfer revenues from the Land Acquisition Trust Fund within the department to the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission, as provided in this section. As used in this section, the term "department" means the Department of Environmental Protection.

(2) After subtracting any required debt service payments, the proportionate share of revenues to be transferred to each land acquisition trust fund shall be calculated by dividing the appropriations from each of the land acquisition trust funds for the fiscal year by the total appropriations from the Land Acquisition Trust Fund within the department and the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission for the fiscal year. The department shall transfer the proportionate share of the revenues in the Land Acquisition Trust Fund within the department on a monthly basis to the appropriate land acquisition trust funds within the Department of Agriculture and Consumer Services.
Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission and shall retain its proportionate share of the revenues in the Land Acquisition Trust Fund within the department. Total distributions to a land acquisition trust fund within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission may not exceed the total appropriations from such trust fund for the fiscal year.

(3) In addition, the department shall transfer from the Land Acquisition Trust Fund to land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission amounts equal to the difference between the amounts appropriated in chapter 2019-115, Laws of Florida, to the department's Land Acquisition Trust Fund and the other land acquisition trust funds, and the amounts actually transferred between those trust funds during the 2019-2020 fiscal year.

(4) The department may advance funds from the beginning unobligated fund balance in the Land Acquisition Trust Fund to the Land Acquisition Trust Fund within the Fish and Wildlife Conservation Commission needed for cash flow purposes based on a detailed expenditure plan. The department shall prorate amounts transferred quarterly to the Fish and Wildlife Conservation Commission to recoup the amount of funds advanced by June 30, 2021.
(5) This section expires July 1, 2021.

Section 38. In order to implement appropriations from the Land Acquisition Trust Fund within the Department of Environmental Protection in the 2020-2021 General Appropriations Act, paragraph (b) of subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

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

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

1. A minimum of the lesser of 25 percent or $200 million shall be appropriated annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project subject to Congressional authorization; the Long-Term Plan as defined in s. 373.4592(2); and the Northern Everglades and Estuaries Protection Program as set forth in s. 373.4595. From these funds, $32 million shall be distributed each fiscal year through the 2023-2024 fiscal year to the South Florida Water Management District for the Long-Term Plan as defined in s. 373.4592(2). After deducting the $32 million distributed under this subparagraph, from the funds remaining, a minimum of the lesser of 76.5 percent or $100 million shall be appropriated
each fiscal year through the 2025-2026 fiscal year for the planning, design, engineering, and construction of the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project, the Everglades Agricultural Area Storage Reservoir Project, the Lake Okeechobee Watershed Project, the C-43 West Basin Storage Reservoir Project, the Indian River Lagoon-South Project, the Western Everglades Restoration Project, and the Picayune Strand Restoration Project. The Department of Environmental Protection and the South Florida Water Management District shall give preference to those Everglades restoration projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

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

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

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

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

Section 39. In order to implement Specific Appropriations
through 1452 of the 2020-2021 General Appropriations Act,
subsection (4) of section 570.441, Florida Statutes, is amended
to read:

570.441 Pest Control Trust Fund.—
(4) In addition to the uses authorized under subsection
(2), moneys collected or received by the department under
chapter 482 may be used to carry out the provisions of s.
570.44. This subsection expires July 1, 2021.

Section 40. In order to implement Specific Appropriations
through 1459 of the 2020-2021 General Appropriations Act,
upon the expiration and reversion of the amendment made to
section 525.07, Florida Statutes, pursuant to section 93 of
chapter 2019-116, Laws of Florida, subsection (1) of section
525.07, Florida Statutes, is amended to read:

525.07 Powers and duties of department; inspections;
unlawful acts.—
(1)(a) The department shall inspect all measuring devices used in selling or distributing petroleum fuel at wholesale and retail.

(b) The department may affix a sticker to each petroleum measuring device. Using only a combination of lettering, numbering, words, or the department logo, the sticker must signify that the device has been inspected by the department and that the device owner is responsible for its proper use and maintenance. Any sticker which has been affixed to a petroleum measuring device by the department which does not meet the specifications of this paragraph must be removed by September 15, 2020. This paragraph expires July 1, 2021.

Section 41. In order to implement Specific Appropriation 2659 of the 2020-2021 General Appropriations Act, paragraph (b) of subsection (3) and subsection (5) of section 321.04, Florida Statutes, are amended to read:

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

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

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

Section 42. In order to implement Specific Appropriations 2281 and 2282A of the 2020-2021 General Appropriations Act, subsection (3) of section 420.9079, Florida Statutes, is amended to read:

420.9079 Local Government Housing Trust Fund.—
(3) For the 2020-2021 fiscal year, funds may be used as provided in the General Appropriations Act. This subsection expires July 1, 2021.

Section 43. In order to implement Specific Appropriation 2281 of the 2020-2021 General Appropriations Act, subsection (2) of section 420.0005, Florida Statutes, is amended to read:

420.0005 State Housing Trust Fund; State Housing Fund.—
(2) For the 2020-2021 fiscal year, funds may be used as provided in the General Appropriations Act. This subsection expires July 1, 2021.

Section 44. In order to implement Specific Appropriation 2280 of the 2020-2021 General Appropriations Act, subsection (6) of section 288.0655, Florida Statutes, is amended to read:

288.0655 Rural Infrastructure Fund.—
(6) For the 2020-2021 fiscal year, the funds
appropriated for the grant program for Florida Panhandle counties shall be distributed pursuant to and for the purposes described in the proviso language associated with Specific Appropriation 2280 2314 of the 2020-2021 2019-2020 General Appropriations Act. This subsection expires July 1, 2021 2020.

Section 45. In order to implement Specific Appropriation 2267 of the 2020-2021 General Appropriations Act, subsection (4) is added to section 288.80125, Florida Statutes, to read:

288.80125 Triumph Gulf Coast Trust Fund.—

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

Section 46. In order to implement Specific Appropriations 1916 through 1929, 1929F through 1929J, 1943 through 1951, 1953 through 1962, and 1999A through 2011 of the 2020-2021 General Appropriations Act, paragraph (g) of subsection (7) of section 339.135, Florida Statutes, is amended to read:

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

(7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

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

2. If a meeting of the Legislative Budget Commission cannot be held within 30 days after the department submits an amendment to the Legislative Budget Commission, the chair and vice chair of the Legislative Budget Commission may authorize such amendment to be approved pursuant to s. 216.177. This subparagraph expires July 1, 2021.

Section 47. In order to implement Specific Appropriations of the 2020-2021 General Appropriations Act, paragraph (d) of subsection (4) of section 112.061, Florida Statutes, is amended to read:

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

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

(d) A Lieutenant Governor who permanently resides outside of Leon County, may, if he or she so requests, have an appropriate facility in his or her county designated as his or her official headquarters for purposes of this section. This official headquarters may only serve as the Lieutenant Governor's personal office. The Lieutenant Governor may not use state funds to lease space in any facility for his or her
1526 official headquarters.
1527 1. A Lieutenant Governor for whom an official headquarters
1528 is established in his or her county of residence pursuant to
1529 this paragraph is eligible for subsistence at a rate to be
1530 established by the Governor for each day or partial day that the
1531 Lieutenant Governor is at the State Capitol to conduct official
1532 state business. In addition to the subsistence allowance, a
1533 Lieutenant Governor is eligible for reimbursement for
1534 transportation expenses as provided in subsection (7) for travel
1535 between the Lieutenant Governor's official headquarters and the
1536 State Capitol to conduct state business.
1537 2. Payment of subsistence and reimbursement for
1538 transportation between a Lieutenant Governor's official
1539 headquarters and the State Capitol shall be made to the extent
1540 appropriated funds are available, as determined by the Governor.
1541 3. This paragraph expires July 1, 2021.
1542 Section 48. In order to implement the salaries and
1543 benefits, expenses, other personal services, contracted
1544 services, special categories, and operating capital outlay
1545 categories of the 2020-2021 General Appropriations Act,
1546 paragraph (a) of subsection (2) of section 216.292, Florida
1547 Statutes, is amended to read:
1548 216.292 Appropriations nontransferable; exceptions.—
1549 (2) The following transfers are authorized to be made by
1550 the head of each department or the Chief Justice of the Supreme
Court whenever it is deemed necessary by reason of changed conditions:

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

1. Between categories of appropriations within a budget entity, if no category of appropriation is increased or decreased by more than 5 percent of the original approved budget or $250,000, whichever is greater, by all action taken under this subsection.

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

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

4. Notice of proposed transfers under subparagraphs 1. and 2. shall be provided to the Executive Office of the Governor and the chairs of the legislative appropriations committees at least 3 days prior to agency implementation in order to provide an
opportunity for review. The review shall be limited to ensuring that the transfer is in compliance with the requirements of this paragraph.

5. For the 2020-2021 fiscal year, the review shall ensure that transfers proposed pursuant to this paragraph comply with this chapter, maximize the use of available and appropriate trust funds, and are not contrary to legislative policy and intent. This subparagraph expires July 1, 2021.

Section 49. In order to implement section 8 of the 2020-2021 General Appropriations Act, notwithstanding s. 110.123(3)(f) and (j), Florida Statutes, the Department of Management Services shall maintain and offer the same PPO and HMO health plan alternatives to the participants of the State Group Health Insurance Program during the 2020-2021 fiscal year which were in effect for the 2019-2020 fiscal year. This section expires July 1, 2021.

Section 50. In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2020-2021 General Appropriations Act, a state agency may not initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would:

(1) Require a change in law; or

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

This section does not apply to a competitive solicitation for
which the agency head certifies that a valid emergency exists.
This section expires July 1, 2021.

Section 51. In order to implement appropriations for
salaries and benefits of the 2020-2021 General Appropriations
Act, subsection (6) of section 112.24, Florida Statutes, is
amended to read:

112.24 Intergovernmental interchange of public employees.—
To encourage economical and effective utilization of public
employees in this state, the temporary assignment of employees
among agencies of government, both state and local, and
including school districts and public institutions of higher
education is authorized under terms and conditions set forth in
this section. State agencies, municipalities, and political
subdivisions are authorized to enter into employee interchange
agreements with other state agencies, the Federal Government,
another state, a municipality, or a political subdivision
including a school district, or with a public institution of
higher education. State agencies are also authorized to enter
into employee interchange agreements with private institutions
of higher education and other nonprofit organizations under the
terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of interchange employees shall be limited to the mission and goals of the agencies of government.

(6) For the 2020-2021 fiscal year only, the assignment of an employee of a state agency as provided in this section may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the legislative appropriations committees. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after receiving notice of the action pursuant to s. 216.177. This subsection expires July 1, 2021.

Section 52. In order to implement Specific Appropriations 2727 and 2728 of the 2020-2021 General Appropriations Act, and
notwithstanding s. 11.13(1), Florida Statutes, the authorized
salaries for members of the Legislature for the 2020-2021 fiscal
year shall be set at the same level in effect on July 1, 2010.
This section expires July 1, 2021.

Section 53. In order to implement appropriations in the
2020-2021 General Appropriations Act for state employee travel,
the funds appropriated to each state agency which may be used
for travel by state employees are limited during the 2020-2021
fiscal year to travel for activities that are critical to each
state agency's mission. Funds may not be used for travel by
state employees to foreign countries, other states, conferences,
staff training activities, or other administrative functions
unless the agency head has approved, in writing, that such
activities are critical to the agency's mission. The agency head
shall consider using teleconferencing and other forms of
electronic communication to meet the needs of the proposed
activity before approving mission-critical travel. This section
does not apply to travel for law enforcement purposes, military
purposes, emergency management activities, or public health
activities. This section expires July 1, 2021.

Section 54. In order to implement appropriations in the
2020-2021 General Appropriations Act for state employee travel
and notwithstanding s. 112.061, Florida Statutes, costs for
lodging associated with a meeting, conference, or convention
organized or sponsored in whole or in part by a state agency or
the judicial branch may not exceed $150 per day. An employee may expend his or her own funds for any lodging expenses in excess of $150 per day. For purposes of this section, a meeting does not include travel activities for conducting an audit, examination, inspection, or investigation or travel activities related to a litigation or emergency response. This section expires July 1, 2021.

Section 55. In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2020-2021 General Appropriations Act, a state agency may not enter into a contract containing a nondisclosure clause that prohibits the contractor from disclosing information relevant to the performance of the contract to members or staff of the Senate or the House of Representatives. This section expires July 1, 2021.

Section 56. Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2020-2021 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2020-2021 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.
Section 57. If any other act passed during the 2020 Regular Session of the Legislature contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act takes precedence and continues to operate, notwithstanding the future repeal provided by this act.

Section 58. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2020; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2020.