A bill to be entitled
An act relating to implementing the 2020-2021 General Appropriations Act; providing legislative intent; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of realigning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; limiting the use of travel funds to activities that are critical to an agency’s mission; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys into the General Revenue Fund from trust funds in the 2020-2021 General Appropriations Act; providing for the future expiration and reversion of statutory text; incorporating by reference certain calculations of the Florida Education Finance Program; amending s. 259.105, F.S.; allocating Florida Forever Trust Fund moneys to the Department of Environmental Protection for land acquisition and land management; amending s. 375.041, F.S.; specifying that certain funds for projects from the Land Acquisition Trust Fund shall be appropriated as provided in the General Appropriations Act; amending s. 215.18, F.S.; authorizing the Governor, if there is a specified 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 procedures for the transfer and repayment of
the loan; providing a legislative determination that
the repayment of the temporary loan is a
constitutionally allowable use of such moneys;
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; 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; authorizing the
Department of Environmental Protection to provide
funding for electric vehicle charging infrastructure
along hurricane evacuation routes; 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; placing a monetary cap on lodging
expenses for state employee travel to certain meetings organized or sponsored by a state agency; 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 for the preceding fiscal year; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine if the 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 deductions do not reduce distributions below amounts necessary for certain payments relating to bonds; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; amending section 216.262, F.S.; delaying the expiration of provisions directing the Department of Corrections to seek a budget amendment for additional positions and appropriations if the inmate population exceeds a certain estimate under certain circumstances; amending section 215.18, F.S.; extending for one fiscal year the authority and related repayment requirements for temporary trust
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fund loans to the state court system which are sufficient to meet the system's appropriation;
amending section 27.5304, F.S.; establishing certain limitations on compensation for private court-appointed counsel for the 2020-2021 fiscal year;
authorizing the Department of Corrections to seek a budget amendment for additional appropriations sufficient to comply with a court order; authorizing the Agency for Health Care Administration to submit a budget amendment to realign funds for the Children’s Medical Services program; authorizing the Agency for Health Care Administration to submit a budget amendment to realign funding within the Medicaid program; amending s. 409.904, F.S.; directing the Agency for Health Care Administration to make Medicaid payments retroactive for up to 90 days prior to application submission for eligible pregnant women and children; authorizing state funds to be used to support premium assistance payments for families; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to receive funds from specified sources for purposes of making Low Income Pool payments; 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; allowing the Agency for Health Care Administration to

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seek certain approval from the Centers for Medicare and Medicaid Services; authorizes the Agency for Health Care Administration to submit a budget amendment; amending s. 409.991, F.S.; revising the definition of core service funds to include those appropriated to implement the Guardianship Assistance Program; directing the Department of Children and Families to establish a formula to allocate funding for the Guardianship Assistance Program; authorizing the Department of Children and Families to realign funding based on the implementation of the Guardianship Assistance Program; requiring contracts for the delivery of domestic violence services to be competitively procured; amending s. 112.24, F.S.; continuing the authorization, subject to specified requirements, for the assignment of an employee of a state agency under an employee interchange agreement; amending s. 112.061, F.S.; authorizing the Lieutenant Governor to designate an alternative official headquarters if certain conditions are met; specifying restrictions and limitations; specifying eligibility for the subsistence allowance and the reimbursement of transportation expenses, and providing for the payment thereof; amending 288.8013, F.S.; authorizing interest deposited into the Triumph Gulf Coast Trust Fund to be used as provided in the General Appropriations Act; amending s. 321.04, F.S.; requiring the Department of Highway Safety and Motor Vehicles to assign one or
more patrol officers to the office of Lieutenant
Governor for security purposes, upon request of the
Governor; extending for one 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.
339.135, F.S.; authorizing the chair and vice chair of
the Legislative Budget Commission to approve the
Department of Transportation’s budget amendment under
specified 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.;
authorizing certain funds related to state housing to
be used as provided in the General Appropriations Act;
providing for the effect of a veto of one or more
specific appropriations or proviso to which
implementing language refers; providing for the
continued operation of certain provisions
notwithstanding a future repeal or expiration provided
by the act; providing for severability; 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 the appropriation of funds

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in appropriation category “Special Categories-Risk Management Insurance” in the Fiscal Year 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 state agencies 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 3. 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 Fiscal Year 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 state agencies 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 4. In order to implement the funds appropriated in the Fiscal Year 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 to pay for travel by state employees to foreign countries, other states, conferences, staff-training activities, or other...
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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 5. In order to implement the transfer of moneys to the General Revenue Fund from trust funds in the Fiscal Year 2020-2021 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

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

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

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

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

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

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

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

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

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

   g. Federal grant trust fund, for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources.
To the extent possible, each agency must adjust its internal accounting to use existing trust funds consistent with the requirements of this subparagraph. If an agency does not have trust funds listed in this subparagraph and cannot make such adjustment, the agency must recommend the creation of the necessary trust funds to the Legislature no later than the next scheduled review of the agency’s trust funds pursuant to s. 215.3206.

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

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

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

Section 6. The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, expires July 1, 2021, and the text of that paragraph shall revert to that in existence on June 30, 2011, 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 7. In order to implement Specific Appropriations 8, 9, 10, 11, 92, 93, 94, 95 and 96 of the 2020-2021 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2020-2021 fiscal year in the document entitled “Public School Funding-The Florida Education Finance Program,” dated November 18, 2019, and filed with the Executive Office of the Governor are incorporated by reference for the purpose of displaying the calculations used in making
appropriaions for the Florida Education Finance Program. This
section expires July 1, 2021.

Section 8. In order to implement Specific Appropriations
1583, 1584, and 1728 of the 2020-2021 General Appropriations
Act, paragraph (m) is added to subsection (3) of section
259.105, Florida Statutes, to read:

259.105 The Florida Forever Act.–

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

(m) Notwithstanding paragraphs (a)-(j) and for the 2019–
2020 2020-2021 fiscal year,

1. The amount of $84 $33 million to only the Division of
State Lands within the Department of Environmental Protection
for the Board of Trustees Florida Forever Priority List land
acquisition projects and $10 million shall be allocated to the
Florida Communities Trust, and $6 million for the Florida
Recreation Development Assistance Program (FRDAP).

This paragraph expires July 1, 2021 2020.

Section 9. In order to implement specific appropriations
of the 2020-2021 General Appropriations Act associated with the
Land Acquisition Trust Fund, paragraph (b) of subsection (3) of
375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.–

(3) Funds distributed into the Land Acquisition Trust Fund

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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.


Section 10. 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 2020-2021 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.

Section 11. (1) 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, 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

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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 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, the Department of State, and the Fish and Wildlife 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 Commission may not exceed the total appropriations from such trust fund for the fiscal year.

(3) This section expires July 1, 2021.

Section 12. In order to implement Specific Appropriation 1763 of the 2020-2021 General Appropriations Act, paragraph (e) of subsection (11) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(e) 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
Department of Environmental Protection for fixed capital outlay projects using funds provided to the state from the environmental mitigation trust administered by a trustee designated by the United States District Court for the Northern District of California for eligible mitigation actions and mitigation action expenditures described in the partial consent decree entered into between the United States of America and Volkswagen relating to violations of the Clean Air Act.

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 13. In order to implement Specific Appropriation 1763 in the 2020-2021 General Appropriations Act, the Department of Environmental Protection (department) may provide funding for electric vehicle charging infrastructure at both public and private locations along hurricane evacuation routes identified by the department and the Division of Emergency Management, or other governmental entities. The competitive selection requirements of Chapter 287, Florida Statutes, do not apply to the implementation of this section. This section expires July 1, 2021.

Section 14. In order to implement appropriations
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authorized in the Fiscal Year 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 15. In order to implement the appropriation of funds in the appropriation category "Data Processing Assessment - Department of Management Services" in the Fiscal Year 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. This section expires July 1, 2021.

Section 16. In order to implement appropriations in the 2020-21 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.
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Section 17. In order to implement Section 8 of the 2020-2021 General Appropriations Act, notwithstanding sections 110.123(3)(f) and 110.123(3)(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 Health Insurance Program during the 2020-2021 fiscal year that were in effect for the 2019-2020 fiscal year. This section expires July 1, 2021.

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 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 July 23, 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.

Section 20. In order to implement Specific Appropriations through 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 2020-2021 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
Officer shall transfer the requested funds. The loan of funds
from which any money is temporarily transferred must be repaid
by the end of the 2020-2021 fiscal year. This
subsection expires July 1, 2021.

Section 21. In order to implement Specific Appropriations
731 through 752 and 916 through 1119 of the 2020-2021 General
Appropriations Act, subsection (13) of s. 27.5304, Florida
Statutes, is amended to read:

27.5304 Private court-appointed counsel; compensation;
notice.—
(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.
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Section 22. In order to implement Specific Appropriation 694 of the 2020-2021 General Appropriations Act, the Department of Corrections is authorized to submit a budget amendment requesting additional appropriations from unallocated general revenue sufficient to comply with the final order and judgment entered on April 18, 2019, in Case No.: 4:17-cv-214-MW/CAS. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This section expires July 1, 2021.

Section 23. In order to implement Specific Appropriations 201 through 220 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.

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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 25. In order to implement Specific Appropriations 207, 211, 212, 214, 216 and 225 of the 2020-2021 General Appropriations Act, subsection (12) of section 409.904, Florida Statutes is amended to read:

409.904 Optional payments for eligible persons. –

(12) Effective July 1, 2020, the agency shall make payments for Medicaid covered services for eligible children and pregnant women retroactive for a period of no more than 90 days prior to the month in which an application for Medicaid is submitted. For eligible non-pregnant adults, the agency shall make payments for Medicaid covered services retroactive to the first day of the month which an application for Medicaid is submitted. This section expires July 1, 2021.

Section 26. In order to implement Specific Appropriation 185 of the 2020-2021 General Appropriations Act and notwithstanding section 409.814(6)(a), Florida Statutes, for the period of July 1, 2020 through June 30, 2021, a portion of state funds in the General Revenue Fund and Grants and Donations Fund

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will be utilized to support premium assistance payments for families. This section expires July 1, 2021.

Section 27. In order to implement Specific Appropriation 209 of the 2020-2021 General Appropriations Act, subsection (26) of section 409.908 Florida Statutes, is amended to read:

409.908 Reimbursement of Medicaid providers.— Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider’s rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates,
lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(26) The agency may receive funds from state entities, including, but not limited to, the Department of Health, local governments, and other local political subdivisions, for the purpose of making special exception payments and Low Income Pool Program payments, including federal matching funds. Funds received for this purpose shall be separately accounted for and may not be commingled with other state or local funds in any manner. The agency may certify all local governmental funds used as state match under Title XIX of the Social Security Act to the extent and in the manner authorized under the General Appropriations Act and pursuant to an agreement between the agency and the local governmental entity. In order for the agency to certify such local governmental funds, a local governmental entity must submit a final, executed letter of agreement to the agency, which must be received by October 1 of each fiscal year and provide the total amount of local governmental funds authorized by the entity for that fiscal year under the General Appropriations Act. The local governmental entity shall use a certification form prescribed by the agency. At a minimum, the certification form must identify the amount being certified and describe the relationship between the certifying local governmental entity and the local health care provider. Local governmental funds outlined in the letters of
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agreement must be received by the agency no later than October 31 of each fiscal year in which such funds are pledged, unless an alternative plan is specifically approved by the agency.

Section 28. 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 29. In order to implement Specific Appropriation 215 of the 2020-2021 General Appropriations Act, the Agency for Health Care Administration may seek approval from the Centers for Medicare and Medicaid Services to establish a directed payment program for hospitals providing inpatient and outpatient services to Medicaid managed care enrollees. The Agency for Health Care Administration is authorized to submit a budget amendment pursuant to Chapter 216, Florida Statutes, requesting additional spending authority to implement the program.

Section 30. In order to implement Specific Appropriations 330 and 332 of the 2020-2021 General Appropriations Act,
paragraph (a) of subsection (1) of section 409.991, Florida
Statutes, is amended to read:

409.991 Allocation of funds for community-based care lead
agencies.—

(1) As used in this section, the term:
(a) “Core services funds” means all funds allocated to
community-based care lead agencies operating under contract with
the department pursuant to s. 409.987, with the following
exceptions:
  1. Funds appropriated for independent living.
  2. Funds appropriated for maintenance adoption subsidies.
  3. Funds appropriated 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
     subparagraph expires July 1, 2021.
  4. Funds allocated by the department for protective
     investigations training.
  5. Nonrecurring funds.
  6. Designated mental health wrap-around services funds.
  7. Funds for special projects for a designated community-
     based care lead agency.

Section 31. In order to implement Specific Appropriations
330 and 332 of the 2020-2021 General Appropriations Act, the
Department of Children and Families shall review and update the
established formula as necessary 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 and guardianship
assistance payments. This section expires July 1, 2021.

Section 32. 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 33. In order to implement Specific Appropriation
321 of the 2020-2021 General Appropriations Act and
notwithstanding sections 39.902, 39.903, 39.9035, 39.904,
39.905, 39.9055, Florida Statutes, for the period of July 1,
2020 through June 30, 2021, a contract for domestic violence
services shall be competitively procured. This section expires
July 1, 2021.

Section 34. In order to implement appropriations for
salaries and benefits in 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 2019-2020 fiscal year only, the

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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 35. In order to implement Specific Appropriation 2599 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.—

(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 official headquarters.

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

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

3. This paragraph expires July 1, 2021.

Section 36. In order to implement Specific Appropriation
2622 of the 2020-2021 General Appropriations Act, subsection (6)
is added to section 288.8013, Florida Statutes, to read:

288.8013 Triumph Gulf Coast, Inc.; creation; funding;
investment.–

(6) For the 2020-2021 fiscal year, interest earned in the
trust account established at a federally insured financial
institution by Triumph Gulf Coast, Inc., and deposited into the
Triumph Gulf Coast Trust Fund may be used as provided in the
General Appropriations Act. This subsection expires July 1,
2021.

Section 37. 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 38. In order to implement Specific Appropriations through , through , through , and through 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 39. In order to implement Specific Appropriation
2282 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 40. 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 41. Any section of this act which implements a
specific appropriation or specifically identified proviso
language in the Fiscal Year 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
Fiscal Year 2020-2021 General Appropriations Act is void if all
the specific appropriations or portions of specifically

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identified proviso language are vetoed.

Section 42. If any other act passed during the 2020 Regular Session 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 43. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 44. 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.
Governor’s Budget Recommendation Conforming Bill
Sales Tax Holidays

A bill to be entitled
An act relating to sales tax holidays; providing a sales
and use tax exemption for certain tangible personal
property related to disaster preparedness during a
specified period; providing exceptions to the exemption;
providing an appropriation; authorizing the Department of
Revenue to adopt rules to implement the exemption;
providing an exemption from the sales and use tax for the
retail sale of certain clothing, school supplies, and
personal computers and personal computer-related
accessories during a specified period; providing
exceptions to the exemption; authorizing the Department of
Revenue to adopt emergency rules; providing an
appropriation; providing an effective date.

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

Section 1. Disaster preparedness supplies; sales tax
day.—
(1) The tax levied under chapter 212, Florida Statutes, may
not be collected during the period from 12:01 a.m. on May 29,
2020, through 11:59 p.m. on June 7, 2020, on the sale of:
(a) A portable self-powered light source selling for $20 or
less.
(b) A portable self-powered radio, two-way radio, or
weather-band radio selling for $50 or less.
(c) A tarpaulin or other flexible waterproof sheeting
selling for $50 or less.
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Sales Tax Holidays

(d) An item normally sold as, or generally advertised as, a ground anchor system or tie-down kit selling for $50 or less.

(e) A gas or diesel fuel tank selling for $25 or less.

(f) A package of AA-cell, AAA-cell, C-cell, D-cell, 6-volt, or 9-volt batteries, excluding automobile and boat batteries, selling for $30 or less.

(g) A nonelectric food storage cooler selling for $30 or less.

(h) A portable generator used to provide light or communications or preserve food in the event of a power outage selling for $750 or less.

(i) Reusable ice selling for $10 or less.

(2) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.

(3) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(4) For the 2019-2020 fiscal year, the sum of $70,072 in nonrecurring funds is appropriated from the General Revenue Fund
to the Department of Revenue for the purpose of implementing this section. Funds remaining unexpended or unencumbered from this appropriation as of June 30, 2020, shall revert and be reappropriated for the same purpose in the 2020-2021 fiscal year.

Section 2. Clothing, school supplies, personal computers, and personal computer-related accessories; sales tax holiday.—

(1) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from 12:01 a.m. on August 1, 2020, through 11:59 p.m. on August 8, 2020, on the retail sale of:

(a) Clothing, wallets, or bags, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, having a sales price of $60 or less per item. As used in this paragraph, the term "clothing" means:

1. Any article of wearing apparel intended to be worn on or about the human body, excluding watches, watchbands, jewelry, umbrellas, and handkerchiefs; and

2. All footwear, excluding skis, swim fins, roller blades, and skates.

(b) School supplies having a sales price of $15 or less per item. As used in this paragraph, the term "school supplies" means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue or paste, rulers,
(2) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from 12:01 a.m. on August 1, 2020, through 11:59 p.m. on August 8, 2020, on the retail sale of personal computers or personal computer-related accessories having a sales price of $1,000 or less per item and purchased for noncommercial home or personal use. As used in this subsection, the term:

(a) "Personal computers" includes electronic book readers, laptops, desktops, handhelds, tablets, or tower computers. The term does not include cellular telephones, video game consoles, digital media receivers, or devices that are not primarily designed to process data.

(b) "Personal computer-related accessories" includes keyboards, mice, personal digital assistants, monitors, other peripheral devices, modems, routers, and nonrecreational software, regardless of whether the accessories are used in association with a personal computer base unit. The term does not include furniture or systems, devices, software, monitors with a television tuner or peripherals that are designed or intended primarily for recreational use.

(3) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.
(4) The tax exemptions provided in this section may apply at the option of a dealer if less than 5 percent of the dealer's gross sales of tangible personal property in the prior calendar year are comprised of items that would be exempt under this section. If a qualifying dealer chooses not to participate in the tax holiday, by July 30, 2020, the dealer must notify the Department of Revenue in writing of its election to collect sales tax during the holiday and must post a copy of that notice in a conspicuous location at its place of business.

(5) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing this section. Notwithstanding any other provision of law, emergency rules adopted pursuant to this subsection are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(6) For the 2019-2020 fiscal year, the sum of $237,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing this section. Funds remaining unexpended or unencumbered from this appropriation as of June 30, 2020, shall revert and be reappropriated for the same purpose in the 2020-2021 fiscal year.

Section 3. This act shall take effect upon becoming law.
A bill to be entitled
An act relating to the Florida Best and Brightest programs and Funding for School Districts in the Florida Education Finance Program (FEFP);
repealing s. 1012.731, F.S., relating to the Florida Best and Brightest Teacher Program;
repealing s. 1012.732, F.S., relating to the Florida Best and Brightest Principal Program;
amending s. 1011.62, F.S.; providing an effective date.

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

Section 1. Section 1012.731, Florida Statutes, is repealed.
Section 2. Section 1012.732, Florida Statutes, is repealed.
Section 3. Subsections (7), (8), (11), (14), (16), (17), and (18) of section 1011.62, Florida Statutes, are amended, establishes a new subsection (18), and present subsections (9), (10), (11), (12), (13), (14), (15), (16), (17), and (18) are redesignated as subsections (8), (9), (10), (11), (12), (13), (14), (15), (16), and (17):

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

(7) DETERMINATION OF SPARSITY SUPPLEMENT.—
(a) Annually, in an amount to be determined by the Legislature through the General Appropriations Act, there shall be added to the basic amount for current operation of the FEFP qualified districts a sparsity supplement which shall be computed as follows:

\[
\text{Sparsity Factor} = 2700 + \text{district} - 0.1101 \times \text{sparsity Index}
\]

except that districts with a sparsity index of 1,000 or less shall be computed as having a sparsity index of 1,000, and districts having a sparsity index of 7,308 and above shall be computed as having a sparsity factor of zero. A qualified district’s full-time equivalent student membership shall equal or be less than that prescribed annually by the Legislature in the appropriations act. The amount prescribed annually by the Legislature shall be no less than 17,000, but no more than 24,000.

(b) The district sparsity index shall be computed by dividing the total number of full-time equivalent students in all programs in the district by the number of senior high school centers in the district, not in excess of three, which centers are approved as permanent centers by a survey made by the Department of Education. For districts with a full-time equivalent student membership of at least 20,000, but no more than 24,000, the index shall be computed by dividing the total number of full-time equivalent students in all programs by the number of permanent senior high school centers in the district, not in excess of four.
(c) If the sparsity supplement calculated in paragraphs (a) and (b) for an eligible district is less than $100 per full-time equivalent student, the district’s supplement shall be increased to $100 per FTE or to the minimum amount per FTE designated in the General Appropriations Act.

(d) Each district’s allocation of sparsity supplement funds shall be adjusted in the following manner:

1. A maximum discretionary levy per FTE value for each district shall be calculated by dividing the value of each district’s maximum discretionary levy by its FTE student count.

2. A state average discretionary levy value per FTE shall be calculated by dividing the total maximum discretionary levy value for all districts by the state total FTE student count.

3. A total potential funds per FTE for each district shall be calculated by dividing the total potential funds, not including Florida School Recognition Program funds and the minimum guarantee funds, for each district by its FTE student count.

4. A state average total potential funds per FTE shall be calculated by dividing the total potential funds, not including Florida School Recognition Program funds and the minimum guarantee funds, for all districts by the state total FTE student count.

5. For districts that have a levy value per FTE as calculated in subparagraph 1. higher than the state average calculated in subparagraph 2., a sparsity wealth adjustment shall be calculated as the product of the difference between the
state average levy value per FTE calculated in subparagraph 2.
and the district’s levy value per FTE calculated in subparagraph
1. and the district’s FTE student count and -1. However, no
district shall have a sparsity wealth adjustment that, when
applied to the total potential funds calculated in subparagraph
3., would cause the district’s total potential funds per FTE to
be less than the state average calculated in subparagraph 4.
6. Each district’s sparsity supplement allocation shall be
calculated by adding the amount calculated as specified in
paragraphs (a) and (b) and the wealth adjustment amount
calculated in this paragraph.

(8) DECLINE IN FULL-TIME EQUIVALENT STUDENTS. In those
districts where there is a decline between prior year and
current year unweighted FTE students, a percentage of the
decline in the unweighted FTE students as determined by the
Legislature shall be multiplied by the prior year calculated
FEFP per unweighted FTE student and shall be added to the
allocation for that district. For this purpose, the calculated
FEFP shall be computed by multiplying the weighted FTE students
by the base student allocation and then by the district cost
differential. If a district transfers a program to another
institution not under the authority of the district’s school
board, including a charter technical career center, the decline
is to be multiplied by a factor of 0.15. However, if the funds
provided for the Florida Education Finance Program in the
General Appropriations Act for any fiscal year are reduced by a
subsequent appropriation for that fiscal year, the percent of
the decline in the unweighted FTE students to be funded shall be
determined by the Legislature and designated in the subsequent appropriation.

(89) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—
1(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. Each school district that has one or more of the 300 lowest-performing elementary schools based on a 3-year average of the state reading assessment data must use the school’s portion of the allocation to provide an additional hour per day of intensive reading instruction for the students in each school. The additional hour may be provided within the school day. Students enrolled in these schools who earned a level 4 or level 5 score on the statewide, standardized English Language Arts assessment for the previous school year may participate in the additional hour of instruction. Exceptional student education centers may not be included in the 300 schools. The intensive reading instruction delivered in this additional hour shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on screening, diagnostic, progress monitoring, or student assessment data to meet students’ specific reading needs; explicit and systematic reading strategies to develop phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies, science, and mathematics-text reading, text discussion, and writing in response to reading.
(b) Funds for comprehensive, research-based reading instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. Each eligible school district shall receive the same minimum amount as specified in the General Appropriations Act, and any remaining funds shall be distributed to eligible school districts based on each school district’s proportionate share of K-12 base funding.

c) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the K-12 programs, which may include the following:

1. An additional hour per day of intensive reading instruction to students in the 300 lowest-performing elementary schools by teachers and reading specialists who have demonstrated effectiveness in teaching reading as required in paragraph (a).

2. Kindergarten through grade 5 reading intervention teachers to provide intensive intervention during the school day and in the required extra hour for students identified as having a reading deficiency.

3. Highly qualified reading coaches to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.

4. Professional development for school district teachers in scientifically based reading instruction, including strategies
to teach reading in content areas and with an emphasis on
technical and informational text, to help school district
teachers earn a certification or an endorsement in reading.

5. Summer reading camps, using only teachers or other
district personnel who are certified or endorsed in reading
consistent with s. 1008.25(7)(b)3., for all students in
kindergarten through grade 2 who demonstrate a reading
deficiency as determined by district and state assessments, and
students in grades 3 through 5 who score at Level 1 on the
statewide, standardized English Language Arts assessment.

6. Supplemental instructional materials that are grounded
in scientifically based reading research as identified by the
Just Read, Florida! Office pursuant to s. 1001.215(8).

7. Intensive interventions for students in kindergarten
through grade 12 who have been identified as having a reading
deficiency or who are reading below grade level as determined by
the statewide, standardized English Language Arts assessment.

1(d)1. Annually, by a date determined by the Department of
Education but before May 1, school districts shall submit a K-12
comprehensive reading plan for the specific use of the research-
based reading instruction allocation in the format prescribed by
the department for review and approval by the Just Read,
Florida! Office created pursuant to s. 1001.215. The plan
annually submitted by school districts shall be deemed approved
unless the department rejects the plan on or before June 1. If a
school district and the Just Read, Florida! Office cannot reach
agreement on the contents of the plan, the school district may
appeal to the State Board of Education for resolution. School
districts shall be allowed reasonable flexibility in designing their plans and shall be encouraged to offer reading intervention through innovative methods, including career academies. The plan format shall be developed with input from school district personnel, including teachers and principals, and shall provide for intensive reading interventions through integrated curricula, provided that, beginning with the 2020-2021 school year, the interventions are delivered by a teacher who is certified or endorsed in reading. Such interventions must incorporate strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8). No later than July 1 annually, the department shall release the school district’s allocation of appropriated funds to those districts having approved plans. A school district that spends 100 percent of this allocation on its approved plan shall be deemed to have been in compliance with the plan. The department may withhold funds upon a determination that reading instruction allocation funds are not being used to implement the approved plan. The department shall monitor and track the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its findings to the Legislature.

2. Each school district that has a school designated as one of the 300 lowest-performing elementary schools as specified in paragraph (a) shall specifically delineate in the comprehensive reading plan, or in an addendum to the comprehensive reading plan, the implementation design and reading intervention
strategies that will be used for the required additional hour of reading instruction. The term “reading intervention” includes evidence-based strategies frequently used to remediate reading deficiencies and also includes individual instruction, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities.

(914) CALCULATION OF SUPPLEMENTAL ALLOCATION FOR JUVENILE JUSTICE EDUCATION PROGRAMS.—The total K-12 weighted full-time equivalent student membership in juvenile justice education programs in each school district shall be multiplied by the amount of the state average class-size-reduction factor multiplied by the district’s cost differential. An amount equal to the sum of this calculation shall be allocated in the FEFP to each school district to supplement other sources of funding for students in juvenile justice education programs.

(1011) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may annually provide in the Florida Education Finance Program a virtual education contribution. The amount of the virtual education contribution shall be the difference between the amount per FTE established in the General Appropriations Act for virtual education and the amount per FTE for each district and the Florida Virtual School, which may be calculated by taking the sum of the base FEFP allocation, the discretionary local effort, the state-funded discretionary contribution, discretionary millage compression supplement, the research-based reading instruction allocation, the Florida Classroom Teacher Compensation Program, the Florida Classroom Teacher Bonus allocation, the Florida School Principal Bonus allocation
best and brightest teacher and principal allocation, and the instructional materials allocation, and then dividing by the total unweighted FTE. This difference shall be multiplied by the virtual education unweighted FTE for programs and options identified in s. 1002.455 and the Florida Virtual School and its franchises to equal the virtual education contribution and shall be included as a separate allocation in the funding formula.

(1142) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

(a) The Florida digital classrooms allocation is created to support the efforts of school districts and schools, including charter schools, to integrate technology in classroom teaching and learning to ensure students have access to high-quality electronic and digital instructional materials and resources, and empower classroom teachers to help their students succeed. Each school district shall receive a minimum digital classrooms allocation in the amount provided in the General Appropriations Act. The remaining balance of the digital classrooms allocation shall be allocated based on each school district’s proportionate share of the state’s total unweighted full-time equivalent student enrollment.

(b) Funds allocated under this subsection must be used for costs associated with:

1. Acquiring and maintaining the items on the eligible services list authorized by the Universal Service Administrative Company for the Schools and Libraries Program, more commonly referred to as the federal E-rate program.
2. Acquiring computer and device hardware and associated operating system software that comply with the requirements of s. 1001.20(4)(a)1.b.

3. Providing professional development, including in-state conference attendance or online coursework, to enhance the use of technology for digital instructional strategies.

(1213) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) real property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.

(a) The student allocation shall be calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:

1. The student has a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this category.
2. The student resides on eligible federally owned Indian land. Students with disabilities shall also be reported separately for this category.

3. The student resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.

(b) The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and 2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.

(c) The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, multiplied by the millage authorized and levied under s. 1011.71(2).

(d) The amount allocated for each eligible school district shall be recalculated during the year using actual student membership, as amended, from the most recent February survey and the tax-exempt valuation from the most recent assessment roll.

QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a
percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student, which shall include the adjusted FTE dollars as provided in subsection (19), quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (19) and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district’s allocation. This provision shall be implemented to the extent specifically funded.

(1445) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is created to provide funding to assist school districts in their compliance with ss. 1006.07-1006.12, with priority given to safe-school officers pursuant to s. 1006.12. Each school district shall receive a minimum safe schools allocation in an amount provided in the General Appropriations Act. Of the remaining balance of the safe schools allocation, one-third shall be allocated to school districts based on the most recent
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<td>361</td>
<td>official Florida Crime Index provided by the Department of Law Enforcement and two-thirds shall be allocated based on each school district’s proportionate share of the state’s total unweighted full-time equivalent student enrollment. Each school district must report to the Department of Education by October 15 that all public schools within the school district have completed the school security risk assessment using the Florida Safe Schools Assessment Tool developed pursuant to s. 1006.1493. If a district school board is required by s. 1006.12 to assign a school resource officer or school safety officer to a charter school, the charter school’s share of costs for such officer may not exceed the amount of funds allocated to the charter school under this subsection.</td>
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<td>(1516) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health assistance allocation is created to provide funding to assist school districts in establishing or expanding school-based mental health care; train educators and other school staff in detecting and responding to mental health issues; and connect children, youth, and families who may experience behavioral health issues with appropriate services. These funds shall be allocated annually in the General Appropriations Act or other law to each eligible school district. Each school district shall receive a minimum of $100,000, with the remaining balance allocated based on each school district’s proportionate share of the state’s total unweighted full-time equivalent student enrollment. Charter schools that submit a plan separate from the school district are entitled to a proportionate share of district funding. The allocated funds may not supplant funds</td>
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CODING: Words **stricken** are deletions; words **underlined** are additions.
that are provided for this purpose from other operating funds and may not be used to increase salaries or provide bonuses. School districts are encouraged to maximize third-party health insurance benefits and Medicaid claiming for services, where appropriate.

(a) Before the distribution of the allocation:

1. The school district must develop and submit a detailed plan, which includes the input of school and community stakeholders and is informed by a needs assessment, outlining the local program and planned expenditures to the district school board for approval. This plan must include all district schools, including charter schools, unless a charter school elects to submit a plan independently from the school district pursuant to subparagraph 2.

2. A charter school may develop and submit a detailed plan outlining the local program and planned expenditures to its governing body for approval. After the plan is approved by the governing body, it must be provided to the charter school’s sponsor.

(b) The plans required under paragraph (a) must be focused on a multitiered system of supports to deliver evidence-based mental health care assessment, diagnosis, intervention, treatment, and recovery services to students with one or more mental health or co-occurring substance abuse diagnoses and to students at high risk of such diagnoses. The provision of these services must be coordinated with a student’s primary mental health care provider and with other mental health providers.
involved in the student’s care. At a minimum, the plans must include the following elements:

1. Direct employment of school-based mental health services providers to expand and enhance school-based student services and to reduce the ratio of students to staff in order to better align with nationally recommended ratio models. These providers include, but are not limited to, certified school counselors, school psychologists, school social workers, and other licensed mental health professionals. The plan also must identify establish procedures strategies to increase the amount of time that school-based student services personnel spend providing direct services to students, which may include the review and revision of district staffing resource allocations based on school or student mental health assistance needs.

2. Contracts or interagency agreements with one or more local community behavioral health providers or providers of Community Action Team services to provide a behavioral health staff presence and services at district schools. Services may include, but are not limited to, mental health screenings and assessments, individual counseling, family counseling, group counseling, psychiatric or psychological services, trauma-informed care, mobile crisis services, and behavior modification. These behavioral health services may be provided on or off the school campus and may be supplemented by telehealth.

3. Policies and procedures, including contracts with service providers, which will ensure that students who are referred to a school-based or community-based mental health
service provider for mental health screening for the
identification of mental health concerns and ensure that the
assessment of students at risk for mental health disorders
occurs within 15 days of referral. School-based mental health
services must be initiated within 15 days after identification
and assessment, and support by community-based mental health
service providers for students who are referred for community-
based mental health services must be initiated within 30 days
after the school or district makes a referral.

4. School board mental health policies and procedures to
include the following:

   a. Universal supports to promote psychological well-being,
      and safe and supportive school environments;

   b. Evidence-based strategies or programs to reduce the
      likelihood of at-risk students developing social, emotional, or
      behavioral health problems, depression, anxiety disorders,
      suicidal tendencies, or substance use disorders.

   c. Strategies to improve the early identification of
      social, emotional, or behavioral problems or substance use
      disorders, to improve the provision of early
      intervention services, and to assist students in dealing with
      trauma and violence.

   d. Policies and procedures for responding to a student with
      suicidal ideation, including suicide risk assessment, guidelines
      for informing parents of suicide risk, and school board policies
      for initiating involuntary examination of students with suicide
      risk;

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e. School Crisis Response Plan to include prevention, preparation for, response to, and recovery from a range of crises. The plan should include establishment of district- and school-level crisis response teams including, but not limited to, administration, school-based mental health service providers.

(c) School districts shall submit approved plans, including approved plans of each charter school in the district, to the commissioner by August 1 of each fiscal year.

(d) Beginning September 30, 2019, and annually by September 30 thereafter, each school district shall submit to the Department of Education a report on its program outcomes and expenditures for the previous fiscal year. The report must reflect program outcomes and expenditures for all charter schools in the district, including charter schools that submitted a separate plan. The report must include the number of each of the following:

1. The number of students who receive screenings or assessments.

2. The number of students who are referred to either school-based or community-based providers for services or assistance.

3. The number of students who receive either school-based or community-based interventions, services, or assistance.

4. The number of school-based and community-based mental health providers, including licensure type, paid for from funds provided through the allocation.
5. The number and ratio of school social workers, school psychologists, and certified school counselors employed by the district; and the total number of licensed mental health professionals employed directly by the district.

56. Contract-based collaborative efforts or partnerships with community mental health programs, agencies, or providers.

(e) The amount of Mental Health Assistance Allocation funds appropriated subsequent to the 2019-2020 fiscal year that are in excess of the amount appropriated in the 2019-2020 fiscal year shall be used exclusively to fund additional school-based mental health services providers.

1617) FUNDING COMPRESSION ALLOCATION.—The Legislature may provide an annual funding compression allocation in the General Appropriations Act. The allocation is created to provide additional funding to school districts and developmental research schools whose total funds per FTE in the prior year were less than the statewide average. Using the most recent prior year FEFP calculation for each eligible school district, the total funds per FTE shall be subtracted from the state average funds per FTE, not including any adjustments made pursuant to paragraph (19)(b). The resulting funds per FTE difference, or a portion thereof, as designated in the General Appropriations Act, shall then be multiplied by the school district’s total unweighted FTE to provide the allocation. If the calculated funds are greater than the amount included in the General Appropriations Act, they must be prorated to the appropriation amount based on each participating school district’s share. This subsection expires July 1, 2022.
(18) THE FLORIDA BEST AND BRIGHTEST TEACHER AND PRINCIPAL
ALLOCATION.—

(a) The Florida Best and Brightest Teacher and Principal Allocation is created to recruit, retain, and recognize
classroom teachers and instructional personnel who meet the
criteria established in s. 1012.731 and reward principals who
meet the criteria established in s. 1012.732. Subject to annual
appropriation, each school district shall receive an allocation
based on the district’s proportionate share of FEFP base
funding. The Legislature may specify a minimum allocation for
all districts in the General Appropriations Act.

(b) From the allocation, each district shall provide the
following:

1. A one-time recruitment award, as provided in s.
   1012.731(3)(a);

2. A retention award, as provided in s. 1012.731(3)(b); and

3. A recognition award, as provided in s. 1012.731(3)(c)
   from the remaining balance of the appropriation after the
   payment of all other awards authorized under ss. 1012.731 and
   1012.732.

(c) From the allocation, each district shall provide
eligible principals an award as provided in s. 1012.732(3).

If a district’s calculated awards exceed the allocation,
the district may prorate the awards.

(17) The Florida Classroom Teacher Bonus Allocation is
created to recognize classroom teachers who meet the criteria
established in s. 1012.734. Subject to annual appropriation,
each school district shall receive an allocation based on the
number of classroom teachers qualifying for the bonus. The calculation of for the allocation will be based on the prior year school grade data. The bonus award amount will be specified in the General Appropriations Act. If a school district’s appropriation for classroom teacher bonuses is insufficient to cover the full award amounts specified in the General Appropriations Act, school districts must prorate the award amounts equally among the tiers.

(18) The Florida School Principal Bonus Allocation is created to reward principals who meet the criteria established in s. 1012.733. Subject to annual appropriation, each school district shall receive an allocation based on the number of principals qualifying for the bonus. The calculation of for the allocation will be based on the prior year school grade data. The bonus award amount will be specified in the General Appropriations Act. If a school district’s appropriation for principal bonuses is insufficient to cover the full award amounts specified in the General Appropriations Act, school districts must prorate the award amounts equally among the tiers.

Section 2. This act shall take effect July 1, 2020.
A bill to be entitled
An act relating to public school personnel;
establishing the minimum salary for a classroom
teacher; providing an effective date.

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

Section 1. Section 1012.22, Florida Statues, is amended to
read:

1012.22 - Public school personnel; powers and duties of the
district school board.

The district school board shall:

(1) Designate positions to be filled, prescribe
qualifications for those positions, and provide for the
appointment, compensation, promotion, suspension, and dismissal
of employees as follows, subject to the requirements of this
chapter:

(a) Positions, qualifications, and appointments.—

1. The district school board shall act upon written
recommendations submitted by the district school superintendent
for positions to be filled, for minimum qualifications for
personnel for the various positions, and for the persons
nominated to fill such positions.

2. The district school board may reject for good cause any
employee nominated.

3. If the third nomination by the district school
superintendent for any position is rejected for good cause, if
the district school superintendent fails to submit a nomination
for initial employment within a reasonable time as prescribed by
the district school board, or if the district school
superintendent fails to submit a nomination for reemployment
within the time prescribed by law, the district school board may
proceed on its own motion to fill such position.

4. The district school board’s decision to reject a
person’s nomination does not give that person a right of action
to sue over the rejection and may not be used as a cause of
action by the nominated employee.

(b) Time to act on nominations.—The district school board
shall act no later than 3 weeks following the receipt of
statewide, standardized assessment scores and data under s.
1008.22 and school grades, or June 30, whichever is later, on
the district school superintendent’s nominations of supervisors,
principals, and members of the instructional staff.

(c) Compensation and salary schedules.—
1. Definitions.—As used in this paragraph:
   a. “Adjustment” means an addition to the base salary
      schedule that is not a bonus and becomes part of the employee’s
      permanent base salary and shall be considered compensation under
      s. 121.021(22).
   b. “Grandfathered salary schedule” means the salary
      schedule or schedules adopted by a district school board before
      July 1, 2014, pursuant to subparagraph 4.
   c. “Instructional personnel” means instructional personnel
      as defined in s. 1012.01(2)(a)-(d), excluding substitute
      teachers.
d. “Minimum Base Salary” means the minimum salary amount a full-time public school classroom teacher, as defined in s. 1012.01(2)(a), whose full-time responsibility is the professional activity of instructing students in kindergarten through grade 12 in courses funded through the Florida Education Finance Program (FEFP) may receive as a salary. For the purposes of the Florida School for the Deaf and the Blind, “Minimum Base Salary” means the minimum salary amount a full-time public school classroom teacher, as defined in s. 1012.01(2)(a), whose full-time responsibility is the professional activity of instructing students in kindergarten through grade 12 may receive as a salary.

   e. “Performance salary schedule” means the salary schedule or schedules adopted by a district school board pursuant to subparagraph 5.

   f. “Salary” means the base annual salary before payroll deductions and excluding additional compensations, such as supplements or bonuses.

   eg. “Salary schedule” means the schedule or schedules used to provide the base salary for district school board personnel.

   eh. “School administrator” means a school administrator as defined in s. 1012.01(3)(c).

   ei. “Supplement” means an annual addition to the base salary for the term of the negotiated supplement as long as the employee continues his or her employment for the purpose of the supplement. A supplement does not become part of the employee’s continuing base salary but shall be considered compensation under s. 121.021(22).
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Florida Classroom Teacher Compensation Program

2. Cost-of-living adjustment.—A district school board may provide a cost-of-living salary adjustment if the adjustment:
   a. Does not discriminate among comparable classes of employees based upon the salary schedule under which they are compensated.
   b. Does not exceed 50 percent of the annual adjustment provided to instructional personnel rated as effective.

3. Advanced degrees.—A district school board may not use advanced degrees in setting a salary schedule for instructional personnel or school administrators hired on or after July 1, 2011, unless the advanced degree is held in the individual’s area of certification and is only a salary supplement.

4. Grandfathered salary schedule.—
   a. The district school board shall adopt a salary schedule or salary schedules to be used as the basis for paying all school employees hired before July 1, 2014. Instructional personnel on annual contract as of July 1, 2014, shall be placed on the performance salary schedule adopted under subparagraph 5. Instructional personnel on continuing contract or professional service contract may opt into the performance salary schedule if the employee relinquishes such contract and agrees to be employed on an annual contract under s. 1012.335. Such an employee shall be placed on the performance salary schedule and may not return to continuing contract or professional service contract status. Any employee who opts into the performance salary schedule may not return to the grandfathered salary schedule.
b. In determining the grandfathered salary schedule for instructional personnel, a district school board must base a portion of each employee’s compensation upon performance demonstrated under s. 1012.34 and shall provide differentiated pay for both instructional personnel and school administrators based upon district-determined factors, including, but not limited to, additional responsibilities, school demographics, critical shortage areas, and level of job performance difficulties.

15. Performance salary schedule.—By July 1, 2014, the district school board shall adopt a performance salary schedule that provides annual salary adjustments for instructional personnel and school administrators based upon performance determined under s. 1012.34. Employees hired on or after July 1, 2014, or employees who choose to move from the grandfathered salary schedule to the performance salary schedule shall be compensated pursuant to the performance salary schedule once they have received the appropriate performance evaluation for this purpose.

a. Base salary.—The base salary shall be established as follows:

(I) The base salary for instructional personnel or school administrators who opt into the performance salary schedule shall be the salary paid in the prior year, including adjustments only.

(II) Beginning July 1, 2014, instructional personnel or school administrators new to the district, returning to the district after a break in service without an authorized leave of
absence, or appointed for the first time to a position in the
district in the capacity of instructional personnel or school
administrator shall be placed on the performance salary
schedule.

b. Salary adjustments.—Salary adjustments for highly
effective or effective performance shall be established as
follows:

(I) The annual salary adjustment under the performance
salary schedule for an employee rated as highly effective must
be greater than the highest annual salary adjustment available
to an employee of the same classification through any other
salary schedule adopted by the district.

(II) The annual salary adjustment under the performance
salary schedule for an employee rated as effective must be equal
to at least 50 percent and no more than 75 percent of the annual
adjustment provided for a highly effective employee of the same
classification.

(III) The performance salary schedule shall not provide an
annual salary adjustment for an employee who receives a rating
other than highly effective or effective for the year.

c. Salary supplements.—In addition to the salary
adjustments, each district school board shall provide for salary
supplements for activities that must include, but are not
limited to:

(I) Assignment to a Title I eligible school.

(II) Assignment to a school that earned a grade of “F” or
three consecutive grades of “D” pursuant to s. 1008.34 such that
the supplement remains in force for at least 1 year following improved performance in that school.

(III) Certification and teaching in critical teacher shortage areas. Statewide critical teacher shortage areas shall be identified by the State Board of Education under s. 1012.07. However, the district school board may identify other areas of critical shortage within the school district for purposes of this sub-sub-subparagraph and may remove areas identified by the state board which do not apply within the school district.

(IV) Assignment of additional academic responsibilities. If budget constraints in any given year limit a district school board’s ability to fully fund all adopted salary schedules, the performance salary schedule shall not be reduced on the basis of total cost or the value of individual awards in a manner that is proportionally greater than reductions to any other salary schedules adopted by the district.

(d) Minimum Base Salary – As of July 1, 2020, district school boards shall implement a minimum base salary of $47,500 for full-time public school classroom teachers as defined in s. 1012.01(2)(a), whose full-time responsibility is the professional activity of instructing students in kindergarten through grade 12 in courses funded through the Florida Education Finance Program (FEFP). The Florida School for the Deaf and the Blind shall also implement a minimum base salary of $47,500 for full-time public school classroom teachers as defined in s. 1012.01(2)(a), whose full-time responsibility is the
professional activity of instructing students in kindergarten through grade 12.

(d) Contracts and terms of service.—The district school board shall provide written contracts for all regular members of the instructional staff.

(e) Transfer and promotion.—The district school board shall act on recommendations of the district school superintendent regarding transfer and promotion of any employee. The district school superintendent’s primary consideration in recommending an individual for a promotion must be the individual’s demonstrated effectiveness under s. 1012.34.

(f) Suspension, dismissal, and return to annual contract status.—The district school board shall suspend, dismiss, or return to annual contract members of the instructional staff and other school employees; however, no administrative assistant, supervisor, principal, teacher, or other member of the instructional staff may be discharged, removed, or returned to annual contract except as provided in this chapter.

(g) Awards and incentives.—The district school board shall provide for recognition of district employees, students, school volunteers, and advisory committee members who have contributed outstanding and meritorious service in their fields or service areas. After considering recommendations of the district school superintendent, the district school board shall adopt rules establishing and regulating the meritorious service awards necessary for the efficient operation of the program. An award or incentive granted under this paragraph may not be considered in determining the salary schedules required by paragraph (c).
Monetary awards shall be limited to persons who propose procedures or ideas adopted by the board which will result in eliminating or reducing district school board expenditures or improving district or school center operations. Nonmonetary awards shall include, but are not limited to, certificates, plaques, medals, ribbons, and photographs. The district school board may expend funds for such recognition and awards. No award granted under this paragraph shall exceed $2,000 or 10 percent of the first year’s gross savings, whichever is greater.

(h) Planning and training time for teachers.—The district school board shall adopt rules to make provisions for teachers to have time for lunch, professional planning, and professional development time when they will not be directly responsible for the children if some adult supervision is furnished for the students during such periods.

(i) Comprehensive program of staff development.—The district school board shall establish a comprehensive program of staff development that incorporates school improvement plans pursuant to s. 1001.42 and is aligned with principal leadership training pursuant to s. 1012.986 as a part of the plan.

(2) Adopt policies relating to personnel leave as follows:

(a) Annual leave.—The district school board may adopt rules that provide for the earning of annual leave by employees, including educational support employees, who are employed for 12 calendar months a year.

(b) Sick leave.—The district school board may adopt rules relating to sick leave, in accordance with the provisions of this chapter.
(c) Illness-in-line-of-duty leave.—The district school board may adopt rules relating to illness-in-the-line-of-duty leave, in accordance with the provisions of this chapter.

(d) Sabbatical leave.—The district school board may adopt rules relating to sabbatical leave, in accordance with the provisions of this chapter.

Section 2. This act shall take effect July 1, 2020.
A bill to be entitled
An act relating to the recognition of highly
effective classroom teachers; establishing the
Florida classroom Teacher Bonus Program; providing
eligibility and program requirements; providing an
effective date.

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

Section 1. Section 1012.734, Florida Statues, is created to read:

1012.734 The Florida Classroom Teacher Bonus Program.—

(1) The Florida Classroom Teacher Bonus Program is
established to recognize and reward outstanding classroom
teachers at a Florida public school that increase student
success as demonstrated through their school A through F school
grading calculation.

(2) Definitions. As used in this section, the following
terms mean:

(a) Classroom teacher means a person who is a full-time
employee of a public school district or a public charter school
in that district whose full-time responsibility is the
professional activity of instructing students in kindergarten
through grade 12 in courses funded through the Florida Education
Finance Program.

(b) The percentage of school grade points means the
percentage of total possible points earned by a school in the
determination of a school’s grade under section 1008.34, Florida Statutes.

(c) Title I school means a public school receiving federal funds under Title I, Part A, of the Elementary and Secondary Education Act as a result of serving a high percentage of students from low-income families.

(3) The Florida Classroom Teacher Bonus Program provides financial awards to classroom teachers to be allocated to school districts as specified in section 1011.62(17), Florida Statutes.

(4) A classroom teacher is eligible to receive an award, as specified in the General Appropriations Act, under this section if he or she has taught at a school during the period for which the school grade calculation applies that meets one of the following tiered structures:

(a) Tier 1 – School has earned 85 percent or greater of the school grade points or increased the percentage of school grade points earned by six or more percentage points in their A through F school grading calculation for the prior year;

(b) Tier 2 – School has increased the percentage of school grade points earned by three to five percentage points in the school’s A through F school grading calculation for the prior year; or

(c) Tier 3 – School has increased the percentage of school grade points earned by one to two percentage points in the school’s A through F school grading calculation for the prior year.
The amount of the classroom teacher bonus specified in the General Appropriations Act shall be at a higher award amount for eligible classroom teachers at a Title I school.

If a school district’s appropriation for classroom teacher bonuses received through the Florida Education Finance Program (FEFP) is insufficient to cover the full award amounts specified in the General Appropriations Act, school districts must prorate the award amounts equally among the tiers.

(5) In order to be eligible for an award, the classroom teacher must have taught at the qualifying school for the entire academic year for which the school grade calculation applies. Thus, an eligible classroom teacher who retires, changes schools or positions, or moves to another school district the following school year after the qualifying year remains eligible for the bonus award.

(6) Annually, and in a format prescribed by the Department of Education, school districts must certify the number of classroom teachers who qualify for a bonus and the amount of the bonus.

(7) Nothing in this statute creates a substantial interest under section 120.569, Florida Statutes, for the purpose of challenging any of the Department of Education’s decisions or actions, including but not limited to, school grades.

(8) Although district school boards and charter school governing boards are not precluded from bargaining over wages, these funds must be exclusively used by school districts and charter school governing boards to pay bonuses to classroom...
teachers at qualifying schools in the amount set out in the General Appropriations Act, subject to any proration. Funds appropriated for this program may not be used for any other purpose.

(9) School districts, with the support and assistance of the Department of Education, must determine whether the bonuses paid to classroom teachers under this program are subject to tax under section 3101 and 3111 of the Internal Revenue Code of 1986, as amended and currently in effect, which impose the federal social security taxes (these taxes are referred to collectively for brevity as “FICA.”). If the bonuses are subject to FICA taxes, the Legislature expressly authorizes district school boards and charter school governing boards to deduct all applicable taxes, including the employer’s portion, from the award amount. Thus, classroom teachers will receive their bonuses net of any applicable taxes.

(10) This section shall be implemented only to the extent as specifically funded.

Section 2. This act shall take effect July 1, 2020.
Governor’s Budget Recommendation Conforming Bill
The Florida School Principal Bonus Program

A bill to be entitled
An act relating to the recognition of highly
effective principals; establishing the Florida
School Principal Bonus Program; providing
eligibility and program requirements; providing an
effective date.

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

Section 1. Section 1012.733, Florida Statues, is created to read:

1012.733 The Florida School Principal Bonus Program.—

(1) The Florida School Principal Bonus Program is
established to recognize and reward outstanding principals at a
Florida public school that increase student success as
demonstrated through their school A through F school grading
calculation.

(2) Definitions. As used in this section, the following
terms mean:

(a) The percentage of school grade points means the
percentage of total possible points earned by a school in the
determination of a school’s grade under section 1008.34, Florida
Statutes.

(b) Title I school means a public school receiving federal
funds under Title I, Part A, of the Elementary and Secondary
Education Act as a result of serving a high percentage of
students from low-income families.
(3) The Florida School Principal Bonus Program provides financial awards to school principals, as defined in section 1012.01(3)(c)1., Florida Statutes, to be allocated to school districts as specified in section 1011.62(18), Florida Statutes.

(4) A school principal is eligible to receive an award, as specified in the General Appropriations Act, under this section if he or she has served as school principal at a school during the period for which the school grade calculation applies that meets one of the following tiered structures:

(a) Tier 1 – School has earned 85 percent or greater of the school grade points or increased the percentage of school grade points earned by six or more percentage points in their A through F school grading calculation for the prior year;

(b) Tier 2 – School has increased the percentage of school grade points earned by three to five percentage points in the school’s A through F school grading calculation for the prior year; or

(c) Tier 3 – School has increased the percentage of school grade points earned by one to two percentage points in the school’s A through F school grading calculation for the prior year.

The amount of the principal bonus specified in the General Appropriations Act shall be at a higher award amount for eligible principals at a Title I school.

If a school district’s appropriation for principal bonuses received through the Florida Education Finance Program (FEFP) is
insufficient to cover the full award amounts specified in the General Appropriations Act, school districts must prorate the award amounts equally among the tiers.

(5) In order to be eligible for an award, the principal must have served as principal at the qualifying school for the entire academic year for which the school grade calculation applies. Thus, an eligible principal who retires, changes schools or positions, or moves to another school district the following school year after the qualifying year remains eligible for the bonus award.

(6) A principal who receives a bonus under this statute has the authority to select qualified instructional personnel for placement or to refuse the placement or transfer of instructional personnel by the district school superintendent.

(7) Annually, and in a format prescribed by the Department of Education, school districts must certify the number of principals who qualify for a bonus and the amount of the bonus.

(8) Nothing in this statute creates a substantial interest under section 120.569, Florida Statutes, for the purpose of challenging any of the Department of Education’s decisions or actions, including but not limited to, school grades.

(9) Although district school boards and charter school governing boards are not precluded from bargaining over wages, these funds must be exclusively used by school districts and charter school governing boards to pay bonuses to school principals at qualifying schools in the amount set out in the General Appropriations Act, subject to any proration. Funds appropriated for this program may not be used for any other
(10) School districts, with the support and assistance of the Department of Education, must determine whether the bonuses paid to school principals under this program are subject to tax under section 3101 and 3111 of the Internal Revenue Code of 1986, as amended and currently in effect, which impose the federal social security taxes (these taxes are referred to collectively for brevity as “FICA.”). If the bonuses are subject to FICA taxes, the Legislature expressly authorizes district school boards and charter school governing boards to deduct all applicable taxes, including the employer’s portion, from the award amount. Thus, school principals will receive their bonuses net of any applicable taxes.

(11) This section shall be implemented only to the extent as specifically funded.

Section 2. This act shall take effect July 1, 2020.
A bill to be entitled
An act relating to the Florida College System;
amending s. 1001.66, F.S., relating to Florida
College System Performance-Based Incentive;
amending s. 1011.84, F.S., relating to the
procedure for determining state financial support
and annual apportionment of state funds to each
Florida College System institution district;
providing an effective date.

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

Section 1. Section 1001.66, Florida Statutes, is amended to
read:

1001.66 Florida College System Performance-Based Incentive.--
(1) A Florida College System Performance-Based Incentive shall
be awarded to Florida College System institutions using
performance-based metrics adopted by the State Board of
Education. The performance-based metrics must promote
improvements in include retention rates; program completion and
graduation rates; postgraduation employment, salaries, and continuing education for workforce education and
baccalaureate programs, with wage thresholds that reflect the
added value of the certificate or degree; and outcome measures
appropriate for associate of arts degree recipients. The state
board shall adopt benchmarks to evaluate each institution’s
performance on the metrics to measure the institution’s
achievement of institutional excellence or need for improvement
and the minimum requirements for eligibility to receive
performance funding.

(2) Each Florida College System institution’s share of the performance funding shall be calculated based on its performance on the established metrics, including rewards for institutions that exceed expected outcomes. Each fiscal year, the amount of funds available for allocation to the Florida College System institutions based on the performance-based funding model shall include at least some portion of the funding that is recurring to the institutions that exceed expected performance, consist of the state’s investment in performance funding plus institutional investments consisting of funds to be redistributed from the base funding of the Florida College System Program Fund as determined in the General Appropriations Act. The State Board of Education shall establish minimum performance funding eligibility thresholds for the state’s investment and the institutional investments. An institution that meets the minimum institutional investment eligibility threshold, but fails to meet the minimum state investment eligibility threshold, shall have its institutional investment restored but is ineligible for a share of the state’s investment in performance funding. The institutional investment shall be restored for all institutions eligible for the state’s investment under the performance-based funding model.

(3) (a) Each Florida College System institution’s share of the performance funding shall be calculated based on its relative performance on the established metrics in conjunction with the institutional size and scope.

(b) A Florida College System institution that fails to meet the State Board of Education’s minimum institutional investment...
performance funding eligibility threshold shall have a portion
of its institutional investment withheld by the state board and
must submit an improvement plan to the state board which
specifies the activities and strategies for improving the
institution’s performance. The state board must review and
approve the improvement plan and, if the plan is approved, must
monitor the institution’s progress in implementing the
activities and strategies specified in the improvement plan. The
institution shall submit monitoring reports to the state board
by December 31 and May 31 of each year in which an improvement
plan is in place. Beginning in the 2017-2018 fiscal year, the
ability of an institution to submit an improvement plan to the
state board is limited to 1 fiscal year.

(c) The Commissioner of Education shall withhold disbursement
of the institutional investment until the monitoring report is
approved by the State Board of Education. A Florida College
System institution determined by the state board to be making
satisfactory progress on implementing the improvement plan shall
receive no more than one-half of the withheld institutional
investment in January and the balance of the withheld
institutional investment in June. An institution that fails to
make satisfactory progress may not have its full institutional
investment restored. Any institutional investment funds that are
not restored shall be redistributed in accordance with the state
board’s performance-based metrics.

(3)(4) Distributions of performance funding, as provided in
this section, shall be made to each of the Florida College
System institutions listed in the Florida Colleges category in
the General Appropriations Act.
(4) By October 1 of each year, the State Board of Education shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and Florida College System institutions, a report on the previous fiscal year’s performance funding allocation, which must reflect the method of calculating each of the metrics and award distributions.

(5) The State Board of Education shall adopt rules to administer this section.

Section 2. Subsection (3) of section 1011.84, Florida Statutes, is amended to read:

(3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

(a) By December 15 of each year, the Department of Education shall estimate the annual enrollment of each Florida College System institution for the current fiscal year and for the 3 subsequent fiscal years. These estimates shall be based upon prior years’ enrollments, upon the initial fall term enrollments for the current fiscal year for each college, and upon each college’s estimated current enrollment and demographic changes in the respective Florida College System institution districts. Upper-division enrollment shall be estimated separately from lower-division enrollment.

(b) The apportionment to each Florida College System institution from the Florida College System Program Fund shall be determined annually in the General Appropriations Act. In determining each college’s apportionment, the Legislature shall consider the following components:

1. Base budget, which includes the state appropriation to the Florida College System Program Fund in the current year plus the
related student tuition, and out-of-state fees, technology fees, and any additional fees designated by the state board of education, assigned in the current General Appropriations Act.

2. The cost-to-continue allocation, which recognizes key factors in college funding, including, but not limited to:

a. A factor that ensures institutions receive an established percentage of their need per full-time equivalent enrollment within a tiered grouping of institutions by enrollment size.

b. Growth in full-time enrollment size.

c. A factor representing the institutional costs of providing workforce programs.

Section 4. This act will take effective July 1, 2020.
A bill to be entitled
An act related to relating to School Choice;
amending s. 1002.394, The Family Empowerment
Scholarship Program; providing an effective date.

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

Section 1. Section 1002.394, Florida Statutes, is amended
to read:

1002.394 - The Family Empowerment Scholarship Program. -
(3) INITIAL SCHOLARSHIP ELIGIBILITY.--A student is eligible
for a Family Empowerment Scholarship under this section if the
student meets the following criteria:
(a)1. The student is on the direct certification list
pursuant to s. 1002.395(2)(c) or the student’s household income
level does not exceed 300 percent of the federal poverty level;
2. The student is currently placed, or during the previous
state fiscal year was placed, in foster care or in out-of-home
care as defined in s. 39.01-1;
3. The student is currently eligible for renewal in this
program or the program in s. 1002.395; or
4. A dependent child of a member of the United States Armed
Forces who transfers to a school in this state from out of state
or from a foreign country due to a parent’s permanent change of
station orders.

Priority shall be given to students whose household income
levels do not exceed 185 percent of the federal poverty level.
who are on the direct certification list, or who are a dependent child of a member of the United States Armed Forces, or who are in foster care or out-of-home care. A student who initially receives a scholarship based on eligibility under subparagraph 2. remains eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first, regardless of the student’s household income level. A sibling of a student who is participating in the scholarship program under this subsection is eligible for a scholarship if the student resides in the same household as the sibling.

(b) 1. For the 2020-2021 school year, the student is eligible to enroll in kindergarten through second grade, or has spent the prior school year in attendance at a Florida public school, or received a scholarship from an eligible nonprofit scholarship-funding organization or from the state during the previous school year.

2. For the 2021-2022 school year, the student is eligible to enroll in kindergarten through fifth grade, has spent the prior school year in attendance at a Florida public school, or received a scholarship from an eligible nonprofit scholarship-funding organization or from the state during the previous school year.

For purposes of this paragraph, prior school year in attendance means that the student was enrolled and reported by a school district for funding during the preceding October and February Florida Education Finance Program surveys in kindergarten through grade 12, which includes time spent in a Department of
Juvenile Justice commitment program if funded under the Florida Education Finance Program. However, a dependent child of a member of the United States Armed Forces who transfers to a school in this state from out of state or from a foreign country due to a parent’s permanent change of station orders or a foster child is exempt from the prior public school attendance requirement under this paragraph, but must meet the other eligibility requirements specified under this section to participate in the program.

(c) The parent has obtained acceptance for admission of the student to a private school that is eligible for the program under subsection (8), and the parent has requested a scholarship from the Department of Education at least 60 days before the date of the first scholarship payment. The request must be communicated directly to the scholarship funding organization department in a manner that creates a written or electronic record of the request and the date of receipt of the request. The department must notify the school district of the parent’s intent upon receipt of the parent’s request. The State Board of Education must review the application and enrollment data for this program and s. 1002.395 each fall to determine whether the programs have collectively met 90 percent or more of the maximum enrollment. If the State Board of Education determines that 90 percent or more of the maximum enrollment has been met, the State Board of Education may increase the maximum household income level by 25 percentage points for the next school year.

(5) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a Family Empowerment Scholarship while he or she is:

(a) Enrolled in a public school, including, but not limited
to, the Florida School for the Deaf and the Blind, the College-
Preparatory Boarding Academy, a developmental research school
authorized under s. 1002.32, or a charter school authorized
under this chapter;

(b) Enrolled in a school operating for the purpose of
providing educational services to youth in a Department of
Juvenile Justice commitment program;

(c) Receiving any other educational scholarship pursuant to
this chapter;

(d) Participating in a home education program as defined in
s. 1002.01(1);

(e) Participating in a private tutoring program pursuant to
s. 1002.43; or

(f) Participating in a virtual school, correspondence
school, or distance learning program that receives state funding
pursuant to the student’s participation.

(6) SCHOOL DISTRICT OBLIGATIONS. —

(a) By July 15, 2019, and by February April 1 of each year
thereafter, a school district shall inform all households within
the district receiving free or reduced-priced meals under the
National School Lunch Act of their eligibility to apply to the
scholarship funding organization department for a Family
Empowerment Scholarship. The form of such notice shall be
provided by the scholarship funding organization department, and
the school district shall include the provided form in any
normal correspondence with eligible households. Such notice is
limited to once a year.

(7) DEPARTMENT OF EDUCATION OBLIGATIONS. —The department
shall:
(a) Publish and update, as necessary, information on the department website about the Family Empowerment Scholarship Program, including, but not limited to, student eligibility criteria, parental responsibilities, and relevant data.

(b) Cross-check the list of participating scholarship students with the public school enrollment lists before each scholarship payment to avoid duplication.

(c) Maintain a list of nationally norm-referenced tests identified for purposes of satisfying the testing requirement in subparagraph (8)(c)1. The tests must meet industry standards of quality in accordance with State Board of Education rule.

(d) Notify eligible scholarship funding organizations of the deadline for submitting students determined to be eligible for a scholarship.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS. —To be eligible to participate in the Family Empowerment Scholarship Program, a private school may be sectarian or nonsectarian and must:

(a) Comply with all requirements for private schools participating in state school choice scholarship programs pursuant to s. 1002.421.

(b) Provide to the department all documentation required for a student’s participation, including the private school’s and student’s fee schedules, at least 30 days before any quarterly scholarship payment is made for the student pursuant to paragraph (11)(f). A student is not eligible to receive a quarterly scholarship payment if the private school fails to meet this deadline.

(c)1. Annually administer or make provision for students
participating in the program in grades 3 through 10 to take one of the nationally norm-referenced tests identified by the department or to take the statewide assessments pursuant to s. 1008.22. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school shall report a student’s scores to his or her parent. A participating private school must annually report by August 15 the scores of all participating students to a state university described in s. 1002.395(9)(f).

(9) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION. —A parent who applies for a Family Empowerment Scholarship is exercising his or her parental option to place his or her child in a private school.

(a) The parent must select the private school and apply for the admission of his or her student.

(b) The parent must request the scholarship at least 60 days before the date of the first scholarship payment.

(10) OBLIGATIONS OF SCHOLARSHIP-FUNDING ORGANIZATIONS. An eligible nonprofit scholarship-funding organization:

(a) Shall verify the household income level of students pursuant to subparagraph (3)(a)1. and submit to the department the verified list of students and related documentation to the department to enable the department to determine student eligibility in accordance with subsection (3). The department must notify the school district of the parent’s intent to participate upon receipt of the verified list.

(11) SCHOLARSHIP FUNDING AND PAYMENT. —

(a) The scholarship is established for up to 18,000 students annually on a first-come, first-served basis beginning
with the 2019-2020 school year. Beginning in the 2020-2021 school year, the maximum number of students participating in the scholarship program under this section may annually increase by 0.50 percent of the state’s total public school student enrollment.

(b) The scholarship amount provided to a student for any single school year shall be for tuition and fees for an eligible private school, not to exceed annual limits, which shall be determined in accordance with this paragraph. The calculated amount for a student to attend an eligible private school shall be based upon the grade level and school district in which the student was assigned as 95 percent of the funds per unweighted full-time equivalent in the Florida Education Finance Program for a student in the basic program established pursuant to s. 1011.62(1)(c)1., plus a per-full-time equivalent share of funds for all categorical programs, except for the Exceptional Student Education Guaranteed Allocation.

Section 2. This act shall take effect July 1, 2020.
A bill to be entitled
An act relating to revising mail strategies in the
Department of Revenue; amending ss. 61.1301 and
409.2574, F.S.; providing for the use of regular
mail relating to income deduction orders in
alimony or child support cases; providing for the
use of regular mail relating to income deduction
enforcement in Title IV-D cases; amending ss.
409.256 and 409.2563, F.S.; revising serving
notice requirements for genetic testing; revising
serving notice requirements for establishing
administrative support orders; amending ss.
409.25656, F.S.; revising serving notice
requirements for notice of levy issued; providing
an effective date.

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

Section 1. Subsections (1), (2), and (3) of section
61.1301, Florida Statutes, are amended to read:

61.1301 Income deduction orders.—
(1) ISSUANCE IN CONJUNCTION WITH AN ORDER ESTABLISHING,
ENFORCING, OR MODIFYING AN OBLIGATION FOR ALIMONY OR CHILD
SUPPORT.—
(a) Upon the entry of an order establishing, enforcing, or
modifying an obligation for alimony, for child support, or for
alimony and child support, other than a temporary order, the
court shall enter a separate order for income deduction if one
has not been entered. Upon the entry of a temporary order
establishing support or the entry of a temporary order enforcing
or modifying a temporary order of support, the court may enter a
separate order of income deduction. Copies of the orders shall
be furnished served on to the obligee and obligor by regular
mail. If the order establishing, enforcing, or modifying the
obligation directs that payments be made through the depository,
the court shall provide to the depository a copy of the order
establishing, enforcing, or modifying the obligation. If the
obligee is a recipient of Title IV-D services, the court shall
furnish to the Title IV-D agency a copy of the income deduction
order and the order establishing, enforcing, or modifying the
obligation.

1. In Title IV-D cases, the Title IV-D agency may implement
income deduction after receiving a copy of an order from the
court under this paragraph or a forwarding agency under UIFSA,
URESA, or RURESA by issuing an income deduction notice to the
payor.

2. The income deduction notice must state that it is based
upon a valid support order and that it contains an income
deduction requirement or upon a separate income deduction order.
The income deduction notice must contain the notice to payor
provisions specified by paragraph (2)(e). The income deduction
notice must contain the following information from the income
deduction order upon which the notice is based: the case number,
the court that entered the order, and the date entered.

3. Payors shall deduct support payments from income, as
specified in the income deduction notice, in the manner provided
under paragraph (2)(e).
4. In non-Title IV-D cases, the income deduction notice must be accompanied by a copy of the support order upon which the notice is based. In Title IV-D cases, upon request of a payor, the Title IV-D agency shall furnish the payor a copy of the income deduction order.

5. If a support order entered before January 1, 1994, in a non-Title IV-D case does not specify income deduction, income deduction may be initiated upon a delinquency without the need for any amendment to the support order or any further action by the court. In such case the obligee may implement income deduction by serving a notice of delinquency on the obligor as provided for under paragraph (f).

(b) The income deduction order shall:

1. Direct a payor to deduct from all income due and payable to an obligor the amount required by the court to meet the obligor's support obligation including any attorney's fees or costs owed and forward the deducted amount pursuant to the order.

2. State the amount of arrearage owed, if any, and direct a payor to withhold an additional 20 percent or more of the periodic amount specified in the order establishing, enforcing, or modifying the obligation, until full payment is made of any arrearage, attorney's fees and costs owed, provided no deduction shall be applied to attorney's fees and costs until the full amount of any arrearage is paid.

3. Provide that if a delinquency accrues after the order establishing, modifying, or enforcing the obligation has been entered and there is no order for repayment of the delinquency
or a preexisting arrearage, a payor shall deduct an additional
20 percent of the current support obligation or other amount
agreed to by the parties until the delinquency and any
attorney's fees and costs are paid in full. No deduction may be
applied to attorney's fees and costs until the delinquency is
paid in full.

4. Direct a payor not to deduct in excess of the amounts
allowed under s. 303(b) of the Consumer Credit Protection Act,
15 U.S.C. s. 1673(b), as amended.

5. Direct whether a payor shall deduct all, a specified
portion, or no income which is paid in the form of a bonus or
other similar one-time payment, up to the amount of arrearage
reported in the income deduction notice or the remaining balance
thereof, and forward the payment to the governmental depository.
For purposes of this subparagraph, “bonus” means a payment in
addition to an obligor's usual compensation and which is in
addition to any amounts contracted for or otherwise legally due
and shall not include any commission payments due an obligor.

6. In Title IV-D cases, direct a payor to provide to the
court depository the date on which each deduction is made.

7. In Title IV-D cases, if an obligation to pay current
support is reduced or terminated due to emancipation of a child
and the obligor owes an arrearage, retroactive support,
delinquency, or costs, direct the payor to continue the income
deduction at the rate in effect immediately prior to
emancipation until all arrearages, retroactive support,
delinquencies, and costs are paid in full or until the amount of
withholding is modified.
8. Direct that, at such time as the State Disbursement Unit becomes operational, all payments in those cases in which the obligee is receiving Title IV-D services and in those cases in which the obligee is not receiving Title IV-D services in which the initial support order was issued in this state on or after January 1, 1994, and in which the obligor's child support obligation is being paid through income deduction, be made payable to and delivered to the State Disbursement Unit. Notwithstanding any other statutory provision to the contrary, funds received by the State Disbursement Unit shall be held, administered, and disbursed by the State Disbursement Unit pursuant to the provisions of this chapter.

(c) The income deduction order is effective immediately unless the court upon good cause shown finds that the income deduction order shall be effective upon a delinquency in an amount specified by the court but not to exceed 1 month's payment, pursuant to the order establishing, enforcing, or modifying the obligation. In order to find good cause, the court must at a minimum make written findings that:

1. Explain why implementing immediate income deduction would not be in the child's best interest;

2. There is proof of timely payment of the previously ordered obligation without an income deduction order in cases of modification; and

3. a. There is an agreement by the obligor to advise the IV-D agency and court depository of any change in payor and health insurance; or

   b. There is a signed written agreement providing an
alternative arrangement between the obligor and the obligee and, at the option of the IV-D agency, by the IV-D agency in IV-D cases in which there is an assignment of support rights to the state, reviewed and entered in the record by the court.

(d) The income deduction order shall be effective as long as the order upon which it is based is effective or until further order of the court. Notwithstanding the foregoing, however, at such time as the State Disbursement Unit becomes operational, in those cases in which the obligee is receiving Title IV-D services and in those cases in which the obligee is not receiving Title IV-D services in which the initial support order was issued in this state on or after January 1, 1994, and in which the obligor's child support obligation is being paid through income deduction, such payments shall be made payable to and delivered to the State Disbursement Unit.

(e) When the court orders the income deduction to be effective immediately, the court shall furnish to the obligor a statement of his or her rights, remedies, and duties in regard to the income deduction order. The statement shall state:

1. All fees or interest which shall be imposed.

2. The total amount of income to be deducted for each pay period until the arrearage, if any, is paid in full and shall state the total amount of income to be deducted for each pay period thereafter. The amounts deducted may not be in excess of that allowed under s. 303(b) of the Consumer Credit Protection Act, 15 U.S.C. s. 1673(b), as amended.

3. That the income deduction order applies to current and subsequent payors and periods of employment.
4. That a copy of the income deduction order or, in Title IV-D cases, the income deduction notice will be provided to served on the obligor's payor or payors by regular mail.

5. That enforcement of the income deduction order may only be contested on the ground of mistake of fact regarding the amount owed pursuant to the order establishing, enforcing, or modifying the obligation, the arrearages, or the identity of the obligor, the payor, or the obligee.

6. That the obligor is required to notify the obligee and, when the obligee is receiving IV-D services, the IV-D agency within 7 days of changes in the obligor's address, payors, and the addresses of his or her payors.

7. That in a Title IV-D case, if an obligation to pay current support is reduced or terminated due to emancipation of a child and the obligor owes an arrearage, retroactive support, delinquency, or costs, income deduction continues at the rate in effect immediately prior to emancipation until all arrearages, retroactive support, delinquencies, and costs are paid in full or until the amount of withholding is modified.

(f) If a support order was entered before January 1, 1994, the court orders the income deduction to be effective upon a delinquency as provided in paragraph (c), or a delinquency has accrued under an order entered before July 1, 2006, that established, modified, or enforced the obligation and there is no order for repayment of the delinquency or a preexisting arrearage, the obligee or, in Title IV-D cases, the Title IV-D agency may enforce the income deduction by serving a notice of delinquency by regular mail on the obligor under this paragraph.
Service of the notice is complete upon mailing. 1. The notice of delinquency shall state:

   a. The terms of the order establishing, enforcing, or modifying the obligation.

   b. The period of delinquency and the total amount of the delinquency as of the date the notice is mailed.

   c. All fees or interest which may be imposed.

   d. The total amount of income to be deducted for each pay period until the arrearage, and all applicable fees and interest, is paid in full and shall state the total amount of income to be deducted for each pay period thereafter. The amounts deducted may not be in excess of that allowed under s. 303(b) of the Consumer Credit Protection Act, 15 U.S.C. s. 1673(b), as amended.

   e. That the income deduction order applies to current and subsequent payors and periods of employment.

   f. That a copy of the notice of delinquency will be served on provided by regular mail to the obligor's payor or payors, together with a copy of the income deduction order or, in Title IV-D cases, the income deduction notice, unless the obligor applies to the court to contest enforcement of the income deduction. If the income deduction order being enforced was rendered by the Title IV-D agency pursuant to s. 409.2563 and the obligor contests the deduction, the obligor shall file a petition for an administrative hearing with the Title IV-D agency. The application or petition shall be filed within 15 days after the date the notice of delinquency was served.

   g. That enforcement of the income deduction order may only
be contested on the ground of mistake of fact regarding the amount owed pursuant to the order establishing, enforcing, or modifying the obligation, the amount of arrearages, or the identity of the obligor, the payor, or the obligee.

h. That the obligor is required to notify the obligee of the obligor's current address and current payors and of the address of current payors. All changes shall be reported by the obligor within 7 days. If the IV-D agency is enforcing the order, the obligor shall make these notifications to the agency instead of to the obligee.

2. The failure of the obligor to receive the notice of delinquency does not preclude subsequent service by regular mail of the income deduction order or, in Title IV-D cases, the income deduction notice on the obligor's payor. A notice of delinquency which fails to state an arrearage does not mean that an arrearage is not owed.

(g) At any time, any party, including the IV-D agency, may apply to the court to:

1. Modify, suspend, or terminate the income deduction order in accordance with a modification, suspension, or termination of the support provisions in the underlying order; or

2. Modify the amount of income deducted when the arrearage has been paid.

(2) Enforcement of income deduction orders.--

(a) The obligee or his or her agent shall serve an income deduction order and notice to payor, or, in Title IV-D cases, the Title IV-D agency shall issue an income deduction notice, and in the case of a delinquency a notice of delinquency, on the
obligor's payor by regular mail unless the obligor has applied for a hearing to contest the enforcement of the income deduction pursuant to paragraph (c).

(b)1. Unless otherwise provided, service by or upon any person who is a party to a proceeding under this section shall be made in the manner prescribed in the Florida Rules of Civil Procedure for service upon parties.

2. Service upon an obligor's payor or successor payor under this section shall be made by prepaid certified regular mail, return receipt requested, or in the manner prescribed in chapter 48.

(c)1. The obligor, within 15 days after service of a notice of delinquency, may apply for a hearing to contest the enforcement of the income deduction on the ground of mistake of fact regarding the amount owed pursuant to an order establishing, enforcing, or modifying an obligation for alimony, for child support, or for alimony and child support, the amount of the arrearage, or the identity of the obligor, the payor, or the obligee. The obligor shall send a copy of the pleading to the obligee and, if the obligee is receiving IV-D services, to the IV-D agency. The timely filing of the pleading shall stay service by regular mail of an income deduction order or, in Title IV-D cases, income deduction notice on all payors of the obligor until a hearing is held and a determination is made as to whether enforcement of the income deduction order is proper. The payment of a delinquent obligation by an obligor upon entry of an income deduction order shall not preclude service by regular mail of the income deduction order or, in Title IV-D
cases, an income deduction notice on the obligor's payor.

2. When an obligor timely requests a hearing to contest enforcement of an income deduction order, the court, after due notice to all parties and the IV-D agency if the obligee is receiving IV-D services, shall hear the matter within 20 days after the application is filed. The court shall enter an order resolving the matter within 10 days after the hearing. A copy of this order shall be served on provided by regular mail to the parties and the IV-D agency if the obligee is receiving IV-D services. If the court determines that income deduction is proper, it shall specify the date the income deduction order must be served by regular mail on the obligor's payor.

(d) When a court determines that an income deduction order is proper pursuant to paragraph (c), the obligee or his or her agent shall furnish cause a copy of the notice of delinquency to be served on the obligor's payors by regular mail. A copy of the income deduction order or, in Title IV-D cases, income deduction notice, and in the case of a delinquency a notice of delinquency, shall also be furnished to the obligor.

(e) Notice to payor and income deduction notice. The notice to payor or, in Title IV-D cases, income deduction notice shall contain only information necessary for the payor to comply with the order providing for income deduction. The notice shall:

1. Provide the obligor's social security number.

2. Require the payor to deduct from the obligor's income the amount specified in the income deduction order, and in the case of a delinquency the amount specified in the notice of delinquency, and to pay that amount to the obligee or to the
depository, as appropriate. The amount actually deducted plus all administrative charges shall not be in excess of the amount allowed under s. 303(b) of the Consumer Credit Protection Act, 15 U.S.C. s. 1673(b);

3. Instruct the payor to implement income deduction no later than the first payment date which occurs more than 14 days after the date the income deduction notice was served on the payor, and the payor shall conform the amount specified in the income deduction order or, in Title IV-D cases, income deduction notice to the obligor's pay cycle. The court should request at the time of the order that the payment cycle reflect that of the payor;

4. Instruct the payor to forward, within 2 days after each date the obligor is entitled to payment from the payor, to the obligee or to the depository the amount deducted from the obligor's income, a statement as to whether the amount totally or partially satisfies the periodic amount specified in the income deduction order or, in Title IV-D cases, income deduction notice, and the specific date each deduction is made. If the IV-D agency is enforcing the order, the payor shall make these notifications to the agency instead of the obligee;

5. Specify that if a payor fails to deduct the proper amount from the obligor's income, the payor is liable for the amount the payor should have deducted, plus costs, interest, and reasonable attorney's fees;

6. Provide that the payor may collect up to $5 against the obligor's income to reimburse the payor for administrative costs for the first income deduction and up to $2 for each deduction
thereafter;

7. State that the notice to payor or, in Title IV-D cases, income deduction notice, and in the case of a delinquency the notice of delinquency, are binding on the payor until further notice by the obligee, IV-D agency, or the court or until the payor no longer provides income to the obligor;

8. Instruct the payor that, when he or she no longer provides income to the obligor, he or she shall notify the obligee and shall also provide the obligor's last known address and the name and address of the obligor's new payor, if known; and that, if the payor violates this provision, the payor is subject to a civil penalty not to exceed $250 for the first violation or $500 for any subsequent violation. If the IV-D agency is enforcing the order, the payor shall make these notifications to the agency instead of to the obligee. Penalties shall be paid to the obligee or the IV-D agency, whichever is enforcing the income deduction order;

9. State that the payor shall not discharge, refuse to employ, or take disciplinary action against an obligor because of the requirement for income deduction and shall state that a violation of this provision subjects the payor to a civil penalty not to exceed $250 for the first violation or $500 for any subsequent violation. Penalties shall be paid to the obligee or the IV-D agency, whichever is enforcing the income deduction, if any alimony or child support obligation is owing. If no alimony or child support obligation is owing, the penalty shall be paid to the obligor;

10. State that an obligor may bring a civil action in the
courts of this state against a payor who refuses to employ, discharges, or otherwise disciplines an obligor because of income deduction. The obligor is entitled to reinstatement and all wages and benefits lost, plus reasonable attorney's fees and costs incurred;

11. Inform the payor that the requirement for income deduction has priority over all other legal processes under state law pertaining to the same income and that payment, as required by the notice to payor or income deduction notice, is a complete defense by the payor against any claims of the obligor or his or her creditors as to the sum paid;

12. Inform the payor that, when the payor receives notices to payor or income deduction notices requiring that the income of two or more obligors be deducted and sent to the same depository, the payor may combine the amounts that are to be paid to the depository in a single payment as long as the payments attributable to each obligor are clearly identified;

13. Inform the payor that if the payor receives more than one notice to payor or income deduction notice against the same obligor, the payor shall contact the court or, in Title IV-D cases, the Title IV-D agency for further instructions. Upon being so contacted, the court or, in Title IV-D cases when all the cases upon which the notices are based are Title IV-D cases, the Title IV-D agency shall allocate amounts available for income deduction as provided in subsection (4); and

14. State that in a Title IV-D case, if an obligation to pay current support is reduced or terminated due to the emancipation of a child and the obligor owes an arrearage,
retroactive support, delinquency, or costs, income deduction continues at the rate in effect immediately prior to emancipation until all arrearages, retroactive support, delinquencies, and costs are paid in full or until the amount of withholding is modified.

(f) At any time an income deduction order is being enforced, the obligor may apply to the court for a hearing to contest the continued enforcement of the income deduction on the same grounds set out in paragraph (c), with a copy to the obligee and, in IV-D cases, to the IV-D agency. If the income deduction order being enforced was rendered by the IV-D agency pursuant to s. 409.2563 and the obligor contests the withholding, the obligor shall file a petition for an administrative hearing with the IV-D agency. The application or petition does not affect the continued enforcement of the income deduction until the court or IV-D agency, if applicable, enters an order granting relief to the obligor. The obligee or the IV-D agency is released from liability for improper receipt of moneys pursuant to an income deduction order upon return to the appropriate party of any moneys received.

(g) An obligee or his or her agent shall enforce an income deduction order against an obligor's successor payor who is located in this state in the same manner prescribed in this section for the enforcement of an income deduction order against a payor.

(h) 1. When an income deduction order is to be enforced against a payor located outside the state, the obligee who is receiving IV-D services or his or her agent shall promptly
request the agency responsible for income deduction in the other state to enforce the income deduction order. The request shall contain all information necessary to enforce the income deduction order, including the amount to be periodically deducted, a copy of the order establishing, enforcing, or modifying the obligation, and a statement of arrearages, if applicable.

2. When the IV-D agency is requested by the agency responsible for income deduction in another state to enforce an income deduction order against a payor located in this state for the benefit of an obligee who is being provided IV-D services by the agency in the other state, the IV-D agency shall act promptly pursuant to the applicable provisions of this section.

3. When an obligor who is subject to an income deduction order enforced against a payor located in this state for the benefit of an obligee who is being provided IV-D services by the agency responsible for income deduction in another state terminates his or her relationship with his or her payor, the IV-D agency shall notify the agency in the other state and provide it with the name and address of the obligor and the address of any new payor of the obligor, if known.

4. a. The procedural rules and laws of this state govern the procedural aspects of income deduction whenever the agency responsible for income deduction in another state requests the enforcement of an income deduction order in this state.

b. Except with respect to when withholding must be implemented, which is controlled by the state where the order establishing, enforcing, or modifying the obligation was
entered, the substantive law of this state shall apply whenever
the agency responsible for income deduction in another state
requests the enforcement of an income deduction in this state.

   c. When the IV-D agency is requested by an agency
responsible for income deduction in another state to implement
income deduction against a payor located in this state for the
benefit of an obligee who is being provided IV-D services by the
agency in the other state or when the IV-D agency in this state
initiates an income deduction request on behalf of an obligee
receiving IV-D services in this state against a payor in another
state, pursuant to this section or the Uniform Interstate Family
Support Act, the IV-D agency shall file the interstate income
deduction documents, or an affidavit of such request when the
income deduction documents are not available, with the
depository and if the IV-D agency in this state is responding to
a request from another state, provide copies to the payor and
obligor in accordance with subsection (1). The depository
created pursuant to s. 61.181 shall accept the interstate income
deduction documents or affidavit and shall establish an account
for the receipt and disbursement of child support or child
support and alimony payments and advise the IV-D agency of the
account number in writing within 2 days after receipt of the
documents or affidavit.

   (i) Certified copies of payment records maintained by a
depository shall, without further proof, be admitted into
evidence in any legal proceeding in this state.

   (j) 1. A person may not discharge, refuse to employ, or take
disciplinary action against an employee because of the
enforcement of an income deduction order. An employer who
violates this subsection is subject to a civil penalty not to
exceed $250 for the first violation or $500 for any subsequent
violation. Penalties shall be paid to the obligee or the IV-D
agency, whichever is enforcing the income deduction, if any
alimony or child support is owing. If no alimony or child
support is owing, the penalty shall be paid to the obligor.

2. An employee may bring a civil action in the courts of
this state against an employer who refuses to employ,
discharges, or otherwise disciplines an employee because of an
income deduction order. The employee is entitled to
reinstatement and all wages and benefits lost plus reasonable
attorney's fees and costs incurred.

(k) When a payor no longer provides income to an obligor,
he or she shall notify the obligee and, if the obligee is a IV-D
applicant, the IV-D agency and shall also provide the obligor's
last known address and the name and address of the obligor's new
payor, if known. A payor who violates this subsection is subject
to a civil penalty not to exceed $250 for the first violation or
$500 for a subsequent violation. Penalties shall be paid to the
obligee or the IV-D agency, whichever is enforcing the income
deduction order.

(3)(a) It is the intent of the Legislature that this
section may be used to collect arrearages in child support or in
alimony payments.

(b) In a Title IV-D case, if an obligation to pay current
support is reduced or terminated due to the emancipation of a
child and the obligor owes an arrearage, retroactive support,
delinquency, or costs, income deduction continues at the rate in
effect immediately prior to emancipation until all arrearages,
retroactive support, delinquencies, and costs are paid in full
or until the amount of withholding is modified. Any income-
deducted amount that is in excess of the obligation to pay
current support shall be credited against the arrearages,
retroactive support, delinquency, and costs owed by the obligor.
The department shall send notice of this requirement by regular
mail to the payor and the depository operated pursuant to s.
61.181, and the notice shall state the amount of the obligation
to pay current support, if any, and the amount owed for
arrearages, retroactive support, delinquency, and costs. For
income deduction orders entered before July 1, 2004, which do
not include this requirement, the department shall send by
regular certified mail, restricted delivery, return receipt
requested, to the obligor at the most recent address provided by
the obligor to the tribunal that issued the order or a more
recent address if known, notice of this requirement, that the
obligor may contest the withholding as provided by paragraph
(2)(f), and that the obligor may request the tribunal that
issued the income deduction to modify the amount of the
withholding. This paragraph provides an additional remedy for
collection of unpaid support and applies to cases in which a
support order or income deduction order was entered before, on,
or after July 1, 2004.

(c) If a delinquency accrues after an order establishing,
modifying, or enforcing a support obligation has been entered,
an income deduction order entered after July 1, 2006, is in
effect, and there is no order for repayment of the delinquency or a preexisting arrearage, a payor who is served with receives an income deduction order or, in a Title IV-D case, an income deduction notice shall deduct an additional 20 percent of the current support obligation or other amount agreed to by the parties until the delinquency and any attorney's fees and costs are paid in full. No deduction may be applied to attorney's fees and costs until the delinquency is paid in full.

Section 2. Subsection (2) of section 409.2574, Florida Statutes, is amended to read:

409.2574 Income deduction enforcement in Title IV-D cases.-
(2)(a) In a support order being enforced under Title IV-D of the Social Security Act and which order does not specify income deduction, income deduction shall be enforced by the department or its designee without the need for any amendment to the support order or any further action by the court.
(b) The department shall serve a notice on the obligor that the income deduction notice has been served on the employers. Service upon an obligor under this section shall be made by regular mail to the obligor’s last known address of record with the local depository or a more recent address if known, in the manner prescribed in chapter 48. The department shall furnish to the obligor a statement of the obligor's rights, remedies, and duties in regard to the income deduction.
(c) The obligor has 15 days from the mailing serving of the notice to file a request for a hearing with the department to contest enforcement of income deduction.
(d) The department shall adopt rules to ensure that
applicable provisions of s. 61.1301 are followed.

Section 3. Subsection (4) of section 409.256, Florida Statutes, is amended to read:

409.256 Administrative proceeding to establish paternity or paternity and child support; order to appear for genetic testing.—

(4) NOTICE OF PROCEEDING TO ESTABLISH PATERNITY OR PATERNITY AND CHILD SUPPORT; ORDER TO APPEAR FOR GENETIC TESTING; MANNER OF SERVICE; CONTENTS.—The Department of Revenue shall commence a proceeding to determine paternity, or a proceeding to determine both paternity and child support, by serving the respondent with a notice as provided in this section. An order to appear for genetic testing may be served at the same time as a notice of the proceeding or may be served separately. A copy of the affidavit or written declaration upon which the proceeding is based shall be provided to the respondent when notice is served. A notice or order to appear for genetic testing shall be served by certified mail, restricted delivery, return receipt requested, or in accordance with the requirements for service of process in a civil action. Service by certified mail is completed when the certified mail is received or refused by the addressee or by an authorized agent as designated by the addressee in writing. If a person other than the addressee signs the return receipt, the department shall attempt to reach the addressee by telephone to confirm whether the notice was received, and the department shall document any telephonic communications. If someone other than the addressee signs the return receipt, the addressee does not respond to the notice,
and the department is unable to confirm that the addressee has received the notice, service is not completed and the department shall attempt to have the addressee served personally. For purposes of this section, an employee or an authorized agent of the department may serve the notice or order to appear for genetic testing and execute an affidavit of service. The department may serve an order to appear for genetic testing on a caregiver. The department shall provide a copy of the notice or order to appear by regular mail to the mother and caregiver, if they are not respondents.

Section 4. Subsection (4) of section 409.2563 is amended to read:

409.2563 Administrative establishment of child support obligations.—

(4) NOTICE OF PROCEEDING TO ESTABLISH ADMINISTRATIVE SUPPORT ORDER.—To commence a proceeding under this section, the department shall provide to the parent from whom support is not being sought and serve the parent from whom support is being sought with a notice of proceeding to establish administrative support order and a blank financial affidavit form. The notice must state:

(a) The names of both parents, the name of the caregiver, if any, and the name and date of birth of the child or children;

(b) That the department intends to establish an administrative support order as defined in this section;

(c) That both parents must submit a completed financial affidavit to the department within 20 days after receiving the notice, as provided by paragraph (13)(a);
(d) That both parents, or parent and caregiver if applicable, are required to furnish to the department information regarding their identities and locations, as provided by paragraph (13)(b);

(e) That both parents, or parent and caregiver if applicable, are required to promptly notify the department of any change in their mailing addresses to ensure receipt of all subsequent pleadings, notices, and orders, as provided by paragraph (13)(c);

(f) That the department will calculate support obligations based on the child support guidelines schedule in s. 61.30 and using all available information, as provided by paragraph (5)(a), and will incorporate such obligations into a proposed administrative support order;

(g) That the department will send by regular mail to both parents, or parent and caregiver if applicable, a copy of the proposed administrative support order, the department’s child support worksheet, and any financial affidavits submitted by a parent or prepared by the department;

(h) That the parent from whom support is being sought may file a request for a hearing in writing within 20 days after the date of mailing or other service of the proposed administrative support order or will be deemed to have waived the right to request a hearing;

(i) That if the parent from whom support is being sought does not file a timely request for hearing after service of the proposed administrative support order, the department will issue an administrative support order that incorporates the findings
of the proposed administrative support order, and will send by
regular mail a copy of the administrative support order to both
parents, or parent and caregiver if applicable;

(j) That after an administrative support order is rendered,
the department will file a copy of the order with the clerk of
the circuit court;

(k) That after an administrative support order is rendered,
the department may enforce the administrative support order by
any lawful means;

(l) That either parent, or caregiver if applicable, may file at
any time a civil action in a circuit court having jurisdiction
and proper venue to determine parental support obligations, if
any, and that a support order issued by a circuit court
supersedes an administrative support order rendered by the
department;

(m) That neither the department nor the Division of
Administrative Hearings has jurisdiction to award or change
child custody or rights of parental contact or time-sharing, and
these issues may be addressed only in circuit court.

1. The parent from whom support is being sought may request in
writing that the department proceed in circuit court to
determine his or her support obligations.

2. The parent from whom support is being sought may state in
writing to the department his or her intention to address issues
concerning custody or rights to parental contact in circuit
court.

3. If the parent from whom support is being sought submits the
request authorized in subparagraph 1., or the statement
authorized in subparagraph 2. to the department within 20 days
after the receipt of the initial notice, the department shall
file a petition in circuit court for the determination of the
parent’s child support obligations, and shall send to the parent
from whom support is being sought a copy of its petition, a
notice of commencement of action, and a request for waiver of
service of process as provided in the Florida Rules of Civil
Procedure.

4. If, within 10 days after receipt of the department’s
petition and waiver of service, the parent from whom support is
being sought signs and returns the waiver of service form to the
department, the department shall terminate the administrative
proceeding without prejudice and proceed in circuit court.

5. In any circuit court action filed by the department pursuant
to this paragraph or filed by a parent from whom support is
being sought or other person pursuant to paragraph (l) or
paragraph (n), the department shall be a party only with respect
to those issues of support allowed and reimbursable under Title
IV-D of the Social Security Act. It is the responsibility of the
parent from whom support is being sought or other person to take
the necessary steps to present other issues for the court to
consider.

(n) That if the parent from whom support is being sought
files an action in circuit court and serves the department with
a copy of the petition within 20 days after being served notice
under this subsection, the administrative process ends without
prejudice and the action must proceed in circuit court;

(o) Information provided by the Office of State Courts
Administrator concerning the availability and location of self-help programs for those who wish to file an action in circuit court but who cannot afford an attorney.

The department may serve the notice of proceeding to establish administrative support order by certified mail, restricted delivery, return receipt requested. Alternatively, the department may serve the notice by any means permitted for service of process in a civil action. For purposes of this section, an authorized employee of the department may serve the notice and execute an affidavit of service. Service by certified mail is completed when the certified mail is received or refused by the addressee or by an authorized agent as designated by the addressee in writing. If a person other than the addressee signs the return receipt, the department shall attempt to reach the addressee by telephone to confirm whether the notice was received, and the department shall document any telephonic communications. If someone other than the addressee signs the return receipt, the addressee does not respond to the notice, and the department is unable to confirm that the addressee has received the notice, service is not completed and the department shall attempt to have the addressee served personally. The department shall provide the parent from whom support is not being sought or the caregiver with a copy of the notice by regular mail to the last known address of the parent from whom support is not being sought or caregiver.

Section 5. Subsection (1), (3) and (7) of section 409.25656, Florida Statutes, is amended to read:

(1) If a person has a support obligation which is subject
to enforcement by the department as the state Title IV-D program, the executive director or his or her designee may give notice of past due and/or overdue support by regular registered mail to all persons who have in their possession or under their control any credits or personal property, including wages, belonging to the support obligor, or owing any debts to the support obligor at the time of receipt by them of such notice. Thereafter, any person who has been notified may not transfer or make any other disposition, up to the amount provided for in the notice, of such credits, other personal property, or debts until the executive director or his or her designee consents to a transfer or disposition, or until 60 days after the receipt of such notice. If the obligor contests the intended levy in the circuit court or under chapter 120, the notice under this section shall remain in effect until final disposition of that circuit court or chapter 120 action. Any financial institution receiving such notice will maintain a right of setoff for any transaction involving a debit card occurring on or before the date of receipt of such notice.

(2) Each person who is notified under this section must, within 5 days after receipt of the notice, advise the executive director or his or her designee of the credits, other personal property, or debts in their possession, under their control, or owed by them and must advise the executive director or designee within 5 days of coming into possession or control of any subsequent credits, personal property, or debts owed during the time prescribed by the notice. Any such person coming into possession or control of such subsequent credits, personal
property, or debts shall not transfer or dispose of them during
the time prescribed by the notice or until the department
consents to a transfer.
(3) During the last 30 days of the 60-day period set forth
in subsection (1), the executive director or his or her designee
may levy upon such credits, personal property, or debts. The
levy must be accomplished by delivery of a notice of levy by
regular registered mail, upon receipt of which the person
possessing the credits, other personal property, or debts shall
transfer them to the department or pay to the department the
amount owed by the obligor. If the department levies upon
securities and the value of the securities is less than the
total amount of past due or overdue support, the person who
possesses or controls the securities shall liquidate the
securities in a commercially reasonable manner. After
liquidation, the person shall transfer to the department the
proceeds, less any applicable commissions or fees, or both,
which are charged in the normal course of business. If the value
of the securities exceeds the total amount of past due or
overdue support, the obligor may, within 7 days after receipt of
the department’s notice of levy, instruct the person who
possesses or controls the securities which securities are to be
sold to satisfy the obligation for past due or overdue support.
If the obligor does not provide instructions for liquidation,
the person who possesses or controls the securities shall
liquidate the securities in a commercially reasonable manner in
an amount sufficient to cover the obligation for past due or
overdue support and any applicable commissions or fees, or both,
which are charged in the normal course of business, beginning
with the securities purchased most recently. After liquidation,
the person who possesses or controls the securities shall
transfer to the department the total amount of past due or
overdue support.

(4) A notice that is delivered under this section is
effective at the time of delivery against all credits, other
personal property, or debts of the obligor which are not at the
time of such notice subject to an attachment, garnishment, or
execution issued through a judicial process.

(5) The department is authorized to bring an action in
circuit court for an order compelling compliance with any notice
issued under this section.

(6) Any person acting in accordance with the terms of the
notice or levy issued by the executive director or his or her
designee is expressly discharged from any obligation or
liability to the obligor with respect to such credits, other
personal property, or debts of the obligor affected by
compliance with the notice of freeze or levy.

(7)(a) Levy may be made under subsection (3) upon credits,
other personal property, or debt of any person with respect to
any past due or overdue support obligation only after the
executive director or his or her designee has notified such
person in writing of the intention to make such levy.

(b) Not less than 30 days before the day of the levy, the notice
of intent to levy required under paragraph (a) must be given in
person or sent by regular, certified or registered mail to the
person’s last known address.
(c) The notice required in paragraph (a) must include a brief statement that sets forth:

1. The provisions of this section relating to levy and sale of property;

2. The procedures applicable to the levy under this section;

3. The administrative and judicial appeals available to the obligor with respect to such levy and sale, and the procedures relating to such appeals; and

4. The alternatives, if any, available to the obligor which could prevent levy on the property.

(d) The obligor may consent in writing to the levy at any time after receipt of a notice of intent to levy.

Section 5. This act shall take effect on July 1, 2020.
Governor’s Budget Recommendation Conforming Bill
Eliminate Pre-licensing Requirements

A bill to be entitled

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

Section 1. Subsection (2) of section 626.171, Florida Statutes, is amended to read:

Section 626.171 Application for license as an agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary.—
(2) In the application, the applicant shall set forth:
(a) His or her full name, age, social security number, residence address, business address, mailing address, contact telephone numbers, including a business telephone number, and e-mail address.
(b) A statement indicating the method the applicant used or is using to meet any required prelicensing education, knowledge, experience, or instructional requirements for the type of
license applied for.

(c) Whether he or she has been refused or has voluntarily surrendered or has had suspended or revoked a license to solicit insurance by the department or by the supervising officials of any state.

(d) Whether any insurer or any managing general agent claims the applicant is indebted under any agency contract or otherwise and, if so, the name of the claimant, the nature of the claim, and the applicant's defense thereto, if any.

(e) Proof that the applicant meets the requirements for the type of license for which he or she is applying.

(f) The applicant's gender (male or female).

(g) The applicant's native language.

(h) The highest level of education achieved by the applicant.

(i) The applicant's race or ethnicity (African American, white, American Indian, Asian, Hispanic, or other).

(j) Such other or additional information as the department may deem proper to enable it to determine the character, experience, ability, and other qualifications of the applicant to hold himself or herself out to the public as an insurance representative.

However, the application must contain a statement that an applicant is not required to disclose his or her race or ethnicity, gender, or native language, that he or she will not be penalized for not doing so, and that the department will use this information exclusively for research and statistical purposes and to improve the quality and fairness of the examinations.

Section 2. Section 626.221, Florida Statutes, is repealed.
Section 3. Section 626.231, Florida Statutes, is amended to read:

626.231 Eligibility; application for examination.—

(1) No person shall be permitted to take an examination for license until his or her application for examination or application for the license has been approved and the required fees have been received by the department or a person designated by the department to administer the examination.

(2) A person required to take an examination for a license may take an examination before submitting an application for licensure pursuant to s. 626.171 by submitting an application for examination through the department’s Internet website or the website of a person designated by the department to administer the examination. The department may require the applicant to provide the following information as part of the application:

(a) His or her full name, date of birth, social security number, e-mail address, residence address, business address, and mailing address.

(b) The type of license which the applicant intends to apply for.

(c) The name of any required prelicensing course he or she has completed or is in the process of completing.

(d) The method by which the applicant intends to qualify for the type of license if other than by completing a prelicensing course.

(e) The applicant’s gender.

(f) The applicant’s native language.

(g) The highest level of education achieved by the applicant.

(h) The applicant’s race or ethnicity.
However, the application form must contain a statement that an applicant is not required to disclose his or her race or ethnicity, gender, or native language, that he or she will not be penalized for not doing so, and that the department will use this information exclusively for research and statistical purposes and to improve the quality and fairness of the examinations.

(3) Each application shall be accompanied by payment of the applicable examination fee.

Section 4. Section 626.2817, Florida Statutes, is repealed.

626.2817 Regulation of course providers, instructors, school officials, and monitor groups involved in prelicensure education for insurance agents and other licensees.—

(1) Any course provider, instructor, school official, or monitor group must be approved by and registered with the department before offering prelicensure education courses for insurance agents and other licensees.

(2) The department shall adopt rules establishing standards for the approval, registration, discipline, or removal from registration of course providers, instructors, school officials, and monitor groups. The standards must be designed to ensure that such persons have the knowledge, competence, and integrity to fulfill the educational objectives of the prelicensure requirements of this chapter and chapter 648 and to assure that insurance agents and licensees are competent to engage in the activities authorized under the license.

(3) The department shall adopt rules to establish a process for determining compliance with the prelicensure requirements of this chapter and chapter 648. The department shall adopt rules...
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Eliminate Pre-licensing Requirements

prescribing the forms necessary to administer the prelicensure requirements.

Section 5. Section 626.292, Florida Statutes, is amended to read:

626.292 Transfer of license from another state.—
(1) An individual licensed in good standing in another state may apply to the department to have the license transferred to this state to obtain a resident agent or all-lines adjuster license for the same lines of authority covered by the license in the other state.
(2) To qualify for a license transfer, an individual applicant must meet the following requirements:
(a) The individual must become a resident of this state.
(b) The individual must have been licensed in another state for a minimum of 1 year immediately preceding the date the individual became a resident of this state.
(c) The individual must submit a completed application for this state which is received by the department within 90 days after the date the individual became a resident of this state, along with payment of the applicable fees set forth in s. 624.501 and submission of the following documents:
1. A certification issued by the appropriate official of the applicant’s home state identifying the type of license and lines of authority under the license and stating that, at the time the license from the home state was canceled, the applicant was in good standing in that state or that the state’s Producer Database records, maintained by the National Association of Insurance Commissioners, its affiliates, or subsidiaries, indicate that the agent or all-lines adjuster is or was licensed

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in good standing for the line of authority requested.

2. A set of the applicant’s fingerprints in accordance with s. 626.171(4).

(d) The individual must satisfy prelicensing education requirements in this state, unless the completion of prelicensing education requirements was a prerequisite for licensure in the other state and the prelicensing education requirements in the other state are substantially equivalent to the prelicensing requirements of this state as determined by the department. This paragraph does not apply to all-lines adjusters.

(d)(e) The individual must satisfy the examination requirement under s. 626.221, unless exempted.

(3) An applicant satisfying the requirements for a license transfer under subsection (2) shall be approved for licensure in this state unless the department finds that grounds exist under s. 626.611 or s. 626.621 for refusal, suspension, or revocation of a license.

Section 6. Section 626.681, Florida Statutes, is repealed.

Section 7. Section 626.731, Florida Statutes, is amended to read:

626.731 Qualifications for general lines agent’s license.—

(1) The department shall not grant or issue a license as general lines agent to any individual found by it to be untrustworthy or incompetent or who does not meet each of the following qualifications:

(a) The applicant is a natural person at least 18 years of age.

(b) The applicant is a United States citizen or legal alien who possesses work authorization from the United States Bureau of
Citizenship and Immigration Services and is a bona fide resident of this state. An individual who is a bona fide resident of this state shall be deemed to meet the residence requirement of this paragraph, notwithstanding the existence at the time of application for license of a license in his or her name on the records of another state as a resident licensee of such other state, if the applicant furnishes a letter of clearance satisfactory to the department that the resident licenses have been canceled or changed to a nonresident basis and that he or she is in good standing.

(c) The applicant’s place of business will be located in this state and he or she will be actively engaged in the business of insurance and will maintain a place of business, the location of which is identifiable by and accessible to the public.

(d) The license is not being sought for the purpose of writing or handling controlled business, in violation of s. 626.730.

(e) The applicant is qualified as to knowledge, experience, or instruction in the business of insurance and meets the requirements provided in s. 626.732.

(f) The applicant is not a service representative, a managing general agent in this state, or a special agent or similar service representative of a health insurer which also transacts property, casualty, or surety insurance; except that the president, vice president, secretary, or treasurer, including a member of the board of directors, of a corporate insurer, if otherwise qualified under and meeting the requirements of this part, may be licensed and appointed as a local resident agent.

(f) The applicant has passed any required examination for license required under s. 626.221.
(2) The department shall not grant, continue, renew, or permit
to exist the license or appointment of a general lines agent
unless the agent meets the requirements of subsection (1).

Section 8. Section 626.7351, Florida Statutes, is amended
to read:

626.7351 Qualifications for customer representative’s license.—
The department shall not grant or issue a license as customer
representative to any individual found by it to be untrustworthy
or incompetent, or who does not meet each of the following
qualifications:

(1) The applicant is a natural person at least 18 years of age.
(2) (a) The applicant is a United States citizen or legal alien
who possesses work authorization from the United States Bureau
of Citizenship and Immigration Services and is a bona fide
resident of this state and will actually reside in the state at
least 6 months out of the year. An individual who is a bona fide
resident of this state shall be deemed to meet the residence
requirements of this subsection, notwithstanding the existence
at the time of application for license of a license in his or
her name on the records of another state as a resident licensee
of the other state, if the applicant furnishes a letter of
clearance satisfactory to the department that the resident
licenses have been canceled or changed to a nonresident basis
and that he or she is in good standing.
(b) The applicant is a resident of another state sharing a
common boundary with this state and has been employed in this
state for a period of not less than 6 months by a Florida
resident general lines agent licensed and appointed under this
chapter. The applicant licensed under this subsection must meet
all other requirements as described in this chapter and must, under the direct supervision of a licensed and appointed Florida resident general lines agent, conduct business solely within the confines of the office of the agent or agency whom he or she represents in this state.

(3) Within the 2 years next preceding the date the application for license was filed with the department, the applicant has completed a course in insurance, 3 hours of which shall be on the subject matter of ethics, approved by the department or has had at least 6 months’ experience in responsible insurance duties as a substantially full-time employee. Courses must include instruction on the subject matter of unauthorized entities engaging in the business of insurance. The scope of the topic of unauthorized entities shall include the Florida Nonprofit Multiple-Employer Welfare Arrangement Act and the Employee Retirement Income Security Act, 29 U.S.C. ss. 1001 et seq., as such acts relate to the provision of health insurance by employers and the regulation of such insurance.

(3)(4) The license is not being sought for the purpose of writing or handling controlled business in violation of s. 626.730.

(4)(5) The applicant will be employed by only one agent or agency and the agency will appoint one designated agent within the agency who will supervise the work of the applicant and his or her conduct in the insurance business, and the applicant will spend all of his or her business time in the employment of the agent or agency and will be domiciled in the office of the appointing agent or agency as provided in s. 626.7352.

(5)(6) Upon the issuance of the license applied for, the
applicant is not an agent, a service representative, or a managing general agent.

(6) The applicant has passed any required examination for license required under s. 626.221.

Section 9. Section 626.785, Florida Statutes, is amended to read:

626.785 Qualifications for license.—
(1) The department shall not grant or issue a license as life agent to any individual found by it to be untrustworthy or incompetent, or who does not meet the following qualifications:
(a) Must be a natural person of at least 18 years of age.
(b) Must be a United States citizen or legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services and a bona fide resident of this state.
(c) Must not be an employee of the United States Department of Veterans Affairs or state service office, as referred to in s. 626.788.
(d) Must not be a funeral director or direct disposer, or an employee or representative thereof, or have an office in, or in connection with, a funeral establishment, except that a funeral establishment may contract with a life insurance agent to sell a preneed contract as defined in s. 497.005. Notwithstanding other provisions of this chapter, such insurance agent may sell limited policies of insurance covering the expense of final disposition or burial of an insured in the amount of $12,500, plus an annual percentage increase based on the Annual Consumer Price Index compiled by the United States Department of Labor, beginning with the Annual Consumer Price Index announced by the United States Department of Labor for the year 2003.
(e) Must take and pass any examination for license required under s. 626.221.

(f) Must be qualified as to knowledge, experience, or instruction in the business of insurance and meet the requirements relative thereto provided in s. 626.7851.

(2) An individual who is a bona fide resident of this state shall be deemed to meet the residence requirement of paragraph (1)(b), notwithstanding the existence at the time of application for license of a license in his or her name on the records of another state as a resident licensee of such other state, if the applicant furnishes a letter of clearance satisfactory to the department that the resident licenses have been canceled or changed to a nonresident basis and that he or she is in good standing.

(3) Notwithstanding any other provisions of this chapter, a funeral director, a direct disposer, or an employee of a funeral establishment that holds a certificate of authority pursuant to s. 497.452 may obtain an agent’s license to sell only policies of life insurance covering the expense of a prearrangement for funeral services or merchandise so as to provide funds at the time the services and merchandise are needed. The face amount of insurance covered by any such policy shall not exceed $12,500, plus an annual percentage increase based on the Annual Consumer Price Index compiled by the United States Department of Labor, beginning with the Annual Consumer Price Index announced by the United States Department of Labor for 2003.

Section 10. Section 626.7851, Florida Statutes, is repealed.
No applicant for a license as a life agent, except for a chartered life underwriter (CLU), shall be qualified or licensed unless within the 4 years immediately preceding the date the application for a license is filed with the department he or she has:

(1) Successfully completed 40 hours of classroom courses in insurance, 3 hours of which shall be on the subject matter of ethics, satisfactory to the department at a school or college, or extension division thereof, or other authorized course of study, approved by the department. Courses must include instruction on the subject matter of unauthorized entities engaging in the business of insurance, to include the Florida Nonprofit Multiple-Employer Welfare Arrangement Act and the Employee Retirement Income Security Act, 29 U.S.C. ss. 1001 et seq., as it relates to the provision of life insurance by employers to their employees and the regulation thereof;

(2) Successfully completed a correspondence course in insurance, 3 hours of which shall be on the subject matter of ethics, satisfactory to the department and regularly offered by accredited institutions of higher learning in this state or by independent programs of study, approved by the department. Courses must include instruction on the subject matter of unauthorized entities engaging in the business of insurance, to include the Florida Nonprofit Multiple-Employer Welfare Arrangement Act and the Employee Retirement Income Security Act, 29 U.S.C. ss. 1001 et seq., as it relates to the provision of life insurance by employers to their employees and the regulation thereof;

(3) Held an active license in life, or life and health,
insurance in another state. This provision may not be utilized unless the other state grants reciprocal treatment to licensees formerly licensed in Florida; or

(4) Been employed by the department or office for at least 1 year, full time in life or life and health insurance regulatory matters and who was not terminated for cause, and application for examination is made within 90 days after the date of termination of his or her employment with the department or office.

Section 11. Section 626.831, Florida Statutes, is amended to read:

626.831 Qualifications for license.—

(1) The department shall not grant or issue a license as health agent as to any individual found by it to be untrustworthy or incompetent, or who does not meet the following qualifications:

(a) Must be a natural person of at least 18 years of age.

(b) Must be a United States citizen or legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services and a bona fide resident of this state.

(c) Must not be an employee of the United States Department of Veterans Affairs or state service office, as referred to in s. 626.833.

(d) Must take and pass any examination for license required under s. 626.221.

(e) Must be qualified as to knowledge, experience, or instruction in the business of insurance and meet the requirements relative thereto provided in s. 626.8311.
(2) An individual who is a bona fide resident of this state shall be deemed to meet the residence requirement of paragraph (1)(b), notwithstanding the existence at the time of application for license of a license in his or her name on the records of another state as a resident licensee of such other state, if the applicant furnishes a letter of clearance satisfactory to the department that the resident licenses have been canceled or changed to a nonresident basis and that he or she is in good standing.

Section 12. Section 626.8311, Florida Statutes, is repealed.

626.8311 Requirement as to knowledge, experience, or instruction. No applicant for a license as a health agent, except for a chartered life underwriter (CLU), shall be qualified or licensed unless within the 4 years immediately preceding the date the application for license is filed with the department he or she has:

(1) Successfully completed 40 hours of classroom courses in insurance, 3 hours of which shall be on the subject matter of ethics, satisfactory to the department at a school or college, or extension division thereof, or other authorized course of study, approved by the department. Courses must include instruction on the subject matter of unauthorized entities engaging in the business of insurance, to include the Florida Nonprofit Multiple-Employer Welfare Arrangement Act and the Employee Retirement Income Security Act, 29 U.S.C. ss. 1001 et seq., as it relates to the provision of health insurance by employers to their employees and the regulation thereof;

(2) Successfully completed a correspondence course in
insurance, 3 hours of which shall be on the subject matter of
ethics, satisfactory to the department and regularly offered by
accredited institutions of higher learning in this state or by
independent programs of study, approved by the department.
Courses must include instruction on the subject matter of
unauthorized entities engaging in the business of insurance, to
include the Florida Nonprofit Multiple-Employer Welfare
Arrangement Act and the Employee Retirement Income Security Act,
29 U.S.C. ss. 1001 et seq., as it relates to the provision of
health insurance by employers to their employees and the
regulation thereof;
(3) Held an active license in health, or life and health,
insurance in another state. This provision may not be utilized
unless the other state grants reciprocal treatment to licensees
formerly licensed in Florida; or
(4) Been employed by the department or office for at least
1 year, full time in health insurance regulatory matters and who
was not terminated for cause, and application for examination is
made within 90 days after the date of termination of his or her
employment with the department or office.

Section 13. Section 626.8417, Florida Statutes, is amended
to read:
626.8417 Title insurance agent licensure; exemptions.—
(1) A person may not act as a title insurance agent as
defined in s. 626.841 until a valid title insurance agent’s
license has been issued to that person by the department.
(2) An application for license as a title insurance agent
shall be filed with the department on printed forms furnished by
the department.
(3) The department shall not grant or issue a license as title agent to any individual found by it to be untrustworthy or incompetent, who does not meet the qualifications for examination specified in s. 626.8414, or who does not meet the following qualifications:

(a) Within the 4 years immediately preceding the date of the application for license, the applicant must have completed a 40-hour classroom course in title insurance, 3 hours of which shall be on the subject matter of ethics, as approved by the department, or must have had at least 12 months of experience in responsible title insurance duties, while working in the title insurance business as a substantially full-time, bona fide employee of a title agency, title agent, title insurer, or attorney who conducts real estate closing transactions and issues title insurance policies but who is exempt from licensure pursuant to paragraph (4)(a). If an applicant’s qualifications are based upon the periods of employment at responsible title insurance duties, the applicant must submit, with the application for license on a form prescribed by the department, the affidavit of the applicant and of the employer setting forth the period of such employment, that the employment was substantially full time, and giving a brief abstract of the nature of the duties performed by the applicant.

(a)(b) The applicant must have passed any examination for licensure required under s. 626.221.

(4)(a) Title insurers or attorneys duly admitted to practice law in this state and in good standing with The Florida Bar are exempt from the provisions of this chapter with regard to title insurance licensing and appointment requirements.
(b) An insurer may designate a corporate officer of the insurer to occasionally issue and countersign binders, commitments, title insurance policies, or guarantees of title. A designated officer is exempt from the provisions of this chapter with regard to title insurance licensing and appointment requirements while the officer is acting within the scope of the designation.

(c) If an attorney or attorneys own a corporation or other legal entity which is doing business as a title insurance agency other than an entity engaged in the active practice of law, the agency must be licensed and appointed as a title insurance agent.

Section 14. Sections 626.865, 626.927, and 648.385 Florida Statutes, are repealed.

Section 15. Section 648.386, Florida Statutes, is amended to read:

648.386 Qualifications for prelicensing and continuing education schools and instructors.—

(1) SCHOOLS AND CURRICULUM FOR PRELICENSING SCHOOLS. In order to be considered for approval and certification as an approved limited surety agent and professional bail bond agent prelicensing school, such entity must:

(a)1. Offer a minimum of two 120-hour classroom instruction basic certification courses in the criminal justice system per calendar year unless a reduced number of course offerings per calendar year is warranted in accordance with rules promulgated by the department; or

2. Offer a department-approved correspondence course pursuant to department rules.
(b) Submit a prelicensing course curriculum to the department for approval.
(c) If applicable, offer prelicensing classes which are taught by instructors approved by the department.

(1) (2) SCHOOLS AND CURRICULUM FOR CONTINUING EDUCATION SCHOOLS.—
In order to be considered for approval and certification as an approved limited surety agent and professional bail bond agent continuing education school, such entity must:

(a) Provide a minimum of three continuing education classes per calendar year.
(b) Submit a course curriculum to the department for approval.
(c) Offer continuing education classes which are comprised of a minimum of 2 hours of approved coursework and are taught by an approved supervising instructor or guest lecturer approved by the entity or the supervising instructor.

(2) (3) GEOGRAPHIC REQUIREMENTS.—Any provider approved under this section by the department to offer prelicensing courses or continuing education courses shall be required to offer such courses in at least two geographic areas of the state until such time that the department determines that there are adequate providers statewide to provide these courses to applicants and licensees.

(3) (4) INSTRUCTOR’S DUTIES AND QUALIFICATIONS.—
(a) Each course must have a supervising instructor who is approved by the department. The supervising instructor shall be present at all classes. The supervising instructor is responsible for:

1. All course instructors.
2. All guest lecturers.
3. The course outlines and curriculum.
4. Certification of each attending limited surety agent or professional bail bond agent.
5. Completion of all required forms.
6. Assuring that the course is approved.

Either the entity or the supervising instructor may approve guest lecturers.

(b) In order to obtain department approval as a supervising instructor, the following qualifications must be met:
1. During the past 15 years, the person must have had at least 10 years’ experience as a manager or officer of a managing general agent in this state as prescribed in s. 648.388;
2. During the past 15 years, the person must have had at least 10 years’ experience as a manager or officer of an insurance company authorized to and actively engaged in underwriting bail in this state, provided there is a showing that the manager’s or officer’s experience is directly related to the bail bond industry; or
3. The person has been a licensed bail bond agent in this state for at least 10 years.

(c) In order to obtain department approval as an instructor or guest lecturer, the person must be qualified by education or experience in the specific area of instruction as prescribed by department rules.

(d) A person teaching any approved course of instruction or lecturing at any approved seminar and attending the entire course or seminar shall qualify for the same number of classroom hours as would be granted to a person taking and successfully completing such course, seminar, or program. Credit shall be
limited to the number of hours actually taught unless a person attends the entire course or seminar.

(e) The department shall adopt rules necessary to carry out the duties conferred upon it under this section.

Section 16. This act shall take effect on July 1, 2020.
A bill to be entitled
An act relating to tax administration; amending s. 213.67, F.S., allowing delivery of a notice of levy to levy by regular mail; providing an effective date.

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

Section 1. Subsections (1) and (3) of section 213.67, Florida Statutes are amended to read:

213.67 Garnishment.—

(1) If a person is delinquent in the payment of any taxes, penalties, and interest owed to the department, the executive director or his designee may give notice of the amount of such delinquency by regular registered mail, by personal service, or by electronic means, including but not limited to facsimile transmissions, electronic data interchange, or use of the Internet, to all persons having possession or under their control any credits or personal property, exclusive of wages, belonging to the delinquent taxpayer, or owing any debts to such delinquent taxpayer at the time of receipt by them of such notice. Thereafter, any person who has been notified may not transfer or make any other disposition of such credits, other personal property, or debts until the executive director or his or her designee consents to the transfer or disposition or until 60 days after the receipt of such notice. However, the credits, other personal property, or debts that exceed the delinquent amount stipulated in the notice are not subject to this section, wherever held, if the taxpayer does not have a prior history of tax delinquencies. If during the effective period of the notice
to withhold, any person so notified makes any transfer or disposition of the property or debts required to be withheld under this section, he or she is liable to the state for any indebtedness owed to the department by the person with respect to whose obligation the notice was given to the extent of the value of the property or the amount of the debts thus transferred or paid if, solely by reason of such transfer or disposition, the state is unable to recover the indebtedness of the person with respect to whose obligation the notice was given. If the delinquent taxpayer contests the intended levy in circuit court or under Chapter 120, the notice under this section remains effective until that final resolution of the contest. Any financial institution receiving such notice will maintain a right of setoff for any transaction involving a debit card occurring on or before the date of receipt of such notice.

(3) During the last 30 days of the 60-day period set forth in subsection (1), the executive director or his or her designee may levy upon such credits, other personal property, or debts. The levy must be accomplished by delivery of a notice of levy by regular registered mail, upon receipt of which the person possessing the credits, other personal property, or debts shall transfer them to the department or pay to the department the amount owed to the delinquent taxpayer.

Section 2. This act shall take effect on July 1, 2020.
A bill to be entitled
An act related to juvenile detention officers; amending s. 121.0515, F.S., adding juvenile detention officers to the Special Risk Class; providing an effective date.

Be it Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (i) of subsection (2) and paragraph (k) of subsection (3) of section 121.0515, Florida Statutes, is added to read:

121.0515 Special Risk Class.—

(2) MEMBERSHIP.—

(i) Effective July 1, 2020, the member must be employed by the Department of Juvenile Justice as a juvenile detention officer or juvenile detention officer supervisor, and meet the membership criteria set forth in (3)(k).

(3) CRITERIA.—A member, to be designated as a special risk member, must meet the following criteria:

(k) Effective July 1, 2020, the member must be employed as a detention officer and be certified, or required to be certified, in compliance with s. 985.66. In addition, the member’s primary duties and responsibilities must be the custody, and physical restraint when necessary, of delinquent juveniles within a juvenile detention facility or while being transported; or the member must be the supervisor or command officer of a member or members who have such responsibilities.

Section 2. This act shall take effect July 1, 2020.
Governor’s Budget Recommendation Conforming Bill
Office of Criminal Conflict and Civil Regional Counsel

A bill to be entitled
An act related to the Office of Criminal Conflict
and Civil Regional Counsel; amending s. 121.055,
F.S.; making participation in the Senior
Management Service Class compulsory for regional
counsels; providing an effective date.

Be it Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (h) of subsection (1) of section
121.055, Florida Statutes, is amended to read:
121.055 Senior Management Service Class.— There is hereby
established a separate class of membership within the Florida
Retirement System to be known as the “Senior Management Service
Class,” which shall become effective February 1, 1987.

(1)(h) 1. Except as provided in subparagraph 3., effective
January 1, 1994, participation in the Senior Management Service
Class shall be compulsory for the State Courts Administrator and
the Deputy State Courts Administrators, the Clerk of the Supreme
Court, the Marshal of the Supreme Court, the Executive Director
of the Justice Administrative Commission, the capital collateral
regional counsel, the clerks of the district courts of appeals,
the marshals of the district courts of appeals, and the trial
court administrator and the Chief Deputy Court Administrator in
each judicial circuit. Effective January 1, 1994, additional
positions in the offices of the state attorney and public
defender in each judicial circuit may be designated for
inclusion in the Senior Management Service Class of the Florida
Retirement System, provided that:

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a. Positions to be included in the class shall be designated by the state attorney or public defender, as appropriate. Notice of intent to designate positions for inclusion in the class shall be published once a week for 2 consecutive weeks in a newspaper of general circulation published in the county or counties affected, as provided in chapter 50.

b. One nonelective full-time position may be designated for each state attorney and public defender reporting to the Department of Management Services; for agencies with 200 or more regularly established positions under the state attorney or public defender, additional nonelective full-time positions may be designated, not to exceed 0.5 percent of the regularly established positions within the agency.

c. Each position added to the class must be a managerial or policymaking position filled by an employee who serves at the pleasure of the state attorney or public defender without civil service protection, and who:

   (I) Heads an organizational unit; or

   (II) Has responsibility to effect or recommend personnel, budget, expenditure, or policy decisions in his or her areas of responsibility.

2. Participation in this class shall be compulsory, except as provided in subparagraph 3., for any judicial employee who holds a position designated for coverage in the Senior Management Service Class, and such participation shall continue until the employee terminates employment in a covered position. Effective January 1, 2001, participation in this class is compulsory for assistant state attorneys, assistant statewide
prosecutors, assistant public defenders, and assistant capital collateral regional counsel. Effective January 1, 2002, participation in this class is compulsory for assistant attorneys general. Effective July 1, 2020, participation in this class is compulsory for the regional counsel.

3. In lieu of participation in the Senior Management Service Class, such members, excluding assistant state attorneys, assistant public defenders, assistant statewide prosecutors, assistant attorneys general, and assistant capital collateral regional counsel, may participate in the Senior Management Service Optional Annuity Program as established in subsection (6).

Section 2. This act shall take effect July 1, 2021.
Governor’s Budget Recommendation Conforming Bill
Corrections Medical Authority Transfer

A bill to be entitled
An act related to the Correctional Medical
Authority; amending s. 945.602, F.S.,
administratively assigning the Correctional Medical
Authority to the Department of Health; providing an
effective date.

Be it Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 945.602, Florida
Statutes, is amended to read:
945.602 State of Florida Correctional Medical Authority;
creation; members.—

(1) There is created the State of Florida Correctional
Medical Authority, which for administrative purposes shall be
assigned to the Department of Health Executive Office of the
Governor. The governing board of the authority shall be composed
of seven persons appointed by the Governor subject to
confirmation by the Senate. One member must be a member of the
Florida Hospital Association, and one member must be a member of
the Florida Medical Association. The authority shall contract
with the Department of Health Executive Office of the Governor
for the provision of administrative support services, including
purchasing, personnel, general services, and budgetary matters.
The authority is not subject to control, supervision, or
direction by the Department of Health Executive Office of the
Governor or the Department of Corrections. The authority shall
annually elect one member to serve as chair. Members shall be
appointed for terms of 4 years each. Each member may continue to

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serve upon the expiration of his or her term until a successor is duly appointed as provided in this section. Before entering upon his or her duties, each member of the authority shall take and subscribe to the oath or affirmation required by the State Constitution.

Section 2. All powers, duties, functions, records, offices, personnel, associated administrative support positions, property pending issues, existing contracts, administrative authority, and administrative rules relating to the State of Florida Correctional Medical Authority in the Executive Office of the Governor are transferred to the Department of Health.

Section 3. This act shall take effect on July 1, 2020.
A bill to be entitled
An act related to the state protocol officer;
amending s. 288.012, F.S.; establishing the
Secretary of State or his or her designee as the
state protocol officer; housing the state
protocol officer within the Department of State;
providing an effective date.

Be it Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 288.012, Florida
Statutes, is amended to read:

288.012 State of Florida international offices; state
protocol officer; protocol manual.—
(7) The Governor may designate a Secretary of State or his
or her designee shall serve as the state protocol officer. The
state protocol officer shall be housed within the Executive
Office of the Governor Department of State. In consultation with
the Governor and other governmental officials, the state
protocol officer shall develop, maintain, publish, and
distribute the state protocol manual.

Section 2. This act shall take effect on July 1, 2020.
An act relating to regional rural development grants; amending s. 288.018, F.S.; defining the term “regional economic development organization”; specifying that the concept of building the professional capacity of a regional economic development organization includes the hiring of professional staff to perform specified services; providing that matching grants may be used to provide technical assistance to local governments and economic development organizations and to existing and prospective businesses; increasing the maximum amount of annual grant funding that specified economic development organizations may receive; revising the required amount of nonstate matching funds; requiring that certain information be included in a contract or agreement involving the expenditure of grant funds; requiring that contracts or agreements involving the expenditure of grant funds, and a plain-language version of certain contracts or agreements, be placed on the contracting regional economic development organization’s website for a specified period before execution; deleting an obsolete provision; increasing the amount of funds the Department of Economic Opportunity may expend each fiscal year for certain purposes; amending s. 288.0655, F.S.; increasing the maximum percent of total
infrastructure project costs for which the department may award a grant; repealing a provision for increased maximum percent of total infrastructure project costs that may be awarded for a catalyst site; providing that improving access to and availability of broadband Internet service may be included in a project that is eligible for rural infrastructure grant funds; providing that grants for improvements to broadband Internet service and access must be conducted through certain partnerships; extending the date by which the department is required to reevaluate certain guidelines and criteria; requiring that certain information be included in a contract or agreement involving the expenditure of grant funds; requiring that contracts or agreements involving the expenditure of grant funds, and a plain-language version of certain contracts or agreements, be placed on the contracting regional economic development organization’s website for a specified period before execution; providing an effective date.

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

Section 1. Subsections (1), (3), and (4) of section 288.018, Florida Statutes, are amended to read:

288.018 Regional Rural Development Grants Program.
Governor’s Budget Recommendation Conforming Bill
Regional Rural Development Grants

(1)(a) For the purposes of this section, a “regional economic development organization” means an economic development organization located in or contracted to serve a rural area of opportunity, as defined in s. 288.0656(2)(d).

(b) The department shall establish a matching grant program to provide funding to regionally based economic development organizations representing rural counties and communities to build the professional capacity of those organizations. Building the professional capacity of regional economic development organizations may include the hiring of professional staff to develop, facilitate the delivery of, and directly provide needed economic development professional services, including technical assistance, education and leadership development, marketing, and project recruitment. Such matching grants may also be used by a regional economic development organization to provide technical assistance to local governments, local economic development organizations, and existing and prospective businesses within the rural counties and communities that it serves.

(c) A regional economic development organization may apply annually to the department for a matching grant. The department is authorized to approve, on an annual basis, grants to such regional economic development organizations. The maximum amount an organization may receive in any year will be $50,000, or $150,000 for any of the three regional economic development organizations that serve an entire region of a rural area of opportunity designated pursuant to s.
288.0656(7) and that are recognized by the department as serving such a region.

(d) Grant funds received by a regional economic development organization recommended by the Rural Economic Development Initiative and designated by the Governor, and must be matched each year by an equivalent amount of nonstate resources in an amount equal to 25 percent of the state contribution.

(3)(a) A contract or agreement that involves the expenditure of grant funds provided under this section, including a contract or agreement entered into between another entity and a regional economic development organization, a unit of local government, or an economic development organization substantially underwritten by a unit of local government, must include:

1. The purpose of the contract or agreement.
2. Specific performance standards and responsibilities for each entity.
3. A detailed project or contract budget, if applicable.
4. The value of any services provided.
5. The projected travel expenses for employees and board members, if applicable.

(b) At least 14 days before execution, the contracting regional economic development organization shall post on its website:

1. Any contract or agreement that involves the expenditure of grant funds provided under this section.
2. A plain-language version of a contract or agreement with a private entity, a municipality, or a vendor of services.
supplies, or programs, including marketing, or for the purchase
or lease or use of lands, facilities, or properties which
involves the expenditure of grant funds provided under this
section and which is estimated to exceed $35,000. The department
may also contract for the development of an enterprise zone web
portal or websites for each enterprise zone which will be used
to market the program for job creation in disadvantaged urban
and rural enterprise zones. Each enterprise zone web page should
include downloadable links to state forms and information, as
well as local message boards that help businesses and residents
receive information concerning zone boundaries, job openings,
zone programs, and neighborhood improvement activities.

(4) The department may expend up to $750,000 each fiscal year from funds appropriated to the Rural Community
Development Revolving Loan Fund for the purposes outlined in
this section. The department may contract with Enterprise
Florida, Inc., for the administration of the purposes specified
in this section. Funds released to Enterprise Florida, Inc., for
this purpose shall be released quarterly and shall be calculated
based on the applications in process.

Section 2. Subsection (5) of section 288.0655, Florida
Statutes, is renumbered as subsection (6), paragraph (b) of
subsection (2) and subsection (4) are amended, and a new
subsection (5) is added to that section, to read:

288.0655 Rural Infrastructure Fund.—

(2)(b) To facilitate access of rural communities and rural
areas of opportunity as defined by the Rural Economic
Development Initiative to infrastructure funding programs of the
Federal Government, such as those offered by the United States Department of Agriculture and the United States Department of Commerce, and state programs, including those offered by Rural Economic Development Initiative agencies, and to facilitate local government or private infrastructure funding efforts, the department may award grants for up to 50 percent of the total infrastructure project cost. If an application for funding is for a catalyst site, as defined in s. 288.0656, the department may award grants for up to 40 percent of the total infrastructure project cost. Eligible projects must be related to specific job-creation or job-retention opportunities. Eligible projects may also include improving any inadequate infrastructure that has resulted in regulatory action that prohibits economic or community growth or reducing the costs to community users of proposed infrastructure improvements that exceed such costs in comparable communities, which includes improving access to and the availability of broadband Internet service. Eligible uses of funds shall include improvements to public infrastructure for industrial or commercial sites, and upgrades to or development of public tourism infrastructure, and improvements to broadband Internet service and access in unserved or underserved rural communities. Improvements to broadband Internet service and access must be conducted through a partnership or partnerships with one or more dealers of communications services, as defined in s. 202.11(2), and the partnership must be established by a publicly noticed and competitively selected process. Authorized infrastructure may include the following public or public-private partnership
facilities: storm water systems; telecommunications facilities; broadband facilities; roads or other remedies to transportation impediments; nature-based tourism facilities; or other physical requirements necessary to facilitate tourism, trade, and economic development activities in the community. Authorized infrastructure may also include publicly or privately owned self-powered nature-based tourism facilities, publicly owned telecommunications facilities, and broadband facilities, and additions to the distribution facilities of the existing natural gas utility as defined in s. 366.04(3)(c), the existing electric utility as defined in s. 366.02, or the existing water or wastewater utility as defined in s. 367.021(12), or any other existing water or wastewater facility, which owns a gas or electric distribution system or a water or wastewater system in this state where:

1. A contribution-in-aid of construction is required to serve public or public-private partnership facilities under the tariffs of any natural gas, electric, water, or wastewater utility as defined herein; and

2. Such utilities as defined herein are willing and able to provide such service.

(4) By September 1, 2021, the department shall, in consultation with the organizations listed in subsection (3), and other organizations, reevaluate existing guidelines and criteria governing submission of applications for funding, review and evaluation of such applications, and approval of funding under this section. The department shall consider factors including, but not limited to, the project's potential
for enhanced job creation or increased capital investment, the demonstration and level of local public and private commitment, whether the project is located in an enterprise zone, in a community development corporation service area, or in an urban high-crime area as designated under s. 212.097, the unemployment rate of the county in which the project would be located, and the poverty rate of the community.

(5)(a) A contract or agreement that involves the expenditure of grant funds provided under this section, including a contract or agreement entered into between another entity and a regional economic development organization, a unit of local government, or an economic development organization substantially underwritten by a unit of local government, must include:

1. The purpose of the contract or agreement.
2. Specific performance standards and responsibilities for each entity.
3. A detailed project or contract budget, if applicable.
4. The value of any services provided.
5. The projected travel expenses for employees and board members, if applicable.

(b) At least 14 days before execution, the contracting regional economic development organization shall post on its website:

1. Any contract or agreement that involves the expenditure of grant funds provided under this section.
2. A plain-language version of a contract or agreement with a private entity, a municipality, or a vendor of services.
supplies, or programs, including marketing, or for the purchase or lease or use of lands, facilities, or properties which involves the expenditure of grant funds provided under this section and which is estimated to exceed $35,000.

Section 3. This act shall take effect on July 1, 2020.
Governor’s Budget Recommendation Conforming Bill
Rail Systems

An act relating to rail systems; amending s. 20.23, F.S., repealing language related to the Florida Rail Enterprise; amending s. 341.302, F.S.; adding “publicly funded passenger rail systems” to the Florida Public Transit Act; amending s. 341.303, F.S.; repealing language related to the Florida Rail Enterprise; repealing ss. 341.8201-341.842 related to the Florida Rail Enterprise; providing an effective date.

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

Section 1. Subsection (4) of section 20.23, Florida Statutes, is amended to read,

20.23 Department of Transportation.— There is created a Department of Transportation which shall be a decentralized agency.

(4)(a) The operations of the department shall be organized into seven districts, each headed by a district secretary, and a turnpike enterprise and a rail enterprise, each enterprise headed by an executive director. The district secretaries and the executive directors shall be registered professional engineers in accordance with the provisions of chapter 471 or the laws of another state, or, in lieu of professional engineer registration, a district secretary or executive director may hold an advanced degree in an appropriate related discipline, such as a Master of Business Administration. The headquarters of the districts shall be located in Polk, Columbia, Washington,
Governor’s Budget Recommendation Conforming Bill
Rail Systems

Broward, Volusia, Miami-Dade, and Hillsborough Counties. The headquarters of the turnpike enterprise shall be located in Orange County. The headquarters of the rail enterprise shall be located in Leon County. In order to provide for efficient operations and to expedite the decisionmaking process, the department shall provide for maximum decentralization to the districts.

(b) Each district secretary may appoint up to three district directors. These positions are exempt from part II of chapter 110.

(c) Within each district, offices shall be established for managing major functional responsibilities of the department. The heads of these offices shall be exempt from part II of chapter 110.

(d) The district director for the Fort Myers Urban Office of the Department of Transportation is responsible for developing the 5-year Transportation Plan for Charlotte, Collier, DeSoto, Glades, Hendry, and Lee Counties. The Fort Myers Urban Office also is responsible for providing policy, direction, local government coordination, and planning for those counties.

(e)1. The responsibility for the turnpike system shall be delegated by the secretary to the executive director of the turnpike enterprise, who shall serve at the pleasure of the secretary. The executive director shall report directly to the secretary, and the turnpike enterprise shall operate pursuant to ss. 338.22-338.241.

2. To facilitate the most efficient and effective
management of the turnpike enterprise, including the use of best
business practices employed by the private sector, the turnpike
enterprise, except as provided in s. 287.055, shall be exempt
from departmental policies, procedures, and standards, subject
to the secretary having the authority to apply any such
policies, procedures, and standards to the turnpike enterprise
from time to time as deemed appropriate.

(f)1. The responsibility for developing and operating the
high-speed and passenger rail systems established in chapter
341, directing funding for passenger rail systems under s.
341.303, and coordinating publicly funded passenger rail
operations in the state, including freight rail interoperability
issues, shall be delegated by the secretary to the executive
director of the rail enterprise, who shall serve at the pleasure
of the secretary. The executive director shall report directly
to the secretary, and the rail enterprise shall operate pursuant
to ss. 341.8201–341.842.

2. To facilitate the most efficient and effective
management of the rail enterprise, including the use of best
business practices employed by the private sector, the rail
enterprise, except as provided in s. 287.055, shall be exempt
from departmental policies, procedures, and standards, subject
to the secretary having the authority to apply any such
policies, procedures, and standards to the rail enterprise from
time to time as deemed appropriate.

Section 2. Subsection (2) of section 341.302, Florida
Statutes, is amended to read:
341.302 Rail program; duties and responsibilities of the department.—

(2) Coordinate the development and operation of publicly funded passenger rail systems in the state. Promote and facilitate the implementation of advanced rail systems, including high-speed rail and magnetic levitation systems.

Section 3. Subsections (5) and (6) of section 341.303, Florida Statutes, are repealed.

Section 4. Sections 341.8201, 341.8203, 341.822, 341.8225, 341.825, 341.836, 341.838, 341.839, 341.840, and 341.842, Florida Statutes, are repealed.

Section 5. This act shall take effect on July 1, 2020.
A bill to be entitled
An act relating to dedicated funding for Everglades and water resources; creates section 373.477, Florida Statutes; provides the minimum funding that shall be appropriated annually for Everglades restoration and protection of water resources; providing an effective date.

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

Section 1. Section 373.477, Florida Statutes, is created to read:

373.477 Annual funding for Everglades restoration and water restoration.—

(1) A minimum of $625 million shall be appropriated annually for the purposes of Everglades restoration and protection of water resources in Florida. Funding shall be administered and projects identified by the Department through a science-based process and as required to achieve Everglades restoration and protection of water resources.

(a) This shall include at a minimum:

1. The greater of $300 million or funding pursuant to s. 375.041(b)1 for Everglades restoration and s. 375.041(b)4 for the EAA reservoir project.

2. Funding appropriated for springs restoration pursuant to s. 375.041(b)2.

3. $50 million for Total Maximum Daily Loads.
Governor’s Budget Recommendation Conforming Bill
Funding for Everglades and Water Resources

4. $15 million for projects within the watersheds of the St. Johns River, Suwannee River, and Apalachicola River.

5. $10 million for Coral reef protection and restoration.

(b) The remaining balance shall be allocated for:

1. Targeted water quality improvements.
2. Alternative water supply or water conservation.
3. Water quality enhancements and accountability, innovative technologies, and harmful algal bloom prevention and mitigation.

Section 2. This act shall take effect July 1, 2020 and shall stand repealed on June 30, 2023 unless reviewed and saved from repeal through reenactment by the Legislature.
A bill to be entitled
An act relating to trust funds of the Department of
Economic Opportunity; terminating the Florida Small
Cities Community Development Block Grant Program
Trust Fund; providing for the disposition of
balances in and revenues of such trust funds;
providing an effective date.

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

Section 1. (1) The Florida Small Cities Community
Development Block Grant Program Trust Fund within the Department
of Economic Opportunity, FLAIR number 40-2-109, is terminated.
(2) All current balances remaining in, and all revenues of,
the trust fund shall be transferred to the Federal Grants Trust
Fund within the Department of Economic Opportunity.
(3) The Department of Economic Opportunity shall pay any
outstanding debts and obligations of the terminated fund as soon
as practicable, and the Chief Financial Officer shall close out
and remove the terminated fund from the various state accounting
systems using generally accepted accounting principles
concerning warrants outstanding, assets, and liabilities.

Section 2. This act shall take effect July 1, 2020.
A bill to be entitled
An act relating to trust funds of the Department of Military Affairs; terminating the Welfare Transition Trust Fund; repealing s. 250.175(5), F.S.; providing an effective date.

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

Section 1. (1) The Welfare Transition Trust Fund within the Department of Military Affairs, FLAIR number 62-2-401, is terminated.

(2) All current balances remaining in, and all revenues of, the trust fund, shall be transferred to the Federal Grants Trust Fund, FLAIR number 62-2-261.

(3) The Department of Military Affairs shall pay any outstanding debts and obligations of the terminated fund as soon as practicable, and the Chief Financial Officer shall close out and remove the terminated fund from the various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

Section 2. Subsection (5) of Section 250.175, Florida Statutes, is repealed.

Section 3. This act shall take effect July 1, 2020.
Governor’s Budget Recommendation Conforming Bill  
Department of Health – 
Terminate the Welfare Transition Trust Fund

A bill to be entitled 
An act relating to trust funds of the Department of 
Health; terminating the Welfare Transition Trust 
Fund; repealing s. 20.435(8) F.S.; providing an 
effective date.

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

Section 1. (1) The Welfare Transition Trust Fund within 
the Department of Health, FLAIR number 64-2-401, is terminated. 
(2) All current balances remaining in, and all revenues of, 
the trust fund, shall be transferred to the Federal Grants Trust 
Fund, FLAIR number 64-2-261. 
(3) The Department of Health shall pay any outstanding 
debs and obligations of the terminated fund as soon as 
practicable, and the Chief Financial Officer shall close out and 
remove the terminated fund from the various state accounting 
systems using generally accepted accounting principles 
concerning warrants outstanding, assets, and liabilities. 

Section 2. Subsection (8) of Section 20.435, Florida 
Statutes, is repealed. 

Section 3. This act shall take effect July 1, 2020.
A bill to be entitled

An act relating to trust funds of the Executive
Office of the Governor; terminating the Federal
Emergency Management Program Support Trust Fund;
providing for the disposition of balances in and
revenues of the trust fund; providing an effective
date.

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

Section 1. (1) The Federal Emergency Management Program
Support Trust Fund within the Executive Office of the Governor,
FLAIR number 31-2-525, is terminated.
(2) All current balances remaining in, and all revenues
of, the trust fund, shall be transferred to the Federal Grants
Trust Fund, FLAIR number 31-2-261.
(3) The Executive Office of the Governor shall pay any
outstanding debts and obligations of the terminated fund as soon
as practicable, and the Chief Financial Officer shall close out
and remove the terminated fund from the various state accounting
systems using generally accepted accounting principles
concerning warrants outstanding, assets, and liabilities.

Section 2. This act shall take effect July 1, 2020.
A bill to be entitled

An act relating to trust funds; terminating the Public Defenders Revenue Trust Fund within the Justice Administrative Commission; providing for the disposition of balances in and revenues of such trust fund; providing procedures for the termination of the trust fund; repealing s. 27.61, F.S., relating to the Public Defenders Revenue Trust Fund; amending ss. 318.18 and 817.568, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be it Enacted by the Legislature of the State of Florida:

Section 1. (1) The Public Defenders Revenue Trust Fund within the Justice Administrative Commission, FLAIR number 21-2-059, is terminated.

(2) All current balances remaining in, and all revenues of, the trust fund shall be transferred to the Indigent Criminal Defense Trust Fund within the Justice Administrative Commission.

(3) The Justice Administrative Commission shall pay any outstanding debts and obligations of the terminated fund as soon as practicable, and the Chief Financial Officer shall close out and remove the terminated fund from various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

Section 2. Section 27.61, Florida Statutes, is repealed.
Section 3. Upon the expiration and reversion of the amendment made to section 318.18, Florida Statutes, pursuant to section 40 of chapter 2018-10, Laws of Florida, paragraph (c) of subsection (19) of section 318.18, Florida Statutes, is amended 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 Public Defenders Revenue Trust Fund for use by the public defenders.

Section 4. Upon the expiration and reversion of the amendment made to section 817.568, Florida Statutes, pursuant to section 42 of chapter 2018-10, Laws of Florida, paragraph (b) of subsection (12) of section 817.568, Florida Statutes, is amended 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 5. This act shall take effect July 1, 2020.