

Governor's Budget Recommendation - Implementing Bill

1                   A bill to be entitled  
2           An act relating to implementing the 2020-2021 General  
3           Appropriations Act; providing legislative intent;  
4           authorizing the Executive Office of the Governor to  
5           transfer funds between departments for purposes of  
6           realigning amounts paid for risk management premiums  
7           and for purposes of aligning amounts paid for human  
8           resource management services; limiting the use of  
9           travel funds to activities that are critical to an  
10          agency's mission; reenacting s. 215.32(2)(b), F.S.,  
11          relating to the source and use of certain trust funds  
12          in order to implement the transfer of moneys into the  
13          General Revenue Fund from trust funds in the 2020-2021  
14          General Appropriations Act; providing for the future  
15          expiration and reversion of statutory text;  
16          incorporating by reference certain calculations of the  
17          Florida Education Finance Program; amending s.  
18          259.105, F.S.; allocating Florida Forever Trust Fund  
19          moneys to the Department of Environmental Protection  
20          for land acquisition and land management; amending s.  
21          375.041, F.S.; specifying that certain funds for  
22          projects from the Land Acquisition Trust Fund shall be  
23          appropriated as provided in the General Appropriations  
24          Act; amending s. 215.18, F.S.; authorizing the  
25          Governor, if there is a specified deficiency in a land  
26          acquisition trust fund in the Department of  
27          Agriculture and Consumer Services, the Department of  
28          Environmental Protection, the Department of State, or

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29 the Fish and Wildlife Conservation Commission, to  
30 transfer funds from other trust funds in the State  
31 Treasury as a temporary loan to such trust fund;  
32 providing procedures for the transfer and repayment of  
33 the loan; providing a legislative determination that  
34 the repayment of the temporary loan is a  
35 constitutionally allowable use of such moneys;  
36 requiring the Department of Environmental Protection  
37 to transfer designated proportions of the revenues  
38 deposited in the Land Acquisition Trust Fund within  
39 the department to land acquisition trust funds in the  
40 Department of Agriculture and Consumer Services, the  
41 Department of State, and the Fish and Wildlife  
42 Conservation Commission according to specified  
43 parameters and calculations; amending s. 216.181,  
44 F.S.; authorizing the Legislative Budget Commission to  
45 increase amounts appropriated to the Department of  
46 Environmental Protection for fixed capital outlay  
47 projects using specified funds; authorizing the  
48 Department of Environmental Protection to provide  
49 funding for electric vehicle charging infrastructure  
50 along hurricane evacuation routes; prohibiting an  
51 agency from transferring funds from a data processing  
52 category to another category that is not a data  
53 processing category; authorizing the Executive Office  
54 of the Governor to transfer funds appropriated for  
55 data processing assessment between departments for a  
56 specified purpose; placing a monetary cap on lodging

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57 expenses for state employee travel to certain meetings  
58 organized or sponsored by a state agency; requiring  
59 the Department of Management Services to maintain and  
60 offer the same health insurance options for  
61 participants of the State Group Health Insurance  
62 Program for the 2020-2021 fiscal year as for the  
63 preceding fiscal year; requiring the Department of  
64 Juvenile Justice to review county juvenile detention  
65 payments to determine if the county has met specified  
66 financial responsibilities; requiring amounts owed by  
67 the county for such financial responsibilities to be  
68 deducted from certain county funds; requiring the  
69 Department of Revenue to transfer withheld funds to a  
70 specified trust fund; requiring the Department of  
71 Revenue to ensure that such deductions do not reduce  
72 distributions below amounts necessary for certain  
73 payments relating to bonds; requiring the Department  
74 of Revenue to notify the Department of Juvenile  
75 Justice if bond payment requirements require a  
76 reduction in deductions for amounts owed by a county;  
77 amending section 216.262, F.S.; delaying the  
78 expiration of provisions directing the Department of  
79 Corrections to seek a budget amendment for additional  
80 positions and appropriations if the inmate population  
81 exceeds a certain estimate under certain  
82 circumstances; amending section 215.18, F.S.;  
83 extending for one fiscal year the authority and  
84 related repayment requirements for temporary trust

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85 fund loans to the state court system which are  
86 sufficient to meet the system's appropriation;  
87 amending section 27.5304, F.S.; establishing certain  
88 limitations on compensation for private court-  
89 appointed counsel for the 2020-2021 fiscal year;  
90 authorizing the Department of Corrections to seek a  
91 budget amendment for additional appropriations  
92 sufficient to comply with a court order; authorizing  
93 the Agency for Health Care Administration to submit a  
94 budget amendment to realign funds for the Children's  
95 Medical Services program; authorizing the Agency for  
96 Health Care Administration to submit a budget  
97 amendment to realign funding within the Medicaid  
98 program; amending s. 409.904, F.S.; directing the  
99 Agency for Health Care Administration to make Medicaid  
100 payments retroactive for up to 90 days prior to  
101 application submission for eligible pregnant women and  
102 children; authorizing state funds to be used to  
103 support premium assistance payments for families;  
104 amending s. 409.908, F.S.; authorizing the Agency for  
105 Health Care Administration to receive funds from  
106 specified sources for purposes of making Low Income  
107 Pool payments; authorizing the Agency for Health Care  
108 Administration and the Department of Health to each  
109 submit a budget amendment to realign funding within  
110 the Florida KidCare program appropriation categories  
111 or increase budget authority for certain purposes;  
112 allowing the Agency for Health Care Administration to

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113 seek certain approval from the Centers for Medicare  
114 and Medicaid Services; authorizes the Agency for  
115 Health Care Administration to submit a budget  
116 amendment; amending s. 409.991, F.S.; revising the  
117 definition of core service funds to include those  
118 appropriated to implement the Guardianship Assistance  
119 Program; directing the Department of Children and  
120 Families to establish a formula to allocate funding  
121 for the Guardianship Assistance Program; authorizing  
122 the Department of Children and Families to realign  
123 funding based on the implementation of the  
124 Guardianship Assistance Program; requiring contracts  
125 for the delivery of domestic violence services to be  
126 competitively procured; amending s. 112.24, F.S.;  
127 continuing the authorization, subject to specified  
128 requirements, for the assignment of an employee of a  
129 state agency under an employee interchange agreement;  
130 amending s. 112.061, F.S.; authorizing the Lieutenant  
131 Governor to designate an alternative official  
132 headquarters if certain conditions are met; specifying  
133 restrictions and limitations; specifying eligibility  
134 for the subsistence allowance and the reimbursement of  
135 transportation expenses, and providing for the payment  
136 thereof; amending 288.8013, F.S.; authorizing interest  
137 deposited into the Triumph Gulf Coast Trust Fund to be  
138 used as provided in the General Appropriations Act;  
139 amending s. 321.04, F.S.; requiring the Department of  
140 Highway Safety and Motor Vehicles to assign one or

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141 more patrol officers to the office of Lieutenant  
142 Governor for security purposes, upon request of the  
143 Governor; extending for one fiscal year the  
144 requirement that the Department of Highway Safety and  
145 Motor Vehicles assign a patrol officer to a Cabinet  
146 member under certain circumstances; amending s.  
147 339.135, F.S.; authorizing the chair and vice chair of  
148 the Legislative Budget Commission to approve the  
149 Department of Transportation's budget amendment under  
150 specified circumstances; amending s. 420.9079, F.S.;;  
151 authorizing funds in the Local Government Housing  
152 Trust Fund to be used as provided in the General  
153 Appropriations Act; amending s. 420.0005, F.S.;;  
154 authorizing certain funds related to state housing to  
155 be used as provided in the General Appropriations Act;  
156 providing for the effect of a veto of one or more  
157 specific appropriations or proviso to which  
158 implementing language refers; providing for the  
159 continued operation of certain provisions  
160 notwithstanding a future repeal or expiration provided  
161 by the act; providing for severability; providing  
162 effective dates.

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

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

167 Section 2. In order to implement the appropriation of funds

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168 in appropriation category "Special Categories-Risk Management  
169 Insurance" in the Fiscal Year 2020-2021 General Appropriations  
170 Act, and pursuant to the notice, review, and objection  
171 procedures of s. 216.177, Florida Statutes, the Executive Office  
172 of the Governor may transfer funds appropriated in that category  
173 between state agencies in order to align the budget authority  
174 granted with the premiums paid by each department for risk  
175 management insurance. This section expires July 1, 2021.

176 Section 3. In order to implement the appropriation of funds  
177 in the appropriation category "Special Categories-Transfer to  
178 Department of Management Services-Human Resources Services  
179 Purchased Per Statewide Contract" in the Fiscal Year 2020-2021  
180 General Appropriations Act, and pursuant to the notice, review,  
181 and objection procedures of s. 216.177, Florida Statutes, the  
182 Executive Office of the Governor may transfer funds appropriated  
183 in that category between state agencies in order to align the  
184 budget authority granted with the assessments that must be paid  
185 by each agency to the Department of Management Services for  
186 human resource management services. This section expires July 1,  
187 2021.

188 Section 4. In order to implement the funds appropriated in  
189 the Fiscal Year 2020-2021 General Appropriations Act for state  
190 employee travel, the funds appropriated to each state agency,  
191 which may be used for travel by state employees, are limited  
192 during the 2020-2021 fiscal year to travel for activities that  
193 are critical to each state agency's mission. Funds may not be  
194 used to pay for travel by state employees to foreign countries,  
195 other states, conferences, staff-training activities, or other

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196 administrative functions unless the agency head has approved, in  
197 writing, that such activities are critical to the agency's  
198 mission. The agency head shall consider using teleconferencing  
199 and other forms of electronic communication to meet the needs of  
200 the proposed activity before approving mission-critical travel.  
201 This section does not apply to travel for law enforcement  
202 purposes, military purposes, emergency management activities, or  
203 public health activities. This section expires July 1, 2021.

204 Section 5. In order to implement the transfer of moneys to  
205 the General Revenue Fund from trust funds in the Fiscal Year  
206 2020-2021 General Appropriations Act, paragraph (b) of  
207 subsection (2) of section 215.32, Florida Statutes, is reenacted  
208 to read:

209 215.32 State funds; segregation.—

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

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



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224 the level of the account.

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

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

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

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

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

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

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

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

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252 To the extent possible, each agency must adjust its  
253 internal accounting to use existing trust funds consistent with  
254 the requirements of this subparagraph. If an agency does not  
255 have trust funds listed in this subparagraph and cannot make  
256 such adjustment, the agency must recommend the creation of the  
257 necessary trust funds to the Legislature no later than the next  
258 scheduled review of the agency's trust funds pursuant to s.  
259 215.3206.

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

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

272 b. This subparagraph does not apply to trust funds required  
273 by federal programs or mandates; trust funds established for  
274 bond covenants, indentures, or resolutions whose revenues are  
275 legally pledged by the state or public body to meet debt service  
276 or other financial requirements of any debt obligations of the  
277 state or any public body; the Division of Licensing Trust Fund  
278 in the Department of Agriculture and Consumer Services; the  
279 State Transportation Trust Fund; the trust fund containing the

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280 net annual proceeds from the Florida Education Lotteries; the  
281 Florida Retirement System Trust Fund; trust funds under the  
282 management of the State Board of Education or the Board of  
283 Governors of the State University System, where such trust funds  
284 are for auxiliary enterprises, self-insurance, and contracts,  
285 grants, and donations, as those terms are defined by general  
286 law; trust funds that serve as clearing funds or accounts for  
287 the Chief Financial Officer or state agencies; trust funds that  
288 account for assets held by the state in a trustee capacity as an  
289 agent or fiduciary for individuals, private organizations, or  
290 other governmental units; and other trust funds authorized by  
291 the State Constitution.

292 Section 6. The amendment to s. 215.32(2)(b), Florida  
293 Statutes, as carried forward by this act from chapter 2011-47,  
294 Laws of Florida, expires July 1, 2021, and the text of that  
295 paragraph shall revert to that in existence on June 30, 2011,  
296 except that any amendments to such text enacted other than by  
297 this act shall be preserved and continue to operate to the  
298 extent that such amendments are not dependent upon the portions  
299 of text which expire pursuant to this section.

300 Section 7. In order to implement Specific Appropriations  
301 8, 9, 10, 11, 92, 93, 94, 95 and 96 of the 2020-2021 General  
302 Appropriations Act, the calculations of the Florida Education  
303 Finance Program for the 2020-2021 fiscal year in the document  
304 entitled "Public School Funding-The Florida Education Finance  
305 Program," dated November 18, 2019, and filed with the Executive  
306 Office of the Governor are incorporated by reference for the  
307 purpose of displaying the calculations used in making

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308 appropriations for the Florida Education Finance Program. This  
309 section expires July 1, 2021.

310 Section 8. In order to implement Specific Appropriations  
311 1583, 1584, and 1728 of the 2020-2021 General Appropriations  
312 Act, paragraph (m) is added to subsection (3) of section  
313 259.105, Florida Statutes, to read:

314 259.105 The Florida Forever Act.-

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

321 (m) Notwithstanding paragraphs (a)-(j) and for the ~~2019-~~  
322 ~~2020~~ 2020-2021 fiscal year,

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

329 This paragraph expires July 1, 2021 ~~2020~~.

330 Section 9. In order to implement specific appropriations  
331 of the 2020-2021 General Appropriations Act associated with the  
332 Land Acquisition Trust Fund, paragraph (b) of subsection (3) of  
333 375.041, Florida Statutes, is amended to read:

334 375.041 Land Acquisition Trust Fund.-

335 (3) Funds distributed into the Land Acquisition Trust Fund

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336 pursuant to s. 201.15 shall be applied:

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

340 1. A minimum of the lesser of 25 percent or \$200 million  
341 shall be appropriated annually for Everglades projects that  
342 implement the Comprehensive Everglades Restoration Plan as set  
343 forth in s. 373.470, including the Central Everglades Planning  
344 Project subject to Congressional authorization; the Long-Term  
345 Plan as defined in s. 373.4592(2); and the Northern Everglades  
346 and Estuaries Protection Program as set forth in s. 373.4595.  
347 From these funds, \$32 million shall be distributed each fiscal  
348 year through the 2023-2024 fiscal year to the South Florida  
349 Water Management District for the Long-Term Plan as defined in  
350 s. 373.4592(2). After deducting the \$32 million distributed  
351 under this subparagraph, from the funds remaining, a minimum of  
352 the lesser of 76.5 percent or \$100 million shall be appropriated  
353 each fiscal year through the 2025-2026 fiscal year for the  
354 planning, design, engineering, and construction of the  
355 Comprehensive Everglades Restoration Plan as set forth in s.  
356 373.470, including the Central Everglades Planning Project, the  
357 Everglades Agricultural Area Storage Reservoir Project, the Lake  
358 Okeechobee Watershed Project, the C-43 West Basin Storage  
359 Reservoir Project, the Indian River Lagoon-South Project, the  
360 Western Everglades Restoration Project, and the Picayune Strand  
361 Restoration Project. The Department of Environmental Protection  
362 and the South Florida Water Management District shall give  
363 preference to those Everglades restoration projects that reduce

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364 harmful discharges of water from Lake Okeechobee to the St.  
365 Lucie or Caloosahatchee estuaries in a timely manner. For the  
366 purpose of performing the calculation provided in this  
367 subparagraph, the amount of debt service paid pursuant to  
368 paragraph (a) for bonds issued after July 1, 2016, for the  
369 purposes set forth under paragraph (b) shall be added to the  
370 amount remaining after the payments required under paragraph  
371 (a). The amount of the distribution calculated shall then be  
372 reduced by an amount equal to the debt service paid pursuant to  
373 paragraph (a) on bonds issued after July 1, 2016, for the  
374 purposes set forth under this subparagraph.

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

387 3. The sum of \$5 million shall be appropriated annually  
388 each fiscal year through the 2025-2026 fiscal year to the St.  
389 Johns River Water Management District for projects dedicated to  
390 the restoration of Lake Apopka. This distribution shall be  
391 reduced by an amount equal to the debt service paid pursuant to

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392 paragraph (a) on bonds issued after July 1, 2016, for the  
393 purposes set forth in this subparagraph.

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

407 5. Notwithstanding subparagraph 3., for the ~~2019-2020~~ 2020-  
408 2021 fiscal year, funds shall be appropriated as provided in the  
409 General Appropriations Act. This subparagraph expires July 1,  
410 2021 ~~2020~~.

411 Section 10. In order to implement specific appropriations  
412 from the land acquisition trust funds within the Department of  
413 Agriculture and Consumer Services, the Department of  
414 Environmental Protection, the Department of State, and the Fish  
415 and Wildlife Conservation Commission which are contained in the  
416 2020-2021 General Appropriations Act, subsection (3) of section  
417 215.18, Florida Statutes, is amended to read:

418 215.18 Transfers between funds; limitation.—

419 (3) Notwithstanding subsection (1) and only with respect to a

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420 land acquisition trust fund in the Department of Agriculture and  
421 Consumer Services, the Department of Environmental Protection,  
422 the Department of State, or the Fish and Wildlife Conservation  
423 Commission, whenever there is a deficiency in a land acquisition  
424 trust fund which would render that trust fund temporarily  
425 insufficient to meet its just requirements, including the  
426 timely payment of appropriations from that trust fund, and other  
427 trust funds in the State Treasury have moneys that are for the  
428 time being or otherwise in excess of the amounts necessary to  
429 meet the just requirements, including appropriated obligations,  
430 of those other trust funds, the Governor may order a temporary  
431 transfer of moneys from one or more of the other trust funds to  
432 a land acquisition trust fund in the Department of Agriculture  
433 and Consumer Services, the Department of Environmental  
434 Protection, the Department of State, or the Fish and Wildlife  
435 Conservation Commission. Any action proposed pursuant to this  
436 subsection is subject to the notice, review, and objection  
437 procedures of s. 216.177, and the Governor shall provide notice  
438 of such action at least 7 days before the effective date of the  
439 transfer of trust funds, except that during July 2020 ~~2019~~,  
440 notice of such action shall be provided at least 3 days before  
441 the effective date of a transfer unless such 3-day notice is  
442 waived by the chair and vice-chair of the Legislative Budget  
443 Commission. Any transfer of trust funds to a land acquisition  
444 trust fund in the Department of Agriculture and Consumer  
445 Services, the Department of Environmental Protection, the  
446 Department of State, or the Fish and Wildlife Conservation  
447 Commission must be repaid to the trust funds from which the



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448 moneys were loaned by the end of the 2020-2021 ~~2019-2020~~ fiscal  
449 year. The Legislature has determined that the repayment of the  
450 other trust fund moneys temporarily loaned to a land acquisition  
451 trust fund in the Department of Agriculture and Consumer  
452 Services, the Department of Environmental Protection, the  
453 Department of State, or the Fish and Wildlife Conservation  
454 Commission pursuant to this subsection is an allowable use of  
455 the moneys in a land acquisition trust fund because the moneys  
456 from other trust funds temporarily loaned to a land acquisition  
457 trust fund shall be expended solely and exclusively in  
458 accordance with s. 28, Art. X of the State Constitution. This  
459 subsection expires July 1, 2021 ~~2020~~.

460 Section 11. (1) In order to implement specific  
461 appropriations from the land acquisition trust funds within the  
462 Department of Agriculture and Consumer Services, the Department  
463 of Environmental Protection, the Department of State, and the  
464 Fish and Wildlife Conservation Commission which are contained in  
465 the 2020-2021 ~~2019-2020~~ General Appropriations Act, the  
466 Department of Environmental Protection shall transfer revenues  
467 from the Land Acquisition Trust Fund within the department to  
468 the land acquisition trust funds within the Department of  
469 Agriculture and Consumer Services, the Department of State, and  
470 the Fish and Wildlife Conservation Commission, as provided in  
471 this section. As used in this section, the term "department"  
472 means the Department of Environmental Protection.

473 (2) After subtracting any required debt service payments,  
474 the proportionate share of revenues to be transferred to each  
475 land acquisition trust fund shall be calculated by dividing the

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476 appropriations from each of the land acquisition trust funds for  
477 the fiscal year by the total appropriations from the Land  
478 Acquisition Trust Fund within the department and the land  
479 acquisition trust funds within the Department of Agriculture and  
480 Consumer Services, the Department of State, and the Fish and  
481 Wildlife Commission for the fiscal year. The department shall  
482 transfer the proportionate share of the revenues in the Land  
483 Acquisition Trust Fund within the department on a monthly basis  
484 to the appropriate land acquisition trust funds within the  
485 Department of Agriculture and Consumer Services, the Department  
486 of State, and the Fish and Wildlife Commission and shall retain  
487 its proportionate share of the revenues in the Land Acquisition  
488 Trust Fund within the department. Total distributions to a land  
489 acquisition trust fund within the Department of Agriculture and  
490 Consumer Services, the Department of State, and the Fish and  
491 Wildlife Commission may not exceed the total appropriations from  
492 such trust fund for the fiscal year.

493 (3) This section expires July 1, 2021 ~~2020~~.

494 Section 12. In order to implement Specific Appropriation  
495 1763 of the 2020-2021 General Appropriations Act, paragraph (e)  
496 of subsection (11) of section 216.181, Florida Statutes, is  
497 amended to read:

498 216.181 Approved budgets for operations and fixed capital  
499 outlay.—

500 (11)

501 (e) Notwithstanding paragraph (b) and paragraph (2)(b), and for  
502 the 2020-2021 ~~2019-2020~~ fiscal year only, the Legislative Budget  
503 Commission may increase the amounts appropriated to the

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504 Department of Environmental Protection for fixed capital outlay  
505 projects using funds provided to the state from the  
506 environmental mitigation trust administered by a trustee  
507 designated by the United States District Court for the Northern  
508 District of California for eligible mitigation actions and  
509 mitigation action expenditures described in the partial consent  
510 decree entered into between the United States of America and  
511 Volkswagen relating to violations of the Clean Air Act.  
512 Concurrent with submission of an amendment to the Legislative  
513 Budget Commission pursuant to this paragraph, any project that  
514 carries a continuing commitment for future appropriations by the  
515 Legislature must be specifically identified, together with the  
516 projected amount of the future commitment associated with the  
517 project and the fiscal years in which the commitment is expected  
518 to commence. This paragraph expires July 1, 2021 ~~2020~~.  
519 The provisions of this subsection are subject to the notice and  
520 objection procedures set forth in s. 216.177.

521       Section 13. In order to implement Specific Appropriation  
522 1763 in the 2020-2021 General Appropriations Act, the Department  
523 of Environmental Protection (department) may provide funding for  
524 electric vehicle charging infrastructure at both public and  
525 private locations along hurricane evacuation routes identified  
526 by the department and the Division of Emergency Management, or  
527 other governmental entities. The competitive selection  
528 requirements of Chapter 287, Florida Statutes, do not apply to  
529 the implementation of this section. This section expires July  
530 1, 2021.

531       Section 14. In order to implement appropriations

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532 authorized in the Fiscal Year 2020-2021 General Appropriations  
533 Act for data center services, and notwithstanding s.  
534 216.292(2)(a), Florida Statutes, an agency may not transfer  
535 funds from a data processing category to a category other than  
536 another data processing category. This section expires July 1,  
537 2021.

538 Section 15. In order to implement the appropriation of  
539 funds in the appropriation category "Data Processing Assessment  
540 - Department of Management Services" in the Fiscal Year 2020-  
541 2021 General Appropriations Act, and pursuant to the notice,  
542 review, and objection procedures of s. 216.177, Florida  
543 Statutes, the Executive Office of the Governor may transfer  
544 funds appropriated in that category between departments in order  
545 to align the budget authority granted based on the estimated  
546 billing cycle and methodology used by the Department of  
547 Management Services. This section expires July 1, 2021.

548 Section 16. In order to implement appropriations in the  
549 2020-21 General Appropriations Act for state employee travel and  
550 notwithstanding s. 112.061, Florida Statutes, costs for lodging  
551 associated with a meeting, conference, or convention organized  
552 or sponsored in whole or in part by a state agency or the  
553 judicial branch may not exceed \$150 per day. An employee may  
554 expend his or her own funds for any lodging expenses in excess  
555 of \$150 per day. For purposes of this section, a meeting does  
556 not include travel activities for conducting an audit,  
557 examination, inspection, or investigation or travel activities  
558 related to a litigation or emergency response. This section  
559 expires July 1, 2021.

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560           Section 17. In order to implement Section 8 of the 2020-  
561 2021 General Appropriations Act, notwithstanding sections  
562 110.123(3)(f) and 110.123(3)(j), Florida Statutes, the  
563 Department of Management Services shall maintain and offer the  
564 same PPO and HMO health plan alternatives to the participants of  
565 the State Health Insurance Program during the 2020-2021 fiscal  
566 year that were in effect for the 2019-2020 fiscal year. This  
567 section expires July 1, 2021.

568           Section 18. (1) In order to implement Specific  
569 Appropriations 1120 through 1131 of the 2020-2021 General  
570 Appropriations Act, the Department of Juvenile Justice is  
571 required to review county juvenile detention payments to ensure  
572 that counties fulfill their financial responsibilities required  
573 in s. 985.6865, Florida Statutes. If the Department of Juvenile  
574 Justice determines that a county has not met its obligations,  
575 the department shall direct the Department of Revenue to deduct  
576 the amount owed to the Department of Juvenile Justice from the  
577 funds provided to the county under s. 218.23, Florida Statutes.  
578 The Department of Revenue shall transfer the funds withheld to  
579 the Shared County/State Juvenile Detention Trust Fund.

580           (2) As an assurance to holders of bonds issued by counties  
581 before July 1, 2020, for which distributions made pursuant to s.  
582 218.23, Florida Statutes, are pledged, or bonds issued to refund  
583 such bonds which mature no later than the bonds they refunded  
584 and which result in a reduction of debt service payable in each  
585 fiscal year, the amount available for distribution to a county  
586 shall remain as provided by law and continue to be subject to  
587 any lien or claim on behalf of the bondholders. The Department

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588 of Revenue must ensure, based on information provided by an  
589 affected county, that any reduction in amounts distributed  
590 pursuant to subsection (1) does not reduce the amount of  
591 distribution to a county below the amount necessary for the  
592 timely payment of principal and interest when due on the bonds  
593 and the amount necessary to comply with any covenant under the  
594 bond resolution or other documents relating to the issuance of  
595 the bonds. If a reduction to a county's monthly distribution  
596 must be decreased in order to comply with this section, the  
597 Department of Revenue must notify the Department of Juvenile  
598 Justice of the amount of the decrease, and the Department of  
599 Juvenile Justice must send a bill for payment of such amount to  
600 the affected county.

601 (3) This section expires July 1, 2021.

602 Section 19. In order to implement Specific Appropriations  
603 582 through 673 and 685 through 720 of the 2020-2021 General  
604 Appropriations Act, subsection (4) of section 216.262, Florida  
605 Statutes, is amended to read:

606 216.262 Authorized Positions. -

607 (4) Notwithstanding the provisions of this chapter relating  
608 to increasing the number of authorized positions, and for the  
609 2020-2021 ~~2019-2020~~ fiscal year only, if the actual inmate  
610 population of the Department of Corrections exceeds the inmate  
611 population projections of the July 23, 2019 ~~February 22, 2019,~~  
612 Criminal Justice Estimating Conference by 1 percent for 2  
613 consecutive months or 2 percent for any month, the Executive  
614 Office of the Governor, with the approval of the Legislative  
615 Budget Commission, shall immediately notify the Criminal Justice

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616 Estimating Conference, which shall convene as soon as possible  
617 to revise the estimates. The Department of Corrections may then  
618 submit a budget amendment requesting the establishment of  
619 positions in excess of the number authorized by the Legislature  
620 and additional appropriations from unallocated general revenue  
621 sufficient to provide for essential staff, fixed capital  
622 improvements, and other resources to provide classification,  
623 security, food services, health services, and other variable  
624 expenses within the institutions to accommodate the estimated  
625 increase in the inmate population. All actions taken pursuant to  
626 this subsection are subject to review and approval by the  
627 Legislative Budget Commission. This subsection expires July 1,  
628 2021 ~~2020~~.

629 Section 20. In order to implement Specific Appropriations  
630 3187 through 3253 of the 2020-2021 General Appropriations Act,  
631 subsection (2) of section 215.18, Florida Statutes, is amended  
632 to read:

633 215.18 Transfers between funds; limitation.—

634 (2) The Chief Justice of the Supreme Court may receive one  
635 or more trust fund loans to ensure that the state court system  
636 has funds sufficient to meet its appropriations in the 2020-2021  
637 ~~2019-2020~~ General Appropriations Act. If the Chief Justice  
638 accesses the loan, he or she must notify the Governor and the  
639 chairs of the legislative appropriations committees in writing.  
640 The loan must come from other funds in the State Treasury which  
641 are for the time being or otherwise in excess of the amounts  
642 necessary to meet the just requirements of such last-mentioned  
643 funds. The Governor shall order the transfer of funds within 5

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644 days after the written notification from the Chief Justice. If  
645 the Governor does not order the transfer, the Chief Financial  
646 Officer shall transfer the requested funds. The loan of funds  
647 from which any money is temporarily transferred must be repaid  
648 by the end of the 2020-2021 ~~2019-2020~~ fiscal year. This  
649 subsection expires July 1, 2021 ~~2020~~.

650 Section 21. In order to implement Specific Appropriations  
651 731 through 752 and 916 through 1119 of the 2020-2021 General  
652 Appropriations Act, subsection (13) of s. 27.5304, Florida  
653 Statutes, is amended to read:

654 27.5304 Private court-appointed counsel; compensation;  
655 notice.—

656 (13) Notwithstanding the limitation set forth in subsection  
657 (5) and for the 2020-2021 ~~2019-2020~~ fiscal year only, the  
658 compensation for representation in a criminal proceeding may not  
659 exceed the following:

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

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

664 (c) For life felonies represented at the trial level:  
665 \$15,000.

666 (d) For capital cases represented at the trial level:  
667 \$25,000. For purposes of this paragraph, a "capital case" is any  
668 offense for which the potential sentence is death and the state  
669 has not waived seeking the death penalty.

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

671 (f) This subsection expires July 1, 2021 ~~2020~~.



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672           Section 22. In order to implement Specific Appropriation  
673 694 of the 2020-2021 General Appropriations Act, the Department  
674 of Corrections is authorized to submit a budget amendment  
675 requesting additional appropriations from unallocated general  
676 revenue sufficient to comply with the final order and judgment  
677 entered on April 18, 2019, in Case No.: 4:17-cv-214-MW/CAS. All  
678 actions taken pursuant to this subsection are subject to review  
679 and approval by the Legislative Budget Commission. This section  
680 expires July 1, 2021.

681           Section 23. In order to implement Specific Appropriations  
682 201 through 220 and 526 of the 2020-2021 General Appropriations  
683 Act and notwithstanding ss. 216.181 and 216.292, Florida  
684 Statutes, the Agency for Health Care Administration, in  
685 consultation with the Department of Health, may submit a budget  
686 amendment, subject to the notice, review, and objection  
687 procedures of s. 216.177, Florida Statutes, to realign funding  
688 within and between agencies based on implementation of the  
689 Managed Medical Assistance component of the Statewide Medicaid  
690 Managed Care program for the Children's Medical Services program  
691 of the Department of Health. The funding realignment shall  
692 reflect the actual enrollment changes due to the transfer of  
693 beneficiaries from fee-for-service to the capitated Children's  
694 Medical Services Network. The Agency for Health Care  
695 Administration may submit a request for nonoperating budget  
696 authority to transfer the federal funds to the Department of  
697 Health pursuant to s. 216.181(12), Florida Statutes. This  
698 section expires July 1, 2021.

699           Section 24. In order to implement Specific Appropriations

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700 201 through 228 of the 2020-2021 General Appropriations Act and  
701 notwithstanding ss. 216.181 and 216.292, Florida Statutes, the  
702 Agency for Health Care Administration may submit a budget  
703 amendment, subject to the notice, review, and objection  
704 procedures of s. 216.177, Florida Statutes, to realign funding  
705 within the Medicaid program appropriation categories to address  
706 projected surpluses and deficits within the program and to  
707 maximize the use of state trust funds. A single budget  
708 amendment shall be submitted in the last quarter of the 2020-  
709 2021 fiscal year only. This section expires July 1, 2021.

710 Section 25. In order to implement Specific Appropriations  
711 207, 211, 212, 214, 216 and 225 of the 2020-2021 General  
712 Appropriations Act, subsection (12) of section 409.904, Florida  
713 Statutes is amended to read:

714 409.904 Optional payments for eligible persons. -

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

723 Section 26. In order to implement Specific Appropriation  
724 185 of the 2020-2021 General Appropriations Act and  
725 notwithstanding section 409.814(6)(a), Florida Statutes, for the  
726 period of July 1, 2020 through June 30, 2021, a portion of state  
727 funds in the General Revenue Fund and Grants and Donations Fund

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

730 Section 27. In order to implement Specific Appropriation  
731 209 of the 2020-2021 General Appropriations Act, subsection (26)  
732 of section 409.908 Florida Statutes, is amended to read:

733 409.908 Reimbursement of Medicaid providers.— Subject to  
734 specific appropriations, the agency shall reimburse Medicaid  
735 providers, in accordance with state and federal law, according  
736 to methodologies set forth in the rules of the agency and in  
737 policy manuals and handbooks incorporated by reference therein.  
738 These methodologies may include fee schedules, reimbursement  
739 methods based on cost reporting, negotiated fees, competitive  
740 bidding pursuant to s. 287.057, and other mechanisms the agency  
741 considers efficient and effective for purchasing services or  
742 goods on behalf of recipients. If a provider is reimbursed based  
743 on cost reporting and submits a cost report late and that cost  
744 report would have been used to set a lower reimbursement rate  
745 for a rate semester, then the provider's rate for that semester  
746 shall be retroactively calculated using the new cost report, and  
747 full payment at the recalculated rate shall be effected  
748 retroactively. Medicare-granted extensions for filing cost  
749 reports, if applicable, shall also apply to Medicaid cost  
750 reports. Payment for Medicaid compensable services made on  
751 behalf of Medicaid eligible persons is subject to the  
752 availability of moneys and any limitations or directions  
753 provided for in the General Appropriations Act or chapter 216.  
754 Further, nothing in this section shall be construed to prevent  
755 or limit the agency from adjusting fees, reimbursement rates,

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756 lengths of stay, number of visits, or number of services, or  
757 making any other adjustments necessary to comply with the  
758 availability of moneys and any limitations or directions  
759 provided for in the General Appropriations Act, provided the  
760 adjustment is consistent with legislative intent.

761 (26) The agency may receive funds from state entities,  
762 including, but not limited to, the Department of Health, local  
763 governments, and other local political subdivisions, for the  
764 purpose of making special exception payments and Low Income Pool  
765 Program payments, including federal matching funds. Funds  
766 received for this purpose shall be separately accounted for and  
767 may not be commingled with other state or local funds in any  
768 manner. The agency may certify all local governmental funds used  
769 as state match under Title XIX of the Social Security Act to the  
770 extent and in the manner authorized under the General  
771 Appropriations Act and pursuant to an agreement between the  
772 agency and the local governmental entity. In order for the  
773 agency to certify such local governmental funds, a local  
774 governmental entity must submit a final, executed letter of  
775 agreement to the agency, which must be received by October 1 of  
776 each fiscal year and provide the total amount of local  
777 governmental funds authorized by the entity for that fiscal year  
778 under the General Appropriations Act. The local governmental  
779 entity shall use a certification form prescribed by the agency.  
780 At a minimum, the certification form must identify the amount  
781 being certified and describe the relationship between the  
782 certifying local governmental entity and the local health care  
783 provider. Local governmental funds outlined in the letters of

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784 agreement must be received by the agency no later than October  
785 31 of each fiscal year in which such funds are pledged, unless  
786 an alternative plan is specifically approved by the agency.

787       Section 28. In order to implement Specific Appropriations  
788 181 through 186 and 526 of the 2020-2021 General Appropriations  
789 Act, and notwithstanding ss. 216.181 and 216.292, Florida  
790 Statutes, the Agency for Health Care Administration and the  
791 Department of Health may each submit a budget amendment, subject  
792 to the notice, review, and objection procedures of s. 216.177,  
793 Florida Statutes, to realign funding within the Florida KidCare  
794 program appropriation categories, or to increase budget  
795 authority in the Children's Medical Services Network category,  
796 to address projected surpluses and deficits within the program  
797 or to maximize the use of state trust funds. A single budget  
798 amendment must be submitted by each agency in the last quarter  
799 of the 2020-2021 fiscal year only. This section expires July 1,  
800 2021.

801       Section 29. In order to implement Specific Appropriation  
802 215 of the 2020-2021 General Appropriations Act, the Agency for  
803 Health Care Administration may seek approval from the Centers  
804 for Medicare and Medicaid Services to establish a directed  
805 payment program for hospitals providing inpatient and outpatient  
806 services to Medicaid managed care enrollees. The Agency for  
807 Health Care Administration is authorized to submit a budget  
808 amendment pursuant to Chapter 216, Florida Statutes, requesting  
809 additional spending authority to implement the program.

810       Section 30. In order to implement Specific Appropriations  
811 330 and 332 of the 2020-2021 General Appropriations Act,

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812 paragraph (a) of subsection (1) of section 409.991, Florida  
813 Statutes, is amended to read:

814 409.991 Allocation of funds for community-based care lead  
815 agencies.—

816 (1) As used in this section, the term:

817 (a) "Core services funds" means all funds allocated to  
818 community-based care lead agencies operating under contract with  
819 the department pursuant to s. 409.987, with the following  
820 exceptions:

821 1. Funds appropriated for independent living.~~†~~  
822 2. Funds appropriated for maintenance adoption subsidies.~~†~~  
823 3. Funds appropriated for actual and direct costs to  
824 implement the Guardianship Assistance Program, including Level 1  
825 foster care board payments, licensing staff for community-based  
826 care lead agencies, and guardianship assistance payments. This  
827 subparagraph expires July 1, 2021.

828 4. Funds allocated by the department for protective  
829 investigations training.~~†~~

830 ~~5.4.~~ Nonrecurring funds.~~†~~

831 ~~6.5.~~ Designated mental health wrap-around services funds.~~†~~  
832 and

833 ~~7.6.~~ Funds for special projects for a designated community-  
834 based care lead agency.

835 Section 31. In order to implement Specific Appropriations  
836 330 and 332 of the 2020-2021 General Appropriations Act, the  
837 Department of Children and Families shall review and update the  
838 established formula as necessary to distribute the recurring  
839 sums of \$19,627,812 from the General Revenue Fund and

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840 \$15,668,869 from the Federal Grants Trust Fund for actual and  
841 direct costs to implement the Guardianship Assistance Program,  
842 including Level 1 foster care board payments and guardianship  
843 assistance payments. This section expires July 1, 2021.

844 Section 32. In order to implement Specific Appropriations  
845 330, 332, 361, and 362 of the 2020-2021 General Appropriations  
846 Act, and notwithstanding ss. 216.181 and 216.292, Florida  
847 Statutes, the Department of Children and Families may submit a  
848 budget amendment, subject to the notice, review, and objection  
849 procedures of s. 216.177, Florida Statutes, to realign funding  
850 within the department based on the implementation of the  
851 Guardianship Assistance Program, between and among the specific  
852 appropriations for guardianship assistance payments, foster care  
853 Level 1 room and board payments, relative caregiver payments,  
854 and nonrelative caregiver payments. This section expires July 1,  
855 2021.

856 Section 33. In order to implement Specific Appropriation  
857 321 of the 2020-2021 General Appropriations Act and  
858 notwithstanding sections 39.902, 39.903, 39.9035, 39.904,  
859 39.905, 39.9055, Florida Statutes, for the period of July 1,  
860 2020 through June 30, 2021, a contract for domestic violence  
861 services shall be competitively procured. This section expires  
862 July 1, 2021.

863 Section 34. In order to implement appropriations for  
864 salaries and benefits in the 2020-2021 General Appropriations  
865 Act, subsection (6) of section 112.24, Florida Statutes, is  
866 amended to read:

867 112.24 Intergovernmental interchange of public employees.-

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868 To encourage economical and effective utilization of public  
869 employees in this state, the temporary assignment of employees  
870 among agencies of government, both state and local, and  
871 including school districts and public institutions of higher  
872 education is authorized under terms and conditions set forth in  
873 this section. State agencies, municipalities, and political  
874 subdivisions are authorized to enter into employee interchange  
875 agreements with other state agencies, the Federal Government,  
876 another state, a municipality, or a political subdivision  
877 including a school district, or with a public institution of  
878 higher education. State agencies are also authorized to enter  
879 into employee interchange agreements with private institutions  
880 of higher education and other nonprofit organizations under the  
881 terms and conditions provided in this section. In addition, the  
882 Governor or the Governor and Cabinet may enter into employee  
883 interchange agreements with a state agency, the Federal  
884 Government, another state, a municipality, or a political  
885 subdivision including a school district, or with a public  
886 institution of higher learning to fill, subject to the  
887 requirements of chapter 20, appointive offices which are within  
888 the executive branch of government and which are filled by  
889 appointment by the Governor or the Governor and Cabinet. Under  
890 no circumstances shall employee interchange agreements be  
891 utilized for the purpose of assigning individuals to participate  
892 in political campaigns. Duties and responsibilities of  
893 interchange employees shall be limited to the mission and goals  
894 of the agencies of government.

895 (6) For the 2020-2021 ~~2019-2020~~ fiscal year only, the



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896 assignment of an employee of a state agency as provided in this  
897 section may be made if recommended by the Governor or Chief  
898 Justice, as appropriate, and approved by the chairs of the  
899 legislative appropriations committees. Such actions shall be  
900 deemed approved if neither chair provides written notice of  
901 objection within 14 days after receiving notice of the action  
902 pursuant to s. 216.177. This subsection expires July 1, 2021  
903 ~~2020~~.

904 Section 35. In order to implement Specific Appropriation  
905 2599 of the 2020-2021 General Appropriations Act, paragraph (d)  
906 of subsection (4) of section 112.061, Florida Statutes, is  
907 amended to read:

908 112.061 Per diem and travel expenses of public officers,  
909 employees, and authorized persons.—

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

913 (d) A Lieutenant Governor who permanently resides outside  
914 of Leon County, may, if he or she so requests, have an  
915 appropriate facility in his or her county designated as his or  
916 her official headquarters for purposes of this section. This  
917 official headquarters may only serve as the Lieutenant  
918 Governor's personal office. The Lieutenant Governor may not use  
919 state funds to lease space in any facility for his or her  
920 official headquarters.

921 1. A Lieutenant Governor for whom an official headquarters  
922 is established in his or her county of residence pursuant to  
923 this paragraph is eligible for subsistence at a rate to be

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924 established by the Governor for each day or partial day that the  
925 Lieutenant Governor is at the State Capitol to conduct official  
926 state business. In addition to the subsistence allowance, a  
927 Lieutenant Governor is eligible for reimbursement for  
928 transportation expenses as provided in subsection (7) for travel  
929 between the Lieutenant Governor's official headquarters and the  
930 State Capitol to conduct state business.

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

935 3. This paragraph expires July 1, ~~2020~~ 2021.

936 Section 36. In order to implement Specific Appropriation  
937 2622 of the 2020-2021 General Appropriations Act, subsection (6)  
938 is added to section 288.8013, Florida Statutes, to read:

939 288.8013 Triumph Gulf Coast, Inc.; creation; funding;  
940 investment.—

941 (6) For the 2020-2021 fiscal year, interest earned in the  
942 trust account established at a federally insured financial  
943 institution by Triumph Gulf Coast, Inc., and deposited into the  
944 Triumph Gulf Coast Trust Fund may be used as provided in the  
945 General Appropriations Act. This subsection expires July 1,  
946 2021.

947 Section 37. In order to implement Specific Appropriation  
948 2659 of the 2020-2021 General Appropriations Act, paragraph (b)  
949 of subsection (3) and subsection (5) of section 321.04, Florida  
950 Statutes, are amended to read:

951 321.04 Personnel of the highway patrol; rank

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952 classifications; probationary status of new patrol officers;  
953 subsistence; special assignments.-

954 (3)

955 (b) For the 2020-2021 ~~2019-2020~~ fiscal year ~~only~~, upon the  
956 request of the Governor, the Department of Highway Safety and  
957 Motor Vehicles shall assign one or more patrol officers to the  
958 office of the Lieutenant Governor for security services. This  
959 paragraph expires July 1, 2021 ~~2020~~.

960 (5) For the 2020-2021 ~~2019-2020~~ fiscal year ~~only~~, the  
961 assignment of a patrol officer by the department shall include a  
962 Cabinet member specified in s. 4, Art. IV of the State  
963 Constitution if deemed appropriate by the department or in  
964 response to a threat and upon written request of such Cabinet  
965 member. This subsection expires July 1, 2021 ~~2020~~.

966 Section 38. In order to implement Specific Appropriations  
967 1916 through 1929, 1943 through 1951, 1953 through 1962, and  
968 2000 through 2011 of the 2020-2021 General Appropriations Act,  
969 paragraph (g) of subsection (7) of section 339.135, Florida  
970 Statutes, is amended to read:

971 339.135 Work program; legislative budget request;  
972 definitions; preparation, adoption, execution, and amendment.-

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

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

979 2. If a meeting of the Legislative Budget Commission cannot

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980 be held within 30 days after the department submits an amendment  
981 to the Legislative Budget Commission, the chair and vice chair  
982 of the Legislative Budget Commission may authorize such  
983 amendment to be approved pursuant to s. 216.177. This  
984 subparagraph expires July 1, 2021 ~~2020~~.

985 Section 39. In order to implement Specific Appropriation  
986 2282 of the 2020-2021 General Appropriations Act, subsection (3)  
987 of section 420.9079, Florida Statutes, is amended to read:

988 420.9079 Local Government Housing Trust Fund.—

989 (3) For the 2020-2021 ~~2019-2020~~ fiscal year, funds may be  
990 used as provided in the General Appropriations Act. This  
991 subsection expires July 1, 2021 ~~2020~~.

992 Section 40. In order to implement Specific Appropriation  
993 2281 of the 2020-2021 General Appropriations Act, subsection (2)  
994 of section 420.0005, Florida Statutes, is amended to read:

995 420.0005 State Housing Trust Fund; State Housing Fund.—

996 (2) For the 2020-2021 ~~2019-2020~~ fiscal year, funds may be  
997 used as provided in the General Appropriations Act. This  
998 subsection expires July 1, 2021 ~~2020~~

999 Section 41. Any section of this act which implements a  
1000 specific appropriation or specifically identified proviso  
1001 language in the Fiscal Year 2020-2021 General Appropriations Act  
1002 is void if the specific appropriation or specifically identified  
1003 proviso language is vetoed. Any section of this act which  
1004 implements more than one specific appropriation or more than one  
1005 portion of specifically identified proviso language in the  
1006 Fiscal Year 2020-2021 General Appropriations Act is void if all  
1007 the specific appropriations or portions of specifically

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1008 identified proviso language are vetoed.

1009 Section 42. If any other act passed during the 2020 Regular  
1010 Session contains a provision that is substantively the same as a  
1011 provision in this act, but that removes or is otherwise not  
1012 subject to the future repeal applied to such provision by this  
1013 act, the Legislature intends that the provision in the other act  
1014 takes precedence and continues to operate, notwithstanding the  
1015 future repeal provided by this act.

1016 Section 43. If any provision of this act or its application  
1017 to any person or circumstance is held invalid, the invalidity  
1018 does not affect other provisions or applications of the act  
1019 which can be given effect without the invalid provision or  
1020 application, and to this end the provisions of this act are  
1021 severable.

1022 Section 44. Except as otherwise expressly provided in this  
1023 act and except for this section, which shall take effect upon  
1024 this act becoming a law, this act shall take effect July 1,  
1025 2020; or, if this act fails to become a law until after that  
1026 date, it shall take effect upon becoming a law and shall operate  
1027 retroactively to July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
Sales Tax Holidays

1 A bill to be entitled

2 An act relating to sales tax holidays; providing a sales  
3 and use tax exemption for certain tangible personal  
4 property related to disaster preparedness during a  
5 specified period; providing exceptions to the exemption;  
6 providing an appropriation; authorizing the Department of  
7 Revenue to adopt rules to implement the exemption;  
8 providing an exemption from the sales and use tax for the  
9 retail sale of certain clothing, school supplies, and  
10 personal computers and personal computer-related  
11 accessories during a specified period; providing  
12 exceptions to the exemption; authorizing the Department of  
13 Revenue to adopt emergency rules; providing an  
14 appropriation; providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. Disaster preparedness supplies; sales tax  
19 holiday.—

20 (1) The tax levied under chapter 212, Florida Statutes, may  
21 not be collected during the period from 12:01 a.m. on May 29,  
22 2020, through 11:59 p.m. on June 7, 2020, on the sale of:

23 (a) A portable self-powered light source selling for \$20 or  
24 less.

25 (b) A portable self-powered radio, two-way radio, or  
26 weather-band radio selling for \$50 or less.

27 (c) A tarpaulin or other flexible waterproof sheeting  
28 selling for \$50 or less.

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

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

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

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

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

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

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

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

55        (4) For the 2019-2020 fiscal year, the sum of \$70,072 in  
56 nonrecurring funds is appropriated from the General Revenue Fund

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57 to the Department of Revenue for the purpose of implementing  
58 this section. Funds remaining unexpended or unencumbered from  
59 this appropriation as of June 30, 2020, shall revert and be  
60 reappropriated for the same purpose in the 2020-2021 fiscal  
61 year.

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

64 (1) The tax levied under chapter 212, Florida Statutes, may  
65 not be collected during the period from 12:01 a.m. on August 1,  
66 2020, through 11:59 p.m. on August 8, 2020, on the retail sale  
67 of:

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

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

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

78 (b) School supplies having a sales price of \$15 or less per  
79 item. As used in this paragraph, the term "school supplies"  
80 means pens, pencils, erasers, crayons, notebooks, notebook  
81 filler paper, legal pads, binders, lunch boxes, construction  
82 paper, markers, folders, poster board, composition books, poster  
83 paper, scissors, cellophane tape, glue or paste, rulers,



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84 computer disks, staplers and staples used to secure paper  
85 products, protractors, compasses, and calculators.

86 (2) The tax levied under chapter 212, Florida Statutes, may  
87 not be collected during the period from 12:01 a.m. on August 1,  
88 2020, through 11:59 p.m. on August 8, 2020, on the retail sale  
89 of personal computers or personal computer-related accessories  
90 having a sales price of \$1,000 or less per item and purchased  
91 for noncommercial home or personal use. As used in this  
92 subsection, the term:

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

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

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

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112  
113 (4) The tax exemptions provided in this section may apply  
114 at the option of a dealer if less than 5 percent of the dealer's  
115 gross sales of tangible personal property in the prior calendar  
116 year are comprised of items that would be exempt under this  
117 section. If a qualifying dealer chooses not to participate in  
118 the tax holiday, by July 30, 2020, the dealer must notify the  
119 Department of Revenue in writing of its election to collect  
120 sales tax during the holiday and must post a copy of that notice  
121 in a conspicuous location at its place of business.

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

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

137 Section 3. This act shall take effect upon becoming law.

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1 A bill to be entitled  
2 An act relating to the Florida Best and Brightest  
3 programs and Funding for School Districts in the  
4 Florida Education Finance Program (FEFP);  
5 repealing s. 1012.731, F.S., relating to the  
6 Florida Best and Brightest Teacher Program;  
7 repealing s. 1012.732, F.S., relating to the  
8 Florida Best and Brightest Principal Program;  
9 amending s. 1011.62, F.S.; providing an effective  
10 date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14 Section 1. Section 1012.731, Florida Statutes, is repealed.

15 Section 2. Section 1012.732, Florida Statutes, is repealed.

16 Section 3. Subsections (7), (8), (11), (14), (16), (17),  
17 and (18) of section 1011.62, Florida Statutes, are amended,  
18 establishes a new subsection (18), and present subsections (9),  
19 (10), (11), (12), (13), (14), (15), (16), (17), and (18) are  
20 redesignated as subsections (8), (9), (10), (11), (12), (13),  
21 (14), (15), (16), and (17):

22 1011.62 Funds for operation of schools.—If the annual  
23 allocation from the Florida Education Finance Program to each  
24 district for operation of schools is not determined in the  
25 annual appropriations act or the substantive bill implementing  
26 the annual appropriations act, it shall be determined as  
27 follows:

28 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

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29 (a) Annually, in an amount to be determined by the  
30 Legislature through the General Appropriations Act, there shall  
31 be added to the basic amount for current operation of the FEFP  
32 qualified districts a sparsity supplement which shall be  
33 computed as follows:

$$\text{Sparsity Factor} = \frac{1101.8918}{2700 + \text{district sparsity Index}} - 0.1101$$

37 except that districts with a sparsity index of 1,000 or  
38 less shall be computed as having a sparsity index of 1,000, and  
39 districts having a sparsity index of 7,308 and above shall be  
40 computed as having a sparsity factor of zero. A qualified  
41 district's full-time equivalent student membership shall equal  
42 or be less than that prescribed annually by the Legislature in  
43 the appropriations act. The amount prescribed annually by the  
44 Legislature shall be no less than 17,000, but no more than  
45 24,000.

46 (b) The district sparsity index shall be computed by  
47 dividing the total number of full-time equivalent students in  
48 all programs in the district by the number of senior high school  
49 centers in the district, not in excess of three, which centers  
50 are approved as permanent centers by a survey made by the  
51 Department of Education. ~~For districts with a full-time~~  
52 ~~equivalent student membership of at least 20,000, but no more~~  
53 ~~than 24,000, the index shall be computed by dividing the total~~  
54 ~~number of full-time equivalent students in all programs by the~~  
55 ~~number of permanent senior high school centers in the district,~~  
56 ~~not in excess of four.~~

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57 (c) If the sparsity supplement calculated in paragraphs (a)  
58 and (b) for an eligible district is less than \$100 per full-time  
59 equivalent student, the district's supplement shall be increased  
60 to \$100 per FTE or to the minimum amount per FTE designated in  
61 the General Appropriations Act.

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

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

67  
68 2. A state average discretionary levy value per FTE shall  
69 be calculated by dividing the total maximum discretionary levy  
70 value for all districts by the state total FTE student count.

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

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

81 5. For districts that have a levy value per FTE as  
82 calculated in subparagraph 1. higher than the state average  
83 calculated in subparagraph 2., a sparsity wealth adjustment  
84 shall be calculated as the product of the difference between the

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85 state average levy value per FTE calculated in subparagraph 2.  
86 and the district's levy value per FTE calculated in subparagraph  
87 1. and the district's FTE student count and -1. However, no  
88 district shall have a sparsity wealth adjustment that, when  
89 applied to the total potential funds calculated in subparagraph  
90 3., would cause the district's total potential funds per FTE to  
91 be less than the state average calculated in subparagraph 4.

92 6. Each district's sparsity supplement allocation shall be  
93 calculated by adding the amount calculated as specified in  
94 paragraphs (a) and (b) and the wealth adjustment amount  
95 calculated in this paragraph.

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

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113 ~~determined by the Legislature and designated in the subsequent~~  
114 ~~appropriation.~~

115 (89) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

116 1(a) The research-based reading instruction allocation is  
117 created to provide comprehensive reading instruction to students  
118 in kindergarten through grade 12. Each school district that has  
119 one or more of the 300 lowest-performing elementary schools  
120 based on a 3-year average of the state reading assessment data  
121 must use the school's portion of the allocation to provide an  
122 additional hour per day of intensive reading instruction for the  
123 students in each school. The additional hour may be provided  
124 within the school day. Students enrolled in these schools who  
125 earned a level 4 or level 5 score on the statewide, standardized  
126 English Language Arts assessment for the previous school year  
127 may participate in the additional hour of instruction.

128 Exceptional student education centers may not be included in the  
129 300 schools. The intensive reading instruction delivered in this  
130 additional hour shall include: research-based reading  
131 instruction that has been proven to accelerate progress of  
132 students exhibiting a reading deficiency; differentiated  
133 instruction based on screening, diagnostic, progress monitoring,  
134 or student assessment data to meet students' specific reading  
135 needs; explicit and systematic reading strategies to develop  
136 phonemic awareness, phonics, fluency, vocabulary, and  
137 comprehension, with more extensive opportunities for guided  
138 practice, error correction, and feedback; and the integration of  
139 social studies, science, and mathematics-text reading, text  
140 discussion, and writing in response to reading.

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141 (b) Funds for comprehensive, research-based reading  
142 instruction shall be allocated annually to each school district  
143 in the amount provided in the General Appropriations Act. Each  
144 eligible school district shall receive the same minimum amount  
145 as specified in the General Appropriations Act, and any  
146 remaining funds shall be distributed to eligible school  
147 districts based on each school district's proportionate share of  
148 K-12 base funding.

149 <sup>1</sup>(c) Funds allocated under this subsection must be used to  
150 provide a system of comprehensive reading instruction to  
151 students enrolled in the K-12 programs, which may include the  
152 following:

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

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

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

167 4. Professional development for school district teachers in  
168 scientifically based reading instruction, including strategies



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169 to teach reading in content areas and with an emphasis on  
170 technical and informational text, to help school district  
171 teachers earn a certification or an endorsement in reading.

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

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

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

186 1(d)1. Annually, by a date determined by the Department of  
187 Education but before May 1, school districts shall submit a K-12  
188 comprehensive reading plan for the specific use of the research-  
189 based reading instruction allocation in the format prescribed by  
190 the department for review and approval by the Just Read,  
191 Florida! Office created pursuant to s. 1001.215. The plan  
192 annually submitted by school districts shall be deemed approved  
193 unless the department rejects the plan on or before June 1. If a  
194 school district and the Just Read, Florida! Office cannot reach  
195 agreement on the contents of the plan, the school district may  
196 appeal to the State Board of Education for resolution. School

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197 districts shall be allowed reasonable flexibility in designing  
198 their plans and shall be encouraged to offer reading  
199 intervention through innovative methods, including career  
200 academies. The plan format shall be developed with input from  
201 school district personnel, including teachers and principals,  
202 and shall provide for intensive reading interventions through  
203 integrated curricula, provided that, beginning with the 2020-  
204 2021 school year, the interventions are delivered by a teacher  
205 who is certified or endorsed in reading. Such interventions must  
206 incorporate strategies identified by the Just Read, Florida!  
207 Office pursuant to s. 1001.215(8). No later than July 1  
208 annually, the department shall release the school district's  
209 allocation of appropriated funds to those districts having  
210 approved plans. A school district that spends 100 percent of  
211 this allocation on its approved plan shall be deemed to have  
212 been in compliance with the plan. The department may withhold  
213 funds upon a determination that reading instruction allocation  
214 funds are not being used to implement the approved plan. The  
215 department shall monitor and track the implementation of each  
216 district plan, including conducting site visits and collecting  
217 specific data on expenditures and reading improvement results.  
218 By February 1 of each year, the department shall report its  
219 findings to the Legislature.

220 2. Each school district that has a school designated as one  
221 of the 300 lowest-performing elementary schools as specified in  
222 paragraph (a) shall specifically delineate in the comprehensive  
223 reading plan, or in an addendum to the comprehensive reading  
224 plan, the implementation design and reading intervention

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225 strategies that will be used for the required additional hour of  
226 reading instruction. The term "reading intervention" includes  
227 evidence-based strategies frequently used to remediate reading  
228 deficiencies and also includes individual instruction, tutoring,  
229 mentoring, or the use of technology that targets specific  
230 reading skills and abilities.

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

240 ~~(1011)~~ VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may  
241 annually provide in the Florida Education Finance Program a  
242 virtual education contribution. The amount of the virtual  
243 education contribution shall be the difference between the  
244 amount per FTE established in the General Appropriations Act for  
245 virtual education and the amount per FTE for each district and  
246 the Florida Virtual School, which may be calculated by taking  
247 the sum of the base FEFP allocation, the discretionary local  
248 effort, the state-funded discretionary contribution,  
249 discretionary millage compression supplement, the research-based  
250 reading instruction allocation, the Florida Classroom Teacher  
251 Compensation Program, the Florida Classroom Teacher Bonus  
252 allocation, the Florida School Principal Bonus allocation ~~the~~

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253 ~~best and brightest teacher and principal allocation~~, and the  
254 instructional materials allocation, and then dividing by the  
255 total unweighted FTE. This difference shall be multiplied by the  
256 virtual education unweighted FTE for programs and options  
257 identified in s. 1002.455 and the Florida Virtual School and its  
258 franchises to equal the virtual education contribution and shall  
259 be included as a separate allocation in the funding formula.

260 (11142) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

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

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

275 1. Acquiring and maintaining the items on the eligible  
276 services list authorized by the Universal Service Administrative  
277 Company for the Schools and Libraries Program, more commonly  
278 referred to as the federal E-rate program.

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279           2. Acquiring computer and device hardware and associated  
280 operating system software that comply with the requirements of  
281 s. 1001.20(4)(a)1.b.

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

285           ~~(1213)~~ FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The  
286 federally connected student supplement is created to provide  
287 supplemental funding for school districts to support the  
288 education of students connected with federally owned military  
289 installations, National Aeronautics and Space Administration  
290 (NASA) real property, and Indian lands. To be eligible for this  
291 supplement, the district must be eligible for federal Impact Aid  
292 Program funds under s. 8003 of Title VIII of the Elementary and  
293 Secondary Education Act of 1965. The supplement shall be  
294 allocated annually to each eligible school district in the  
295 General Appropriations Act. The supplement shall be the sum of  
296 the student allocation and an exempt property allocation.

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

301           1. The student has a parent who is on active duty in the  
302 uniformed services or is an accredited foreign government  
303 official and military officer. Students with disabilities shall  
304 also be reported separately for this category.

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305           2. The student resides on eligible federally owned Indian  
306 land. Students with disabilities shall also be reported  
307 separately for this category.

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

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

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

327           <sup>2</sup>(d) The amount allocated for each eligible school district  
328 shall be recalculated during the year using actual student  
329 membership, as amended, from the most recent February survey and  
330 the tax-exempt valuation from the most recent assessment roll.

331           (1314) QUALITY ASSURANCE GUARANTEE.—The Legislature may  
332 annually in the General Appropriations Act determine a

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333 percentage increase in funds per K-12 unweighted FTE as a  
334 minimum guarantee to each school district. The guarantee shall  
335 be calculated from prior year base funding per unweighted FTE  
336 student, which shall include the adjusted FTE dollars as  
337 provided in subsection (19), quality guarantee funds, and actual  
338 nonvoted discretionary local effort from taxes. From the base  
339 funding per unweighted FTE, the increase shall be calculated for  
340 the current year. The current year funds from which the  
341 guarantee shall be determined shall include the adjusted FTE  
342 dollars as provided in subsection (19) and potential nonvoted  
343 discretionary local effort from taxes. A comparison of current  
344 year funds per unweighted FTE to prior year funds per unweighted  
345 FTE shall be computed. For those school districts which have  
346 less than the legislatively assigned percentage increase, funds  
347 shall be provided to guarantee the assigned percentage increase  
348 in funds per unweighted FTE student. Should appropriated funds  
349 be less than the sum of this calculated amount for all  
350 districts, the commissioner shall prorate each district's  
351 allocation. This provision shall be implemented to the extent  
352 specifically funded.

353 ~~(1415)~~ SAFE SCHOOLS ALLOCATION.— A safe schools allocation  
354 is created to provide funding to assist school districts in  
355 their compliance with ss. 1006.07-1006.12, with priority given  
356 to safe-school officers pursuant to s. 1006.12. Each school  
357 district shall receive a minimum safe schools allocation in an  
358 amount provided in the General Appropriations Act. Of the  
359 remaining balance of the safe schools allocation, one-third  
360 shall be allocated to school districts based on the most recent

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361 official Florida Crime Index provided by the Department of Law  
362 Enforcement and two-thirds shall be allocated based on each  
363 school district's proportionate share of the state's total  
364 unweighted full-time equivalent student enrollment. Each school  
365 district must report to the Department of Education by October  
366 15 that all public schools within the school district have  
367 completed the school security risk assessment using the Florida  
368 Safe Schools Assessment Tool developed pursuant to s. 1006.1493.  
369 If a district school board is required by s. 1006.12 to assign a  
370 school resource officer or school safety officer to a charter  
371 school, the charter school's share of costs for such officer may  
372 not exceed the amount of funds allocated to the charter school  
373 under this subsection.

374 (1516) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental  
375 health assistance allocation is created to provide funding to  
376 assist school districts in establishing or expanding school-  
377 based mental health care; train educators and other school staff  
378 in detecting and responding to mental health issues; and connect  
379 children, youth, and families who may experience behavioral  
380 health issues with appropriate services. These funds shall be  
381 allocated annually in the General Appropriations Act or other  
382 law to each eligible school district. Each school district shall  
383 receive a minimum of \$100,000, with the remaining balance  
384 allocated based on each school district's proportionate share of  
385 the state's total unweighted full-time equivalent student  
386 enrollment. Charter schools that submit a plan separate from the  
387 school district are entitled to a proportionate share of  
388 district funding. The allocated funds may not supplant funds



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389 that are provided for this purpose from other operating funds  
390 and may not be used to increase salaries or provide bonuses.  
391 School districts are encouraged to maximize third-party health  
392 insurance benefits and Medicaid claiming for services, where  
393 appropriate.

394 (a) Before the distribution of the allocation:

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

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

408 (b) The plans required under paragraph (a) must be focused  
409 on a multitiered system of supports to deliver evidence-based  
410 mental health care assessment, diagnosis, intervention,  
411 treatment, and recovery services to students with one or more  
412 mental health or co-occurring substance abuse diagnoses and to  
413 students at high risk of such diagnoses. The provision of these  
414 services must be coordinated with a student's primary mental  
415 health care provider and with other mental health providers

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416 involved in the student's care. At a minimum, the plans must  
417 include the following elements:

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

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

441 3. Policies and procedures, including contracts with  
442 service providers, which will ensure that students who are  
443 referred to a school-based or community-based mental health

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444 service provider for mental health screening for the  
445 identification of mental health concerns and ensure that the  
446 assessment of students at risk for mental health disorders  
447 occurs within 15 days of referral. School-based mental health  
448 services must be initiated within 15 days after identification  
449 and assessment, and support by community-based mental health  
450 service providers for students who are referred for community-  
451 based mental health services must be initiated within 30 days  
452 after the school or district makes a referral.

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

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

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

461 ~~5c.~~ Strategies to improve the early identification of  
462 social, emotional, or behavioral problems or substance use  
463 disorders, to ~~improve the provision of~~ provide early  
464 intervention services, and to assist students in dealing with  
465 trauma and violence.

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

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

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

480 (d) Beginning September 30, 2019, and annually by September  
481 30 thereafter, each school district shall submit to the  
482 Department of Education a report on its program outcomes and  
483 expenditures for the previous fiscal year. The report must  
484 reflect program outcomes and expenditures for all charter  
485 schools in the district, including charter schools that  
486 submitted a separate plan. The report must~~that~~, at a minimum,  
487 ~~must~~ include ~~the number of each of~~ the following:

488 1. The number of sStudents who receive screenings or  
489 assessments.

490 2. The number of sStudents who are referred to either  
491 school-based or community-based providers for services or  
492 assistance.

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

495 4. The number of sSchool-based and community-based mental  
496 health providers, including licensure type, paid for from funds  
497 provided through the allocation.

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498       5. The number and ratio of school social workers, school  
499 psychologists, and certified school counselors employed by the  
500 district; and the total number of licensed mental health  
501 professionals employed directly by the district.

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

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

509       ~~3~~(16~~17~~) FUNDING COMPRESSION ALLOCATION.—The Legislature may  
510 provide an annual funding compression allocation in the General  
511 Appropriations Act. The allocation is created to provide  
512 additional funding to school districts and developmental  
513 research schools whose total funds per FTE in the prior year  
514 were less than the statewide average. Using the most recent  
515 prior year FEFP calculation for each eligible school district,  
516 the total funds per FTE shall be subtracted from the state  
517 average funds per FTE, not including any adjustments made  
518 pursuant to paragraph (19) (b). The resulting funds per FTE  
519 difference, or a portion thereof, as designated in the General  
520 Appropriations Act, shall then be multiplied by the school  
521 district's total unweighted FTE to provide the allocation. If  
522 the calculated funds are greater than the amount included in the  
523 General Appropriations Act, they must be prorated to the  
524 appropriation amount based on each participating school  
525 district's share. This subsection expires July 1, ~~2020~~2022.

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526 ~~2(18) THE FLORIDA BEST AND BRIGHTEST TEACHER AND PRINCIPAL~~  
527 ~~ALLOCATION.—~~

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

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

- 539 ~~1. A one-time recruitment award, as provided in s.~~  
540 ~~1012.731(3)(a);~~
- 541 ~~2. A retention award, as provided in s. 1012.731(3)(b); and~~
- 542 ~~3. A recognition award, as provided in s. 1012.731(3)(c)~~  
543 ~~from the remaining balance of the appropriation after the~~  
544 ~~payment of all other awards authorized under ss. 1012.731 and~~  
545 ~~1012.732.~~

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

548 ~~If a district's calculated awards exceed the allocation,~~  
549 ~~the district may prorate the awards.~~

550 (17) The Florida Classroom Teacher Bonus Allocation is  
551 created to recognize classroom teachers who meet the criteria  
552 established in s. 1012.734. Subject to annual appropriation,  
553 each school district shall receive an allocation based on the

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554 number of classroom teachers qualifying for the bonus. The  
555 calculation of for the allocation will be based on the prior  
556 year school grade data. The bonus award amount will be specified  
557 in the General Appropriations Act. If a school district's  
558 appropriation for classroom teacher bonuses is insufficient to  
559 cover the full award amounts specified in the General  
560 Appropriations Act, school districts must prorate the award  
561 amounts equally among the tiers.

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

574 Section 2. This act shall take effect July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
Florida Classroom Teacher Compensation Program

1                   A bill to be entitled  
2           An act relating to public school personnel;  
3           establishing the minimum salary for a classroom  
4           teacher; providing an effective date.

5  
6   Be It Enacted by the Legislature of the State of Florida:

7  
8           Section 1. Section 1012.22, Florida Statutes, is amended to  
9   read:

10           1012.22 - Public school personnel; powers and duties of the  
11   district school board.

12           The district school board shall:

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

18           (a) Positions, qualifications, and appointments.—

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

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

26           3. If the third nomination by the district school  
27   superintendent for any position is rejected for good cause, if  
28   the district school superintendent fails to submit a nomination



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29 for initial employment within a reasonable time as prescribed by  
30 the district school board, or if the district school  
31 superintendent fails to submit a nomination for reemployment  
32 within the time prescribed by law, the district school board may  
33 proceed on its own motion to fill such position.

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

38 (b) Time to act on nominations.—The district school board  
39 shall act no later than 3 weeks following the receipt of  
40 statewide, standardized assessment scores and data under s.  
41 1008.22 and school grades, or June 30, whichever is later, on  
42 the district school superintendent's nominations of supervisors,  
43 principals, and members of the instructional staff.

44 (c) Compensation and salary schedules.—

45 1. Definitions.—As used in this paragraph:

46 a. "Adjustment" means an addition to the base salary  
47 schedule that is not a bonus and becomes part of the employee's  
48 permanent base salary and shall be considered compensation under  
49 s. 121.021(22).

50 b. "Grandfathered salary schedule" means the salary  
51 schedule or schedules adopted by a district school board before  
52 July 1, 2014, pursuant to subparagraph 4.

53 c. "Instructional personnel" means instructional personnel  
54 as defined in s. 1012.01(2)(a)-(d), excluding substitute  
55 teachers.

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56 d. "Minimum Base Salary" means the minimum salary amount a  
57 full-time public school classroom teacher, as defined in s.  
58 1012.01(2)(a), whose full-time responsibility is the  
59 professional activity of instructing students in kindergarten  
60 through grade 12 in courses funded through the Florida Education  
61 Finance Program (FEFP) may receive as a salary. For the purposes  
62 of the Florida School for the Deaf and the Blind, "Minimum Base  
63 Salary" means the minimum salary amount a full-time public  
64 school classroom teacher, as defined in s. 1012.01(2)(a), whose  
65 full-time responsibility is the professional activity of  
66 instructing students in kindergarten through grade 12 may  
67 receive as a salary.

68 e. "Performance salary schedule" means the salary schedule  
69 or schedules adopted by a district school board pursuant to  
70 subparagraph 5.

71 f. "Salary" means the base annual salary before payroll  
72 deductions and excluding additional compensations, such as  
73 supplements or bonuses.

74 eg. "Salary schedule" means the schedule or schedules used  
75 to provide the base salary for district school board personnel.

76 ~~h.~~ "School administrator" means a school administrator as  
77 defined in s. 1012.01(3)(c).

78 ~~g.~~ "Supplement" means an annual addition to the base  
79 salary for the term of the negotiated supplement as long as the  
80 employee continues his or her employment for the purpose of the  
81 supplement. A supplement does not become part of the employee's  
82 continuing base salary but shall be considered compensation  
83 under s. 121.021(22).

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84 2. Cost-of-living adjustment.—A district school board may  
85 provide a cost-of-living salary adjustment if the adjustment:

86 a. Does not discriminate among comparable classes of  
87 employees based upon the salary schedule under which they are  
88 compensated.

89 b. Does not exceed 50 percent of the annual adjustment  
90 provided to instructional personnel rated as effective.

91 3. Advanced degrees.—A district school board may not use  
92 advanced degrees in setting a salary schedule for instructional  
93 personnel or school administrators hired on or after July 1,  
94 2011, unless the advanced degree is held in the individual's  
95 area of certification and is only a salary supplement.

96 4. Grandfathered salary schedule.—

97 a. The district school board shall adopt a salary schedule  
98 or salary schedules to be used as the basis for paying all  
99 school employees hired before July 1, 2014. Instructional  
100 personnel on annual contract as of July 1, 2014, shall be placed  
101 on the performance salary schedule adopted under subparagraph 5.  
102 Instructional personnel on continuing contract or professional  
103 service contract may opt into the performance salary schedule if  
104 the employee relinquishes such contract and agrees to be  
105 employed on an annual contract under s. 1012.335. Such an  
106 employee shall be placed on the performance salary schedule and  
107 may not return to continuing contract or professional service  
108 contract status. Any employee who opts into the performance  
109 salary schedule may not return to the grandfathered salary  
110 schedule.

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111           b. In determining the grandfathered salary schedule for  
112 instructional personnel, a district school board must base a  
113 portion of each employee's compensation upon performance  
114 demonstrated under s. 1012.34 and shall provide differentiated  
115 pay for both instructional personnel and school administrators  
116 based upon district-determined factors, including, but not  
117 limited to, additional responsibilities, school demographics,  
118 critical shortage areas, and level of job performance  
119 difficulties.

120           <sup>15</sup>. Performance salary schedule.—By July 1, 2014, the  
121 district school board shall adopt a performance salary schedule  
122 that provides annual salary adjustments for instructional  
123 personnel and school administrators based upon performance  
124 determined under s. 1012.34. Employees hired on or after July 1,  
125 2014, or employees who choose to move from the grandfathered  
126 salary schedule to the performance salary schedule shall be  
127 compensated pursuant to the performance salary schedule once  
128 they have received the appropriate performance evaluation for  
129 this purpose.

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

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

136           (II) Beginning July 1, 2014, instructional personnel or  
137 school administrators new to the district, returning to the  
138 district after a break in service without an authorized leave of

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139 absence, or appointed for the first time to a position in the  
140 district in the capacity of instructional personnel or school  
141 administrator shall be placed on the performance salary  
142 schedule.

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

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

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

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

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

163 (I) Assignment to a Title I eligible school.

164 (II) Assignment to a school that earned a grade of "F" or  
165 three consecutive grades of "D" pursuant to s. 1008.34 such that

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166 the supplement remains in force for at least 1 year following  
167 improved performance in that school.

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

175 (IV) Assignment of additional academic responsibilities.  
176

177 If budget constraints in any given year limit a district  
178 school board's ability to fully fund all adopted salary  
179 schedules, the performance salary schedule shall not be reduced  
180 on the basis of total cost or the value of individual awards in  
181 a manner that is proportionally greater than reductions to any  
182 other salary schedules adopted by the district.

183 (d) Minimum Base Salary - As of July 1, 2020, district  
184 school boards shall implement a minimum base salary of \$47,500  
185 for full-time public school classroom teachers as defined in s.  
186 1012.01(2)(a), whose full-time responsibility is the  
187 professional activity of instructing students in kindergarten  
188 through grade 12 in courses funded through the Florida Education  
189 Finance Program (FEFP). The Florida School for the Deaf and the  
190 Blind shall also implement a minimum base salary of \$47,500 for  
191 full-time public school classroom teachers as defined in s.  
192 1012.01(2)(a), whose full-time responsibility is the

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193 professional activity of instructing students in kindergarten  
194 through grade 12.

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

198 (~~e~~f) Transfer and promotion.—The district school board  
199 shall act on recommendations of the district school  
200 superintendent regarding transfer and promotion of any employee.  
201 The district school superintendent's primary consideration in  
202 recommending an individual for a promotion must be the  
203 individual's demonstrated effectiveness under s. 1012.34.

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

211 (~~g~~h) Awards and incentives.—The district school board shall  
212 provide for recognition of district employees, students, school  
213 volunteers, and advisory committee members who have contributed  
214 outstanding and meritorious service in their fields or service  
215 areas. After considering recommendations of the district school  
216 superintendent, the district school board shall adopt rules  
217 establishing and regulating the meritorious service awards  
218 necessary for the efficient operation of the program. An award  
219 or incentive granted under this paragraph may not be considered  
220 in determining the salary schedules required by paragraph (c).

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221 Monetary awards shall be limited to persons who propose  
222 procedures or ideas adopted by the board which will result in  
223 eliminating or reducing district school board expenditures or  
224 improving district or school center operations. Nonmonetary  
225 awards shall include, but are not limited to, certificates,  
226 plaques, medals, ribbons, and photographs. The district school  
227 board may expend funds for such recognition and awards. No award  
228 granted under this paragraph shall exceed \$2,000 or 10 percent  
229 of the first year's gross savings, whichever is greater.

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

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

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

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

246 (b) Sick leave.—The district school board may adopt rules  
247 relating to sick leave, in accordance with the provisions of  
248 this chapter.



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

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

255           Section 2. This act shall take effect July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
The Florida Classroom Teacher Bonus Program

1 A bill to be entitled  
2 An act relating to the recognition of highly  
3 effective classroom teachers; establishing the  
4 Florida classroom Teacher Bonus Program; providing  
5 eligibility and program requirements; providing an  
6 effective date.

7  
8 Be It Enacted by the Legislature of the State of Florida:

9  
10 Section 1. Section 1012.734, Florida Statutes, is created to  
11 read:

12 1012.734 The Florida Classroom Teacher Bonus Program.-

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

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

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

26 (b) The percentage of school grade points means the  
27 percentage of total possible points earned by a school in the

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28 determination of a school's grade under section 1008.34, Florida  
29 Statutes.

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

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

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

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

46 (b) Tier 2 - School has increased the percentage of school  
47 grade points earned by three to five percentage points in the  
48 school's A through F school grading calculation for the prior  
49 year; or

50 (c) Tier 3 - School has increased the percentage of school  
51 grade points earned by one to two percentage points in the  
52 school's A through F school grading calculation for the prior  
53 year.

54

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The Florida Classroom Teacher Bonus Program

55 The amount of the classroom teacher bonus specified in the  
56 General Appropriations Act shall be at a higher award amount for  
57 eligible classroom teachers at a Title I school.

58  
59 If a school district's appropriation for classroom teacher  
60 bonuses received through the Florida Education Finance Program  
61 (FEFP) is insufficient to cover the full award amounts specified  
62 in the General Appropriations Act, school districts must prorate  
63 the award amounts equally among the tiers.

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

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

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

79 (8) Although district school boards and charter school  
80 governing boards are not precluded from bargaining over wages,  
81 these funds must be exclusively used by school districts and  
82 charter school governing boards to pay bonuses to classroom

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The Florida Classroom Teacher Bonus Program

83 teachers at qualifying schools in the amount set out in the  
84 General Appropriations Act, subject to any proration. Funds  
85 appropriated for this program may not be used for any other  
86 purpose.

87 (9) School districts, with the support and assistance of  
88 the Department of Education, must determine whether the bonuses  
89 paid to classroom teachers under this program are subject to tax  
90 under section 3101 and 3111 of the Internal Revenue Code of  
91 1986, as amended and currently in effect, which impose the  
92 federal social security taxes (these taxes are referred to  
93 collectively for brevity as "FICA.>"). If the bonuses are subject  
94 to FICA taxes, the Legislature expressly authorizes district  
95 school boards and charter school governing boards to deduct all  
96 applicable taxes, including the employer's portion, from the  
97 award amount. Thus, classroom teachers will receive their  
98 bonuses net of any applicable taxes.

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

101 Section 2. This act shall take effect July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
The Florida School Principal Bonus Program

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

7  
8 Be It Enacted by the Legislature of the State of Florida:

9  
10 Section 1. Section 1012.733, Florida Statutes, is created to  
11 read:

12 1012.733 The Florida School Principal Bonus Program.-

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

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

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

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

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28 (3) The Florida School Principal Bonus Program provides  
29 financial awards to school principals, as defined in section  
30 1012.01(3)(c)1., Florida Statutes, to be allocated to school  
31 districts as specified in section 1011.62(18), Florida Statutes.

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

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

41 (b) Tier 2 - School has increased the percentage of school  
42 grade points earned by three to five percentage points in the  
43 school's A through F school grading calculation for the prior  
44 year; or

45 (c) Tier 3 - School has increased the percentage of school  
46 grade points earned by one to two percentage points in the  
47 school's A through F school grading calculation for the prior  
48 year.

49  
50 The amount of the principal bonus specified in the General  
51 Appropriations Act shall be at a higher award amount for  
52 eligible principals at a Title I school.

53  
54 If a school district's appropriation for principal bonuses  
55 received through the Florida Education Finance Program (FEFP) is

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The Florida School Principal Bonus Program

56 insufficient to cover the full award amounts specified in the  
57 General Appropriations Act, school districts must prorate the  
58 award amounts equally among the tiers.

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

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

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

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

77 (9) Although district school boards and charter school  
78 governing boards are not precluded from bargaining over wages,  
79 these funds must be exclusively used by school districts and  
80 charter school governing boards to pay bonuses to school  
81 principals at qualifying schools in the amount set out in the  
82 General Appropriations Act, subject to any proration. Funds  
83 appropriated for this program may not be used for any other



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84 purpose.

85 (10) School districts, with the support and assistance of  
86 the Department of Education, must determine whether the bonuses  
87 paid to school principals under this program are subject to tax  
88 under section 3101 and 3111 of the Internal Revenue Code of  
89 1986, as amended and currently in effect, which impose the  
90 federal social security taxes (these taxes are referred to  
91 collectively for brevity as "FICA.>"). If the bonuses are subject  
92 to FICA taxes, the Legislature expressly authorizes district  
93 school boards and charter school governing boards to deduct all  
94 applicable taxes, including the employer's portion, from the  
95 award amount. Thus, school principals will receive their bonuses  
96 net of any applicable taxes.

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

99 Section 2. This act shall take effect July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
Florida College System

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~~ post-graduation 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~~

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30 ~~performance funding.~~

31       (2) Each Florida College System institution's share of the  
32 performance funding shall be calculated based on its performance  
33 on the established metrics, including rewards for institutions  
34 that exceed expected outcomes. Each fiscal year, the amount of  
35 funds available for allocation to the Florida College System  
36 institutions based on the performance-based funding model shall  
37 include at least some portion of the funding that is recurring  
38 to the institutions that exceed expected performance. ~~consist of~~  
39 ~~the state's investment in performance funding plus institutional~~  
40 ~~investments consisting of funds to be redistributed from the~~  
41 ~~base funding of the Florida College System Program Fund as~~  
42 ~~determined in the General Appropriations Act. The State Board of~~  
43 ~~Education shall establish minimum performance funding~~  
44 ~~eligibility thresholds for the state's investment and the~~  
45 ~~institutional investments. An institution that meets the minimum~~  
46 ~~institutional investment eligibility threshold, but fails to~~  
47 ~~meet the minimum state investment eligibility threshold, shall~~  
48 ~~have its institutional investment restored but is ineligible for~~  
49 ~~a share of the state's investment in performance funding. The~~  
50 ~~institutional investment shall be restored for all institutions~~  
51 ~~eligible for the state's investment under the performance-based~~  
52 ~~funding model.~~

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

57       (b) ~~A Florida College System institution that fails to meet~~  
58 ~~the State Board of Education's minimum institutional investment~~

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59 ~~performance funding eligibility threshold shall have a portion~~  
60 ~~of its institutional investment withheld by the state board and~~  
61 ~~must submit an improvement plan to the state board which~~  
62 ~~specifies the activities and strategies for improving the~~  
63 ~~institution's performance. The state board must review and~~  
64 ~~approve the improvement plan and, if the plan is approved, must~~  
65 ~~monitor the institution's progress in implementing the~~  
66 ~~activities and strategies specified in the improvement plan. The~~  
67 ~~institution shall submit monitoring reports to the state board~~  
68 ~~by December 31 and May 31 of each year in which an improvement~~  
69 ~~plan is in place. Beginning in the 2017-2018 fiscal year, the~~  
70 ~~ability of an institution to submit an improvement plan to the~~  
71 ~~state board is limited to 1 fiscal year.~~

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

84 ~~(3)~~(4) Distributions of performance funding, as provided in  
85 this section, shall be made to each of the Florida College  
86 System institutions listed in the Florida Colleges category in  
87 the General Appropriations Act.

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88        ~~(4)(5)~~—By October 1 of each year, the State Board of Education  
89 shall submit to the Governor, the President of the Senate, the  
90 Speaker of the House of Representatives, and Florida College  
91 System institutions, a report on the previous fiscal year's  
92 performance funding allocation, which must reflect the data and  
93 method of calculating each of the metrics ~~rankings~~ and award  
94 distributions.

95        ~~(5)(6)~~—The State Board of Education shall adopt rules to  
96 administer this section.

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

99        (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

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

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

115        1. Base budget, which includes the state appropriation to the  
116 Florida College System Program Fund in the current year plus the

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117 related student tuition, ~~and~~ out-of-state fees, technology fees,  
118 and any additional fees designated by the state board of  
119 education, assigned in the current General Appropriations Act.

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

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

125 b. Growth in full-time enrollment size.

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

128 Section 4. This act will take effective July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
The Family Empowerment Scholarship Program

1 A bill to be entitled  
2 An act related to relating to School Choice;  
3 amending s. 1002.394, The Family Empowerment  
4 Scholarship Program; providing an effective date.  
5

6 Be It Enacted by the Legislature of the State of Florida:  
7

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

10 1002.394 - The Family Empowerment Scholarship Program. -

11 (3) INITIAL SCHOLARSHIP ELIGIBILITY.—A student is eligible  
12 for a Family Empowerment Scholarship under this section if the  
13 student meets the following criteria:

14 (a)1. The student is on the direct certification list  
15 pursuant to s. 1002.395(2)(c) or the student's household income  
16 level does not exceed 300 percent of the federal poverty level;  
17 ~~or~~

18 2. The student is currently placed, or during the previous  
19 state fiscal year was placed, in foster care or in out-of-home  
20 care as defined in s. 39.01~~7~~i;

21 3. The student is currently eligible for renewal in this  
22 program or the program in s. 1002.395; or

23 4. A dependent child of a member of the United States Armed  
24 Forces who transfers to a school in this state from out of state  
25 or from a foreign country due to a parent's permanent change of  
26 station orders.

27  
28 Priority shall be given to students whose household income  
29 levels do not exceed 185 percent of the federal poverty level,

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The Family Empowerment Scholarship Program

30 who are on the direct certification list, ~~or~~ who are a dependent  
31 child of a member of the United States Armed Forces, or who are  
32 in foster care or out-of-home care. A student who initially  
33 receives a scholarship based on eligibility under subparagraph  
34 2. remains eligible to participate until the student graduates  
35 from high school or attains the age of 21 years, whichever  
36 occurs first, regardless of the student's household income  
37 level. A sibling of a student who is participating in the  
38 scholarship program under this subsection is eligible for a  
39 scholarship if the student resides in the same household as the  
40 sibling.

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

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

53  
54 For purposes of this paragraph, prior school year in attendance  
55 means that the student was enrolled and reported by a school  
56 district for funding during the preceding October and February  
57 Florida Education Finance Program surveys in kindergarten  
58 through grade 12, which includes time spent in a Department of



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The Family Empowerment Scholarship Program

59 Juvenile Justice commitment program if funded under the Florida  
60 Education Finance Program. However, a dependent child of a  
61 member of the United States Armed Forces who transfers to a  
62 school in this state from out of state or from a foreign country  
63 due to a parent's permanent change of station orders or a foster  
64 child is exempt from the prior public school attendance  
65 requirement under this paragraph, but must meet the other  
66 eligibility requirements specified under this section to  
67 participate in the program.

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

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

87 (a) Enrolled in a public school, including, but not limited

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The Family Empowerment Scholarship Program

88 to, the Florida School for the Deaf and the Blind, the College-  
89 Preparatory Boarding Academy, a developmental research school  
90 authorized under s. 1002.32, or a charter school authorized  
91 under this chapter;

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

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

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

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

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

104 (6) SCHOOL DISTRICT OBLIGATIONS. -

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

115 (7) DEPARTMENT OF EDUCATION OBLIGATIONS. -The department  
116 shall:

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117 (a) Publish and update, as necessary, information on the  
118 department website about the Family Empowerment Scholarship  
119 Program, including, but not limited to, student eligibility  
120 criteria, parental responsibilities, and relevant data.

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

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

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

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

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

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

145 (c)1. Annually administer or make provision for students

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146 participating in the program in grades 3 through 10 to take one  
147 of the nationally norm-referenced tests identified by the  
148 department or to take the statewide assessments pursuant to  
149 s. 1008.22. Students with disabilities for whom standardized  
150 testing is not appropriate are exempt from this requirement. A  
151 participating private school shall report a student's scores to  
152 his or her parent. A participating private school must annually  
153 report by August 15 the scores of all participating students to  
154 a state university described in s. 1002.395(9)(f).

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

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

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

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

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

172 (11) SCHOLARSHIP FUNDING AND PAYMENT. -

173 (a) The scholarship is established for up to 18,000  
174 students annually on a first-come, first-served basis beginning

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175 with the 2019-2020 school year. Beginning in the 2020-2021  
176 school year, the maximum number of students participating in the  
177 scholarship program under this section may annually increase by  
178 0.50 ~~0.25~~ percent of the state's total public school student  
179 enrollment.

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

192 Section 2. This act shall take effect July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
Child Support Enforcement Postal Savings

1 A bill to be entitled

2 An act relating to revising mail strategies in the  
3 Department of Revenue; amending ss. 61.1301 and  
4 409.2574, F.S.; providing for the use of regular  
5 mail relating to income deduction orders in  
6 alimony or child support cases; providing for the  
7 use of regular mail relating to income deduction  
8 enforcement in Title IV-D cases; amending ss.  
9 409.256 and 409.2563, F.S.; revising serving  
10 notice requirements for genetic testing; revising  
11 serving notice requirements for establishing  
12 administrative support orders; amending ss.  
13 409.25656, F.S.; revising serving notice  
14 requirements for notice of levy issued; providing  
15 an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18 Section 1. Subsections (1), (2), and (3) of section  
19 61.1301, Florida Statutes, are amended to read:

20 61.1301 Income deduction orders.-

21 (1) ISSUANCE IN CONJUNCTION WITH AN ORDER ESTABLISHING,  
22 ENFORCING, OR MODIFYING AN OBLIGATION FOR ALIMONY OR CHILD  
23 SUPPORT.--

24 (a) Upon the entry of an order establishing, enforcing, or  
25 modifying an obligation for alimony, for child support, or for  
26 alimony and child support, other than a temporary order, the  
27 court shall enter a separate order for income deduction if one  
28 has not been entered. Upon the entry of a temporary order

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29 establishing support or the entry of a temporary order enforcing  
30 or modifying a temporary order of support, the court may enter a  
31 separate order of income deduction. Copies of the orders shall  
32 be furnished ~~served on~~ to the obligee and obligor by regular  
33 mail. If the order establishing, enforcing, or modifying the  
34 obligation directs that payments be made through the depository,  
35 the court shall provide to the depository a copy of the order  
36 establishing, enforcing, or modifying the obligation. If the  
37 obligee is a recipient of Title IV-D services, the court shall  
38 furnish to the Title IV-D agency a copy of the income deduction  
39 order and the order establishing, enforcing, or modifying the  
40 obligation.

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

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

54 3. Payors shall deduct support payments from income, as  
55 specified in the income deduction notice, in the manner provided  
56 under paragraph (2) (e).

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57 4. In non-Title IV-D cases, the income deduction notice  
58 must be accompanied by a copy of the support order upon which  
59 the notice is based. In Title IV-D cases, upon request of a  
60 payor, the Title IV-D agency shall furnish the payor a copy of  
61 the income deduction order.

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

69 (b) The income deduction order shall:

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

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

82 3. Provide that if a delinquency accrues after the order  
83 establishing, modifying, or enforcing the obligation has been  
84 entered and there is no order for repayment of the delinquency



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85 or a preexisting arrearage, a payor shall deduct an additional  
86 20 percent of the current support obligation or other amount  
87 agreed to by the parties until the delinquency and any  
88 attorney's fees and costs are paid in full. No deduction may be  
89 applied to attorney's fees and costs until the delinquency is  
90 paid in full.

91 4. Direct a payor not to deduct in excess of the amounts  
92 allowed under s. 303(b) of the Consumer Credit Protection Act,  
93 15 U.S.C. s. 1673(b), as amended.

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

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

105 7. In Title IV-D cases, if an obligation to pay current  
106 support is reduced or terminated due to emancipation of a child  
107 and the obligor owes an arrearage, retroactive support,  
108 delinquency, or costs, direct the payor to continue the income  
109 deduction at the rate in effect immediately prior to  
110 emancipation until all arrearages, retroactive support,  
111 delinquencies, and costs are paid in full or until the amount of  
112 withholding is modified.

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113 8. Direct that, ~~at such time as the State Disbursement Unit~~  
114 ~~becomes operational,~~ all payments in those cases in which the  
115 obligee is receiving Title IV-D services and in those cases in  
116 which the obligee is not receiving Title IV-D services in which  
117 the initial support order was issued in this state on or after  
118 January 1, 1994, and in which the obligor's child support  
119 obligation is being paid through income deduction, be made  
120 payable to and delivered to the State Disbursement Unit.  
121 Notwithstanding any other statutory provision to the contrary,  
122 funds received by the State Disbursement Unit shall be held,  
123 administered, and disbursed by the State Disbursement Unit  
124 pursuant to the provisions of this chapter.

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

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

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

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

140 b. There is a signed written agreement providing an

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141 alternative arrangement between the obligor and the obligee and,  
142 at the option of the IV-D agency, by the IV-D agency in IV-D  
143 cases in which there is an assignment of support rights to the  
144 state, reviewed and entered in the record by the court.

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

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

160 1. All fees or interest which shall be imposed.

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

167 3. That the income deduction order applies to current and  
168 subsequent payors and periods of employment.

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169 4. That a copy of the income deduction order or, in Title  
170 IV-D cases, the income deduction notice will be provided to  
171 ~~served on~~ the obligor's payor or payors by regular mail.

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

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

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

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

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197 Service of the notice is complete upon mailing. 1. The notice  
198 of delinquency shall state:  
199 a. The terms of the order establishing, enforcing, or  
200 modifying the obligation.  
201 b. The period of delinquency and the total amount of the  
202 delinquency as of the date the notice is mailed.  
203 c. All fees or interest which may be imposed.  
204 d. The total amount of income to be deducted for each pay  
205 period until the arrearage, and all applicable fees and  
206 interest, is paid in full and shall state the total amount of  
207 income to be deducted for each pay period thereafter. The  
208 amounts deducted may not be in excess of that allowed under s.  
209 303(b) of the Consumer Credit Protection Act, 15 U.S.C. s.  
210 1673(b), as amended.  
211 e. That the income deduction order applies to current and  
212 subsequent payors and periods of employment.  
213 f. That a copy of the notice of delinquency will be ~~served~~  
214 en provided by regular mail to the obligor's payor or payors,  
215 together with a copy of the income deduction order or, in Title  
216 IV-D cases, the income deduction notice, unless the obligor  
217 applies to the court to contest enforcement of the income  
218 deduction. If the income deduction order being enforced was  
219 rendered by the Title IV-D agency pursuant to s. 409.2563 and  
220 the obligor contests the deduction, the obligor shall file a  
221 petition for an administrative hearing with the Title IV-D  
222 agency. The application or petition shall be filed within 15  
223 days after the date the notice of delinquency was ~~served~~ mailed.  
224 g. That enforcement of the income deduction order may only

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225 be contested on the ground of mistake of fact regarding the  
226 amount owed pursuant to the order establishing, enforcing, or  
227 modifying the obligation, the amount of arrearages, or the  
228 identity of the obligor, the payor, or the obligee.

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

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

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

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

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

248 (2) Enforcement of income deduction orders.--

249 (a) The obligee or his or her agent shall serve an income  
250 deduction order and notice to payor, or, in Title IV-D cases,  
251 the Title IV-D agency shall issue an income deduction notice,  
252 and in the case of a delinquency a notice of delinquency, on the

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253 obligor's payor by regular mail unless the obligor has applied  
254 for a hearing to contest the enforcement of the income deduction  
255 pursuant to paragraph (c).

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

260 2. Service upon an obligor's payor or successor payor under  
261 this section shall be made by ~~prepaid certified~~ regular mail,  
262 ~~return receipt requested, or in the manner prescribed in chapter~~  
263 ~~48.~~

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

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281 cases, an income deduction notice on the obligor's payor.

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

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

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

304       1. Provide the obligor's social security number.

305       2. Require the payor to deduct from the obligor's income  
306 the amount specified in the income deduction order, and in the  
307 case of a delinquency the amount specified in the notice of  
308 delinquency, and to pay that amount to the obligee or to the



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309 depository, as appropriate. The amount actually deducted plus  
310 all administrative charges shall not be in excess of the amount  
311 allowed under s. 303(b) of the Consumer Credit Protection Act,  
312 15 U.S.C. s. 1673(b);

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

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

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

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

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337 thereafter;

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

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

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

364         10. State that an obligor may bring a civil action in the

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365 courts of this state against a payor who refuses to employ,  
366 discharges, or otherwise disciplines an obligor because of  
367 income deduction. The obligor is entitled to reinstatement and  
368 all wages and benefits lost, plus reasonable attorney's fees and  
369 costs incurred;

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

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

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

390 14. State that in a Title IV-D case, if an obligation to  
391 pay current support is reduced or terminated due to the  
392 emancipation of a child and the obligor owes an arrearage,

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393 retroactive support, delinquency, or costs, income deduction  
394 continues at the rate in effect immediately prior to  
395 emancipation until all arrearages, retroactive support,  
396 delinquencies, and costs are paid in full or until the amount of  
397 withholding is modified.

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

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

418 (h)1. When an income deduction order is to be enforced  
419 against a payor located outside the state, the obligee who is  
420 receiving IV-D services or his or her agent shall promptly

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421 request the agency responsible for income deduction in the other  
422 state to enforce the income deduction order. The request shall  
423 contain all information necessary to enforce the income  
424 deduction order, including the amount to be periodically  
425 deducted, a copy of the order establishing, enforcing, or  
426 modifying the obligation, and a statement of arrearages, if  
427 applicable.

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

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

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

446         b. Except with respect to when withholding must be  
447 implemented, which is controlled by the state where the order  
448 establishing, enforcing, or modifying the obligation was

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449 entered, the substantive law of this state shall apply whenever  
450 the agency responsible for income deduction in another state  
451 requests the enforcement of an income deduction in this state.

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

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

475 (j)1. A person may not discharge, refuse to employ, or take  
476 disciplinary action against an employee because of the

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477 enforcement of an income deduction order. An employer who  
478 violates this subsection is subject to a civil penalty not to  
479 exceed \$250 for the first violation or \$500 for any subsequent  
480 violation. Penalties shall be paid to the obligee or the IV-D  
481 agency, whichever is enforcing the income deduction, if any  
482 alimony or child support is owing. If no alimony or child  
483 support is owing, the penalty shall be paid to the obligor.

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

490 (k) When a payor no longer provides income to an obligor,  
491 he or she shall notify the obligee and, if the obligee is a IV-D  
492 applicant, the IV-D agency and shall also provide the obligor's  
493 last known address and the name and address of the obligor's new  
494 payor, if known. A payor who violates this subsection is subject  
495 to a civil penalty not to exceed \$250 for the first violation or  
496 \$500 for a subsequent violation. Penalties shall be paid to the  
497 obligee or the IV-D agency, whichever is enforcing the income  
498 deduction order.

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

502 (b) In a Title IV-D case, if an obligation to pay current  
503 support is reduced or terminated due to the emancipation of a  
504 child and the obligor owes an arrearage, retroactive support,

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505 delinquency, or costs, income deduction continues at the rate in  
506 effect immediately prior to emancipation until all arrearages,  
507 retroactive support, delinquencies, and costs are paid in full  
508 or until the amount of withholding is modified. Any income-  
509 deducted amount that is in excess of the obligation to pay  
510 current support shall be credited against the arrearages,  
511 retroactive support, delinquency, and costs owed by the obligor.  
512 The department shall send notice of this requirement by regular  
513 mail to the payor and the depository operated pursuant to s.  
514 61.181, and the notice shall state the amount of the obligation  
515 to pay current support, if any, and the amount owed for  
516 arrearages, retroactive support, delinquency, and costs. For  
517 income deduction orders entered before July 1, 2004, which do  
518 not include this requirement, the department shall send by  
519 regular ~~certified mail, restricted delivery, return receipt~~  
520 ~~requested,~~ to the obligor at the most recent address provided by  
521 the obligor to the tribunal that issued the order or a more  
522 recent address if known, notice of this requirement, that the  
523 obligor may contest the withholding as provided by paragraph  
524 (2) (f), and that the obligor may request the tribunal that  
525 issued the income deduction to modify the amount of the  
526 withholding. This paragraph provides an additional remedy for  
527 collection of unpaid support and applies to cases in which a  
528 support order or income deduction order was entered before, on,  
529 or after July 1, 2004.

530 (c) If a delinquency accrues after an order establishing,  
531 modifying, or enforcing a support obligation has been entered,  
532 an income deduction order entered after July 1, 2006, is in



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533 effect, and there is no order for repayment of the delinquency  
534 or a preexisting arrearage, a payor who ~~is served with~~ receives  
535 an income deduction order or, in a Title IV-D case, an income  
536 deduction notice shall deduct an additional 20 percent of the  
537 current support obligation or other amount agreed to by the  
538 parties until the delinquency and any attorney's fees and costs  
539 are paid in full. No deduction may be applied to attorney's fees  
540 and costs until the delinquency is paid in full.

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

543 409.2574 Income deduction enforcement in Title IV-D cases.-

544 (2) (a) In a support order being enforced under Title IV-D  
545 of the Social Security Act and which order does not specify  
546 income deduction, income deduction shall be enforced by the  
547 department or its designee without the need for any amendment to  
548 the support order or any further action by the court.

549 (b) The department shall serve a notice on the obligor that  
550 the income deduction notice has been served on the employers.  
551 Service upon an obligor under this section shall be made by  
552 regular mail to the obligor's last known address of record with  
553 the local depository or a more recent address if known. ~~in the~~  
554 ~~manner prescribed in chapter 48.~~ The department shall furnish to  
555 the obligor a statement of the obligor's rights, remedies, and  
556 duties in regard to the income deduction.

557 (c) The obligor has 15 days from the ~~mailing~~ mailing ~~servicing~~  
558 notice to file a request for ~~a~~ hearing with the department to  
559 contest enforcement of income deduction.

560 (d) The department shall adopt rules to ensure that

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561 applicable provisions of s. 61.1301 are followed.

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

564 409.256 Administrative proceeding to establish paternity or  
565 paternity and child support; order to appear for genetic  
566 testing.—

567 (4) NOTICE OF PROCEEDING TO ESTABLISH PATERNITY OR PATERNITY  
568 AND CHILD SUPPORT; ORDER TO APPEAR FOR GENETIC TESTING; MANNER  
569 OF SERVICE; CONTENTS.—The Department of Revenue shall commence a  
570 proceeding to determine paternity, or a proceeding to determine  
571 both paternity and child support, by serving the respondent with  
572 a notice as provided in this section. An order to appear for  
573 genetic testing may be served at the same time as a notice of  
574 the proceeding or may be served separately. A copy of the  
575 affidavit or written declaration upon which the proceeding is  
576 based shall be provided to the respondent when notice is served.  
577 A notice or order to appear for genetic testing shall be served  
578 by certified mail, ~~restricted delivery~~, return receipt  
579 requested, or in accordance with the requirements for service of  
580 process in a civil action. Service by certified mail is  
581 completed when the certified mail is received or refused by the  
582 addressee or by an authorized agent as designated by the  
583 addressee in writing. If a person other than the addressee signs  
584 the return receipt, the department shall attempt to reach the  
585 addressee by telephone to confirm whether the notice was  
586 received, and the department shall document any telephonic  
587 communications. If someone other than the addressee signs the  
588 return receipt, the addressee does not respond to the notice,

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589 and the department is unable to confirm that the addressee has  
590 received the notice, service is not completed and the department  
591 shall attempt to have the addressee served personally. For  
592 purposes of this section, an employee or an authorized agent of  
593 the department may serve the notice or order to appear for  
594 genetic testing and execute an affidavit of service. The  
595 department may serve an order to appear for genetic testing on a  
596 caregiver. The department shall provide a copy of the notice or  
597 order to appear by regular mail to the mother and caregiver, if  
598 they are not respondents.

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

601 409.2563 Administrative establishment of child support  
602 obligations.—

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

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

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

614 (c) That both parents must submit a completed financial  
615 affidavit to the department within 20 days after receiving the  
616 notice, as provided by paragraph (13) (a);

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617 (d) That both parents, or parent and caregiver if  
618 applicable, are required to furnish to the department  
619 information regarding their identities and locations, as  
620 provided by paragraph (13) (b);

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

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

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

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

641 (i) That if the parent from whom support is being sought  
642 does not file a timely request for hearing after service of the  
643 proposed administrative support order, the department will issue  
644 an administrative support order that incorporates the findings

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645 of the proposed administrative support order, and will send by  
646 regular mail a copy of the administrative support order to both  
647 parents, or parent and caregiver if applicable;

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

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

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

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

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

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

671 3. If the parent from whom support is being sought submits the  
672 request authorized in subparagraph 1., or the statement

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673 authorized in subparagraph 2. to the department within 20 days  
674 after the receipt of the initial notice, the department shall  
675 file a petition in circuit court for the determination of the  
676 parent's child support obligations, and shall send to the parent  
677 from whom support is being sought a copy of its petition, a  
678 notice of commencement of action, and a request for waiver of  
679 service of process as provided in the Florida Rules of Civil  
680 Procedure.

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

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

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

700 (o) Information provided by the Office of State Courts

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701 Administrator concerning the availability and location of self-  
702 help programs for those who wish to file an action in circuit  
703 court but who cannot afford an attorney.

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

726 Section 5. Subsection (1), (3) and (7) of section  
727 409.25656, Florida Statutes, is amended to read:

728 (1) If a person has a support obligation which is subject

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

748 (2) Each person who is notified under this section must,  
749 within 5 days after receipt of the notice, advise the executive  
750 director or his or her designee of the credits, other personal  
751 property, or debts in their possession, under their control, or  
752 owed by them and must advise the executive director or designee  
753 within 5 days of coming into possession or control of any  
754 subsequent credits, personal property, or debts owed during the  
755 time prescribed by the notice. Any such person coming into  
756 possession or control of such subsequent credits, personal



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757 property, or debts shall not transfer or dispose of them during  
758 the time prescribed by the notice or until the department  
759 consents to a transfer.

760 (3) During the last 30 days of the 60-day period set forth  
761 in subsection (1), the executive director or his or her designee  
762 may levy upon such credits, personal property, or debts. The  
763 levy must be accomplished by delivery of a notice of levy by  
764 regular ~~registered~~ mail, upon receipt of which the person  
765 possessing the credits, other personal property, or debts shall  
766 transfer them to the department or pay to the department the  
767 amount owed by the obligor. If the department levies upon  
768 securities and the value of the securities is less than the  
769 total amount of past due or overdue support, the person who  
770 possesses or controls the securities shall liquidate the  
771 securities in a commercially reasonable manner. After  
772 liquidation, the person shall transfer to the department the  
773 proceeds, less any applicable commissions or fees, or both,  
774 which are charged in the normal course of business. If the value  
775 of the securities exceeds the total amount of past due or  
776 overdue support, the obligor may, within 7 days after receipt of  
777 the department's notice of levy, instruct the person who  
778 possesses or controls the securities which securities are to be  
779 sold to satisfy the obligation for past due or overdue support.  
780 If the obligor does not provide instructions for liquidation,  
781 the person who possesses or controls the securities shall  
782 liquidate the securities in a commercially reasonable manner in  
783 an amount sufficient to cover the obligation for past due or  
784 overdue support and any applicable commissions or fees, or both,

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785 which are charged in the normal course of business, beginning  
786 with the securities purchased most recently. After liquidation,  
787 the person who possesses or controls the securities shall  
788 transfer to the department the total amount of past due or  
789 overdue support.

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

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

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

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

809 (b) Not less than 30 days before the day of the levy, the notice  
810 of intent to levy required under paragraph (a) must be given in  
811 person or sent by regular ~~certified or registered~~ mail to the  
812 person's last known address.

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(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.

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A bill to be entitled

An act relating to the elimination of pre-licensing requirements in the Department of Financial Services; amending s. 626.171, F.S, repealing s. 626.221, F.S., amending s. 626.231, F.S., repealing s. 626.2817, F.S., amending s. 626.292, F.S., repealing s. 626.681, F.S., amending s. 626.731, F.S., repealing s. 626.7351, F.S., amending s. 626.785, F.S., repealing s. 626.7851, F.S., amending s. 626.831, F.S., repealing s. 626.8311, F.S., amending s. 626.8417, F.S., repealing s. 626.865, F.S., repealing s. 626.927, F.S., amending s. 648.385, F.S., and amending s. 648.386, F.S.; providing an effective date.

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

Section 1. Subsection (2) or 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

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30 license applied for.

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

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

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

41 (e) ~~(f)~~—The applicant's gender (male or female).

42 (f) ~~(g)~~—The applicant's native language.

43 (g) ~~(h)~~—The highest level of education achieved by the applicant.

44 (h) ~~(i)~~—The applicant's race or ethnicity (African American,  
45 white, American Indian, Asian, Hispanic, or other).

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

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

58 Section 2. Section 626.221, Florida Statutes, is repealed.

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59           Section 3. Section 626.231, Florida Statutes, is amended to  
60 read:

61           626.231 Eligibility; application for examination.—

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

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

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

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

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

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

84           (c)~~(e)~~ The applicant's gender.

85           (d)~~(f)~~ The applicant's native language.

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

87           (f)~~(h)~~ The applicant's race or ethnicity.

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

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

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

98 ~~626.2817 Regulation of course providers, instructors,  
99 school officials, and monitor groups involved in prelicensure  
100 education for insurance agents and other licensees.—~~

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

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

114 ~~(3) The department shall adopt rules to establish a process for  
115 determining compliance with the prelicensure requirements of  
116 this chapter and chapter 648. The department shall adopt rules~~

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117 ~~prescribing the forms necessary to administer the prelicensure~~  
118 ~~requirements.~~

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

121 626.292 Transfer of license from another state.—

122 (1) An individual licensed in good standing in another state may  
123 apply to the department to have the license transferred to this  
124 state to obtain a resident agent or all-lines adjuster license  
125 for the same lines of authority covered by the license in the  
126 other state.

127 (2) To qualify for a license transfer, an individual applicant  
128 must meet the following requirements:

129 (a) The individual must become a resident of this state.

130 (b) The individual must have been licensed in another state for  
131 a minimum of 1 year immediately preceding the date the  
132 individual became a resident of this state.

133 (c) The individual must submit a completed application for this  
134 state which is received by the department within 90 days after  
135 the date the individual became a resident of this state, along  
136 with payment of the applicable fees set forth in s. 624.501 and  
137 submission of the following documents:

138 1. A certification issued by the appropriate official of the  
139 applicant's home state identifying the type of license and lines  
140 of authority under the license and stating that, at the time the  
141 license from the home state was canceled, the applicant was in  
142 good standing in that state or that the state's Producer  
143 Database records, maintained by the National Association of  
144 Insurance Commissioners, its affiliates, or subsidiaries,  
145 indicate that the agent or all-lines adjuster is or was licensed



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146 in good standing for the line of authority requested.

147 2. A set of the applicant's fingerprints in accordance with s.  
148 626.171(4).

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

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

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

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

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

167 626.731 Qualifications for general lines agent's license.—

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

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

173 (b) The applicant is a United States citizen or legal alien who  
174 possesses work authorization from the United States Bureau of

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175 Citizenship and Immigration Services and is a bona fide resident  
176 of this state. An individual who is a bona fide resident of this  
177 state shall be deemed to meet the residence requirement of this  
178 paragraph, notwithstanding the existence at the time of  
179 application for license of a license in his or her name on the  
180 records of another state as a resident licensee of such other  
181 state, if the applicant furnishes a letter of clearance  
182 satisfactory to the department that the resident licenses have  
183 been canceled or changed to a nonresident basis and that he or  
184 she is in good standing.

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

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

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

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

202 (f) ~~(g)~~ The applicant has passed any required examination for  
203 license required under s. 626.221.

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204 (2) The department shall not grant, continue, renew, or permit  
205 to exist the license or appointment of a general lines agent  
206 unless the agent meets the requirements of subsection (1).

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

209 626.7351 Qualifications for customer representative's license.—

210 The department shall not grant or issue a license as customer  
211 representative to any individual found by it to be untrustworthy  
212 or incompetent, or who does not meet each of the following  
213 qualifications:

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

215 (2) (a) The applicant is a United States citizen or legal alien  
216 who possesses work authorization from the United States Bureau  
217 of Citizenship and Immigration Services and is a bona fide  
218 resident of this state and will actually reside in the state at  
219 least 6 months out of the year. An individual who is a bona fide  
220 resident of this state shall be deemed to meet the residence  
221 requirements of this subsection, notwithstanding the existence  
222 at the time of application for license of a license in his or  
223 her name on the records of another state as a resident licensee  
224 of the other state, if the applicant furnishes a letter of  
225 clearance satisfactory to the department that the resident  
226 licenses have been canceled or changed to a nonresident basis  
227 and that he or she is in good standing.

228 (b) The applicant is a resident of another state sharing a  
229 common boundary with this state and has been employed in this  
230 state for a period of not less than 6 months by a Florida  
231 resident general lines agent licensed and appointed under this  
232 chapter. The applicant licensed under this subsection must meet

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233 all other requirements as described in this chapter and must,  
234 under the direct supervision of a licensed and appointed Florida  
235 resident general lines agent, conduct business solely within the  
236 confines of the office of the agent or agency whom he or she  
237 represents in this state.

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

251 (3)(4) The license is not being sought for the purpose of  
252 writing or handling controlled business in violation of s.  
253 626.730.

254 (4)(5) The applicant will be employed by only one agent or  
255 agency and the agency will appoint one designated agent within  
256 the agency who will supervise the work of the applicant and his  
257 or her conduct in the insurance business, and the applicant will  
258 spend all of his or her business time in the employment of the  
259 agent or agency and will be domiciled in the office of the  
260 appointing agent or agency as provided in s. 626.7352.

261 (5)(6) Upon the issuance of the license applied for, the

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262 applicant is not an agent, a service representative, or a  
263 managing general agent.

264 (6)~~(7)~~ The applicant has passed any required examination for  
265 license required under s. 626.221.

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

268 626.785 Qualifications for license.—

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

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

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

276 (c) Must not be an employee of the United States Department of  
277 Veterans Affairs or state service office, as referred to in s.  
278 626.788.

279 (d) Must not be a funeral director or direct disposer, or an  
280 employee or representative thereof, or have an office in, or in  
281 connection with, a funeral establishment, except that a funeral  
282 establishment may contract with a life insurance agent to sell a  
283 preneed contract as defined in s. 497.005. Notwithstanding other  
284 provisions of this chapter, such insurance agent may sell  
285 limited policies of insurance covering the expense of final  
286 disposition or burial of an insured in the amount of \$12,500,  
287 plus an annual percentage increase based on the Annual Consumer  
288 Price Index compiled by the United States Department of Labor,  
289 beginning with the Annual Consumer Price Index announced by the  
290 United States Department of Labor for the year 2003.

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291 (e) Must take and pass any examination for license required  
292 under s. 626.221.

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

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

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

317 Section 10. Section 626.7851, Florida Statutes, is  
318 repealed.

319 ~~626.7851 Requirement as to knowledge, experience, or~~

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320 ~~instruction. No applicant for a license as a life agent, except~~  
321 ~~for a chartered life underwriter (CLU), shall be qualified or~~  
322 ~~licensed unless within the 4 years immediately preceding the~~  
323 ~~date the application for a license is filed with the department~~  
324 ~~he or she has:~~

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

336 ~~(2) Successfully completed a correspondence course in insurance,~~  
337 ~~3 hours of which shall be on the subject matter of ethics,~~  
338 ~~satisfactory to the department and regularly offered by~~  
339 ~~accredited institutions of higher learning in this state or by~~  
340 ~~independent programs of study, approved by the department.~~  
341 ~~Courses must include instruction on the subject matter of~~  
342 ~~unauthorized entities engaging in the business of insurance, to~~  
343 ~~include the Florida Nonprofit Multiple-Employer Welfare~~  
344 ~~Arrangement Act and the Employee Retirement Income Security Act,~~  
345 ~~29 U.S.C. ss. 1001 et seq., as it relates to the provision of~~  
346 ~~life insurance by employers to their employees and the~~  
347 ~~regulation thereof;~~

348 ~~(3) Held an active license in life, or life and health,~~

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349 ~~insurance in another state. This provision may not be utilized~~  
350 ~~unless the other state grants reciprocal treatment to licensees~~  
351 ~~formerly licensed in Florida; or~~

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

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

360 626.831 Qualifications for license.—

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

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

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

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

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

375 ~~(e) Must be qualified as to knowledge, experience, or~~  
376 ~~instruction in the business of insurance and meet the~~  
377 ~~requirements relative thereto provided in s. 626.8311.~~



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

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

389           ~~626.8311 Requirement as to knowledge, experience, or~~  
390 ~~instruction. No applicant for a license as a health agent,~~  
391 ~~except for a chartered life underwriter (CLU), shall be~~  
392 ~~qualified or licensed unless within the 4 years immediately~~  
393 ~~preceding the date the application for license is filed with the~~  
394 ~~department he or she has:~~

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

406           ~~(2) Successfully completed a correspondence course in~~

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407 ~~insurance, 3 hours of which shall be on the subject matter of~~  
408 ~~ethics, satisfactory to the department and regularly offered by~~  
409 ~~accredited institutions of higher learning in this state or by~~  
410 ~~independent programs of study, approved by the department.~~  
411 ~~Courses must include instruction on the subject matter of~~  
412 ~~unauthorized entities engaging in the business of insurance, to~~  
413 ~~include the Florida Nonprofit Multiple-Employer Welfare~~  
414 ~~Arrangement Act and the Employee Retirement Income Security Act,~~  
415 ~~29 U.S.C. ss. 1001 et seq., as it relates to the provision of~~  
416 ~~health insurance by employers to their employees and the~~  
417 ~~regulation thereof;~~

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

422 ~~(4) Been employed by the department or office for at least~~  
423 ~~1 year, full time in health insurance regulatory matters and who~~  
424 ~~was not terminated for cause, and application for examination is~~  
425 ~~made within 90 days after the date of termination of his or her~~  
426 ~~employment with the department or office.~~

427 Section 13. Section 626.8417, Florida Statutes, is amended  
428 to read:

429 626.8417 Title insurance agent licensure; exemptions.—

430 (1) A person may not act as a title insurance agent as  
431 defined in s. [626.841](#) until a valid title insurance agent's  
432 license has been issued to that person by the department.

433 (2) An application for license as a title insurance agent  
434 shall be filed with the department on printed forms furnished by  
435 the department.

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436 (3) The department shall not grant or issue a license as  
437 title agent to any individual found by it to be untrustworthy or  
438 incompetent, who does not meet the qualifications for  
439 examination specified in s. [626.8414](#), or who does not meet the  
440 following qualifications:

441 ~~(a) Within the 4 years immediately preceding the date of~~  
442 ~~the application for license, the applicant must have completed a~~  
443 ~~40-hour classroom course in title insurance, 3 hours of which~~  
444 ~~shall be on the subject matter of ethics, as approved by the~~  
445 ~~department, or must have had at least 12 months of experience in~~  
446 ~~responsible title insurance duties, while working in the title~~  
447 ~~insurance business as a substantially full-time, bona fide~~  
448 ~~employee of a title agency, title agent, title insurer, or~~  
449 ~~attorney who conducts real estate closing transactions and~~  
450 ~~issues title insurance policies but who is exempt from licensure~~  
451 ~~pursuant to paragraph (4) (a). If an applicant's qualifications~~  
452 ~~are based upon the periods of employment at responsible title~~  
453 ~~insurance duties, the applicant must submit, with the~~  
454 ~~application for license on a form prescribed by the department,~~  
455 ~~the affidavit of the applicant and of the employer setting forth~~  
456 ~~the period of such employment, that the employment was~~  
457 ~~substantially full time, and giving a brief abstract of the~~  
458 ~~nature of the duties performed by the applicant.~~

459 ~~(a)(b)~~ The applicant must have passed any examination for  
460 licensure required under s. [626.221](#).

461 (4) (a) Title insurers or attorneys duly admitted to  
462 practice law in this state and in good standing with The Florida  
463 Bar are exempt from the provisions of this chapter with regard  
464 to title insurance licensing and appointment requirements.

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465 (b) An insurer may designate a corporate officer of the  
466 insurer to occasionally issue and countersign binders,  
467 commitments, title insurance policies, or guarantees of title. A  
468 designated officer is exempt from the provisions of this chapter  
469 with regard to title insurance licensing and appointment  
470 requirements while the officer is acting within the scope of the  
471 designation.

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

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

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

481 648.386 Qualifications for ~~prelicensing and~~ continuing  
482 education schools and instructors.-

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

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

492 ~~2. Offer a department approved correspondence course pursuant to~~  
493 ~~department rules.~~

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494 ~~(b) Submit a prelicensing course curriculum to the department~~  
495 ~~for approval.~~

496 ~~(c) If applicable, offer prelicensing classes which are taught~~  
497 ~~by instructors approved by the department.~~

498 (1)~~(2)~~ SCHOOLS AND CURRICULUM FOR CONTINUING EDUCATION SCHOOLS.—

499 In order to be considered for approval and certification as an  
500 approved limited surety agent and professional bail bond agent  
501 continuing education school, such entity must:

502 (a) Provide a minimum of three continuing education classes per  
503 calendar year.

504 (b) Submit a course curriculum to the department for approval.

505 (c) Offer continuing education classes which are comprised of a  
506 minimum of 2 hours of approved coursework and are taught by an  
507 approved supervising instructor or guest lecturer approved by  
508 the entity or the supervising instructor.

509 (2)~~(3)~~ GEOGRAPHIC REQUIREMENTS.—Any provider approved under this  
510 section by the department to offer ~~prelicensing courses or~~  
511 continuing education courses shall be required to offer such  
512 courses in at least two geographic areas of the state until such  
513 time that the department determines that there are adequate  
514 providers statewide to provide these courses to applicants and  
515 licensees.

516 (3)~~(4)~~ INSTRUCTOR'S DUTIES AND QUALIFICATIONS.—

517 (a) Each course must have a supervising instructor who is  
518 approved by the department. The supervising instructor shall be  
519 present at all classes. The supervising instructor is  
520 responsible for:

521 1. All course instructors.

522 2. All guest lecturers.

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- 523 3. The course outlines and curriculum.
- 524 4. Certification of each attending limited surety agent or  
525 professional bail bond agent.
- 526 5. Completion of all required forms.
- 527 6. Assuring that the course is approved.
- 528 Either the entity or the supervising instructor may approve  
529 guest lecturers.
- 530 (b) In order to obtain department approval as a supervising  
531 instructor, the following qualifications must be met:
- 532 1. During the past 15 years, the person must have had at least  
533 10 years' experience as a manager or officer of a managing  
534 general agent in this state as prescribed in s. 648.388;
- 535 2. During the past 15 years, the person must have had at least  
536 10 years' experience as a manager or officer of an insurance  
537 company authorized to and actively engaged in underwriting bail  
538 in this state, provided there is a showing that the manager's or  
539 officer's experience is directly related to the bail bond  
540 industry; or
- 541 3. The person has been a licensed bail bond agent in this state  
542 for at least 10 years.
- 543 (c) In order to obtain department approval as an instructor or  
544 guest lecturer, the person must be qualified by education or  
545 experience in the specific area of instruction as prescribed by  
546 department rules.
- 547 (d) A person teaching any approved course of instruction or  
548 lecturing at any approved seminar and attending the entire  
549 course or seminar shall qualify for the same number of classroom  
550 hours as would be granted to a person taking and successfully  
551 completing such course, seminar, or program. Credit shall be

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552 limited to the number of hours actually taught unless a person  
553 attends the entire course or seminar.

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

556 Section 16. This act shall take effect on July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
Notice of Levy for Garnishments

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; providng 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 facsimilie  
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



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Notice of Levy for Garnishments

30 to withhold, any person so notified makes any transfer or  
31 disposition of the property or debts required to be withheld  
32 under this section, he or she is liable to the state for any  
33 indebtedness owed to the department by the person with respect  
34 to whose obligation the notice was given to the extent of the  
35 value of the property or the amount of the debts thus  
36 transferred or paid if, solely by reason of such transfer or  
37 disposition, the state is unable to recover the indebtedness of  
38 the person with respect to whose obligation the notice was  
39 given. If the delinquent taxpayer contests the intended levy in  
40 circuit court or under Chapter 120, the notice under this  
41 section remains effective until that final resolution of the  
42 contest. Any financial institution receiving such notice will  
43 maintain a right of setoff for any transaction involving a debit  
44 card occurring on or before the date of receipt of such notice.

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

53 Section 2. This act shall take effect on July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
Juvenile Detention Officers

1 A bill to be entitled

2 An act related to juvenile detention officers; amending s.  
3 121.0515, F.S., adding juvenile detention officers to the  
4 Special Risk Class; providing an effective date.

5  
6 Be it Enacted by the Legislature of the State of Florida:

7  
8 Section 1. Paragraph (i) of subsection (2) and paragraph  
9 (k) of subsection (3) of section 121.0515, Florida Statutes, is  
10 added to read:

11 121.0515 Special Risk Class.—

12 (2) MEMBERSHIP.—

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

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

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

27 Section 2. This act shall take effect July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
Office of Criminal Conflict and Civil Regional Counsel

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

7  
8   Be it Enacted by the Legislature of the State of Florida:  
9

10           Section 1. Paragraph (h) of subsection (1) of section  
11   121.055, Florida Statutes, is amended to read:

12           121.055 Senior Management Service Class.— There is hereby  
13   established a separate class of membership within the Florida  
14   Retirement System to be known as the "Senior Management Service  
15   Class," which shall become effective February 1, 1987.

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

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Office of Criminal Conflict and Civil Regional Counsel

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

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

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

48           (I) Heads an organizational unit; or

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

52           2. Participation in this class shall be compulsory, except  
53 as provided in subparagraph 3., for any judicial employee who  
54 holds a position designated for coverage in the Senior  
55 Management Service Class, and such participation shall continue  
56 until the employee terminates employment in a covered position.  
57 Effective January 1, 2001, participation in this class is  
58 compulsory for assistant state attorneys, assistant statewide

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Office of Criminal Conflict and Civil Regional Counsel

59 prosecutors, assistant public defenders, and assistant capital  
60 collateral regional counsel. Effective January 1, 2002,  
61 participation in this class is compulsory for assistant  
62 attorneys general. Effective July 1, 2020, participation in  
63 this class is compulsory for the regional counsel.

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

71 Section 2. This act shall take effect July 1, 2021.

Governor's Budget Recommendation Conforming Bill  
Correctional Medical Authority Transfer

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

7  
8   Be it Enacted by the Legislature of the State of Florida:

9  
10           Section 1. Subsection (1) of section 945.602, Florida  
11           Statutes, is amended to read:

12           945.602 State of Florida Correctional Medical Authority;  
13           creation; members.—

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

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Correctional Medical Authority Transfer

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

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

41 |       Section 3. This act shall take effect on July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
State Protocol Officer

1 A bill to be entitled  
2 An act related to the state protocol officer;  
3 amending s. 288.012, F.S.; establishing the  
4 Secretary of State or his or her designee as the  
5 state protocol officer; housing the state  
6 protocol officer within the Department of State;  
7 providing an effective date.  
8

9 Be it Enacted by the Legislature of the State of Florida:  
10

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

13 288.012 State of Florida international offices; state  
14 protocol officer; protocol manual.—

15 (7) ~~The Governor may designate a~~ Secretary of State or his  
16 or her designee shall serve as the state protocol officer. The  
17 state protocol officer shall be housed within the ~~Executive~~  
18 ~~Office of the Governor~~ Department of State. In consultation with  
19 the Governor and other governmental officials, the state  
20 protocol officer shall develop, maintain, publish, and  
21 distribute the state protocol manual.

22 Section 2. This act shall take effect on July 1, 2020.



Governor's Budget Recommendation Conforming Bill  
Regional Rural Development Grants

1 An act relating to regional rural development  
2 grants; amending s. 288.018, F.S.; defining the  
3 term "regional economic development  
4 organization"; specifying that the concept of  
5 building the professional capacity of a regional  
6 economic development organization includes the  
7 hiring of professional staff to perform specified  
8 services; providing that matching grants may be  
9 used to provide technical assistance to local  
10 governments and economic development  
11 organizations and to existing and prospective  
12 businesses; increasing the maximum amount of  
13 annual grant funding that specified economic  
14 development organizations may receive; revising  
15 the required amount of nonstate matching funds;  
16 requiring that certain information be included in  
17 a contract or agreement involving the expenditure  
18 of grant funds; requiring that contracts or  
19 agreements involving the expenditure of grant  
20 funds, and a plain-language version of certain  
21 contracts or agreements, be placed on the  
22 contracting regional economic development  
23 organization's website for a specified period  
24 before execution; deleting an obsolete provision;  
25 increasing the amount of funds the Department of  
26 Economic Opportunity may expend each fiscal year  
27 for certain purposes; amending s. 288.0655, F.S.;  
28 increasing the maximum percent of total

Governor's Budget Recommendation Conforming Bill  
Regional Rural Development Grants

29 | infrastructure project costs for which the  
30 | department may award a grant; repealing a  
31 | provision for increased maximum percent of total  
32 | infrastructure project costs that may be awarded  
33 | for a catalyst site; providing that improving  
34 | access to and availability of broadband Internet  
35 | service may be included in a project that is  
36 | eligible for rural infrastructure grant funds;  
37 | providing that grants for improvements to  
38 | broadband Internet service and access must be  
39 | conducted through certain partnerships; extending  
40 | the date by which the department is required to  
41 | reevaluate certain guidelines and criteria;  
42 | requiring that certain information be included in  
43 | a contract or agreement involving the expenditure  
44 | of grant funds; requiring that contracts or  
45 | agreements involving the expenditure of grant  
46 | funds, and a plain-language version of certain  
47 | contracts or agreements, be placed on the  
48 | contracting regional economic development  
49 | organization's website for a specified period  
50 | before execution; providing an effective date.

51 |  
52 | Be It Enacted by the Legislature of the State of Florida:

53 |  
54 | Section 1. Subsections (1), (3), and (4) of section  
55 | 288.018, Florida Statutes, are amended to read:

56 | 288.018 Regional Rural Development Grants Program.—

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

61 |           (b) The department shall establish a matching grant program  
62 | to provide funding to regional ~~regionally based~~ economic  
63 | development organizations representing rural counties and  
64 | communities to build ~~for the purpose of building~~ the  
65 | professional capacity of those ~~their~~ organizations. Building the  
66 | professional capacity of regional economic development  
67 | organizations may include the hiring of professional staff to  
68 | develop, facilitate the delivery of, and directly provide needed  
69 | economic development professional services, including technical  
70 | assistance, education and leadership development, marketing, and  
71 | project recruitment. ~~Such~~ Matching grants may also be used by a  
72 | regional ~~an~~ economic development organization to provide  
73 | technical assistance to local governments, local economic  
74 | development organizations, and existing and prospective  
75 | businesses within the rural counties and communities that it  
76 | serves.

77 |           (c) A regional economic development organization may apply  
78 | annually to the department for a matching grant. The department  
79 | is authorized to approve, on an annual basis, grants to such  
80 | regional ~~regionally based~~ economic development organizations.  
81 | The maximum amount an organization may receive in any year will  
82 | be \$50,000, or ~~\$150,000~~ \$250,000 for any of the three regional  
83 | economic development organizations that serve an entire region  
84 | of a rural area of opportunity designated pursuant to s.

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Regional Rural Development Grants

85 288.0656(7) and that are recognized by the department as serving  
86 such a region.

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

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

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

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

- 109 1. Any contract or agreement that involves the expenditure  
110 of grant funds provided under this section.  
111 2. A plain-language version of a contract or agreement with  
112 a private entity, a municipality, or a vendor of services,

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Regional Rural Development Grants

113 supplies, or programs, including marketing, or for the purchase  
114 or lease or use of lands, facilities, or properties which  
115 involves the expenditure of grant funds provided under this  
116 section and which is estimated to exceed \$35,000 ~~The department~~  
117 ~~may also contract for the development of an enterprise zone web~~  
118 ~~portal or websites for each enterprise zone which will be used~~  
119 ~~to market the program for job creation in disadvantaged urban~~  
120 ~~and rural enterprise zones. Each enterprise zone web page should~~  
121 ~~include downloadable links to state forms and information, as~~  
122 ~~well as local message boards that help businesses and residents~~  
123 ~~receive information concerning zone boundaries, job openings,~~  
124 ~~zone programs, and neighborhood improvement activities.~~

125 (4) The department may expend up to \$1 million ~~\$750,000~~  
126 each fiscal year from funds appropriated to the Rural Community  
127 Development Revolving Loan Fund for the purposes outlined in  
128 this section. The department may contract with Enterprise  
129 Florida, Inc., for the administration of the purposes specified  
130 in this section. Funds released to Enterprise Florida, Inc., for  
131 this purpose shall be released quarterly and shall be calculated  
132 based on the applications in process.

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

137 288.0655 Rural Infrastructure Fund.—

138 (2) (b) To facilitate access of rural communities and rural  
139 areas of opportunity as defined by the Rural Economic  
140 Development Initiative to infrastructure funding programs of the

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Regional Rural Development Grants

141 Federal Government, such as those offered by the United States  
142 Department of Agriculture and the United States Department of  
143 Commerce, and state programs, including those offered by Rural  
144 Economic Development Initiative agencies, and to facilitate  
145 local government or private infrastructure funding efforts, the  
146 department may award grants for up to 50 ~~30~~ percent of the total  
147 infrastructure project cost. ~~If an application for funding is~~  
148 ~~for a catalyst site, as defined in s. 288.0656, the department~~  
149 ~~may award grants for up to 40 percent of the total~~  
150 ~~infrastructure project cost.~~ Eligible projects must be related  
151 to specific job-creation or job-retention opportunities.  
152 Eligible projects may also include improving any inadequate  
153 infrastructure that has resulted in regulatory action that  
154 prohibits economic or community growth or reducing the costs to  
155 community users of proposed infrastructure improvements that  
156 exceed such costs in comparable communities, which includes  
157 improving access to and the availability of broadband Internet  
158 service. Eligible uses of funds shall include improvements to  
159 public infrastructure for industrial or commercial sites, and  
160 upgrades to or development of public tourism infrastructure, and  
161 improvements to broadband Internet service and access in  
162 unserved or underserved rural communities. Improvements to  
163 broadband Internet service and access must be conducted through  
164 a partnership or partnerships with one or more dealers of  
165 communications services, as defined in s. 202.11(2), and the  
166 partnership must be established by a publicly noticed and  
167 competitively selected process. Authorized infrastructure may  
168 include the following public or public-private partnership

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169 facilities: storm water systems; telecommunications facilities;  
170 broadband facilities; roads or other remedies to transportation  
171 impediments; nature-based tourism facilities; or other physical  
172 requirements necessary to facilitate tourism, trade, and  
173 economic development activities in the community. Authorized  
174 infrastructure may also include publicly or privately owned  
175 self-powered nature-based tourism facilities, publicly owned  
176 telecommunications facilities, and broadband facilities, and  
177 additions to the distribution facilities of the existing natural  
178 gas utility as defined in s. 366.04(3)(c), the existing electric  
179 utility as defined in s. 366.02, or the existing water or  
180 wastewater utility as defined in s. 367.021(12), or any other  
181 existing water or wastewater facility, which owns a gas or  
182 electric distribution system or a water or wastewater system in  
183 this state where:

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

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

190 (4) By September 1, 2021 ~~2012~~, the department shall, in  
191 consultation with the organizations listed in subsection (3),  
192 and other organizations, reevaluate existing guidelines and  
193 criteria governing submission of applications for funding,  
194 review and evaluation of such applications, and approval of  
195 funding under this section. The department shall consider  
196 factors including, but not limited to, the project's potential

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Regional Rural Development Grants

197 for enhanced job creation or increased capital investment, the  
198 demonstration and level of local public and private commitment,  
199 whether the project is located ~~in an enterprise zone~~, in a  
200 community development corporation service area, or in an urban  
201 high-crime area as designated under s. 212.097, the unemployment  
202 rate of the county in which the project would be located, and  
203 the poverty rate of the community.

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

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

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

- 221 1. Any contract or agreement that involves the expenditure  
222 of grant funds provided under this section.
- 223 2. A plain-language version of a contract or agreement with  
224 a private entity, a municipality, or a vendor of services,



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225 supplies, or programs, including marketing, or for the purchase  
226 or lease or use of lands, facilities, or properties which  
227 involves the expenditure of grant funds provided under this  
228 section and which is estimated to exceed \$35,000.

229 Section 3. This act shall take effect on July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
Rail Systems

1 An act relating to rail systems; amending s.  
2 20.23, F.S., repealing language related to the  
3 Florida Rail Enterprise; amending s. 341.302,  
4 F.S.; adding "publicly funded passenger rail  
5 systems" to the Florida Public Transit Act;  
6 amending s. 341.303, F.S.; repealing language  
7 related to the Florida Rail Enterprise; repealing  
8 ss. 341.8201-341.842 related to the Florida Rail  
9 Enterprise; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. Subsection (4) of section 20.23, Florida  
14 Statutes, is amended to read,

15 20.23 Department of Transportation.— There is created a  
16 Department of Transportation which shall be a decentralized  
17 agency.

18 (4) (a) The operations of the department shall be organized  
19 into seven districts, each headed by a district secretary, and a  
20 turnpike enterprise and a rail enterprise, each enterprise  
21 headed by an executive director. The district secretaries and  
22 the executive directors shall be registered professional  
23 engineers in accordance with the provisions of chapter 471 or  
24 the laws of another state, or, in lieu of professional engineer  
25 registration, a district secretary or executive director may  
26 hold an advanced degree in an appropriate related discipline,  
27 such as a Master of Business Administration. The headquarters of  
28 the districts shall be located in Polk, Columbia, Washington,

Governor's Budget Recommendation Conforming Bill  
Rail Systems

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

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

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

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

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

56 2. To facilitate the most efficient and effective

Governor's Budget Recommendation Conforming Bill  
Rail Systems

57 management of the turnpike enterprise, including the use of best  
58 business practices employed by the private sector, the turnpike  
59 enterprise, except as provided in s. 287.055, shall be exempt  
60 from departmental policies, procedures, and standards, subject  
61 to the secretary having the authority to apply any such  
62 policies, procedures, and standards to the turnpike enterprise  
63 from time to time as deemed appropriate.

64 ~~(f)1. The responsibility for developing and operating the~~  
65 ~~high-speed and passenger rail systems established in chapter~~  
66 ~~341, directing funding for passenger rail systems under s.~~  
67 ~~341.303, and coordinating publicly funded passenger rail~~  
68 ~~operations in the state, including freight rail interoperability~~  
69 ~~issues, shall be delegated by the secretary to the executive~~  
70 ~~director of the rail enterprise, who shall serve at the pleasure~~  
71 ~~of the secretary. The executive director shall report directly~~  
72 ~~to the secretary, and the rail enterprise shall operate pursuant~~  
73 ~~to ss. 341.8201-341.842.~~

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

82 Section 2. Subsection (2) of section 341.302, Florida  
83 Statutes, is amended to read:

Governor's Budget Recommendation Conforming Bill  
Rail Systems

84           341.302 Rail program; duties and responsibilities of the  
85 department.-

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

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

92           Section 4. Sections 341.8201, 341.8203, 341.822, 341.8225,  
93 341.825, 341.836. 341.838, 341.839, 341.840, and 341.842,  
94 Florida Statutes, are repealed.

95           Section 5. This act shall take effect on July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
Funding for Everglades and Water Resources

1 A bill to be entitled  
2 An act relating to dedicated funding for Everglades and  
3 water resources; creates section 373.477, Florida  
4 Statutes; provides the minimum funding that shall be  
5 appropriated annually for Everglades restoration and  
6 protection of water resources; providing an effective  
7 date.

8  
9 Be It Enacted by the Legislature of the State of Florida:

10  
11 Section 1. Section 373.477, Florida Statutes, is created to  
12 read:

13 373.477 Annual funding for Everglades restoration and water  
14 restoration. -

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

21 (a) This shall include at a minimum:

- 22 1. The greater of \$300 million or funding pursuant  
23 to s. 375.041(b)1 for Everglades restoration and  
24 s. 375.041(b)4 for the EAA reservoir project.  
25 2. Funding appropriated for springs restoration  
26 pursuant to s. 375.041(b)2.  
27 3. \$50 million for Total Maximum Daily Loads.

Governor's Budget Recommendation Conforming Bill  
Funding for Everglades and Water Resources

28                   4. \$15 million for projects within the watersheds of  
29                   the St. Johns River, Suwannee River, and  
30                   Apalachicola River.

31                   5. \$10 million for Coral reef protection and  
32                   restoration.

33       (b)       The remaining balance shall be allocated for:

34                   1. Targeted water quality improvements.

35                   2. Alternative water supply or water conservation.

36                   3. Water quality enhancements and accountability,  
37                   innovative technologies, and harmful algal bloom  
38                   prevention and mitigation.

39               Section 2. This act shall take effect July 1, 2020 and  
40 shall stand repealed on June 30, 2023 unless reviewed and saved  
41 from repeal through reenactment by the Legislature.

Governor's Budget Recommendation Conforming Bill  
Department of Economic Opportunity - Terminate the Florida Small  
Cities Community Development Block Grant Program Trust Fund

1 A bill to be entitled

2 An act relating to trust funds of the Department of  
3 Economic Opportunity; terminating the Florida Small  
4 Cities Community Development Block Grant Program  
5 Trust Fund; providing for the disposition of  
6 balances in and revenues of such trust funds;  
7 providing an effective date.

8  
9 Be It Enacted by the Legislature of the State of Florida:

10  
11 Section 1. (1) The Florida Small Cities Community  
12 Development Block Grant Program Trust Fund within the Department  
13 of Economic Opportunity, FLAIR number 40-2-109, is terminated.

14 (2) All current balances remaining in, and all revenues of,  
15 the trust fund shall be transferred to the Federal Grants Trust  
16 Fund within the Department of Economic Opportunity.

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

23 Section 2. This act shall take effect July 1, 2020.



Governor's Budget Recommendation Conforming Bill  
Department of Military Affairs -  
Terminate Welfare Transition Trust Fund

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

6  
7 Be It Enacted by the Legislature of the State of Florida:

8  
9           Section 1. (1) The Welfare Transition Trust Fund within  
10 the Department of Military Affairs, FLAIR number 62-2-401, is  
11 terminated.

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

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

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

23           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

1 A bill to be entitled

2 An act relating to trust funds of the Department of  
3 Health; terminating the Welfare Transition Trust  
4 Fund; repealing s. 20.435(8) F.S.; providing an  
5 effective date.

6  
7 Be It Enacted by the Legislature of the State of Florida:

8  
9 Section 1. (1) The Welfare Transition Trust Fund within  
10 the Department of Health, FLAIR number 64-2-401, is terminated.

11 (2) All current balances remaining in, and all revenues of,  
12 the trust fund, shall be transferred to the Federal Grants Trust  
13 Fund, FLAIR number 64-2-261.

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

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

22 Section 3. This act shall take effect July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
Executive Office of the Governor -  
Terminate Federal Emergency Management  
Program Support Trust Fund

1                                   A bill to be entitled  
2       An act relating to trust funds of the Executive  
3       Office of the Governor; terminating the Federal  
4       Emergency Management Program Support Trust Fund;  
5       providing for the disposition of balances in and  
6       revenues of the trust fund; providing an effective  
7       date.

8  
9   Be It Enacted by the Legislature of the State of Florida:

10  
11           Section 1. (1) The Federal Emergency Management Program  
12 Support Trust Fund within the Executive Office of the Governor,  
13 FLAIR number 31-2-525, is terminated.

14           (2) All current balances remaining in, and all revenues  
15 of, the trust fund, shall be transferred to the Federal Grants  
16 Trust Fund, FLAIR number 31-2-261.

17           (3) The Executive Office of the Governor shall pay any  
18 outstanding debts and obligations of the terminated fund as soon  
19 as practicable, and the Chief Financial Officer shall close out  
20 and remove the terminated fund from the various state accounting  
21 systems using generally accepted accounting principles  
22 concerning warrants outstanding, assets, and liabilities.

23           Section 2. This act shall take effect July 1, 2020.

Governor's Budget Recommendation Conforming Bill  
Justice Administrative Commission -  
Terminate the Public Defenders Revenue Trust Fund

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.

Governor's Budget Recommendation Conforming Bill  
Justice Administrative Commission -  
Terminate the Public Defenders Revenue Trust Fund

28 Section 3. Upon the expiration and reversion of the  
29 amendment made to section 318.18, Florida Statutes, pursuant to  
30 section 40 of chapter 2018-10, Laws of Florida, paragraph (c) of  
31 subsection (19) of section 318.18, Florida Statutes, is amended  
32 to read:

33 318.18 Amount of penalties.-The penalties required for a  
34 noncriminal disposition pursuant to s. 318.14 or a criminal  
35 offense listed in s. 318.17 are as follows:

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

43 (c) The sum of \$1.67 shall be deposited in the Indigent  
44 Criminal Defense Trust Fund ~~Public Defenders Revenue Trust Fund~~  
45 for use by the public defenders.

46 Section 4. Upon the expiration and reversion of the  
47 amendment made to section 817.568, Florida Statutes, pursuant to  
48 section 42 of chapter 2018-10, Laws of Florida, paragraph (b) of  
49 subsection (12) of section 817.568, Florida Statutes, is amended  
50 to read:

51 817.568 Criminal use of personal identification  
52 information.-

53 (12) In addition to any sanction imposed when a person  
54 pleads guilty or nolo contendere to, or is found guilty of,

Governor's Budget Recommendation Conforming Bill  
Justice Administrative Commission -  
Terminate the Public Defenders Revenue Trust Fund

55 regardless of adjudication, a violation of this section, the  
56 court shall impose a surcharge of \$1,001.

57 (b) The sum of \$250 of the surcharge shall be deposited  
58 into the State Attorneys Revenue Trust Fund for the purpose of  
59 funding prosecutions of offenses relating to the criminal use of  
60 personal identification information. The sum of \$250 of the  
61 surcharge shall be deposited into the Indigent Criminal Defense  
62 Trust Fund ~~Public Defenders Revenue Trust Fund~~ for the purposes  
63 of indigent criminal defense related to the criminal use of  
64 personal identification information.

65 Section 5. This act shall take effect July 1, 2020.