Governor’s Budget Recommendation Implementing Bill

A bill to be entitled

An act relating to implementing the 2022-2023 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; amending s. 1011.62 (15), (16)(a), and (19)(f), F.S.; providing a funding compression and hold harmless allocation; specifying purpose and distribution of allocations; providing for the expiration and reversion of specified statutory text; amending the teacher salary increase allocation; specifying amount appropriated to a school district will be based upon the July FEFP calculation; amending the turnaround school supplemental services allocation; specifying amount appropriated to a school district will be based upon the October full-time equivalent student membership survey; reenacting and amending s. 1013.62(1), F.S.; specifying the source of capital outlay funding for charter schools; providing for the future expiration and reversion of specified statutory text; authorizing the Agency for Health Care Administration to submit a budget amendment for the hospital direct pay program and the indirect medical education program; authorizing the Agency for Health Care Administration to submit a budget amendment to realign funding within the Medicaid program; authorizing the Agency for Health Care Administration and the Department of Health to each submit a budget amendment to realign funding within the Florida Kidcare Program; authorizing the Agency for
Health Care Administration, in consultation with the Department of Health to submit a budget amendment to realign funding for a component of the Children’s Medical Services program to reflect actual enrollment changes; specifying requirements for such realignment; authorizing the agency to request non-operating budget authority for transferring certain federal funds to the Department of Health; authorizing the Agency for Health Care Administration to contract for the negotiation of prescription drug prices on behalf of participating agencies; amending s. 381.02035; authorizing a pharmacist or wholesaler under contract with Agency for Persons with Disabilities to enroll state operated forensic facilities to be eligible to import prescription drugs under the Canadian Prescription Drug Importation Program; providing an effective date; authorizing the Department of Children and Families to realign funding based on the implementation of the Guardianship Assistance Program; authorizing the Department of Children and Families to realign funding within the Family Safety Program to maximize the use of Title IV-E and other federal funds; authorizing the Department of Health to submit a budget amendment to increase budget authority for the HIV/AIDS prevention and treatment program under certain conditions; amending ss. 381.986 and 381.988, F.S.; extending for 1 year the exemption of certain rules pertaining to the medical use of marijuana from certain rulemaking requirements; provides that the Department of Health is exempt from certain rules and requirements pertaining to Medical Marijuana Laboratory Certification; amending s. 14(1), chapter 2017-232, Laws of
Florida; exempting certain rules pertaining to medical marijuana adopted to replace emergency rules from specified rulemaking requirements; amending s. 216.262, F.S.; extending for 1 fiscal year the authority of the Department of Corrections to submit a budget amendment for additional positions and appropriations under certain circumstances; requiring review and approval by the Legislative Budget Commission; amending s. 215.18, F.S.; extending for 1 fiscal year the authority and related repayment requirements for temporary trust fund loans to the state court system which are sufficient to meet the system’s appropriation; requiring the Department of Juvenile Justice to review county juvenile detention payments to determine if the county has met specified financial responsibilities; requiring amounts owed by the county for such financial responsibilities to be deducted from certain county funds; requiring the Department of Revenue to transfer withheld funds to a specified trust fund; requiring the Department of Revenue to ensure that such deductions do not reduce distributions below amounts necessary for certain payments relating to bonds; requiring the Department of Revenue to notify the Department of Juvenile Justice if bond payment requirements require a reduction in deductions for amounts owed by a county; amending s. 27.5304, F.S., relating to private court-appointed counsel; extending for 1 fiscal year limitations on compensation for private court-appointed counsel; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer funds
appropriated for data processing assessment between
departments for a specified purpose; requires certain
information technology projects be reviewed by the Florida
Digital Service prior to a change in scope; authorizing the
Executive Office of the Governor to transfer funds between
departments for purposes of aligning amounts paid for risk
management insurance and for human resources services
purchased per statewide contract; amending s. 215.18, F.S.;
extending for 1 fiscal year the authority of the Governor,
if there is a specified temporary deficiency in a land
acquisition trust fund in the Department of Agriculture and
Consumer Services, the Department of Environmental
Protection, the Department of State, or the Fish and
Wildlife Conservation Commission, to transfer funds from
other trust funds in the State Treasury as a temporary loan
to such trust fund; providing deadline for the repayment of
a temporary loan; requiring the Department of Environmental
Protection to transfer designated proportions of the
revenues deposited in the Land Acquisition Trust Fund
within the department to land acquisition trust funds in
the Department of Agriculture and Consumer Services, the
Department of State, and the Fish and Wildlife Conservation
Commission according to specified parameters and
calculations; defining the term “department”; requiring the
Department of Environmental Protection to make transfers to
land acquisition trust funds monthly; specifying the method
of determining transfer amounts; authorizing the Department
of Environmental Protection to advance funds from its land
acquisition trust fund to the Fish and Wildlife
Conservation Commission’s land acquisition trust fund for
specified purposes; amending s. 375.041, F.S.; specifying that certain funds for projects dedicated to restoring Lake Apopka shall be appropriated as provided in the General Appropriations Act; amending s. 216.181, F.S.; authorizing approval of changes for Department of Environmental Protection fixed capital outlay projects under specified circumstances; reenacting s. 376.3071(15)(g), F.S., relating to the Inland Protection Trust Fund; exempting specified costs incurred by certain petroleum storage system owners or operators during a specified period from the prohibition against making payments in excess of amounts approved by the Department of Environmental Protection; providing for future expiration and reversion of specified statutory text; amending s. 321.04, F.S.; extending for 1 fiscal year the requirement that the Department of Highway Safety and Motor Vehicles assign one or more patrol officers to the office of Lieutenant Governor for security purposes, upon request of the Governor; extending for 1 fiscal year the requirement that the Department of Highway Safety and Motor Vehicles assign a patrol officer to a Cabinet member under certain circumstances; amending s. 215.559, F.S.; delaying the repeal of provisions governing the Division of Emergency Management’s Hurricane Loss Mitigation Program; amending s. 288.8013, F.S.; authorizing interest earned by the Triumph Gulf Coast Trust Fund to be used as provided in the General Appropriations Act; amending s. 339.135, F.S.; authorizing the chair and vice chair of the Legislative Budget Commission to approve certain work program amendments under specified circumstances; amending s. 420.0005, F.S.;
extending for 1 fiscal year the authorization for certain funds related to state housing to be used as provided in the General Appropriations Act; amending s. 420.9079, F.S.; extending for 1 year the authorization for funds in the Local Government Housing Trust Fund to be used as provided in the General Appropriations Act; amending 427.0159, F.S.; authorizing funds in the Transportation Disadvantaged Trust Fund to be used as provided in the General Appropriations Act; incorporating by reference certain calculations of reversions; prohibiting a state agency from contracting with common carriers under specified circumstances; amending s. 112.061, F.S.; requiring agencies to prioritize applications for economic development programs that benefit the on-shoring of manufacturing to the state; extending for 1 fiscal year the authorization for the Lieutenant Governor to designate an alternative official headquarters under certain conditions; specifying restrictions, limitations, eligibility for the subsistence allowance, reimbursement of transportation expenses, and payment thereof; requiring the Department of Management Services to maintain and offer the same health insurance options for participants of the State Group Health Insurance Program for the 2022-23 fiscal year as applied in the preceding fiscal year; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys into the General Revenue Fund from trust funds in the 2022-23 General Appropriations Act; providing for the future expiration and reversion of statutory text; authorizing state agencies to submit budget amendments to implement any necessary salary rate increase
to address pay plan compression resulting from the increase in the state minimum wage; limiting the use of travel funds to activities that are critical to an agency’s mission; providing a monetary cap on lodging costs for state employee travel to certain meetings organized or sponsored by a state agency or the judicial branch; authorizing employees to expend their own funds for lodging expenses that exceed the monetary caps; provides for a reduction of the MyFloridaMarketPlace transaction fee; authorizing the Department of Lottery to submit budget amendments for the cost to implement a new prize payment system; providing for state agencies to coordinate purchase of new motor vehicles with the Department of Management Services prior to the acquisition of any new vehicle; providing conditions under which the veto of certain appropriations or proviso language in the General Appropriations Act voids language that implements such appropriation; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing severability; providing effective dates.

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

Section 1. It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for the 2022-2023 fiscal year. Section 2. In order to implement Specific Appropriations 5, 6, 86, and 87 of the 2022-2023 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2022-2023 fiscal year in the document entitled “Public
School Funding-The Florida Education Finance Program,” dated December 2021 and filed with the Executive Office of the Governor are incorporated by reference for the purpose of displaying the calculations used in making appropriations for the Florida Education Finance Program. This section expires July 1, 2023.

Section 3. In order to implement Specific Appropriations 5 and 86 of the 2022-2023 General Appropriations Act, and notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42, 1011.62(6)(b)3., and 1011.67, Florida Statutes, relating to the expenditure of funds provided for instructional materials, for the 2022-2023 fiscal year, funds provided for instructional materials shall be released and expended as required in the proviso language for Specific Appropriation 86 of the 2022-2023 General Appropriations Act. This section expires July 1, 2023.

Section 4. In order to implement Specific Appropriations 5 and 86 of the 2022-2023 General Appropriations Act, subsection (15), paragraph (a) of subsection (16), and paragraph (f) of subsection (19) of section 1011.62, Florida Statutes, is amended to read:

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

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

(a) Using the most recent prior year FEFP calculation for each eligible school district, subtract the total school district funds per FTE from the state average funds per FTE, not including any adjustments made pursuant to paragraph (17)(b). The resulting funds per FTE difference, or a portion thereof, as designated in the General Appropriations Act, shall then be multiplied by the school district’s total unweighted FTE.

(b) Multiply the absolute value of the difference between the eligible school district’s current year district cost differential and the prior year district cost differential by a hold harmless factor as designated in the General Appropriations Act. The result is the district cost differential hold harmless index. Multiply the index by the eligible school district’s weighted FTE and by the base student allocation as designated in the General Appropriations Act.

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

This subsection expires July 1, 2023.

(16) TEACHER SALARY INCREASE ALLOCATION.—The Legislature may annually provide in the Florida Education Finance Program a teacher salary increase allocation to assist school districts in
their recruitment and retention of classroom teachers and other
instructional personnel. The amount of the allocation shall be
specified in the General Appropriations Act.

(a) Each school district shall receive an allocation based
on the school district’s proportionate share of the base FEFP
allocation. Each school district shall provide each charter
school within its district its proportionate share calculated
pursuant to s. 1002.33(17)(b). The amount appropriated for each
school district shall be the funding allocated to a school
district as of the July FEFP calculation.

(19) TURNAROUND SCHOOL SUPPLEMENTAL SERVICES ALLOCATION.—
The turnaround school supplemental services allocation is
created to provide district-managed turnaround schools, as
identified in s. 1008.33(4)(a), schools that earn three
consecutive grades below a “C,” as identified in s.
1008.33(4)(b)3., and schools that have improved to a “C” and are
no longer in turnaround status, as identified in s.
1008.33(4)(c), with funds to offer services designed to improve
the overall academic and community welfare of the schools’
students and their families.

(f) Subject to legislative appropriation, each school shall
remain eligible for the allocation for a maximum of 4 continuous
fiscal years while implementing a turnaround option pursuant to
s. 1008.33(4). In addition, a school that improves to a grade of
“C” or higher shall remain eligible to receive the allocation
for a maximum of 2 continuous fiscal years after exiting
turnaround status. The amount allocated for each school district
shall be recalculated once during the year, based on full-time
equivalent student membership from the October full-time
equivalent student membership survey.
Section 5. In order to implement Specific Appropriation 15 of the 2022-2023 General Appropriations Act, and notwithstanding the expiration date in section 5 of chapter 2021-37, Laws of Florida, subsection (1) of section 1013.62, Florida Statutes, is reenacted and amended to read:

1013.62 Charter Schools Capital Outlay Funding.–

(1) For the 2022-2023 fiscal year, charter school capital outlay funding shall consist of state funds appropriated in the 2022-2023 General Appropriations Act. Beginning in fiscal year 2023-2024, charter school capital outlay funding shall consist of state funds when such funds are appropriated in the General Appropriations Act and revenue resulting from the discretionary millage authorized in s. 1011.71(2) if the amount of state funds appropriated for charter school capital outlay in any fiscal year is less than the average charter school capital outlay funds per unweighted full-time equivalent student for the 2018-2019 fiscal year, multiplied by the estimated number of charter school students for the applicable fiscal year, and adjusted by changes in the Consumer Price Index issued by the United States Department of Labor from the previous fiscal year. Nothing in this subsection prohibits a school district from distributing to charter schools funds resulting from the discretionary millage authorized in s. 1011.71(2).

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

1. a. Have been in operation for 2 or more years;
   b. Be governed by a governing board established in the state for 2 or more years which operates both charter schools and conversion charter schools within the state;
c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;

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

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

f. Be operated by a hope operator pursuant to s. 1002.333.

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

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

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

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

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

Section 6. The amendments to s. 1013.62(1), Florida Statutes, by this act expire July 1, 2023, and the text of that subsection shall revert to that in existence on June 30, 2020, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the
Section 7. In order to continue the implementation of Section 74 of the 2022-2023 General Appropriations Act, the Agency for Health Care Administration may submit a budget amendment, subject to the notice, review and objection procedures of s. 216.177, Florida Statutes, for the hospital direct payment program. This section expires July 1, 2023.

Section 8. In order to continue the implementation of Section 75 of the 2022-2023 General Appropriations Act, the Agency for Health Care Administration may submit a budget amendment, subject to the notice, review and objection procedures of s. 216.177, Florida Statutes, for the indirect medical education program for institutions participating in a graduate medical education program. This section expires July 1, 2023.

Section 9. In order to implement Specific Appropriations 197 through 224 of the 2022-2023 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the Medicaid program appropriation categories to address projected surpluses and deficits within the program and to maximize the use of state trust funds. A single budget amendment shall be submitted in the last quarter of the 2022-2023 fiscal year only. This section expires July 1, 2023.

Section 10. In order to implement Specific Appropriations 176 through 181 and 524 of the 2022-2023 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the...
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Statutes, the Agency for Health Care Administration and the Department of Health may each submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the Florida Kidcare program appropriation categories, or to increase budget authority in the Children’s Medical Services Network category, to address projected surpluses and deficits within the program or to maximize the use of state trust funds. A single budget amendment must be submitted by each agency in the last quarter of the 2022-2023 fiscal year only. This section expires July 1, 2023.

Section 11. In order to implement Specific Appropriations 197 through 224 and 524 of the 2022-2023 General Appropriations Act and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration, in consultation with the Department of Health, may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within and between agencies based on implementation of the Managed Medical Assistance component of the Statewide Medicaid Managed Care program for the Children's Medical Services program of the Department of Health. The funding realignment shall reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to the capitated Children's Medical Services Network. The Agency for Health Care Administration may submit a request for non-operating budget authority to transfer the federal funds to the Department of Health pursuant to s. 216.181(12), Florida Statutes. This section expires July 1, 2023.

Section 12. In order to implement Specific Appropriations
189, 211, 212, 279, 337, 487, 703, 704, and 705 of the 2022-2023 General Appropriations Act, the Agency for Health Care Administration, in consultation with the Department of Health, Agency for Persons with Disabilities, Department of Children and Families and the Department of Corrections, shall competitively procure a contract with a vendor to negotiate prices for prescription drugs, including insulin and epinephrine, for all participating agencies. The contract shall also allow for the direct purchase of these drugs for participating agencies when possible. The contract shall prescribe that the vendor will be compensated on a contingency basis paid from a portion of the savings achieved through the negotiation and purchase of the prescription drugs. This section expires July 1, 2023.

Section 13. In order to implement Specific Appropriation 190 of the 2022-2023 General Appropriations Act, paragraph (f) is added to subsection (7) of section 381.02035, Florida Statutes, is added to read:

381.02035 Canadian Prescription Drug Importation Program.—
(7) ELIGIBLE IMPORTERS.—The following entities may import prescription drugs from an eligible Canadian supplier under the program:

(a) A pharmacist or wholesaler employed by or under contract with the department’s central pharmacy, for distribution to a county health department or free clinic for dispensing to clients treated in such department or clinic.

(b) A pharmacist or wholesaler employed by or under contract with a Medicaid pharmacy, for dispensing to the pharmacy’s Medicaid recipients.

(c) A pharmacist or wholesaler employed by or under contract with the Department of Corrections, for dispensing to
inmates in the custody of the Department of Corrections.

(d) A pharmacist or wholesaler employed by or under contract with a developmental disabilities center, as defined in s. 393.063, for dispensing to clients treated in such center.

(e) A pharmacist or wholesaler employed by or under contract with a treatment facility, as defined in s. 394.455, for dispensing to patients treated in such facility.

(f) For the 2022-2023 Fiscal Year, a pharmacist or wholesaler employed by or under contract with forensic facilities as defined in s. 916.106, Florida Statutes, that are managed by the Agency for Persons with Disabilities, for dispensing to clients treated in such facilities. This paragraph expires July 1, 2023.

Section 14. In order to implement Specific Appropriations 326, 328, 357, and 358 of the 2022-2023 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Children and Families may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the department based on the implementation of the Guardianship Assistance Program, between and among the specific appropriations for guardianship assistance payments, foster care Level 1 room and board payments, relative caregiver payments, and nonrelative caregiver payments. This section expires July 1, 2023.

Section 15. In order to implement Specific Appropriations 307 through 310, 315, 316, 319, 324 through 326, and 328 of the 2022-2023 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Children and Families may submit a budget amendment, subject to
the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within the Family Safety Program to maximize the use of Title IV-E and other federal funds. This section expires July 1, 2023.

Section 16. In order to implement Specific Appropriations 470 and 509 of the 2022-2023 General Appropriations Act, and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Department of Health may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to increase budget authority for the HIV/AIDS Prevention and Treatment Program if additional federal revenues specific to HIV/AIDS prevention and treatment program become available in the 2022-2023 fiscal year. This section expires July 1, 2023.

Section 17. In order to implement Specific Appropriations 467 through 469, 473 through 475, 478 and 481 through 483 of the 2022-2023 General Appropriations Act, subsection (17) of section 381.986, Florida Statutes, is amended to read:

381.986 Medical use of marijuana.—
(17) Rules adopted pursuant to this section before July 1, 2023, are not subject to ss. 120.54(3)(b) and 120.541. Notwithstanding paragraph (8)(e), a medical marijuana treatment center may use a laboratory that has not been certified by the department under s. 381.988 until such time as at least one laboratory holds the required certification pursuant to s. 381.988, but in no event later than July 1, 2020. This subsection expires July 1, 2023.

Section 18. In order to implement Specific Appropriations 467 through 469, 473 through 475, 478 and 481 through 483 of the 2022-2023 General Appropriations Act, subsection (11) of section
381.988, Florida Statutes, is amended to read:

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

(11) Rules adopted under subsection (9) before July 1, 2023, are not subject to ss. 120.54(3)(b) and 120.541. This subsection expires July 1, 2023.

Section 19. Effective July 1, 2022, upon the expiration and reversion of the amendments made to subsection (1) of section 14 of chapter 2017-232, Laws of Florida, pursuant to section 33 of chapter 2020-114, Laws of Florida, and in order to implement Specific Appropriations 467 through 469, 473 through 475, 478 and 481 through 483 of the 2022-2023 General Appropriations Act, subsection (1) of section 14 of chapter 2017-232, Laws of Florida, is amended to read:

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

(1) EMERGENCY RULEMAKING.—

(a) The Department of Health and the applicable boards shall adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, and this section necessary to implement ss. 381.986 and 381.988, Florida Statutes. If an emergency rule adopted under this section is held to be unconstitutional or an invalid exercise of delegated legislative authority, and becomes void, the department or the applicable boards may adopt an emergency rule pursuant to this section to replace the rule that has become void. If the emergency rule adopted to replace the void emergency rule is also held to be unconstitutional or an invalid exercise of delegated legislative authority and becomes void, the department and the applicable boards must follow the nonemergency rulemaking procedures of the Administrative
(b) For emergency rules adopted under this section, the department and the applicable boards need not make the findings required by s. 120.54(4)(a), Florida Statutes. Emergency rules adopted under this section are exempt from ss. 120.54(3)(b) and 120.541, Florida Statutes. The department and the applicable boards shall meet the procedural requirements in s. 120.54(4)(a), Florida Statutes, if the department or the applicable boards have, before July 1, 2019 the effective date of this act, held any public workshops or hearings on the subject matter of the emergency rules adopted under this subsection. Challenges to emergency rules adopted under this subsection are subject to the time schedules provided in s. 120.56(5), Florida Statutes.

(c) Emergency rules adopted under this section are exempt from s. 120.54(4)(c), Florida Statutes, and shall remain in effect until replaced by rules adopted under the nonemergency rulemaking procedures of the Administrative Procedures Act. Rules adopted under the nonemergency rulemaking procedures of the Administrative Procedures Act to replace emergency rules adopted under this section are exempt from ss. 120.54(3)(b) and 120.541, Florida Statutes. By January 1, 2018, the department and the applicable boards shall initiate nonemergency rulemaking pursuant to the Administrative Procedures Act to replace all emergency rules adopted under this section by publishing a notice of rule development in the Florida Administrative Register. Except as provided in paragraph (a), after January 1, 2018, the department and applicable boards may not adopt rules pursuant to the emergency rulemaking procedures provided in this section.
Section 20. In order to implement Specific Appropriations 581 through 684 and 696 through 731 of the 2022-2023 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized Positions.—

(4) Notwithstanding the provisions of this chapter relating to increasing the number of authorized positions, and for the 2022-2023 fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the July 28, 2021, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2023.

Section 21. In order to implement Specific Appropriations 3201 through 3267 of the 2022-2023 General Appropriations Act, subsection (2) of section 215.18, Florida Statutes, is amended
215.18 Transfers between funds; limitation.—

(2) The Chief Justice of the Supreme Court may receive one or more trust fund loans to ensure that the state court system has funds sufficient to meet its appropriations in the 2022-2023 General Appropriations Act. If the Chief Justice accesses the loan, he or she must notify the Governor and the chairs of the legislative appropriations committees in writing. The loan must come from other funds in the State Treasury which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds. The Governor shall order the transfer of funds within 5 days after the written notification from the Chief Justice. If the Governor does not order the transfer, the Chief Financial Officer shall transfer the requested funds. The loan of funds from which any money is temporarily transferred must be repaid by the end of the 2022-2023 fiscal year. This subsection expires July 1, 2023.

Section 22. (1) In order to implement Specific Appropriations 1113 through 1123 of the 2022-2023 General Appropriations Act, the Department of Juvenile Justice is required to review county juvenile detention payments to ensure that counties fulfill their financial responsibilities required in s. 985.6865, Florida Statutes. If the Department of Juvenile Justice determines that a county has not met its obligations, the department shall direct the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from the funds provided to the county under s. 218.23, Florida Statutes. The Department of Revenue shall transfer the funds withheld to the Shared County/State Juvenile Detention Trust Fund.
(2) As an assurance to holders of bonds issued by counties before July 1, 2022, for which distributions made pursuant to s. 218.23, Florida Statutes, are pledged, or bonds issued to refund such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an affected county, that any reduction in amounts distributed pursuant to subsection (1) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this section, the Department of Revenue must notify the Department of Juvenile Justice of the amount of the decrease, and the Department of Juvenile Justice must send a bill for payment of such amount to the affected county.

(3) This section expires July 1, 2023.

Section 23. In order to implement Specific Appropriations 741 through 762, 913 through 1056, and 1077 through 1112 of the 2022-2023 General Appropriations Act, subsection (13) of s. 27.5304, Florida Statutes, is amended to read:

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

(13) Notwithstanding the limitation set forth in subsection (5) and for the 2022-2023 fiscal year only, the
compensation for representation in a criminal proceeding may not exceed the following:

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

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

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

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

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

(f) This subsection expires July 1, 2023.

Section 24. In order to implement appropriations authorized in the Fiscal Year 2022-2023 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida Statutes, an agency may not transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2023.

Section 25. In order to implement the appropriation of funds in a data processing category in the Fiscal Year 2022-2023 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in a data processing category between departments in order to align the budget authority granted based on the estimated billing cycle and methodology used by the Department of Management Services. This section expires July 1, 2023.
Section 26. In order to implement appropriations in the Fiscal Year 2022-2023 General Appropriations Act:

(1) Each agency shall receive approval from the Department of Management Service’s Florida Digital Service prior to the implementation of a change in scope of any existing or new information technology project with a total project cost of $1,000,000 or more over the lifetime of the project. Each agency shall coordinate with the Florida Digital Service to provide all necessary documentation detailing the impact of the change in scope. This section does not apply to any information technology project with the following scope(s):

(a) Continue existing hardware and software maintenance agreements.

(b) Renew existing software licensing agreements that are similar to the service-level agreements currently in use.

(c) Replace desktop units with new technology that is similar to the technology currently in use.

(d) Contract only for the completion of a business case or feasibility study for the replacement or remediation of an existing Information Technology system or the development of a new Information Technology system.

(2) Each agency shall provide the Florida Digital Service a list of all applicable projects pursuant to this section by September 30, 2022. The list shall include the project’s title, purpose, and timeline for completion.

(3) The Florida Digital Service shall develop a process and guidelines to be used in the review of each applicable project’s change in scope, including, but not limited to, consideration of whether the agency is utilizing best practices with respect to information technology, information services, and the
acquisition of emerging technologies and information services. This section expires July 1, 2023.

Section 27. In order to implement the appropriation of funds in appropriation category “Special Categories-Risk Management Insurance” in the Fiscal Year 2022-2023 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between state agencies in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2023.

Section 28. In order to implement the appropriation of funds in the appropriation category “Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased Per Statewide Contract” in the Fiscal Year 2022-2023 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between state agencies in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2023.

Section 29. In order to implement specific appropriations from the Land Acquisition Trust Fund within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission which are contained in the 2022-2023 General Appropriations Act, subsection (3) of section
215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(3) Notwithstanding subsection (1) and only with respect to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency in a land acquisition trust fund which would render that trust fund temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund, and other trust funds in the State Treasury have moneys that are for the time being or otherwise in excess of the amounts necessary to meet the just requirements, including appropriated obligations, of those other trust funds, the Governor may order a temporary transfer of moneys from one or more of the other trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission. Any action proposed pursuant to this subsection is subject to the notice, review, and objection procedures of s. 216.177, and the Governor shall provide notice of such action at least 7 days before the effective date of the transfer of trust funds, except that during July 2022, notice of such action shall be provided at least 3 days before the effective date of a transfer unless such 3-day notice is waived by the chair and vice-chair of the Legislative Budget Commission. Any transfer of trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission.
Commission must be repaid to the trust funds from which the moneys were loaned by the end of the fiscal year. The Legislature has determined that the repayment of the other trust fund moneys temporarily loaned to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission pursuant to this subsection is an allowable use of the moneys in a land acquisition trust fund because the moneys from other trust funds temporarily loaned to a land acquisition trust fund shall be expended solely and exclusively in accordance with s. 28, Art. X of the State Constitution. This subsection expires July 1, 2023.

Section 30. (1) In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission which are contained in the 2023 General Appropriations Act, the Department of Environmental Protection shall transfer revenues from the Land Acquisition Trust Fund within the department to the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission, as provided in this section. As used in this section, the term “department” means the Department of Environmental Protection.

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

(3) In addition, the department shall transfer from the Land Acquisition Trust Fund to land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission amounts equal to the difference between the amounts appropriated in chapter 2021-36, Laws of Florida, to the department’s Land Acquisition Trust Fund and the other land acquisition trust funds, and the amounts actually transferred between those trust funds during the 2021-2022 fiscal year.

(4) The department may advance funds from the beginning unobligated fund balance in the Land Acquisition Trust Fund to the Land Acquisition Trust Fund within the Fish and Wildlife Conservation Commission needed for cash flow purposes based on a detailed expenditure plan. The department shall prorate amounts
transferred quarterly to the Fish and Wildlife Conservation Commission to recoup the amount of funds advanced by June 30, 2023.

(5) This section expires July 1, 2023.

Section 31. In order to implement specific appropriations of the 2022-2023 General Appropriations Act associated with the Land Acquisition Trust Fund, paragraph (b) of subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

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

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

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

2. A minimum of the lesser of 7.6 percent or $50 million shall be appropriated annually for spring restoration, protection, and management projects. For the purpose of performing the calculation provided in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.
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3. The sum of $5 million shall be appropriated annually each fiscal year through the 2025-2026 fiscal year to the St. Johns River Water Management District for projects dedicated to the restoration of Lake Apopka. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth in this subparagraph.

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

5. The sum of $50 million shall be appropriated annually to the South Florida Water Management District for the Lake Okeechobee Watershed Restoration Project in accordance with s. 373.4599. This distribution must be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2021, for the purposes set forth in this subparagraph.

6. Notwithstanding subparagraph 3, for the 2022-2023 fiscal year, funds shall be appropriated as provided in the...
General Appropriations Act. This subparagraph expires July 1, 2023.

Section 32. In order to implement Specific Appropriations of the 2022-2023 General Appropriations Act, paragraph (f) of subsection (11) of section 216.181, Florida Statutes, is added to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(f) Notwithstanding the provisions of paragraphs (a) and (b) to the contrary, the Executive Office of the Governor may approve changes in the amounts appropriated to the Department of Environmental Protection for fixed capital outlay projects when the department has received federal funds from the Bipartisan Infrastructure Law water infrastructure funding, subject to the notice and objection procedures set forth in s. 216.177.

Section 33. In order to implement Specific Appropriation of the 2022-2023 General Appropriations Act, and notwithstanding the expiration date in section 48 of chapter 2021-37, Laws of Florida, paragraph (g) of subsection (15) of section 376.3071, Florida Statutes, is reenacted to read:

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

(15) ETHANOL OR BIODIESEL DAMAGE; PREVENTIVE MEASURES.—The department shall pay, pursuant to this subsection, up to $10 million each fiscal year from the fund for the costs of labor and equipment to repair or replace petroleum storage systems that may have been damaged due to the storage of fuels blended with ethanol or biodiesel, or for preventive measures to reduce the potential for such damage.
(g) Payments may not be made for the following:

1. Proposal costs or costs related to preparation of the application and required documentation;
2. Certified public accountant costs;
3. Except as provided in paragraph (j), any costs in excess of the amount approved by the department under paragraph (b) or which are not in substantial compliance with the purchase order;
4. Costs associated with storage tanks, piping, or ancillary equipment that has previously been repaired or replaced for which costs have been paid under this section;
5. Facilities that are not in compliance with department storage tank rules, until the noncompliance issues have been resolved; or
6. Costs associated with damage to petroleum storage systems caused in whole or in part by causes other than the storage of fuels blended with ethanol or biodiesel.

Section 34. The amendment to s. 376.3071(15)(g), Florida Statutes, as carried forward from chapter 2021-37, Laws of Florida, by this act expires, July 1, 2023, and the text of that paragraph shall revert to that in existence on July 1, 2020, not including any amendments made by this act or chapter 2021-37, Laws of Florida, except that any amendments to such text enacted other than this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portion of text which expire pursuant to this section.

Section 35. In order to implement Specific Appropriation 2656 of the 2022-2023 General Appropriations Act, paragraph (b) of subsection (3) and subsection (5) of section 321.04, Florida Statutes, are amended to read:
321.04 Personnel of the highway patrol; rank classifications; probationary status of new patrol officers; subsistence; special assignments.—

(3)

(b) For the 2022-2023 fiscal year only, upon the request of the Governor, the Department of Highway Safety and Motor Vehicles shall assign one or more patrol officers to the office of the Lieutenant Governor for security services. This paragraph expires July 1, 2023.

(5) For the 2022-2023 fiscal year only, the assignment of a patrol officer by the department shall include a Cabinet member specified in s. 4, Art. IV of the State Constitution if deemed appropriate by the department or in response to a threat and upon written request of such Cabinet member. This subsection expires July 1, 2023.

Section 36. In order to implement Specific Appropriations 2637 and 2645 of the 2022-2023 General Appropriations Act, subsection (7) of section 215.559, Florida Statutes, is amended to read:

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

(7) This section is repealed June 30, 2023.

Section 37. In order to implement Specific Appropriation 2276 of the 2022-2023 General Appropriations Act, subsection (6) is added to section 288.8013, Florida Statutes, to read:

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

(6) For the 2022-2023 fiscal year, interest earned by the Triumph Gulf Coast Trust Fund may be used as provided in the
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339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

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

2. If the department submits an amendment to the Legislative Budget Commission and the commission does not meet or consider the amendment within 30 days after its submittal, the chair and vice chair of the commission may authorize the amendment to be approved pursuant to s. 216.177. This subparagraph expires July 1, 2023.

Section 39. In order to implement Specific Appropriation 2289 of the 2022-2023 General Appropriations Act, subsection (2)
of section 420.0005, Florida Statutes, is amended to read:
420.0005 State Housing Trust Fund; State Housing Fund.—
(2) For the 2022-2023 2021-2022 fiscal year, funds may be
used as provided in the General Appropriations Act. This
subsection expires July 1, 2023 2022.

Section 40. In order to implement Specific Appropriation
2290 of the 2022-2023 General Appropriations Act, subsection (3)
of section 420.9079, Florida Statutes, is amended to read:
420.9079 Local Government Housing Trust Fund.—
(3) For the 2022-2023 2021-2022 fiscal year, funds may be
used as provided in the General Appropriations Act. This
subsection expires July 1, 2023 2022.

Section 41. In order to implement Specific Appropriation
1957 of the 2022-2023 General Appropriations Act, subsection (5)
is added to section 427.0159, Florida Statutes, to read:
427.0159 Transportation Disadvantaged Trust Fund.—
(5) For the 2022-2023 fiscal year, funds may be used as
provided in the General Appropriations Act. This subsection
expires July 1, 2023.

Section 42. In order to implement appropriations used to
pay new or existing contracts, including any grant agreements or
economic incentive program payments, in the 2021-2022 and 2022-
2023 General Appropriations Acts, a state agency may not execute
or renew a contract with a common carrier, as defined in

379.101(7), F.S., or a contracted carrier, engaged in the
transportation of passengers, if the carrier is found to be
providing, or has provided since the effective date of this act,
any service in furtherance of transporting an alien into the
State of Florida knowing or in reckless disregard of the fact
that the alien has come to, entered, or remains in the United
States in violation of law. Effective July 1, 2022, any contract between the State of Florida and a common carrier, including any grant agreements or economic incentive program payment agreements, must include a provision for termination of the contract or agreement for cause if the carrier is found to be providing any service in furtherance of transporting an alien into the State of Florida during the contract period knowing or in reckless disregard of the fact that the alien has come to, entered, or remains in the United States in violation of law. This section expires July 1, 2023.

Section 43. In order to implement appropriations for economic development programs, in the 2021-2022 and 2022-2023 fiscal year General Appropriations Acts, all agencies shall give priority to applications for projects that benefit the on-shoring of manufacturing to the state, defined as the relocation of manufacturing from foreign nations to the state, when such prioritization may be applicable to the scope of an economic development program.

Section 44. In order to implement Specific Appropriations 2599 of the 2022-2023 General Appropriations Act, paragraph (d) of subsection (4) of section 112.061, Florida Statutes, is amended to read:

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

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

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

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

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

3. This paragraph expires July 1, 2023.

Section 45. In order to implement Section 8 of the Fiscal Year 2022-2023 General Appropriations Act, notwithstanding sections 110.123(3)(f) and (j), Florida Statutes, the Department of Management Services shall maintain and offer the same PPO and HMO health plan alternatives to the participants of the State Group Health Insurance Program during the 2022-2023 fiscal year that were in effect for the 2021-2022 fiscal year. This section expires July 1, 2023.

Section 46. In order to implement the transfer of moneys
to the General Revenue Fund from trust funds in the Fiscal Year 2022-2023 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

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

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

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

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

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

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

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

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

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

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

3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the
4. a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the State School Trust Fund, Budget Stabilization Fund, and General Revenue Fund in the General Appropriations Act.

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

Section 47. The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, expires July 1, 2023, and the text of that
paragraph shall revert to that in existence on June 30, 2011, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 48. In order to implement section 8 of the 2022-2023 General Appropriations Act, and notwithstanding s. 216.181(10)(a), F.S., agencies are authorized to submit budget amendments, subject to the notice, review and objection procedures of s. 216.177, Florida Statutes, to request an increase in the approved annual salary rate to alleviate any department-level salary rate deficit as a result of implementing compression adjustments for the $13 per hour minimum wage increase or any other pay adjustments authorized. Requests to increase salary rate must be justified and shall include, at a minimum, the following:

1. supporting documentation that reconciles between the agencies' approved annual salary rate, the utilization of salary rate for filled and vacant positions and added benefits compared to the approved operating budget for Salaries and Benefits;
2. analysis on turnover rate, recruitment and retention;
3. position reclassifications, as a result of implementing compression, that have been approved by the Department of Management Services.

This section expires July 1, 2023.

Section 49. In order to implement section 8(1)(b) of the 2022-2023 General Appropriations Act, and notwithstanding s. 216.251(3), F.S., agencies are authorized to provide general salary increases for a cohort of positions sharing the same job classification or job occupation. This section expires July 1,
Section 50. In order to implement the funds appropriated in the Fiscal Year 2022-2023 General Appropriations Act for state employee travel, the funds appropriated to each state agency, which may be used for travel by state employees, are limited during the 2022-2023 fiscal year to travel for activities that are critical to each state agency’s mission. Funds may not be used to pay for travel by state employees to foreign countries, other states, conferences, staff-training activities, or other administrative functions unless the agency head has approved, in writing, that such activities are critical to the agency’s mission. The agency head shall consider using teleconferencing and other forms of electronic communication to meet the needs of the proposed activity before approving mission-critical travel. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities. This section expires July 1, 2023.

Section 51. In order to implement appropriations in the Fiscal Year 2022-2023 General Appropriations Act for state employee travel and notwithstanding s. 112.061, Florida Statutes, costs for lodging associated with a meeting, conference, or convention organized or sponsored in whole or in part by a state agency or the judicial branch may not exceed $175 per day. An employee may expend his or her own funds for any lodging expenses in excess of $175 per day. For purposes of this section, a meeting does not include travel activities for conducting an audit, examination, inspection, or investigation or travel activities related to a litigation or emergency response. This section expires July 1, 2023.
Section 52. In order to implement Specific Appropriations 2815 through 2826 of the 2022-2023 General Appropriations Act, and notwithstanding rule 60A-1.031, Florida Administrative Code, the transaction fee collected for use of the online procurement system, authorized in ss. 287.042(1)(h)1, and 287.057(22)(c), Florida Statutes, is seven-tenths of 1 percent for the 2022-2023 fiscal year only. This section expires July 1, 2023.

Section 53. In order to implement appropriations in the Fiscal Year 2022-23 General Appropriations Act, and notwithstanding s. 216.292, Florida Statutes, the Department of Lottery is authorized to submit budgets amendments for an increase in appropriation for the implementation of a new prize payment system. This section expires July 1, 2023.

Section 54. In order to implement appropriations in the Fiscal Year 2022-2023 General Appropriations Act for the acquisition of motor vehicles:

(1) Each agency with an appropriation provided for the acquisition of a motor vehicle shall coordinate with the Department of Management Services prior to the acquisition of a new motor vehicle to ensure the existing fleet is maximized. This does not include the acquisition of vehicles for law enforcement, state fire marshal, specialty, or fire control purposes. The Department of Management Services shall:

(a) Complete a review of the State’s fleet of motor vehicles utilizing the fleet management system maintained by the department to identify underutilized motor vehicles in the requesting agency’s fleet that could satisfy the identified function. The department shall provide that information to the Governor’s Office of Policy and Budget for review. Notwithstanding any appropriations made in the Fiscal Year 2022-
2023 General Appropriations Act for the acquisition of a motor vehicle, if determined that existing motor vehicles are available, the Office of Policy and Budget shall, at its discretion, direct the department to deny the acquisition of additional motor vehicles for that agency.

(b) Complete a review of any unused or underutilized operational motor vehicles at all other state agencies that could satisfy the identified function and be transferred to the requesting agency in lieu of the acquisition of a new motor vehicle. The department shall provide that information to the Governor’s Office of Policy and Budget for review. If determined that a motor vehicle can be transferred, the Office of Policy and Budget shall, at its discretion, direct the Department of Management Services, within its statutory authority, to require any state agency to transfer its ownership, custody, and control of an underutilized motor vehicle except those used principally for law enforcement, state fire marshal, specialty, or fire control purposes to meet the needs of the requesting agency.

Notwithstanding any appropriations made in the Fiscal Year 2022-2023 General Appropriations Act for the acquisition of a motor vehicle, if determined that existing motor vehicles are available from another state agency, the Office of Policy and Budget shall direct the department to deny the acquisition of additional motor vehicles for the agency transferring vehicles until such time that requested transfers are complete.

Section 55. Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2022-2023 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements
more than one specific appropriation or more than one portion of specifically identified proviso language in the 2022-2023 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.

Section 56. If any other act passed during the 2022 Regular Session contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act takes precedence and continues to operate, notwithstanding the future repeal provided by this act.

Section 57. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 58. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2022; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2022.
A bill to be entitled
An act relating to the Workforce Development
Capitalization Incentive Grant Program; amending s.
1011.801, F.S.; requiring a list of applications be
submitted to the Governor and Legislative Committee
chairs; authorizing school districts and Florida College
System institutions to prioritize certain contracts;
providing an effective date.

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

Section 1. Section 1011.801, Florida Statutes, is amended
to read:

1011.801 Workforce Development Capitalization Incentive
Grant Program.—The Legislature recognizes that the need for
school districts and Florida College System institutions to be
able to respond to emerging local or statewide economic
development needs is critical to the workforce development
system. The Workforce Development Capitalization Incentive Grant
Program is created to provide grants to school districts and
Florida College System institutions on a competitive basis to
fund some or all of the costs associated with the creation or
expansion of workforce development programs that serve specific
employment workforce needs.

(1) Funds awarded for a workforce development
capitalization incentive grant may be used for instructional
equipment, laboratory equipment, supplies, personnel, student
services, or other expenses associated with the creation or
expansion of a workforce development program. Expansion of a
Governor’s Budget Recommendation Conforming Bill
Workforce Development Capitalization Incentive Grant Program

program may include either the expansion of enrollments in a
program or expansion into new areas of specialization within a
program. No grant funds may be used for recurring instructional
costs or for institutions’ indirect costs.

(2) The State Board of Education shall accept applications
from school districts and Florida College System institutions
for workforce development capitalization incentive grants.
Applications from school districts or Florida College System
institutions shall contain projected enrollments and projected
costs for the new or expanded workforce development program. The
State Board of Education, in consultation with CareerSource
Florida, Inc., shall review and rank each application for a
grant according to subsection (3) and shall submit to the
Governor, Chair of the Senate Appropriations Committee, and
Chair of the House Appropriations Committee, Legislature a list
in priority order of applications recommended for a grant award.

(3) The State Board of Education shall give highest
priority to programs that train people to enter high-skill,
high-wage occupations identified by the Labor Market Estimating
Conference and other programs approved by the state board as
defined in s. 445.002, programs that train people to enter
occupations under the welfare transition program, or programs
that train for the workforce adults who are eligible for public
assistance, economically disadvantaged, disabled, not proficient
in English, or dislocated workers. The State Board of Education
shall consider the statewide geographic dispersion of grant
funds in ranking the applications and shall give priority to
applications from education agencies that are making maximum use
of their workforce development funding by offering high-
performing, high-demand programs.

(4) The board must give priority to applications whose
programs are located at public high schools and school district
technical centers.

(5) The board may also give priority to applications which
demonstrate intent to contract with Florida vendors, as
specified in subsection (6).

(6) School districts and Florida College System
institutions that receive a workforce development capitalization
incentive grant shall, to the best of their ability, prioritize
contracting with Florida vendors, within procurement guidelines,
to carry out purchases allowed within this grant.

Section 2. This act shall take effect upon becoming law.
A bill to be entitled
An act relating to taxation; providing a popular name; providing for a reduction in the motor fuel tax for a specified period in Fiscal Year 2022-23; providing dealer requirements; providing legislative intent; providing for a reduction in certain refunds for the same period; authorizing the executive director of the Department of Revenue to adopt emergency rules for certain purpose; making unlawful certain activities of certain entities relating to the tax reduction; providing criminal penalties; amending s. 16.56, F.S.; including offenses specified in this act under the investigation and prosecution authority of the Office of Statewide Prosecution; amending s. 206.026, F.S.; including offenses specified in this act under provisions prohibiting certain persons from holding certain licenses for certain violations; amending s. 206.404, F.S.; providing for revocation of certain licenses for violations of this act; authorizing motor fuel dealers to manage motor fuel inventory to maximize tax reduction benefits; requiring Department of Revenue to determine taxes not collected; providing appropriation; authorizing nonoperating transfers; providing an effective date.

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

Section 1. This act may be referred to by the popular name the "Florida Motor Fuel Tax Relief Act of 2022."
Section 2. Beginning at 12:01 a.m. July 1, 2022, through midnight November 30, 2022, the tax levied pursuant to s.206.41(1) (b), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s.206.41(1) (c), Florida Statutes, shall be reduced by 1 cent per gallon, the tax levied pursuant to s.206.41(1) (f), Florida Statutes, shall be reduced by 8.3 cents per gallon, and the tax levied pursuant to s.206.41(1) (g), Florida Statutes, shall be reduced by 15 cents per gallon. During this period, licensed terminal suppliers, wholesalers, and importers of motor fuel shall charge and collect the reduced rate of tax on sales of motor fuel to retail dealers located in this state. Notwithstanding the reduction in the taxes levied pursuant to s. 206.41(1)(g) in this act, the State will make available, if necessary, moneys from other legally available sources to make payments when due on bonds issued pursuant to s. 215.605 and s. 337.276.

Section 3. It is the intent of the Legislature that the tax reduction set forth in this act be passed on to the ultimate consumer. The Attorney General may investigate violations of this act.

Section 4. Refunds authorized pursuant to s. 206.41(4), Florida Statutes, for fuel purchased during the period described in section 2 shall be reduced by the amount of the tax reduction set forth in that section.

Section 5. The executive director of the Department of Revenue is authorized to adopt emergency rules under ss. 120.536(1) and 120.54(4), Florida Statutes, to implement the provisions of this act. Notwithstanding any other law, the
emergency rules shall remain effective for 6 months after the date of adoption of the rules.

Section 6. It is unlawful for a terminal supplier, wholesaler, importer, reseller, or retail dealer of motor fuel to retain any part of the tax reduction set forth in this act or to interfere with providing the full benefit of the tax reduction to the retail purchaser of motor fuel. Any person violating the provisions of this act commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Section 7. Paragraph (a) of subsection (1) of section 16.56, Florida Statutes, is amended to read:

16.56 Office of Statewide Prosecution.--

(1) There is created in the Department of Legal Affairs an Office of Statewide Prosecution. The office shall be a separate "budget entity" as that term is defined in chapter 216. The office may:

(a) Investigate and prosecute the offenses of:

1. Bribery, burglary, criminal usury, extortion, gambling, kidnapping, larceny, murder, prostitution, perjury, robbery, carjacking, home-invasion robbery, and patient brokering;
2. Any crime involving narcotic or other dangerous drugs;
3. Any violation of the Florida RICO (Racketeer Influenced and Corrupt Organization) Act, including any offense listed in the definition of racketeering activity in s. 895.02(8)(a), providing such listed offense is investigated in connection with a violation of s. 895.03 and is charged in a separate count of an information or indictment containing a count charging a
violation of s. 895.03, the prosecution of which listed offense
may continue independently if the prosecution of the violation
of s. 895.03 is terminated for any reason;
  4. Any violation of the Florida Anti-Fencing Act;
  5. Any violation of the Florida Antitrust Act of 1980, as
     amended;
  6. Any crime involving, or resulting in, fraud or deceit
     upon any person;
  7. Any violation of s. 847.0135, relating to computer
     pornography and child exploitation prevention, or any offense
     related to a violation of s. 847.0135 or any violation of
     chapter 827 where the crime is facilitated by or connected to
     the use of the Internet or any device capable of electronic data
     storage or transmission;
  8. Any violation of chapter 815;
  9. Any violation of chapter 825;
 10. Any criminal violation of part I of chapter 499;
 11. Any violation of the Florida Motor Fuel Tax Relief Act
     of 2004;
 12. Any criminal violation of s. 409.920 or s. 409.9201;
 13. Any crime involving voter registration, voting, or
     candidate or issue petition activities;
 14. Any criminal violation of the Florida Money Laundering
     Act;
 15. Any criminal violation of the Florida Securities and
     Investor Protection Act;
 16. Any violation of chapter 787, as well as any and all
     offenses related to a violation of chapter 787; or
17. Any criminal violation of chapter 24, part II of chapter 285, chapter 546, chapter 550, chapter 551, or chapter 849;

18. Any violation of the Florida Motor Fuel Tax Relief Act of 2022; or any attempt, solicitation, or conspiracy to commit any of the crimes specifically enumerated above. The office shall have such power only when any such offense is occurring, or has occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is connected with an organized criminal conspiracy affecting two or more judicial circuits. Informations or indictments charging such offenses shall contain general allegations stating the judicial circuits and counties in which crimes are alleged to have occurred or the judicial circuits and counties in which crimes affecting such circuits or counties are alleged to have been connected with an organized criminal conspiracy.

Section 8. Subsection (1) of section 206.026, Florida Statutes, is amended to read:

206.026 Certain persons prohibited from holding a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license; suspension and revocation.--

(1) No corporation, except a publicly held corporation regularly traded on a national securities exchange and not over the counter, general or limited partnership, sole proprietorship, business trust, joint venture or unincorporated association, or other business entity shall hold a terminal supplier, importer, exporter, blender, carrier, terminal operator, or wholesaler license in this state if any one of the
persons or entities specified in paragraph (a) has been determined by the department not to be of good moral character or has been convicted of any offense specified in paragraph (b):

(a) 1. The licenseholder.
2. The sole proprietor of the licenseholder.
3. A corporate officer or director of the licenseholder.
4. A general or limited partner of the licenseholder.
5. A trustee of the licenseholder.
6. A member of an unincorporated association licenseholder.
7. A joint venturer of the licenseholder.
8. The owner of any equity interest in the licenseholder, whether as a common shareholder, general or limited partner, voting trustee, or trust beneficiary.
9. An owner of any interest in the license or licenseholder, including any immediate family member of the owner, or holder of any debt, mortgage, contract, or concession from the licenseholder, who by virtue thereof is able to control the business of the licenseholder.

(b) 1. A felony in this state.
2. Any felony in any other state which would be a felony if committed in this state under the laws of Florida.
3. Any felony under the laws of the United States.

Section 9. Subsection (3) of section 206.404, Florida Statutes, is amended to read:
206.404 License requirements for retail dealers and resellers; penalty.--

(3) Any retail dealer or reseller in violation of the provisions of this chapter or the provisions of the Florida Motor Fuel Tax Relief Act of 2004 or the provisions of the Florida Motor Fuel Tax Relief Act of 2022 shall be subject to revocation of his or her license under chapter 212.

Section 10. In order to accomplish the intent of the Legislature set forth in section 3 of this act, a retail dealer of motor fuel, at the dealer’s option, may manage its motor fuel inventory in such a way that the benefit to residents of this state of the tax reduction is maximized during the months of July through November 2022. A retail dealer of motor fuel may sell motor fuel purchased without the tax reduction at an amount determined as if the tax reduction applied and may sell motor fuel purchased with the tax reduction at an amount determined as if the tax reduction did not apply; provided the retail dealer can show that the number of gallons purchased with the reduced tax equals the number of gallons sold at a price reflecting the reduced tax.

Section 11. By January 15, 2023, the Department of Revenue shall calculate the number of gallons sold at the reduced tax and shall determine the amount of taxes not collected under s.206.41(1)(b), Florida Statutes, s.206.41(1)(c), Florida Statutes, s.206.41(1)(f), Florida Statutes, and s.206.41(1)(g), Florida Statutes.

Section 12. The sum of $300,000 in nonrecurring General Revenue is appropriated to the Department of Revenue for Fiscal
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Year 2021-22 for the purpose of developing and implementing a public awareness campaign and for administering this act. The unexpended balance of funds of this appropriation remaining on June 30, 2022, shall revert and is appropriated for Fiscal Year 2022-23 for the same purpose.

Section 13. The following nonoperating transfers from the General Revenue Fund are authorized in Fiscal Year 2022-23:

1. The sum of no more than $665 million is authorized to be transferred into the State Transportation Trust Fund;
   a. Transfers of $133 million each shall be made during the months of September, October, November and December 2022;
   b. A transfer on or before January 31, 2023 of the smaller of (1) $133 million or (2) the amount of the taxes determined not to have been collected under s. 206(41)(1)(g) as required in section 12 less $532 million.

2. The sum of no more than $45 million is authorized to be transferred into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.60;
   a. Transfers of $9 million each shall be made during the months of September, October, November and December 2022;
   b. A transfer on or before January 31, 2023 of the smaller of (1) $9 million or (2) the amount of the taxes determined not to have been collected under s. 206(41)(1)(b) as required in section 12 less $36 million.

3. The sum of no more than $45 million is authorized to be transferred into the Fuel Tax Collection Trust Fund

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maintained by the State Treasury for distribution as provided in s. 206.605;

a. Transfers of $9 million each shall be made during the months of September, October, November and December 2022;
b. A transfer on or before January 31, 2023 of the smaller of (1) $9 million or (2) the amount of the taxes determined not to have been collected under s. 206(41)(1)(c) as required in section 12 less $36 million.

4. The sum of no more than $365 million is authorized to be transferred into the Fuel Tax Collection Trust Fund maintained by the State Treasury for distribution as provided in s. 206.608;

a. Transfers of $73 million each shall be made during the months of September, October, November and December 2022;
b. A transfer on or before January 31, 2023 of the smaller of (1) $73 million or (2) the amount of the taxes determined not to have been collected under s. 206(41)(1)(f) as required in section 12 less $292 million.

Section 14. This act shall take effect upon becoming a law.
A bill to be entitled
An act relating to sales tax holidays; providing a sales
and use tax exemption for certain tangible personal
property related to disaster preparedness during a
specified period; providing exceptions to the exemption;
providing an appropriation; authorizing the Department of
Revenue to adopt rules to implement the exemption;
providing an exemption from the sales and use tax for the
retail sale of certain clothing, school supplies, and
personal computers and personal computer-related
accessories during a specified period; providing
exceptions to the exemption; authorizing the Department of
Revenue to adopt emergency rules; providing sales tax
exemptions for certain admissions to music events,
cultural events, specified performances, movies, museums,
state parks, and fitness facilities, and for certain
boating and water activity, camping, fishing, general
outdoor supplies, and sports equipment, during certain
timeframes; defining terms; specifying exceptions where
the exemptions do not apply; requiring purchasers to
collect sales tax on resold exempt admissions; authorizing
the Department of Revenue to adopt emergency rules;
providing an appropriation; providing an effective date.

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

Section 1. Disaster preparedness supplies; sales tax
holiday.—
(1) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from 12:01 a.m. on May 27, 2022, through 11:59 p.m. on June 5, 2022, on the sale of:

(a) A portable self-powered light source selling for $40 or less.

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

(c) A tarpaulin or other flexible waterproof sheeting selling for $100 or less.

(d) An item normally sold as, or generally advertised as, a ground anchor system or tie-down kit selling for $100 or less.

(e) A gas or diesel fuel tank selling for $50 or less.

(f) A package of AA-cell, AAA-cell, C-cell, D-cell, 6-volt, or 9-volt batteries, excluding automobile and boat batteries, selling for $50 or less.

(g) A nonelectric food storage cooler selling for $60 or less.

(h) A portable generator used to provide light or communications or preserve food in the event of a power outage selling for $1,000 or less.

(i) Reusable ice selling for $20 or less.

(j) A portable power bank selling for $60 or less.

(2) The tax exemptions provided in this section do not apply to sales within a theme park or entertainment complex as defined in s. 509.013(9), Florida Statutes, within a public lodging establishment as defined in s. 509.013(4), Florida Statutes, or within an airport as defined in s. 330.27(2), Florida Statutes.
(3) The Department of Revenue is authorized, and all
conditions are deemed met, to adopt emergency rules pursuant to
s. 120.54(4), Florida Statutes, for the purpose of implementing
this section. Notwithstanding any other provision of law,
emergency rules adopted pursuant to this subsection are
effective for 6 months after adoption and may be renewed during
the pendency of procedures to adopt permanent rules addressing
the subject of the emergency rules.

Section 2. Clothing, school supplies, personal computers,
and personal computer-related accessories; sales tax holiday.—
(1) The tax levied under chapter 212, Florida Statutes, may
not be collected during the period from 12:01 a.m. on July 30,
2022, through 11:59 p.m. on August 8, 2022, on the retail sale
of:
(a) Clothing, wallets, or bags, including handbags,
backpacks, fanny packs, and diaper bags, but excluding
briefcases, suitcases, and other garment bags, having a sales
price of $60 or less per item. As used in this paragraph, the
term "clothing" means:
1. Any article of wearing apparel intended to be worn on or
about the human body, excluding watches, watchbands, jewelry,
umbrellas, and handkerchiefs; and
2. All footwear, excluding skis, swim fins, roller blades,
and skates.
(b) School supplies having a sales price of $15 or less per
item. As used in this paragraph, the term "school supplies"
means pens, pencils, erasers, crayons, notebooks, notebook
filler paper, legal pads, binders, lunch boxes, construction
(2) The tax levied under chapter 212, Florida Statutes, may not be collected during the period from 12:01 a.m. on July 30, 2022, through 11:59 p.m. on August 8, 2022, on the first $1,000 of the retail sales price of personal computers or personal computer-related accessories purchased for noncommercial home or personal use. As used in this subsection, the term:

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

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

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

(4) The tax exemptions provided in this section may apply at the option of a dealer if less than 5 percent of the dealer's gross sales of tangible personal property in the prior calendar year are comprised of items that would be exempt under this section. If a qualifying dealer chooses not to participate in the tax holiday, by July 23, 2022, the dealer must notify the Department of Revenue in writing of its election to collect sales tax during the holiday and must post a copy of that notice in a conspicuous location at its place of business.

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

Section 3. Admissions to music events, sporting events, cultural events, specified performances, movies, museums, state parks, and fitness facilities; boating and water activity supplies, camping supplies, fishing supplies, general outdoor supplies, and sports equipment; sales tax holiday.—

(1) The taxes levied under chapter 212, Florida Statutes, may not be collected on purchases made during the period from July 1, 2022, through July 7, 2022, on:

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Governor’s Budget Recommendation Conforming Bill
Sales Tax Holidays

(a) The sale by way of admissions, as defined in s. 212.02(1), Florida Statutes, for:

1. A live music event scheduled to be held on any date or
dates from July 1, 2022, through December 31, 2022;

2. A live sporting event scheduled to be held on any date
or dates from July 1, 2022, through December 31, 2022;

3. A movie to be shown in a movie theater on any date or
dates from July 1, 2022, through December 31, 2022;

4. Entry to a museum, including any annual passes;

5. Entry to a state park, including any annual passes;

6. Entry to a ballet, play, or musical theatre performance
scheduled to be held on any date or dates from July 1, 2022,
through December 31, 2022;

7. Season tickets for ballets, plays, music events, or
musical theatre performances;

8. Entry to a fair, festival, or cultural event scheduled
to be held on any date or dates from July 1, 2022, through
December 31, 2022; or

9. Use of or access to private and membership clubs
providing physical fitness facilities from July 1, 2022, through
December 31, 2022.

(b) The retail sale of boating and water activity supplies,
camping supplies, fishing supplies, general outdoor supplies,
and sports equipment. As used in this section, the term:

1. "Boating and water activity supplies" means the first
$75 of the sales price of life jackets and coolers; the first
$50 of the sales price of safety flares; the first $150 of the
sales price of water skis, wakeboards, kneeboards, and
recreational inflatable water tubes or floats capable of being towed; the first $300 of the sales price of paddleboards and surfboards; the first $500 of the sales price of canoes and kayaks; the first $75 of the sales price of paddles and oars; and the first $25 of the sales price of snorkels, goggles, and swimming masks.

2. "Camping supplies" means the first $200 of the sales price of tents; the first $50 of the sales price of sleeping bags, portable hammocks, camping stoves, and collapsible camping chairs; and the first $30 of the sales price of camping lanterns and flashlights.

3. "Fishing supplies" means the first $75 of the sales price of rods and reels, if sold individually, or the first $150 of the sales price if sold as a set; the first $30 of the sales price of tackle boxes or bags; and the first $5 of the sale price of bait or fishing tackle, if sold individually, or the first $10 of the sales price if multiple items are sold together. The term does not include supplies used for commercial fishing purposes.

4. "General outdoor supplies" means the first $15 of the sales price of sunscreen or insect repellant; the first $100 of the sales price of sunglasses; the first $200 of the sales price of binoculars; the first $30 of the sales price of water bottles; the first $50 of the sales price of hydration packs; the first $250 of the sales price of outdoor gas or charcoal grills; the first $50 of the sales price of bicycle helmets; and the first $250 of the sales price of bicycles.
5. "Sports equipment" means any item used in individual or team sports, not including clothing or footwear, selling for $40 or less.

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

(3) If a purchaser of an admission purchases the admission exempt from tax pursuant to this section and subsequently resells the admission, the purchaser shall collect tax on the full sales price of the resold admission.

(4) The Department of Revenue is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, to administer this section.

Section 4. For the 2021-2022 fiscal year, the sum of $300,000 in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Revenue for the purpose of implementing this act. Funds remaining unexpended or unencumbered from this appropriation as of June 30, 2022, shall revert and be reappropriated for the same purpose in the 2022-2023 fiscal year.

Section 5. This act shall take effect upon becoming law.
A bill to be entitled
An act relating to state-administered retirement
systems; amending s. 121.72, F.S.; revising
allocations to investment plan member accounts for
each membership class and subclass of the Florida
Retirement System; adjusting employer contribution
rates in order to fund changes made by the act;
providing a directive to the Division of Law Revision
and Information; declaring that the act fulfills an
important state interest; providing an effective date.

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

Section 1. Section 121.72, Florida Statutes, is amended to
read:
121.72 – Allocation to investment plan member accounts;
percentage amounts.--
(6) Effective July 1, 2022, allocations from the Florida
Retirement System Contributions Clearing Trust Fund to
investment plan member accounts are as follows:

<table>
<thead>
<tr>
<th>Membership Class</th>
<th>Percentage of Gross Compensation,</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular Class</td>
<td>9.30%</td>
</tr>
<tr>
<td>Special Risk Class</td>
<td>17.00%</td>
</tr>
<tr>
<td>Special Risk Administrative</td>
<td>10.95%</td>
</tr>
<tr>
<td>Support Class</td>
<td></td>
</tr>
<tr>
<td>Elected Officers’ Class—Legislators, Governor,</td>
<td>12.38%</td>
</tr>
</tbody>
</table>
Governor’s Budget Recommendation Conforming Bill
FRS Investment Plan Member Account Allocations

Membership Class | Percentage of Gross Compensation,
Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders
Elected Officers’ Class—Justices, Judges | 16.23%
Elected Officers’ Class—County Elected Officers | 14.34%
Senior Management Class | 10.67%

Section 2. (1) In order to fund the increase in the allocation to investment plan member accounts provided by this act, the required employer contribution rates for members of the Florida Retirement System established in s. 121.71(4), Florida Statutes, must be adjusted as follows:

(a) The Regular Class must be increased by 0.80 percentage point; and

(b) The Special Risk Class must be increased by 0.44 percentage point; and

(c) The Special Risk Administrative Support Class must be increased by 0.86 percentage point; and

(d) The Elected Officers’ Class—Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders must be increased by 0.97 percentage point; and

(e) The Elected Officers’ Class—Justices, Judges must be increased by 0.51 percentage point; and

(f) The Elected Officers’ Class—County Elected Officers must be increased by 0.99 percentage point; and

(g) The Senior Management Service Class must be increased by 0.87 percentage point; and
(2) The adjustments provided in subsection (1) shall be in addition to all other changes to such contribution rates which may be enacted into law to take effect on July 1, 2022. The Division of Law Revision and Information is directed to adjust accordingly the contribution rates provided in s. 121.71, Florida Statutes.

Section 3. The Legislature finds that a proper and legitimate state purpose is served when employees and retirees of the state and of its political subdivisions, and the dependents, survivors, and beneficiaries of such employees and retirees, are extended the basic protections afforded by governmental retirement systems that provide fair and adequate benefits that are managed, administered, and funded in an actuarially sound manner, as required by s. 14, Article X of the State Constitution and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.

Section 4. This act shall take effect July 1, 2022.
A bill to be entitled
An act relating to state-administered retirement systems; amending s. 121.71, F.S.; revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System; providing an effective date.

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

Section 1. Subsections (4) and (5) of section 121.71, Florida Statutes, are amended to read:

121.71 Uniform rates; process; calculations; levy.--
(4) Required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

<table>
<thead>
<tr>
<th>Membership Class</th>
<th>Percentage of Gross Compensation, Effective July 1, 2021</th>
<th>Percentage of Gross Compensation, Effective July 1, 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular Class</td>
<td>4.91%</td>
<td>5.16%</td>
</tr>
<tr>
<td>Special Risk Class</td>
<td>15.27%</td>
<td>15.91%</td>
</tr>
<tr>
<td>Special Risk Administrative Support Class</td>
<td>9.73%</td>
<td>9.91%</td>
</tr>
<tr>
<td>Elected Officers’ Class—Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders</td>
<td>8.49%</td>
<td>8.34%</td>
</tr>
</tbody>
</table>
## Governor’s Budget Recommendation Conforming Bill
### Retirement Contribution Rates

<table>
<thead>
<tr>
<th>Membership Class</th>
<th>Percentage of Gross Compensation, Effective July 1, 2021</th>
<th>Percentage of Gross Compensation, Effective July 1, 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elected Officers’ Class—Justices, Judges</td>
<td>13.38%</td>
<td>13.90%</td>
</tr>
<tr>
<td>Elected Officers’ Class—County Elected Officers</td>
<td>10.28%</td>
<td>10.31%</td>
</tr>
<tr>
<td>Senior Management Class</td>
<td>6.49%</td>
<td>6.83%</td>
</tr>
<tr>
<td>DROP</td>
<td>7.23%</td>
<td>7.77%</td>
</tr>
</tbody>
</table>

(5) In order to address unfunded actuarial liabilities of the system, the required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

<table>
<thead>
<tr>
<th>Membership Class</th>
<th>Percentage of Gross Compensation, Effective July 1, 2021</th>
<th>Percentage of Gross Compensation, Effective July 1, 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular Class</td>
<td>4.19%</td>
<td>4.23%</td>
</tr>
<tr>
<td>Special Risk Class</td>
<td>8.90%</td>
<td>9.53%</td>
</tr>
<tr>
<td>Special Risk Administrative Support Class</td>
<td>26.31%</td>
<td>26.16%</td>
</tr>
<tr>
<td>Elected Officers’ Class—Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders</td>
<td>53.52%</td>
<td>56.76%</td>
</tr>
<tr>
<td>Elected Officers’ Class—Justices, Judges</td>
<td>25.81%</td>
<td>27.64%</td>
</tr>
</tbody>
</table>
## Governor’s Budget Recommendation Conforming Bill

### Retirement Contribution Rates

<table>
<thead>
<tr>
<th>Membership Class</th>
<th>Percentage of Gross Compensation, Effective July 1, 2021</th>
<th>Percentage of Gross Compensation, Effective July 1, 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elected Officers’ Class—County Elected Officers</td>
<td>39.42%</td>
<td>43.98%</td>
</tr>
<tr>
<td>Senior Management Service Class</td>
<td>20.80%</td>
<td>22.15%</td>
</tr>
<tr>
<td>DROP</td>
<td>9.45%</td>
<td>9.15%</td>
</tr>
</tbody>
</table>

23 Section 2. This act shall take effect July 1, 2022.
A bill to be entitled
An act relating to the Department of Revenue; amending
s. 213.755, F.S.; Filing of returns and payment of
taxes by electronic means filing of returns by
electronic data interchange; 202.30, F.S. Payment of
taxes by electronic funds transfer; reducing the
electronic filing (e-filing) threshold for taxpayers
from $20,000 to $5,000; providing an effective date.

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

Section 1. Subsection (1) of section 213.755, Florida
Statutes, is amended to read:

213.755 Filing of returns and payment of taxes by
electronic means.—
(1) The executive director of the Department of Revenue shall
have authority to require a taxpayer to file returns and remit
payments by electronic means where the taxpayer is subject to
tax and has paid that tax in the prior state fiscal year in an
amount of $5,000 $20,000 or more. Any taxpayer who operates two
or more places of business for which returns are required to be
filed with the department shall combine the tax payments for all
such locations in order to determine whether they are obligated
under this section. This subsection does not override additional
requirements in any provision of a revenue law which the
department has the responsibility for regulating, controlling,
and administering.

Section 2. Subsection (1) of section 202.30, Florida Statutes, is amended to read:

202.30 Payment of taxes by electronic funds transfer; filing of returns by electronic data interchange.—

(1) A dealer of communications services is required to remit taxes by electronic funds transfer, in the manner prescribed by the department, when the amount of tax paid by the dealer under this chapter, chapter 203, or chapter 212 in the previous state fiscal year was greater than or equal to the amount provided in s. 213.755(1) $20,000 or more.

Section 3. This act shall take effect January 1, 2023.
A bill to be entitled
An act relating to the Department of Revenue; amending
s. 213.67, F.S., allowing delivery of a notice of levy
to levy by regular mail; amending ss. 61.1301 and
409.2574, F.S.; providing for the use of regular mail
relating to income deduction orders in alimony or
child support cases; providing for the use of regular
mail relating to income deduction enforcement in Title
IV-D cases; amending ss. 409.256 and 409.2563, F.S.;
revising serving notice requirements for genetic
testing; revising serving notice requirements for
establishing administrative support orders; amending
ss. 409.25656, F.S.; revising serving notice
requirements for notice of levy issued; amending s.
409.2567(1), F.S., allowing the Department of Revenue
to pay the annual fee related to child support for
certain individuals as required under 42 U.S.C. s.
654(6) (B); providing an effective date.

Be It Enacted by the Legislature of the State of Florida:
Section 1. Subsections (1) and (3) of section 213.67,
Florida Statutes are amended to read:

213.67 Garnishment.-

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

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

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

61.1301 Income deduction orders.—

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

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

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

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

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

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

(b) The income deduction order shall:

1. Direct a payor to deduct from all income due and payable to an obligor the amount required by the court to meet the obligor’s support obligation including any attorney’s fees or costs owed and forward the deducted amount pursuant to the order.
2. State the amount of arrearage owed, if any, and direct a payor to withhold an additional 20 percent or more of the periodic amount specified in the order establishing, enforcing, or modifying the obligation, until full payment is made of any arrearage, attorney’s fees and costs owed, provided no deduction shall be applied to attorney’s fees and costs until the full amount of any arrearage is paid.

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

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

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

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

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

8. Direct that, at such time as the State Disbursement Unit
becomes operational, all payments in those cases in which the
obligee is receiving Title IV-D services and in those cases in
which the obligee is not receiving Title IV-D services in which
the initial support order was issued in this state on or after
January 1, 1994, and in which the obligor’s child support
obligation is being paid through income deduction, be made
payable to and delivered to the State Disbursement Unit.

Notwithstanding any other statutory provision to the contrary,
funds received by the State Disbursement Unit shall be held,
administered, and disbursed by the State Disbursement Unit
pursuant to the provisions of this chapter.

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

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

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

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

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

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

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

1. All fees or interest which shall be imposed.

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

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

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

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

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

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

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

1. The notice of delinquency shall state:

   a. The terms of the order establishing, enforcing, or modifying the obligation.
b. The period of delinquency and the total amount of the delinquency as of the date the notice is mailed.

c. All fees or interest which may be imposed.

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

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

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

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

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

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

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

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

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

(2) Enforcement of income deduction orders.--

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

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

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

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

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

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

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

1. Provide the obligor’s social security number.

2. Require the payor to deduct from the obligor's income the
amount specified in the income deduction order, and in the case
of a delinquency the amount specified in the notice of
delinquency, and to pay that amount to the obligee or to the
depository, as appropriate. The amount actually deducted plus all
administrative charges shall not be in excess of the amount
allowed under s. 303(b) of the Consumer Credit Protection Act,
360 15 u.s.c. s. 1673(b);

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

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

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

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

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

8. Instruct the payor that, when he or she no longer
provides income to the obligor, he or she shall notify the
obligee and shall also provide the obligor’s last known address
and the name and address of the obligor’s new payor, if known;
and that, if the payor violates this provision, the payor is
subject to a civil penalty not to exceed $250 for the first
violation or $500 for any subsequent violation. If the IV-D
agency is enforcing the order, the payor shall make these
notifications to the agency instead of to the obligee. Penalties
shall be paid to the obligee or the IV-D agency, whichever is
9. State that the payor shall not discharge, refuse to employ, or take disciplinary action against an obligor because of the requirement for income deduction and shall state that a violation of this provision subjects the payor to a civil penalty not to exceed $250 for the first violation or $500 for any subsequent violation. Penalties shall be paid to the obligee or the IV-D agency, whichever is enforcing the income deduction, if any alimony or child support obligation is owing. If no alimony or child support obligation is owing, the penalty shall be paid to the obligor;

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

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

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

13. Inform the payor that if the payor receives more than
one notice to payor or income deduction notice against the same
obligor, the payor shall contact the court or, in Title IV-0
cases, the Title IV-D agency for further instructions. Upon being
so contacted, the court or, in Title IV-0 cases when all the
cases upon which the notices are based are Title IV-D cases, the
Title IV-D agency shall allocate amounts available for income
deduction as provided in subsection (4); and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 3. Subsection (2) of section 409.2574, Florida Statutes, is amended to read:

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

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

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

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

(d) The department shall adopt rules to ensure that applicable provisions of s. 61.1301 are followed.

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

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

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

Section 5. Subsection (4) of section 409.2563 is amended to read:

409.2563 Administrative establishment of child support obligations.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(o) Information provided by the Office of State Courts Administrator concerning the availability and location of self-help programs for those who wish to file an action in circuit court but who cannot afford an attorney. The department may serve the notice of proceeding to establish administrative support order by certified mail, restricted delivery, return receipt requested. Alternatively, the department may serve the notice by
any means permitted for service of process in a civil action. For purposes of this section, an authorized employee of the department may serve the notice and execute an affidavit of service. Service by certified mail is completed when the certified mail is received or refused by the addressee or by an authorized agent as designated by the addressee in writing. If a person other than the addressee signs the return receipt, the department shall attempt to reach the addressee by telephone to confirm whether the notice was received, and the department shall document any telephonic communications. If someone other than the addressee signs the return receipt, the addressee does not respond to the notice, and the department is unable to confirm that the addressee has received the notice, service is not completed and the department shall attempt to have the addressee served personally. The department shall provide the parent from whom support is not being sought or the caregiver with a copy of the notice by regular mail to the last known address of the parent from whom support is not being sought or caregiver.

Section 6. Subsection (1), (3) and (7) of section 409.25656, Florida Statutes, is amended to read:

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

(2) Each person who is notified under this section must,
within 5 days after receipt of the notice, advise the executive
director or his or her designee of the credits, other personal
property, or debts in their possession, under their control, or
owed by them and must advise the executive director or designee
within 5 days of coming into possession or control of any
subsequent credits, personal property, or debts owed during the
time prescribed by the notice. Any such person coming into
possession or control of such subsequent credits, personal
property, or debts shall not transfer or dispose of them during
the time prescribed by the notice or until the department consents to a transfer.

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

(4) A notice that is delivered under this section is effective at the time of delivery against all credits, other personal property, or debts of the obligor which are not at the time of such notice subject to an attachment, garnishment, or execution issued through a judicial process. Upon express written consent of a person who is or may be in possession of personal property belonging to the obligor, the department may deliver the notices required by this section to that person by secure electronic means.

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

(6) Any person acting in accordance with the terms of the notice or levy issued by the executive director or his or her designee is expressly discharged from any obligation or liability to the obligor with respect to such credits, other personal property, or debts of the obligor affected by compliance with the notice of freeze or levy.
(7) (a) Levy may be made under subsection (3) upon credits, other personal property, or debt of any person with respect to any past due or overdue support obligation only after the executive director or his or her designee has notified such person in writing of the intention to make such levy.

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

(c) The notice required in paragraph (a) must include a brief statement that sets forth:

1. The provisions of this section relating to levy and sale of property;
2. The procedures applicable to the levy under this section;
3. The administrative and judicial appeals available to the obligor with respect to such levy and sale, and the procedures relating to such appeals; and
4. The alternatives, if any, available to the obligor which could prevent levy on the property.

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

Section 7. This act shall take effect on July 1, 2022.
A bill to be entitled
An act relating to the Florida State Guard; amending
s. 251.01, F.S.; authorizing the Governor to organize
and maintain state forces; amending s. 251.01, F.S.;
designating the Governor as Commander in Chief of the
Florida State Guard; authorizing the Adjutant General
to lead and maintain the Florida State Guard; amending
s. 251.02, F.S.; providing the Adjutant General
authority to prescribe regulations for the Florida
State Guard, uniforms, organizational structure, and
composition; requiring the Florida State Guard be
composed of a full-time designee, a cadre, and
qualified volunteers; amending s. 251.03, F.S.;
providing for stipends for activated members of the
Florida State Guard; authorizing the Adjutant General
to determine rates for reimbursement; providing for
workers’ compensation coverage for members while
activated or training; amending s. 251.04, F.S.;
authorizing the Governor to requisition equipment for
the Florida State Guard pursuant to Title 32, United
States Code, section 109; authorizing the use of state
armories for use of the Florida State Guard; amending
s. 251.05, F.S.; authorizing the activation and
authorization for use of the Florida State Guard;
providing for the deactivation of the Florida State
Guard; amending s. 251.06, F.S.; exempting from
liability lawful acts of Florida State Guard members
while in performance of their duty; providing for
legal services for defense of actions or proceedings
against members of the Florida State Guard; amending
s. 251.07, F.S.; providing disciplinary guidelines for
members of the Florida State Guard; amending s.
251.08, F.S.; providing for limitations as defined in 32 U.S.C. 109; amending s. 251.09, F.S.; requiring members of the Florida State Guard to be United States citizens and residents of Florida; providing requirement for background screening for membership to the Florida State Guard; authorizing the Governor and Adjutant General to establish eligibility requirements for membership; amending s. 251.10, F.S.; authorizing the Adjutant General or his or her delegate to approve or deny applicants for executive- and supervisory-level service and execute a service contract; amending s. 251.11, F.S.; providing protections for members of the Florida State Guard as provided under F.S. 250.5201; amending s. 251.12, F.S.; providing protections for members of the Florida State Guard as provided under F.S. 250.5201, chapter 115, and chapter 250; amending s. 251.13, F.S.; amending s. 251.13, F.S.; authorizing the Governor and Adjutant General to provide mutual assistance to other states in accordance with Florida Statutes; amending s. 251.14, F.S.; provide funding of the Florida State Guard to be separate and distinct from funding for the Florida National Guard; repealing s. 251.15, F.S., relating to expenses; amending s. 251.16, F.S., relating to a short title; repealing s. 251.17, F.S., relating to awards to officers and enlisted personnel; providing an effective date.

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

Section 1. Section 251.01, Florida Statutes, is amended to read:
251.01 Authority and name.—

(1) The Governor is authorized to organize and maintain, under the laws of the United States, such state forces as the Governor deems necessary. Such forces shall be composed of qualified citizens of the state as shall volunteer for service therein. Such forces shall be in addition to and distinct from the Florida National Guard and shall be a component of the Department of Military Affairs and be known as the Florida State Guard. Whenever any part of the National Guard of this state is in active federal service, the Governor is hereby authorized to organize and maintain, within this state during such period, under such regulations as the Secretary of Defense of the United States may prescribe for discipline in training, such military forces as the Governor may deem necessary to assist the civil authorities in maintaining law and order. Such forces shall be composed of officers commissioned or assigned, and such able-bodied citizens of the state as shall volunteer for service therein, supplemented, if necessary, by personnel of the Florida National Guard enrolled by draft or otherwise, as provided by law. Such forces shall be additional to and distinct from the National Guard and shall be known as the Florida State Defense Force. Such forces shall be uniformed.

(2) The Governor is the commander in chief of the Florida State Guard. The Adjutant General shall be responsible for directing, supervising, and maintaining the Florida State Guard. Authorized to maintain a Florida State Defense Force reserve cadre of officers and noncommissioned officers, said officers to be a trained nucleus for such time as the Florida State Defense Force may be activated. Said officers shall be volunteers and shall serve with no pay or allowances except when called to active duty.

Section 2. Section 251.02, Florida Statutes, is amended to
read:

251.02 Duties of the Adjutant General relating to the Florida State Guard Organization; rules and regulations.—

(1) The Adjutant General is hereby authorized to prescribe military regulations governing the recruitment, organization, administration, equipment, maintenance, training, retention, incentives, and discipline of the Florida State Guard organization, and prohibit the acceptance of gifts, donations, gratuities, or anything of value, by such Florida State Defense Force, or by any member of such Florida State Defense Force, from any individual, firm, association, or corporation, by reason of such membership.

(2) The Adjutant General is authorized to prescribe uniforms, which must be separate and distinct from that of the United States Military and Florida National Guard.

(3) The Adjutant General may create duty positions and titles as required to maintain organizational structure.

(4) The Adjutant General shall set the composition and organizational force structure of the Florida State Guard and may divide the Florida State Guard into units, as necessary, and may give each such unit a name, a number designation, or both.

Such force may be composed of:

(a) A full-time designee selected by the Adjutant General to coordinate the force at the pleasure of the Adjutant General and, subject to appropriation, a permanent office responsible for planning, training, and readiness of the force, proper acquisition and safeguarding of equipment and facilities, and the ability to coordinate response actions when the Florida State Guard is activated;

(b) A cadre of appropriately trained members to carry out
the duties and responsibilities of the force, who may serve in a full-time status, part-time status, or a combination thereof, subject to the availability of funds; and

(c) Such qualified citizens of this state as may volunteer and who are accepted for service therein.

Section 3. Section 251.03, Florida Statutes, is amended to read:

251.03 Reimbursement and compensation—Pay and allowances.—

(1) Activated members of the Florida State Guard may receive stipends or travel expenses at the discretion of the Governor, the Adjutant General, or their designated authority, contingent upon available funding.

(2) Rates of reimbursement and levels of compensation shall be determined by the Adjutant General and shall be contingent upon available funding.

(3) While activated or while in training, members of the Florida State Guard shall be covered by the protections of the Workers’ Compensation Law as defined by Florida Statute Title 31 (Labor), Chapter 440 (workers’ compensation), as a volunteer worker for the State of Florida as defined in 440.02(d). The members of the Florida State Defense Force shall receive no pay and allowances, except when called out on active duty, during which time they shall receive the same base pay and allowances as are now provided by law for the National Guard when on similar duty.

Section 4. Section 251.04, Florida Statutes, is amended to read:

251.04 Requisitions; armories; other buildings.—

(1) The Governor is authorized to requisition required equipment for the Florida State Guard.

(2) The Governor or the Adjutant General may make available to the Florida State Guard the facilities of state armories and
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state equipment and such other state premises and state property as may be available For the use of such Florida State Defense Force, the Governor is hereby authorized to requisition from the Secretary of Defense such arms and equipment as may be in possession of, and can be spared by, the Defense Department; and to make available to such Florida State Defense Force the facilities of state armories and their equipment and such other state premises and property as may be available.

Section 5. Section 251.05, Florida Statutes, is amended to read:

251.05 Activation and deactivation of the Florida State Guard Calling out of defense force.—

(1) The Governor may, in order to preserve the public peace, execute the laws of this state, enhance domestic security, respond to terrorist threats or attacks, respond to an emergency as defined in s. 252.34 or imminent danger thereof, or respond to any need for emergency aid to civil authorities as specified in s. 250.28, order the activation of the Florida State Guard.

(2) The Governor may authorize all or any part of the Florida State Guard to participate in any parade, review, inspection, ceremony, or other public exercise; to serve for escort duty; to participate in training; to provide extraordinary support to law enforcement upon request; and to provide relief in situations for which it is uniquely qualified. Such expenses incidental thereto and authorized by the Governor may be paid as provided for state active duty.

(3) The Florida State Guard shall be deactivated by expiration of the order activating the Florida State Guard, a separate order from the Governor deactivating the Florida State Guard, or an order from the Adjutant General or his or her designee deactivating the Florida State Guard.
(4) Unless otherwise stated, such deactivation will not affect the full-time members other than to excuse them from the current operation. The Florida State Defense Force may be called out to aid the civil authorities as now provided by the law for calling out the National Guard, except whenever the Adjutant General would be authorized to call out the Florida State Defense Force, but is unable to do so for any reason, the Adjutant General’s assistant shall have such authority.

Section 6. Section 251.06, Florida Statutes, is amended to read:

251.06 Defense of actions or proceedings against members of the Florida State Guard.

(1) Members of the Florida State Guard ordered to state active duty or while in training are not liable, civilly or criminally, for any lawful act done by them in the performance of their duty, while acting in good faith and within the scope of that duty.

(2) In any action or proceeding of any nature, civil or criminal, commenced in any court by any person or by the state against any member of the Florida State Guard while ordered to state active duty or while in training, because of any act done or caused, ordered, or directed to be done, the defendant in such action or proceeding, upon his or her request, shall be defended at the expense of the state by a qualified attorney designated by the Department of Legal Affairs. However, this section does not prohibit such defendant from employing his or her own private counsel at the defendant’s own expense.

(3) In any such action or proceeding, if the plaintiff dismisses his or her suit or a verdict or judgment in favor of the defendant is entered, the court shall award costs and reasonable attorney fees incurred by the state and the defendant in the defense of such action or proceeding. Such Florida State
Defense Force shall not be required to serve outside the boundaries of this state, except that any organization, unit, or detachment of such Florida State Defense Force, upon order of the officer in immediate command thereof, may continue in fresh pursuit of insurrectionists, saboteurs, enemies, or enemy forces beyond the borders of this state into another state until they are apprehended or captured by such organization, unit, or detachment, or until the military or police forces of the other state, or the forces of the United States, have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons; provided, such other state shall have given authority by law for such pursuit by such Florida State Defense Force. Any such person, who shall be apprehended or captured in such other state by an organization, unit, or detachment of the Florida State Defense Force, shall, without unnecessary delay, be surrendered to the military or police forces of the state in which she or he is taken or to the United States; but such surrender shall not constitute a waiver by this state of its right to extradite or prosecute such person for any crime committed in this state.

Section 7. Section 251.07, Florida Statutes, is amended to read:

251.07 Liability for actions of members of the Florida State Guard Permission to forces of other states in fresh pursuit. Members of the Florida State Guard shall serve at the pleasure of the Adjutant General and may be subject to adverse administrative actions including severance at the discretion of the Adjutant General or for any violation of the Department of Military Affairs’ employee handbook. The Department shall promulgate rules related to a code of conduct, standards, requirements and disqualifications for membership in the Florida State Guard.
Any military forces or organization, unit or detachment thereof, of another state, who are in fresh pursuit of insurrectionists, saboteurs, enemies or enemy forces, may continue such pursuit into this state until the military or police forces of this state or the forces of the United States, have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons; and they are hereby authorized to arrest or capture such persons within this state while in fresh pursuit. Any such person, who shall be captured or arrested by the military forces of such other state while in this state, shall without unnecessary delay be surrendered to the military or police forces of this state to be dealt with according to law. This section shall not be construed so as to make unlawful any arrest in this state which would otherwise be lawful.

Section 8. Section 251.08, Florida Statutes, is amended to read:

251.08 Federal service.—
(1) Nothing in this chapter shall be construed as authorizing such Florida State Guard, or any part thereof, to be called, ordered, or in any manner drafted, as such, into the military service of the United States.; but,
(2) No person shall, by reason of her or his enlistment or commission in any such Florida State Guard, be exempted from military service under any law of the United States.
(3) Members of the Florida State Guard are subject to limitations contained in 32 U.S.C. s. 109.

Section 9. Section 251.09, Florida Statutes, is amended to read:

251.09 Citizenship requirements and disqualification for membership Civil groups.—
(1) No person shall be a member of the Florida State Guard
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who is not a citizen of the United States and resident of the state of Florida.

(2) All prospective members of the Florida State Guard shall be subject to an appropriate criminal background check. No person shall be a member of the Florida State Guard who has been convicted of a felony or has been dropped from the rolls or separated, expelled, or discharged with less than a General (Under Honorable Conditions) Service characterization from any military organization of this state, of another state, or of the United States.

(3) The Governor or the Adjutant General may establish age limitations and standards for fitness, to include moral, physical, health, and legal considerations, for eligibility to be a member of the Florida State Guard. No civil organization, society, club, post, order, fraternity, association, brotherhood, body, union, league, or other combination of persons, or civil groups, shall be enlisted in such Florida State Defense Force as an organization or unit.

Section 10. Section 251.10, Florida Statutes, is amended to read:

251.10 Duration and obligations of service
Disqualifications.—

(1) EXECUTIVE AND SUPERVISORY LEVEL MEMBERS.—The Adjutant General or his or her delegate shall approve or disapprove each applicant for executive or supervisory level service. A prospective executive or supervisory officer of the Florida State Guard will enter into a contract with the State of Florida for service as members. Members are subject to the rights and limitations on the contract entering the Florida State Guard member into service. Nothing contained in any contract between a Florida State Guard member and the State of Florida will limit the ability of the Adjutant General to terminate or modify the
contract at any time. The oath to be taken by executive or
supervisory member in such Florida State Guard shall be
substantially in the form prescribed for officers of the Florida
National Guard, substituting the words “Florida State Guard”
where necessary and omitting the reference to the President of
the United States.

(2) ALL OTHER MEMBERS.—The Adjutant General or his or her
delegate shall approve or disapprove each applicant. A
prospective member of the Florida State Guard will enter into a
contract with the State of Florida for service as members.
Members are subject to the rights and limitations on the
contract entering the Florida State Guard member into service.
Nothing contained in any contract between a Florida State Guard
member and the State of Florida may limit the ability of the
Adjutant General to terminate or modify the contract at any
time. The oath to be taken upon membership in such Florida State
Guard shall be substantially in the form prescribed for enlisted
personnel of the Florida National Guard, substituting the words
“Florida State Guard” where necessary and omitting the reference
to the President of the United States. No person shall be
commissioned or enlisted in such Florida State Defense Force who
is not a citizen of the United States, or who has been expelled
or dishonorably discharged from any military or naval
organization of this state, or of another state, or of the
United States.

Section 11. Section 251.11, Florida Statutes, is amended to
read:

251.11 Stay of proceedings when Florida State Guard
activated Commissioned officers.—Members of the Florida State
Guard in an activated status shall be entitled to the same
protection afforded to members of the Florida National Guard
under s. 250.5201 (Stay of proceedings where troops called out
into state active duty or active duty). The term of commission in the Florida State Defense Force shall be for 3 years, subject to termination at the pleasure of the Governor prior to the expiration of such period. The oath to be taken by officers commissioned in such Florida State Defense Force shall be substantially in the form prescribed for officers of the National Guard, substituting the words “Florida State Defense Force” where necessary, and omitting the reference to the President of the United States. The subject term of 3 years may be extended by express direction of the Governor.

Section 12. Section 251.12, Florida Statutes, is amended to read:

251.12 Employment protection when Florida State Guard activated Enlisted personnel. Members of the Florida State Guard in an activated status shall be entitled to the same protections afforded to members of the Florida National Guard pursuant to s. 250.482 (Troops ordered into state active service; not to be penalized by employers and postsecondary institutions) as well as chapters 115 and 250. The term of enlistment in the Florida State Defense Force shall be for 3 years, subject to termination at the pleasure of the Governor prior to the expiration of such period. The oath to be taken upon enlistment in such Florida State Defense Force shall be substantially in the form prescribed for enlisted personnel of the National Guard, substituting the words “Florida State Defense Force” where necessary, and omitting the reference to the President of the United States. The subject term of 3 years may be extended by express direction of the Governor.

Section 13. Section 251.13, Florida Statutes, is amended to read:

251.13 Use outside the State of Florida Uniform Code of Military Justice; freedom from arrest; jury duty.—The Governor
or the Adjutant General may authorize individual members or
elements of the Florida State Guard to provide mutual assistance
on behalf of the State of Florida in other states in accordance
with part III of chapter 252. Such volunteers will be treated
similar to the Florida National Guard members performing similar
duties.

(1) Whenever such Florida State Defense Force, or any part
thereof, shall be ordered out for active service, the Uniform
Code of Military Justice of the United States, applicable to
members of the National Guard of this state in relation to
courts-martial, their jurisdiction and the limits of punishment,
and the rules and regulations prescribed thereunder, shall be in
full force and effect with respect to the Florida State Defense
Force.

(2) No officer or enlisted person of such Florida State
Defense Force shall be arrested on any warrant, except for
treason or felony, while going to, remaining at, or returning
from, a place where such person is ordered to attend for
military duty. Every officer and enlisted person of such Florida
State Defense Force shall, during such person’s service therein,
be exempt from service upon any posse comitatus, and from jury
duty.

Section 14. Section 251.14, Florida Statutes, is amended to
read:

251.14 Budget and Expenses Discharge of Florida State
Defense Force.—All budget requirements and expenses incurred in
carrying out the provisions of this chapter shall be paid from
funds separate and distinct from current state or federal
funding of the Florida National Guard. The Florida State Defense
Force shall be discharged by the Governor upon the return of the
National Guard to state control, or within 30 days thereafter,
subject however to the provision of s. 251.01(2).
Section 15. Section 251.15, Florida Statutes, Section 251.15, Florida Statutes, is repealed.

Section 16. Section 251.16, Florida Statutes, is amended to read:

251.15 251.16 Short title.-
This chapter may be cited as the “Florida State Guard.”

Section 17. Section 251.17, Florida Statutes, is repealed.

Section 18. This act shall take effect July 1, 2022.
A bill to be entitled
An act relating to the Office of the Judges of
Compensation Claims; amending s. 440.44, F.S.;
providing an effective date.

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

Section 1. Section 440.44, Florida Statutes,
is amended to read:

440.44 Workers’ compensation; staff organization. --

(5) OFFICE. – The department, the agency, and the Deputy
Chief Judge shall maintain and keep open during reasonable
Business hours an office, which shall be provided in the Capitol
Or some other suitable building in the City of Tallahassee, for
the transaction of business under this chapter, at which office
the official records and papers shall be kept. The office shall
be furnished and equipped. The department, the agency, any judge
of compensation claims, or the Deputy Chief Judge may hold
sessions and conduct hearings at any place within the state.

The Office of the Judges of Compensation Claims shall maintain
the 17 district offices, 31 judges of compensation claims, and 31
mediators as they exist on June 30, 2001.

Section 2. This act shall take effect upon becoming a law.
An act relating to William (Billy Joe) J. Rish Recreational Park; transferring William (Billy Joe) J. Rish Recreational Park to the Department of Environmental Protection from the Agency for Persons with Disabilities; providing an effective date.

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

Section 1. All powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and other funds related to the William (Billy Joe) J. Rish Recreational Park within the Agency for Persons with Disabilities are transferred by a type two transfer, as defined in s. 20.06(2), Florida Statutes, to the Department of Environmental Protection.

Section 2. This act shall take effect on July 1, 2022.
An act relating to child care subsidies for foster parents; amending s. 409.145, F.S.; providing an early education or child care subsidy for certain foster parents; providing an effective date.

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

Section 1. Subsection (3) of section 409.145, Florida Statutes, is amended to read:

409.145 Care of children; "reasonable and prudent parent" standard.—The child welfare system of the department shall operate as a coordinated community-based system of care which empowers all caregivers for children in foster care to provide quality parenting, including approving or disapproving a child’s participation in activities based on the caregiver’s assessment using the “reasonable and prudent parent” standard.

(3) FOSTER CARE ROOM AND BOARD RATES; ADDITIONAL SUBSIDY FOR CHILD CARE EXPENSES.—

(a) Effective July 1, 2018, room and board rates shall be paid to foster parents as follows:

<table>
<thead>
<tr>
<th>Monthly Foster Care Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Age</strong></td>
</tr>
<tr>
<td>0-5 Years</td>
</tr>
</tbody>
</table>
(b) Each January, foster parents shall receive an annual cost of living increase. The department shall calculate the new room and board rate increase equal to the percentage change in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, not seasonally adjusted, or successor reports, for the preceding December compared to the prior December as initially reported by the United States Department of Labor, Bureau of Labor Statistics. The department shall make available the adjusted room and board rates annually.

(c) Effective July 1, 2019, foster parents of level I family foster homes as defined in s. 409.175(5)(a) shall receive a room and board rate of $333.

(d) Effective July 1, 2019, the foster care room and board rate for level II family foster homes as defined in s. 409.175(5)(a) shall be the same as the new rate established for family foster homes as of January 1, 2019.

(e) Effective January 1, 2020, paragraph (b) shall only apply to level II through level V family foster homes, as defined in s. 409.175(5)(a).

(f) The amount of the monthly foster care room and board rate may be increased upon agreement among the department, the community-based care lead agency, and the foster parent.

(g) From July 1, 2018, through June 30, 2019, community-based care lead agencies providing care under contract with the department shall pay a supplemental room and board payment to foster care parents of all family foster homes, on a per-child basis, for providing independent life skills and normalcy supports to children who are 13 through 17 years of age placed
in their care. The supplemental payment shall be paid monthly to
the foster care parents in addition to the current monthly room
and board rate payment. The supplemental monthly payment shall
be based on 10 percent of the monthly room and board rate for
children 13 through 21 years of age as provided under this
section and adjusted annually. Effective July 1, 2019, such
supplemental payments shall only be paid to foster parents of
level II through level V family foster homes.

(h) In addition to the foster care room and board rate, a
foster parent who is required under s. 39.604 to place a child
in an early education or a child care program and who chooses a
program in which the state subsidy from an early learning
coalition under part VI of chapter 1002 is insufficient to pay
the full cost shall receive a payment of up to $300 per month to
pay the difference between the amount of the early learning
coaition subsidy and the full cost of the services.

Section 2. This act shall take effect July 1, 2022.
Governor’s Budget Recommendation Conforming Bill
Create the Opioid Settlement Clearing Trust Fund in the
Department of Financial Services

A bill to be entitled
An act relating to trust funds; creating s. 17.69
F.S.; creating the Department of Financial
Services Opioid Settlement Clearing Trust Fund;
providing for exemption from various service
charges; providing purposes; providing for
investment of such moneys; providing for
disbursement of funds to the opioid settlement
trust funds of the various agencies; proclaiming
that the trust fund is exempt from constitutional
termination; providing an effective date.

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

Section 1. Section 17.69, Florida Statutes, is created to
read:

17.69 The Department of Financial Services Opioid Settlement
Clearing Trust Fund.—

(1) The Department of Financial Services Opioid Settlement
Clearing Trust Fund is created within that department.

(2) Funds to be credited to the trust fund shall consist of
all payments received by the state from the opioid settlement.
All moneys received from the settlement shall be deposited into
the trust fund and are exempt from the service charges imposed
under s. 215.20.

(3) The State Board of Administration shall invest and
reinvest the moneys in the trust fund in accordance with ss.
215.44-215.53. Costs and fees of the State Board of Administration for providing such investment services shall be deducted from the earnings accruing to the trust fund.

(4) The department shall disburse funds, by nonoperating transfer, from the clearing trust fund to the opioid settlement trust funds of the various agencies in amounts equal to the annual appropriations made from those trust funds in the General Appropriations Act.

(5) Pursuant to the provisions of s. 19(f) (3), Article III of the State Constitution, the trust fund is exempt from termination provisions of s. 19(f) (2), Article III of the State Constitution.

Section 2. This act shall take effect July 1, 2022.
A bill to be entitled
An act creating the Opioid Settlement Trust Fund
for the deposit of proceeds from the opioid
industry; providing for the investment of funds;
providing for review and termination of the trust
fund; providing an effective date.

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

Section 1. (1) The Opioid Settlement Trust Fund is created
to accept deposit of all funds by the state as a result of the
settlement lawsuit against the opioid industry.
(2) All funds transferred to and retained in the trust fund
shall be invested pursuant to s. 18.125, Florida Statutes. All
interest accruing to the trust fund shall be deposited in the
trust fund and shall be subject to appropriation by the
Legislature.
(3) Pursuant to provisions of s. 19(f)(2), Article III of
the State Constitution, the Opioid Settlement Trust Fund shall,
unless terminated sooner, be terminated on July 1, 2026. Prior
to its scheduled termination, the trust fund shall be reviewed
as provided in ss. 215.3206(1) and (2), Florida Statutes.

Section 2. This act shall take effect on July 1, 2022.
Governor’s Budget Recommendation Conforming Bill
Opioid Settlement Trust Fund in the
Department of Children and Families

A bill to be entitled
An act relating to trust funds; creating ss.
20.195(11), F.S.; creating the Opioid Settlement
Trust Fund within the Department of Children and
Families; providing purpose of the trust fund;
providing for future review and termination or re-
creation of the trust fund; providing an effective
date.

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

Section 1. Subsection (11) of Section 20.195, Florida
Statutes, is created to read:
20.195 Department of Children and Families; trust funds.-
(11) Opioid Settlement Trust Fund.-
(a) The Opioid Settlement Trust Fund is created within the
Department of Children and Families. The purpose of the trust
fund is to provide additional treatment such as medication-
assisted treatment, abstinence-based treatment, or other
evidence-based programs for opioid use disorder.
(b) Moneys shall be deposited and the expenditures made
from the trust fund.
(c) Notwithstanding s. 216.301 and pursuant to s. 216.251,
any balance in the trust fund at the end of any fiscal year
shall remain in the trust fund at the end of the year and shall
be available for carrying out the purposes of the trust fund.
(d) Pursuant to provisions of s. 19(f)(2), Article III of
the State Constitution, the Opioid Settlement Trust Fund shall, unless terminated sooner, be terminated on July 1, 2026. Prior to its scheduled termination, the trust fund shall be reviewed as provided in ss. 215.3206(1) and (2), Florida Statutes.

Section 2. This act shall take effect on July 1, 2022.
A bill to be entitled

An act relating to the State-Operated Institutions Inmate Welfare Trust Fund; amending s. 945.215, F.S.; increasing the maximum amount of funds that may be deposited into the trust fund in a fiscal year; adding environmental health upgrades to Department of Corrections facilities as a permissible use for funds in the trust fund; reenacting ss. 944.516(5), 944.73(2), and 946.002(4)(b), F.S., relating to the disposition of unclaimed funds, the State-Operated Institutions Inmate Welfare Trust Fund, and forfeiture of a prisoner’s earned funds, respectively, to incorporate the amendment made to s. 945.215, F.S., in references thereto; providing an effective date.

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

Section 1. Paragraphs (b) and (c) of subsection (2) of section 945.215, Florida Statutes, are amended to read:

945.215 Inmate welfare and employee benefit trust funds.—
(2) STATE-OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND.—
(b) Deposits into the trust fund may not exceed a total of $30 million in any fiscal year. Any proceeds or funds that would cause deposits into the trust fund to exceed this limit must be deposited into the General Revenue Fund.

(c) Funds in the trust fund shall be used exclusively to provide for or operate any of the following at correctional facilities operated by the department:

1. Literacy programs, vocational training programs, and educational programs.
2. Inmate chapels, faith-based programs, visiting pavilions, visiting services and programs, family services and programs, and libraries.

3. Inmate substance abuse treatment programs and transition and life skills training programs.

4. The purchase, rental, maintenance, or repair of electronic or audiovisual equipment, media, services, and programming used by inmates.

5. The purchase, rental, maintenance, or repair of recreation and wellness equipment.

6. The purchase, rental, maintenance, or repair of bicycles used by inmates traveling to and from employment in the work-release program authorized under s. 945.091(1)(b).

7. Environmental health upgrades to facilities, to include fixed capital outlay repairs and maintenance that would improve environmental conditions of the correctional facilities.

Section 2. For the purpose of incorporating the amendment made by this act to section 945.215, Florida Statutes, in a reference thereto, subsection (5) of section 944.516, Florida Statutes, is reenacted to read:

944.516 Money or other property received for personal use or benefit of inmate; deposit; disposition of unclaimed trust funds.—The Department of Corrections shall protect the financial interest of the state with respect to claims which the state may have against inmates in state institutions under its supervision and control and shall administer money and other property received for the personal benefit of such inmates. In carrying out the provisions of this section, the department may delegate any of its enumerated powers and duties affecting inmates of an institution to the warden or regional director who shall personally, or through designated employees of his or her
personal staff under his or her direct supervision, exercise such powers or perform such duties.

(5) When an inmate is transferred between department facilities, is released from the custody of the department, dies, or escapes during incarceration, and the inmate has an unexpended inmate trust fund account balance of less than $1, that balance shall be transferred to the State-Operated Institutions Inmate Welfare Trust Fund or, as provided in s. 945.215(2)(b), into the General Revenue Fund.

Section 3. For the purpose of incorporating the amendment made by this act to section 945.215, Florida Statutes, in a reference thereto, subsection (2) of section 944.73, Florida Statutes, is reenacted to read:

944.73 State-Operated Institutions Inmate Welfare Trust Fund.—

(2) Moneys shall be deposited and the expenditures made from the trust fund as provided in s. 945.215.

Section 4. For the purpose of incorporating the amendment made by this act to section 945.215, Florida Statutes, in a reference thereto, paragraph (b) of subsection (4) of section 946.002, Florida Statutes, is reenacted to read:

946.002 Requirement of labor; compensation; amount; crediting of account of prisoner; forfeiture; civil rights; prisoner not employee or entitled to compensation insurance benefits.—

(4)

(b) When any prisoner escapes, the department shall determine what portion of the prisoner’s earnings shall be forfeited, and such forfeiture shall be deposited in the State Treasury in the State-Operated Institutions Inmate Welfare Trust Fund of the department or, as provided in s. 945.215(2)(b), into
the General Revenue Fund.

Section 5. This act shall take effect July 1, 2022.
Governor’s Budget Recommendation Conforming Bill  
Elevation Certificates

A bill to be entitled  
An act relating to Elevation Certificates;  
amending s. 472.0366, F.S.; specifying that  
elevation certificates are to be submitted in a  
format determined by the Division of Emergency  
Management and outlined on the division’s  
website; providing a start date for the  
requirement; providing an effective date.  

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

Section 1. Paragraph (2) of Section 472.0366, Florida  
Statutes, is amended to read:  
472.0366 Elevation certificates; requirements for surveyors and  
mappers.—  
(1) As used in this section, the term:  
(a) “Division” means the Division of Emergency Management  
established within the Executive Office of the Governor under  
(b) “Elevation certificate” means the certificate used to  
demonstrate the elevation of property which has been developed  
by the Federal Emergency Management Agency pursuant to federal  
floodplain management regulation and which is completed by a  
surveyor and mapper.  
(2) Beginning January 1, 2023 January 1, 2017, a surveyor and  
mapper shall, within 30 days after completion, submit to the  

CODING: Words stricken are deletions; words underlined are additions.
division a copy of each elevation certificate that he or she
completes in a format determined by the division and outlined on
the division’s website. The copy must be unaltered, except that
the surveyor and mapper may redact the name of the property
owner. The copy need not be signed and sealed when submitted to
the division; however, an original signed and sealed copy must
be retained in the surveyor and mapper’s records as prescribed
by rule of the board.

Section 2. This act shall take effect July 1, 2022.
A bill to be entitled

An act relating to inmate fraud; amending s. 414.40, F.S.,
transferring the Stop Inmate Fraud program from the Department
of Financial Services to the Department of Economic Opportunity;
expanding reporting requirements on inmates wrongfully receiving
public assistance or entitlement benefits to include all
facilities listed in statute; clarifying definitions of terms;
including the Department of Financial Services Division of
Public Assistance Fraud among the recipients of inmate fraud
data reports; providing an effective date.

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

Section 1. Section 414.40, Florida Statutes, is amended to
read:

414.40 Stop Inmate Fraud Program established; guidelines.—
(1) There is created within the Department of Financial
Services Economic Opportunity a Stop Inmate Fraud Program.

(2) The Department of Financial Services Economic
Opportunity is directed to implement the Stop Inmate Fraud
Program in accordance with the following guidelines:

(a) The program shall establish procedures for sharing
public records not exempt from the public records law among
social services agencies regarding the identities of persons
incarcerated in state correctional institutions, as defined in
s. 944.02, or and in county, municipal, and regional jails and
other detention facilities of local governments under
chapter 950 or chapter 951 who are wrongfully receiving public
assistance benefits or entitlement benefits.
(b) Pursuant to these procedures, the program shall have access to records containing correctional information not exempt from the public records law on incarcerated persons which have been generated as criminal justice information. As used in this paragraph, the term “record” is defined as provided in s. 943.045(7), and the term “criminal justice information” have the same meanings as defined as provided in s. 943.045(3).

(c) Database searches shall be conducted of the inmate population at each correctional institution or other detention facility. A correctional institution or a detention facility shall provide the Stop Inmate Fraud Program with the information necessary to identify persons wrongfully receiving benefits in the medium requested by the Stop Inmate Fraud Program if the correctional institution or detention facility maintains the information in that medium.

(d) Data obtained from correctional institutions or other detention facilities shall be compared with the client files of the Department of Children and Families, the Department of Economic Opportunity, and other state or local agencies as needed to identify persons wrongfully obtaining benefits. Data comparisons shall be accomplished during periods of low information demand by agency personnel to minimize inconvenience to the agency.

(e) Results of data comparisons shall be furnished to the appropriate office for use in the county in which the data originated. The program may provide reports of the data it obtains to appropriate state, federal, and local government agencies or governmental entities, including, but not limited to:
1. The Child Support Enforcement Program of the Department of Revenue, so that the data may be used as locator information on persons being sought for purposes of child support.

2. The Social Security Administration, so that the data may be used to reduce federal entitlement fraud within the state.

3. The Department of Financial Services, Division of Public Assistance Fraud, in order to facilitate the investigation of the fraudulent receipt of public assistance.

(f) Reports by the program to another agency or entity shall be generated bimonthly, or as otherwise directed, and shall be designed to accommodate that agency’s or entity’s particular needs for data.

(g) Only those persons with active cases, or with cases that were active during the incarceration period, shall be reported, in order that the funding agency or entity, upon verification of the data, may take whatever action is deemed appropriate.

(h) For purposes of program review and analysis, each agency or entity receiving data from the program shall submit reports to the program which indicate the results of how the data was used.

Section 2. This act shall take effect July 1, 2022.
A bill to be entitled
An act relating to law enforcement recruitment and
training; creating s. 445.08, F.S., creating the Florida
Law Enforcement Recruitment Bonus Payment Program within
the Department of Economic Opportunity; providing the
purpose of the program; specifying that the program is
contingent on legislative appropriations; specifying
eligibility and requirements for the program; requiring
the department to develop an annual plan for distribution
of the bonus payments; specifying minimum criteria for the
plan; requiring the department to submit the plan and
related budget amendments to the Governor’s Office and the
Legislature; requiring the department to adopt rules;
creating s. 1009.896, F.S., establishing the Law
Enforcement Academy Scholarship Program; providing
eligibility criteria; providing allocation criteria;
requiring the State Board of Education to adopt rules;
creating s. 1009.8961, F.S.; establishing out-of-state law
enforcement equivalency reimbursement; providing eligible
expenses; requiring the State Board of Education to adopt
rules; providing an effective date.

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

Section 1. Section 445.08, Florida Statutes, is created to
read:

445.08 Florida Law Enforcement Recruitment Bonus Payment Program.—
(1) To aid in the recruitment of law enforcement officers within the State of Florida, there is created within the department the Florida Law Enforcement Recruitment Bonus Payment Program. The purpose of the program is to administer one-time bonus payments to each newly employed or appointed full-time law enforcement officer within the state. Bonus payments provided to eligible law enforcement officers are contingent on legislative appropriations and shall be subject to the amount appropriated for the program. Bonus payments shall be made consistent with the following criteria:

(a) A newly employed or appointed full-time officer is defined as an individual new to the law enforcement profession in this state, and employed by a Florida criminal justice employing agency as a sworn law enforcement officer. Current and former law enforcement officers, correctional officers, or other security officers with service in this state, and employees in these categories classified as other personal services or temporary employees, are not eligible for bonus payments.

(b) Bonus payments shall be adjusted to include 7.65 percent for the employee share of Federal Insurance Contribution Act tax.

(c) The funding allocation for the bonus payments must be used solely to comply with requirements of this section, but applicable collective bargaining units are not otherwise precluded from negotiating over wages.

(d) A bonus payment shall be repaid to the state if the officer who received the bonus payment does not remain employed as an officer for at least two years with one or more employers within the State of Florida without a break in service. A bonus
payment does not have to be repaid if the officer receiving the
bonus payment is discharged by his or her employer for a reason
other than misconduct as defined in s. 443.036(29).

(2) The department shall develop an annual plan for the
distribution of the bonus payments. Applicable state agencies
and local entities shall assist the department with the
collection of data necessary to make the bonus payments, and
shall otherwise provide the department with information or
assistance needed to fulfill the requirements of this section.
At a minimum, the plan must address the following:

(a) The estimated number of new law enforcement officers to
gain employment during the applicable fiscal year.

(b) The method or methods that will be utilized to
distribute bonus payment funds to the applicable state and local
entities, with the goal of making bonus payments to eligible
individuals in the quickest and most efficient manner possible.

(c) The estimated cost to the department for administering
and distributing the bonus payment funds.

(d) Eligibility criteria for receiving a bonus payment,
which shall include:

1. Meeting the minimum qualifications pursuant to s.
943.13.

2. Completing the required training or being exempt
pursuant to s. 943.13(9), and passing the State Officer
Certification Examination. The department shall consult
quarterly with the Department of Law Enforcement to receive
verification of law enforcement officers certified upon
completion of the State Officer Certification Examination.
3. Gaining employment with a Florida criminal justice agency, including having completed a full background check and submitting an Officer Certification Application Form CJSTC-59.

4. Having the employment file reviewed and deemed compliant by the Criminal Justice Standards and Training Commission.

5. Meeting any other criteria deemed necessary by the department for determining bonus payment eligibility and distributing bonus payment funds.

(e) The department shall submit the plan to the Executive Office of the Governor’s Office of Policy and Budget, the chair of the Senate Appropriations Committee, and the Chair of the House Appropriations Committee by October 1st of each year. The department is authorized to submit budget amendments pursuant to chapter 216 as necessary to release appropriated funds for distribution to applicable state and local entities under this program.

(3) The department shall adopt rules to implement this section.

Section 2. Section 1009.896, Florida Statutes, is created to read:

1009.896 Law Enforcement Academy Scholarship Program. –

(1) The Law Enforcement Academy Scholarship Program shall be administered by the Department of Education, in consultation with the Florida Department of Law Enforcement.

(a) The scholarship shall be provided for trainees in a Commission-approved basic recruit training program at a Florida College System institution or school district technical center for the purposes of meeting the minimum qualification established in s. 943.13(9) for employment to be a law
enforcement officer, as defined in s. 943.10(1). The award shall be an amount equal to the tuition, required fees, and eligible expenses, as described in subsection (2), necessary to complete law enforcement training, less any state financial aid received by the trainee.

(b) Scholarships are awarded on a first come, first serve basis, and are subject to appropriation by the Legislature.

(c) Law enforcement academy trainees who are sponsored by a law enforcement agency that covers the cost of training are ineligible to receive the Law Enforcement Academy Scholarship.

(2) For the purposes of this section, the award shall cover the tuition, required fees, and eligible expenses in a manner as follows:

(a) The full cost of the tuition and required fees established in ss. 1009.22(3), (5), (6), (7) and 1009.23(3), (4), (7), (8), (10), (11), as applicable. The award for nonresident trainees shall not include the out-of-state fee; and

(b) Up to a total of $1,000 for the following eligible expenses:

1. The law enforcement certification examination;
2. Textbooks;
3. Uniforms;
4. Ammunition;
5. Insurance for the trainee; and
6. Other fees incurred by the trainee for consumable materials necessary to complete law enforcement training.

(3) The State Board of Education shall adopt rules for this program prior to the beginning of the fall semester of the 2022-2023 academic year.
Section 3. Section 1009.8961, Florida Statutes is created to read:

1009.8961 Out-of-State Law Enforcement Equivalency Reimbursement. -

(1) Subject to legislative appropriation, an individual who meets the criteria specified in s. 943.13(9)(a) or (b), who is relocating from outside the state of Florida to become a law enforcement officer, as defined in s. 943.10(1), within the state of Florida may be eligible to receive a reimbursement of up to $1,000 for eligible expenses incurred in obtaining a Florida law enforcement certification. Eligible individuals for the reimbursement may include those who:

(a) Have served as a full-time sworn officer in another state;

(b) Have served as a full-time sworn officer for the Federal Government; or

(c) Have served in the special operations forces.

(2) Eligible expenses for reimbursement include:

(a) Cost of any equivalency assessment used to establish need for equivalency training.

(b) Cost of necessary equivalency training.

(c) Cost of the law enforcement officer certification examination.

(3) Law enforcement officers who are sponsored by a law enforcement agency that covers the cost of training necessary to satisfy law enforcement equivalency requirements are ineligible to receive the reimbursement.
(4) The Department of Education shall administer this program in consultation with the Florida Department of Law Enforcement.

(5) Reimbursements are awarded on a first come, first serve basis, and are subject to appropriation by the Legislature.

(6) The State Board of Education shall adopt rules for this program prior to the beginning of the fall semester of the 2022-2023 academic year.

Section 4. This act shall take effect upon becoming a law.
A bill to be entitled

An act relating to election security; creating s. 97.022, F.S., creating the Office of Election Crimes and Security Office within the Department of State; specifying the purpose of the office; providing authorization for the office to investigate election law violations or election irregularities and to make referrals directly to a statewide prosecutor; authorizing a director and other staff for the office; specifying the structure of the office; providing required qualifications for the director and other staff of the office; providing the director and investigators with law enforcement authority; providing the office with specified tools to conduct investigations and gather evidence; requiring the office to oversee the department’s voter fraud hotline; specifying that the jurisdiction of other offices or agencies of government empowered to investigate alleged election law violations is not limited, but authorizes the office to assert primary jurisdiction over any such investigation; requiring a statewide prosecutor to investigate complaints referred by the office, take action as warranted, and report to the office on final disposition; specifying that statewide prosecutor failure to initiate action on a complaint or referral by the office shall not bar further action by any other law enforcement entity with jurisdiction; providing an effective date.

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

Section 1. Section 97.022, Florida Statutes, is created to read:
97.022 Office of Election Crimes and Security; Election Law
Violations and Election Irregularities.—

(1) The Office of Election Crimes and Security is created in the Department of State. The office shall be considered a criminal justice agency as defined in s. 943.045. The purpose of the office, consistent with the Secretary of State’s duties under s. 97.012(15), is to:

a. Receive and review notices and reports generated by government officials or any other person regarding alleged occurrences of election law violations or election irregularities in this state.

b. Initiate independent inquiries and conduct investigations into allegations of election law violations or election irregularities in any Florida county or municipality.

(2) The office is authorized to review complaints and conduct investigations into alleged violations of any provision of Title IX or any rule adopted pursuant thereto. As needed based on the findings of its reviews and investigations, the office shall make referrals for further legal action directly to a statewide prosecutor, who shall have primary statewide jurisdiction for enforcement and prosecution of election law violations and election irregularities. The office shall also refer to a statewide prosecutor for further legal action any complaints of election law violations or election irregularities that it deems frivolous and intended to otherwise disrupt the legal administration of Florida elections or the certification of Florida election results.

(3) In order to ensure that election officers are complying with all provisions Florida election law, the office
is authorized to conduct proactive information gathering and investigations to identify and prevent potential election law violations or election irregularities. For cases referred to the statewide prosecutor, he or she may directly file a writ of mandamus with the First District Court of Appeal to mandate the compliance of county Supervisors of Elections with the provisions of Florida election law.

(4) The secretary shall appoint a director of the Office of Election Crimes and Security. Qualifications for the director shall include training and experience in law enforcement or security provision. The director shall supervise, direct, coordinate, and administer all activities of the office.

(5) The Office of Election Crimes and Security shall consist of a central office in Tallahassee, as well as sworn law enforcement officers with statewide jurisdictions and non-sworn investigators based in field offices throughout the state as determined by the director. The positions and resources necessary for the office to accomplish its duties shall be established through and subject to the legislative appropriations process.

(6) The director and all investigators employed by the department shall meet the requirements for employment and appointment provided in s. 943.13, and shall satisfy the requirements for certification established by the Criminal Justice and Standards and Training Commission pursuant to Chapter 943. The director and investigators shall be designated law enforcement officers and shall have the authorization to investigate, detect, apprehend, and arrest anyone for an alleged
violation of any provision of Title IX or any rule adopted
pursuant thereto, or any law of this state.

(7) The office shall, for the purposes of any
investigation or proceeding conducted by the office, have the
authority to administer oaths and affirmations, require
affidavits, take depositions, issue subpoenas, and compel
attendance of witnesses and the production of paper-based,
electronic-based, or any other type of evidence. Evidence
gathered as authorized by this subsection is exempt from public
records requirements under Chapter 119 and s. 24(a), Art. I of
the State Constitution.

(8) The office shall oversee the department’s voter fraud
hotline.

(9) Nothing in this section limits the jurisdiction of any
other offices or agencies of government empowered by law to
investigate, act upon, or dispose of alleged election law
violations. However, the office may assert primary jurisdiction
over any investigation initiated by a local law enforcement
agency or state attorney of election law violations or election
irregularities.

(10) It is the duty of each statewide prosecutor receiving
a complaint referred by the office to investigate the complaint
promptly and thoroughly, to undertake any related criminal or
civil actions as justified by law, and to report to the office
the result of any such investigation, any related action taken,
and the final disposition of the complaint. The failure or
refusal of a statewide prosecutor to prosecute or initiate
action on a complaint or referral by the office shall not bar
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115 further action by any other law enforcement entity with
116 jurisdiction.
117 Section 2. This act shall take effect upon becoming a law.
A bill to be entitled

An act relating to trust funds of the Department of Economic Opportunity; terminating the Florida Small Cities Community Development Block Grant Program Fund; amending s. 290.044, F.S.; providing an effective date.

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

Section 1. (1) The Florida Small Cities Community Development Block Grant Trust Fund, FLAIR number 40-2-109, within the Department of Economic Opportunity is terminated.

(2) All current balances remaining in, and all revenues of, the trust fund, shall be transferred to the Federal Grants Trust Fund, FLAIR number 40-2-261.

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

Section 2. Subsection (1) of Section 290.044, Florida Statutes: The Florida Small Cities Community Development Block Grant Program Fund is created. All revenue designated for deposit in such fund in the shall be deposited fund by
the appropriate agency. The department shall administer this fund program as a grant and loan guarantee program for carrying out purposes of ss. 290.0401-290.048.

Subsection (4) of Section 290.044, Florida Statutes:
The department shall define broad community development objectives to be achieved by the activities in the grant program categories, with the use of funds from the Florida Small Cities Community Development Block Grant Program Fund. Such objectives shall be designed to meet at least one of the national objectives provided in the Housing and Community Development Act of 1974.

Section 3. This act shall take effect July 1, 2022.
A bill to be entitled
An act relating to trust funds of the Executive
Office of the Governor; terminating the Federal
Emergency Management Programs Support Trust Fund;
providing for the disposition of balances in and
revenues of the trust fund; providing an
effective date.

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

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

Section 2. This act shall take effect July 1, 2022.
A bill to be entitled

An act relating to Florida identification cards; amending s. 322.051, F.S., eliminating the requirement for any fees to be paid related to obtaining a Florida identification card;; amending s. 322.135, F.S., specifying that tax collectors may not charge service fees for providing Florida identification card services; amending s. 322.21(1)(b), F.S., related to fees charged for an original Class E driver license, repealing s. 322.21(1)(f), F.S., related to fees charged in order to obtain a Florida identification card, providing an effective date.

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

Section 1. Subsections (1), (3), and (8) of section 322.051, Florida Statutes are amended to read:

322.051 Identification cards.—

(1) Any person who is 5 years of age or older, or any person who has a disability, regardless of age, who applies for a disabled parking permit under s. 320.0848, may be issued an identification card by the department upon completion of an application and payment of an application fee.

(a) The application must include the following information regarding the applicant:

1. Full name (first, middle or maiden, and last), gender, proof of social security card number satisfactory to the department, which may include a military identification card,
county of residence, mailing address, proof of residential
address satisfactory to the department, country of birth, and a
brief description.

2. Proof of birth date satisfactory to the department.

3. Proof of identity satisfactory to the department. Such
proof must include one of the following documents issued to the
applicant:

   a. A driver license record or identification card record
from another jurisdiction that required the applicant to submit
a document for identification which is substantially similar to
a document required under sub-subparagraph b., sub-subparagraph
c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph
f., sub-subparagraph g., or sub-subparagraph h.;

   b. A certified copy of a United States birth certificate;

   c. A valid, unexpired United States passport;

   d. A naturalization certificate issued by the United States
Department of Homeland Security;

   e. A valid, unexpired alien registration receipt card
(green card);

   f. A Consular Report of Birth Abroad provided by the United
States Department of State;

   g. An unexpired employment authorization card issued by the
United States Department of Homeland Security; or

   h. Proof of nonimmigrant classification provided by the
United States Department of Homeland Security, for an original
identification card. In order to prove nonimmigrant
classification, an applicant must provide at least one of the
following documents. In addition, the department may require
applicants to produce United States Department of Homeland Security documents for the sole purpose of establishing the maintenance of, or efforts to maintain, continuous lawful presence:

(I) A notice of hearing from an immigration court scheduling a hearing on any proceeding.

(II) A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.

(III) A notice of the approval of an application for adjustment of status issued by the United States Citizenship and Immigration Services.

(IV) An official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Citizenship and Immigration Services.

(V) A notice of action transferring any pending matter from another jurisdiction to Florida, issued by the United States Citizenship and Immigration Services.

(VI) An order of an immigration judge or immigration officer granting relief that authorizes the alien to live and work in the United States, including, but not limited to, asylum.

(VII) Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Citizenship and Immigration Services.
(VIII) On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

An identification card issued based on documents required in sub-subparagraph g. or sub-subparagraph h. is valid for a period not to exceed the expiration date of the document presented or 1 year, whichever occurs first.

(b) An application for an identification card must be signed and verified by the applicant in a format designated by the department before a person authorized to administer oaths and payment of the applicable fee pursuant to s. 322.21.

(c) Each such applicant may include fingerprints and any other unique biometric means of identity.

(3) If an identification card issued under this section is lost, destroyed, or mutilated or a new name is acquired, the person to whom it was issued may obtain a duplicate upon furnishing satisfactory proof of such fact to the department and upon payment of a fee as provided in s. 322.21. The fee must include payment for the color photograph or digital image of the applicant. Any person who loses an identification card and who, after obtaining a duplicate, finds the original card shall immediately surrender the original card to the department. The same documentary evidence shall be furnished for a duplicate as for an original identification card.

(8)(a) The department shall, upon receipt of the required fee, issue to each qualified applicant for an identification card a color photographic or digital image identification card.
b. Veteran identification card, issued by the United States Department of Veterans Affairs pursuant to the Veterans Identification Card Act of 2015, Pub. L. No. 114-31; or
d. Other acceptable form specified by the Department of Veterans’ Affairs.

2. Until a veteran’s identification card is next renewed, the veteran may have the word “Veteran” added to his or her identification card upon surrender of his or her current identification card and presentation of any of the forms of identification specified in subparagraph 1. If the applicant is not conducting any other transaction affecting the identification card, a replacement identification card must be
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issued with the word “Veteran” without payment of the fee required in s. 322.21(1)(f)3.

(c) The international symbol for the deaf and hard of hearing shall be exhibited on the identification card of a person who is deaf or hard of hearing upon the payment of an additional $1 fee for the identification card and the presentation of sufficient proof that the person is deaf or hard of hearing as determined by the department. Until a person’s identification card is next renewed, the person may have the symbol added to his or her identification card upon surrender of his or her current identification card, payment of a $2 fee to be deposited into the Highway Safety Operating Trust Fund, and presentation of sufficient proof that the person is deaf or hard of hearing as determined by the department. If the applicant is not conducting any other transaction affecting the identification card, a replacement identification card may be issued with the symbol without payment of the fee required in s. 322.21(1)(f)3. For purposes of this paragraph, the international symbol for the deaf and hard of hearing is substantially as follows:

(d) The department shall include symbols representing the following on an identification card upon the payment of an additional $1 fee by an applicant who meets the requirements of subsection (1) and presents his or her:

1. Lifetime freshwater fishing license;
2. Lifetime saltwater fishing license;
3. Lifetime hunting license;
4. Lifetime sportsman’s license; or
5. Lifetime boater safety identification card.

A person may replace his or her identification card before its expiration date with a card that includes his or her status as a lifetime licensee or boater safety cardholder upon surrender of his or her current identification card, payment of a $2 fee to be deposited into the Highway Safety Operating Trust Fund, and presentation of the person’s lifetime license or card. If the sole purpose of the replacement identification card is the inclusion of the applicant’s status as a lifetime licensee or cardholder, the replacement identification card must be issued without payment of the fee required in s. 322.21(1)(f)3.

(e)1. Upon request by a person who has a developmental disability, or by a parent or guardian of a child or ward who has a developmental disability, the department shall issue an identification card exhibiting a capital “D” for the person, child, or ward if the person or the parent or guardian of the child or ward submits:
   a. Payment of an additional $1 fee; and
   b. Proof acceptable to the department of a diagnosis by a licensed physician of a developmental disability as defined in s. 393.063.

2. The department shall deposit the additional $1 fee into the Agency for Persons with Disabilities Operations and Maintenance Trust Fund under s. 20.1971(2).
3. A replacement identification card that includes the designation may be issued without payment of the fee required under s. 322.21(1)(f).

4. The department shall develop rules to facilitate the issuance, requirements, and oversight of developmental disability identification cards under this section.

Section 2. Paragraph (c) of subsection (1) of section 322.135, Florida Statutes, is amended to read:

322.135 Driver license agents.—
(1) The department shall, upon application, authorize by interagency agreement any or all of the tax collectors who are constitutional officers under s. 1(d), Art. VIII of the State Constitution in the several counties of the state, subject to the requirements of law, in accordance with rules of the department, to serve as its agent for the provision of specified driver license services.

(c) A service fee of $6.25 must be charged, in addition to the fees set forth in this chapter, for providing all driver license services pursuant to this chapter. The service fee may not be charged for providing identification card services or:

1. More than once per customer during a single visit to a tax collector’s office.
2. For a reexamination requested by the Medical Advisory Board or required pursuant to s. 322.221.
3. For a voter registration transaction.
4. In violation of any federal or state law.
5. To a veteran receiving any service pursuant to this chapter, upon presentation of a copy of the veteran’s:
a. DD Form 214, issued by the United States Department of
Defense;

b. Veteran health identification card, issued by the United
States Department of Veterans Affairs;

c. Veteran identification card, issued by the United States
Department of Veterans Affairs pursuant to the Veterans
Identification Card Act of 2015, Pub. L. No. 114-31; or

d. Other acceptable form specified by the Department of
Veterans’ Affairs.

Section 3. Paragraph (b) of subsection (1) of section
322.135, Florida Statutes, are amended to read:

322.21 License fees; procedure for handling and collecting
fees.—

(1) Except as otherwise provided herein, the fee for:

(b) An original Class E driver license is $48, which
includes the fee for driver education provided by s. 1003.48.
However, if an applicant has completed training and is applying
for employment or is currently employed in a public or nonpublic
school system that requires a commercial driver license, the fee
is the same as for a Class E license. For each original Class E
driver license issued by the tax collector, the tax collector
shall retain $3 and the remaining revenues shall be deposited
into the General Revenue Fund.

Section 4. Paragraph (f) of section (1) of section 322.21,
Florida Statutes, is repealed.

Section 5. This act shall take effect July 1, 2022.
Governor’s Budget Recommendation Conforming Bill
Employment Eligibility

A bill to be entitled
An act relating to employment eligibility; amending s. 448.095, F.S., adding the Department of Economic Opportunity to the entities eligible to request and receive copies of documentation used to verify employment eligibility; providing an effective date.

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

Section 1. Subsection (3) of section 448.095, Florida Statutes, is amended to read:

(3) PRIVATE EMPLOYERS.—

(a) Beginning January 1, 2021, a private employer shall, after making an offer of employment which has been accepted by a person, verify such person’s employment eligibility. A private employer is not required to verify the employment eligibility of a continuing employee hired before January 1, 2021. However, if a person is a contract employee retained by a private employer, the private employer must verify the employee’s employment eligibility upon the renewal or extension of his or her contract.

(b) A private employer shall verify a person’s employment eligibility by:

1. Using the E-Verify system; or

2. Requiring the person to provide the same documentation that is required by the United States Citizenship and Immigration Services on its Employment Eligibility Verification form (Form I-9). The private employer must retain a copy of the documentation provided under this subparagraph for at least 3 years.
years after the person’s initial date of employment.

(c) A private employer that complies with this subsection may not be held civilly or criminally liable under state law for hiring, continuing to employ, or refusing to hire an unauthorized alien if the information obtained under paragraph (b) indicates that the person’s work authorization status was not that of an unauthorized alien.

(d) For purposes of this subsection, compliance with paragraph (b) creates a rebuttable presumption that a private employer did not knowingly employ an unauthorized alien in violation of s. 448.09(1).

(e) For the purpose of enforcement of this section, the following persons or entities may request, and a private employer must provide, copies of any documentation relied upon by the private employer for the verification of a person’s employment eligibility, including, but not limited to, any documentation required under paragraph (b):

1. The Department of Law Enforcement.
2. The Attorney General.
3. The state attorney.
4. The statewide prosecutor.
5. The Department of Economic Opportunity.

A person or entity that makes a request under this paragraph must rely upon the federal government to verify a person’s employment eligibility and may not independently make a final determination as to whether a person is an unauthorized alien.

(f) If a private employer does not comply with paragraph (b), the department shall require the private employer to provide an affidavit to the department stating that the private employer...
employer will comply with paragraph (b), the private employer has terminated the employment of all unauthorized aliens in this state, and the employer will not intentionally or knowingly employ an unauthorized alien in this state. If the private employer does not provide the required affidavit within 30 days after the department’s request, the appropriate licensing agency shall suspend all applicable licenses held by the private employer until the private employer provides the department with the required affidavit. For purposes of this paragraph, the licenses that are subject to suspension under this paragraph are all licenses that are held by the private employer specific to the business location where the unauthorized alien performed work. If the private employer does not hold a license specific to the business location where the unauthorized alien performed work, but a license is necessary to operate the private employer’s business in general, the licenses that are subject to suspension under this paragraph are all licenses that are held by the private employer at the private employer’s primary place of business.

(g) For any private employer found to have violated paragraph (f) three times within any 36 month period, the appropriate licensing agency shall permanently revoke all licenses that are held by the private employer specific to the business location where the unauthorized alien performed work. If the private employer does not hold a license specific to the business location where the unauthorized alien performed work, but a license is necessary to operate the private employer’s business in general, the appropriate licensing agency shall permanently revoke all licenses that are held by the private employer.
employ at the private employer’s primary place of business.

Section 2. This act shall take effect July 1, 2022.