

Department of
**MANAGEMENT
SERVICES**



▶ 2019 Legislative Session Summary

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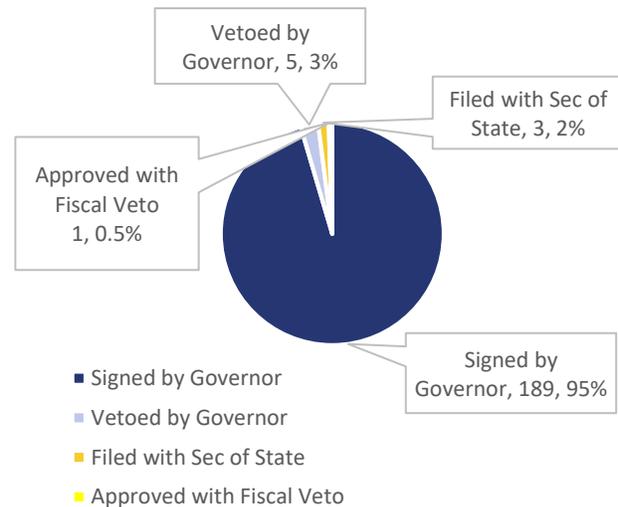
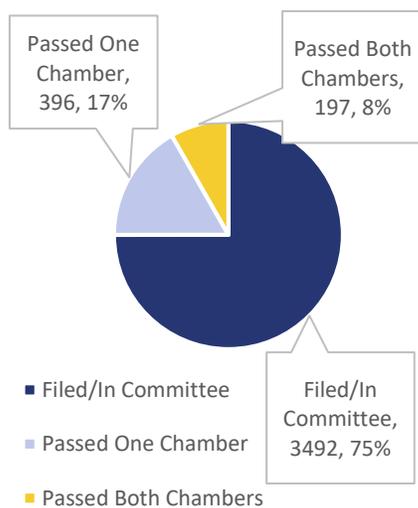
2019 REGULAR LEGISLATIVE SESSION

The 2019 Regular Legislative Session convened on March 05, 2019 and ended 61 days later, on May 04, 2019. The Florida Legislature voted to extend session for the purpose of passing the budget and conforming bills and accommodating the mandatory 72-hour “cooling off” period between delivery of the budget conference report and a final vote.

This legislative session, a total of 197 bills and resolutions passed both the Senate and House, equal to just more than five percent of the 3,571 bills filed. Of the bills filed, merging AST within DMS, authorizing the Division of State Group Insurance to contract with entities to provide optional participation in a Medicare Advantage Prescription Drug (MAPD) plan, and a directive to implement formulary management for prescription drugs and supplies were all key issues for DMS.

2019 Regular Session Statistics

Session	2019 Session	2018 Session	2017 Session	2016 Session
Total Bills Filed	3,571	3,189	3,052	1,814
Total Bills Enrolled (passed by both chambers)	197	200	249	279
Percentage of Enrolled Bills	5.5%	6.3%	8.2%	15.3%



Note:

The purpose of this report is to provide general summary information relating to legislation affecting the Department of Management Services. This document is not intended to provide legal advice or to replace a legal analysis of legislation.

2019 DEPARTMENT PRIORITIES

PRIORITY LEGISLATION

[HB 5301: Relating to Information Technology Reorganization](#)

Sponsored by Representative Williamson

Amends and creates various statutes

The bill makes changes in law relating to state agency information technology, including the Agency for State Technology (AST) within the Department of Management Services (DMS), the establishment of a cloud-first policy, and the creation of the Florida Cybersecurity Taskforce.

By type-two transfer, all of the powers, duties, functions, personnel, records, property, and funds (including the state data center) of the AST are transferred and merged with the Division of Telecommunications to create the Division of State Technology (DST) within DMS. The director of DST shall serve as the state chief information officer. The bill repeals the statute authorizing the AST.

The bill clarifies s. 20.255(9), F.S., to show the Department of Environmental Protection's (DEP) role as the lead agency of the executive branch for the development and review of policies, practices, and standards related to geospatial data includes data managed by state agencies and water management districts. Additionally, the bill removes the subsection's expiration provision and replaces it with rulemaking authority for the DEP.

The bill authorizes the DMS to adopt rules in order to administer the already existent Statewide Travel Management System, allowing DMS to standardize and maintain records of travel for all state executive and judicial branch agencies.

The bill provides that the intent of the Legislature is for each agency to adopt a cloud-first policy, that first considers cloud-computing solutions in its technology sourcing strategy for technology initiatives or upgrades whenever possible and feasible.

Finally, the bill creates the Florida Cybersecurity Taskforce, which will review and assess the state's cybersecurity infrastructure, governance, and operations. The Taskforce is required to identify gaps or high-risk cybersecurity issues facing state government and recommend protective actions to ensure the future safety of state IT systems and data.

CONFIRMATION OF DEPARTMENT SECRETARY

In accordance with section 20.22, Florida Statutes, the Governor's appointment of the DMS Secretary is subject to confirmation by the Senate. Following favorable reports from the Senate Committee on Government Oversight & Accountability, Appropriations Subcommittee on Agriculture, Environment, and General Government, and the Committee on Ethics & Elections, Secretary Jonathan Satter was confirmed unanimously by a full vote of the Florida Senate.

SUMMARY OF LEGISLATION OF INTEREST

Readers are encouraged to consult information provided by the Department's Budget Office regarding SB 2500 (the General Appropriations Act) and SB 2502 (Implementing the 2019-2020 General Appropriations Act) for DMS related funding impacts. Further, a review for necessary details of any bill contained herein is recommended, and links to each bill are provided. Lastly, this document is intended to provide information on DMS related bills and other bills of interest that were passed by the 2019 Florida Legislature.

SUBSTANTIVE BILLS

[HB 0049: Incarcerated Women](#)

Sponsored by Representatives Jones & Mercado

Creates s. 944.242, F.S.

The bill requires that certain "health care products" be available in common housing areas and medical care facilities at no cost, and in a quantity that is appropriate to the needs of the incarcerated woman in all correctional facilities operated by or on behalf of the state or any political subdivision. The bill defines "health care products" to include the following:

- Feminine hygiene products, including tampons.
- Moisturizing soap that is not lye-based.
- Toothbrushes.
- Toothpaste.
- Any other health care product the correctional facility deems appropriate.

The bill also prohibits a male correctional facility employee from:

- Conducting a pat-down or body cavity search on an incarcerated woman except in situations where the incarcerated woman is presenting an immediate risk of harm and a female correctional facility employee is not available to do the search;
- Entering a housing unit for incarcerated women without first announcing his presence; and
- Entering specified areas of the correctional facility that an incarcerated woman may be in a state of undress or where an incarcerated woman in a state of undress may be viewed, unless a female correctional employee is unavailable, needs assistance, or in the case of a medical/protective emergency.
- Male correctional employees are required to document any incident that violates the abovementioned provisions within three days.

[SB 0184: Aging Programs](#)

Sponsored by Senator Book

Amends various statutes

The bill transfers rule making authority for certain programs from the Department of Elder Affairs (DEA) to the Agency for Health Care Administration (AHCA). These programs include hospice care, assisted living facilities, adult family care homes, and adult day care programs. Currently both agencies develop rules, while licensing and inspection is solely performed by the AHCA. The bill makes no substantive changes to the requirements of these programs.

[SB 0426: Firefighters](#)

Sponsored by Senator Flores

Amends and creates various statutes

Upon an initial diagnosis of cancer, the bill entitles firefighters to certain benefits, as an alternative to pursuing workers' compensation coverage, including:

- Cancer treatments within an employer-sponsored health plan or through a group health insurance trust fund.
 - The employer must timely reimburse the firefighter for any out-of-pocket deductible, copayment, or coinsurance costs incurred due to the treatment of cancer.
- A one-time cash payout of \$25,000.

In order to be eligible for such benefits, the firefighter must:

- Have been employed for five continuous years by the state, university, city, count, port authority, special district or fire control district as a full-time firefighter;
- Have not used tobacco products for at least the preceding five years; and
- Have not been employed in any other position in the preceding five years which is proven to create a higher risk for cancer.

The bill's definition of "cancer" includes: bladder cancer, brain cancer, breast cancer, cervical cancer, colon cancer, esophageal cancer, invasive skin cancer, kidney cancer, large intestinal cancer, lung cancer, malignant melanoma, mesothelioma, multiple myeloma, non-Hodgkin's lymphoma, oral cavity, pharynx "throat" cancer, ovarian cancer, prostate cancer, rectal cancer, stomach cancer, testicular cancer, and thyroid cancer.

An employer must consider a firefighter permanently and totally disabled if diagnosed with one of the 21 enumerated cancers (above) and meets the retirement's plan definition of totally and permanently disabled due to the diagnosis of cancer or circumstances that arise out of the treatment of cancer. Moreover, the cancer or the treatment of cancer is deemed to have occurred in the line of duty, resulting in higher disability and death benefits.

To cover the costs associated with changes to Florida Retirement System (FRS) benefits (disability retirement benefits and in-line-of-duty benefits), the bill adjusts the employer-paid contribution rates for the Special Risk class and the Deferred Retirement Option Program (DROP) that fund the FRS's normal costs and unfunded actuarial liability, and adjusts the percentage of funds allocated to provide in line of duty death benefits for investment plan members.

[HB 0427: Honor and Remember Flag](#)

Sponsored by Representative Gregory

Creates s. 256.16, F.S.

This bill designates the Honor and Remember flag as the state's emblem of the service and sacrifice of the brave men and women of the United States Armed Forces (USAF) who have given their lives in the line of duty.

The bill authorizes the flag to be displayed at any state-owned building or military memorials, as well as at local government buildings. The flag may be displayed on Veterans Day, Gold Star Mother's Day, and

a day on which a Florida resident who is a member of the USAF has died in the line of duty. The flag must be made in the United States and displayed with no more than two additional flags on the flagpole.

Departments and agencies responsible for a location where a flag may be flown or participating local governments are authorized to adopt regulations to implement this law by July 1, 2020. However, a regulation may not require an employee to report to work solely to display the flag.

[HB 0441: E911 Systems](#)

Sponsored by Representative DuBose

Amends and creates various statutes

The bill contains three requirements relating to 911 services and provides legislative findings that each serves an important state interest in protecting the public safety.

1. Each county is required to develop a countywide plan to implement text-to-911 services and to implement the plan by January 1, 2022.
2. The Technology Program within the DMS (now referred to as the Division of State Technology) is required to develop a plan by February 1, 2020, to upgrade 911 public safety answering points (PSAP) within the state to allow the transfer of an emergency call from one local, multijurisdictional, or regional E911 system to another local, multijurisdictional, or regional E911 system in the state. The bill specifies that this transfer capability should include voice, text message, image, video, caller identification information, location information, and additional standards-based 911 call information. It also provides duties in developing the plan.
3. The bill requires that each sheriff must facilitate the development and execution of written interlocal agreements between all primary first responder agencies within their county. By January 1, 2020, sheriffs must provide copies of these interlocal agreements and written certification that all PSAPs in their county are in compliance.

These agreements must establish written protocols that outline circumstances and public safety emergencies under which a PSAP will directly provide notice by radio of an emergency to the on-duty personnel of a first responder agency for which the PSAP does not provide primary dispatch functions. Each agreement must require the PSAP to have direct radio contact with primary first responder agencies and their dispatchers, for whom the PSAP can reasonably receive 911 communications, without having to transfer a 911 communication to another PSAP or dispatch center for dispatch. The method of complying is to be established by the first responder agency heads and set forth in the agreements.

Each PSAP must be capable of immediately broadcasting 911 communications or public safety information over the primary radio dispatch channels of each first responder agency in the county it serves, except in those first responders service areas where the PSAP cannot reasonably receive 911 calls. If a county or jurisdiction has multiple PSAPs, each PSAP must have this capability.

Unless technologically precluded due to radio incompatibility, upon written request from a law enforcement agency head, a law enforcement agency head in the same county or in an adjacent jurisdiction in another county must authorize the requesting agency to install the responding

agency's primary dispatch channel or channels in the requesting agency's PSAP, dispatch center, or mobile or portable radios.

Each primary first responder agency, PSAP, and dispatch center within each county is required to train all applicable personnel regarding the procedures and protocols specified in the interlocal agreements. The training must also include radio functionality and how to readily access the necessary dispatch channels in accordance with the agreements.

[HB 1113: Health Insurance](#)

Sponsored by Representative Renner

Amends and creates various statutes

The bill makes several changes to the State Group Insurance program administered by the Department of Management Services (DMS), as well as authorizes the creation of "Shared savings incentive programs".

State Group Insurance Program

The bill provides the following changes:

- Requires DMS to establish by rule regions for purposes of procuring HMO health care services throughout the state and submit the rule to the President of the Senate and the Speaker of the House of Representatives for ratification no later than 30 days prior to the 2020 Regular Session of the Legislature.
- Authorizes DMS to contract with entities that provide optional participation in a Medicare Advantage Prescription Drug Plan.
- Requires the Division of State Group Insurance (DSGI) to implement formulary management for prescription drugs and supplies beginning with the 2020 plan year. However, the formulary may not restrict an enrollee's access to the most clinically appropriate, effective, and lowest net-cost drugs. An excluded drug must be available for inclusion if a prescribing provider indicates on the prescription that the drug is medically necessary. The bill also provides reporting requirements and repeals section 8 of chapter 99-255, L.O.F., relating to the management of prescription drugs.
- Requires the DSGI to provide annual coverage of \$20,000 per enrollee for medically necessary prescription and nonprescription enteral formula and amino-acid-based elemental formulas for home use, regardless of the method of delivery or intake, which have been ordered or prescribed by a physician.
- Requires DMS to enter into and maintain one or more state term contracts with benefits consulting companies.
- The bill also requires DMS to conduct an analysis of the procurement timelines and terms of contracts for state employee health benefits with HMOs, preferred provider organizations, and prescription drug programs in order to develop an implementation plan for simultaneous procurement of such contracts offered beginning plan year 2023. The bill requires DMS to submit a report with recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than December 1, 2019.

Shared Savings Incentive Program

The bill authorizes the creation of “Shared savings incentive programs”, which are voluntary and optional programs for insurers, HMOs, insureds, and subscribers to provide financial incentives for choosing certain shoppable lower-cost, high-quality nonemergency health care services. The insurers or HMOs who choose to participate must develop a website outlining the range of shoppable health care services within and outside of Florida.

[HB 5401: Department of Environmental Protection](#)

Sponsored by Representative Raschein

Amends various statutes

The bill transfers the primary powers and duties of the Fish and Wildlife Conservation Commission (FWC) relating to investigating certain environmental crimes and the enforcement of related laws to the newly created Division of Law Enforcement within the Department of Environmental Protection (DEP), which will employ state law enforcement officers.

The bill requires the development of a memorandum of agreement between the DEP and the FWC detailing their respective responsibilities regarding, at the minimum, the following:

- Support and response for oil spills, hazardous spills, and natural disasters.
- Law enforcement patrol and investigative services for all state-owned lands managed by the DEP.
- Law enforcement services, including investigative services, for all criminal law violations of chapters 161, 258, 373, 376, 377, 378, and 403, F.S.
- Enforcement services for civil violations of the DEP’s administrative rules related to all of the following program areas:
 - The Division of Recreation and Parks.
 - The Office of Coastal and Aquatic Managed Areas.
 - The Office of Greenways and Trails.
- Current and future funding, training, or other support for positions and equipment being transferred from the FWC to the DEP which are funded through any trust fund.

Under the bill, the FWC will retain law enforcement authority over the patrol of state-owned lands managed by the DEP. The bill contains conforming changes regarding law enforcement by the DEP and its officers.

The bill requires that all personnel and equipment assigned to the DEP’s Office of Emergency Response be reassigned to the DEP’s Division of Law Enforcement. Employees transferred from the FWC to fill the positions transferred to the DEP will retain their current position status and will retain and transfer any accrued leave. The Secretary of the DEP and the Executive Director of the FWC are each required to appoint two staff members to a transition advisory working group that will identify any rules adopted by either agency which must be amended to reflect the changes made by the bill.

[HB 7057: Corrections](#)

Sponsored by Representative Roach

Amends various statutes

The bill prohibits the use of drones over, within a distance of, or to make contact with a critical infrastructure facility. The bill adds the following to the definition of critical infrastructure facility:

- State correctional institution;
- Private correctional facility;
- Secure juvenile detention center or facility;
- Nonsecure, high-risk, or maximum-risk residential facility; or
- County detention facility.

The bill also lowers the minimum age for employment as a full-time, part-time, or auxiliary correctional officer from 19 years of age to 18 years of age.

The bill also reenacts several sections relating to employment qualifications for certain officers to incorporate the changes made to s. 943.13, F.S.

[HB 7081: State Court System Administration](#)

Sponsored by Representative DiCeglie

Amends various statutes

The bill amends several statutes related to addressing foreign language court interpreters and mediators, parenting coordination, judicial retirements, and electronic records and fingerprinting

To comply with federal requirements, the bill authorizes the Office of the State Courts Administrator to conduct national background screenings for court-appointed foreign language court interpreters and mediators.

In professional misconduct or professional malpractice cases against a coordinator, the bill permits confidential communications between parties and the parenting coordinator to be used as testimony and evidence. Additionally, members of the Parenting Coordinator Review Board and any other person who is appointed or employed by the Supreme Court to assist in a parenting coordinator disciplinary proceeding, such as a prosecutor or investigator, are given civil immunity for actions associated with disciplinary proceedings.

The bill authorizes justices or judges who have reached age 70 before July 1, 2019, to purchase service credit relating to either temporary duty as a senior judge after that date or the remainder of the justice or judge's term of office.

Finally, permits courts to implement the use of electronic judgments and electronic fingerprinting in certain criminal cases. If an electronic record of judgement is used, a judge must certify that the fingerprints belong to the defendant and that the certification, in a written or electronic record, of a guilty judgment is admissible as prima facie evidence that the fingerprints on the judgment are those of the defendant.

SUMMARY OF APPROPRIATIONS RELATED BILLS

The FY 2019-2020 Department budget was signed into law by Governor DeSantis on June 21, 2019. The budget includes \$616.3 million in appropriations and spending authority for the Department of Management Services.

[SB 2500: Relating to General Appropriations Act \(GAA\)](#)

The bill provides monies for the annual period beginning July 1, 2019, and ending June 30, 2020, and supplemental appropriations for the period ending June 30, 2019, to pay salaries and other expenses, capital outlay for buildings and other improvements, and for other specified purposes.

[SB 2502 Relating to Implementing the 2019-2020 General Appropriations Act](#)

The bill provides the statutory authority necessary to implement and execute the General Appropriations Act for Fiscal Year 2019-20. The statutory changes are effective for only one year and either expire on July 1, 2020 or revert to the language as it existed before the changes made by the bill.

ADMINISTRATION

- **PROVISO LANGUAGE:** No funds are appropriated in Specific Appropriations 2782 through 2948A and sections 73 through 79 and 98 for the payment of rent, lease, or possession of space for offices or any other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease No. 720:0139, 590:1998, 590:2226, 590:2348, 590:2523, 590:2664, 590:2681, 590:2720 or 590:M139, or any other lease, on behalf of any department or agency of the State of Florida by the Department of Management Services, notwithstanding any lease or contract to the contrary. The Department of Management Services is prohibited from expending any specific appropriation from the General Revenue Fund, any trust fund or from any other source for the rent, lease, or possession of any space for offices or other purpose or use at Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida, pursuant to State of Florida Lease No. 720:0139, 590:1998, 590:2226, 590:2348, 590:2523, 590:2664, 590:2681, 590:2720 or 590:M139, or any other lease.
- Information Technology Security Consolidation - \$400,279 TF of which \$131,500 NR – Consolidating Retirement’s IT and Security Structure with Department of Management Services.
- STMS Public Facing Web Portal - \$350,000 GR of which \$175,000 NR
 - **PROVISO LANGUAGE** Funds in Specific Appropriation 2788 are provided to the Department of Management Services for the operation and maintenance of a statewide travel management system that standardizes and automates travel management to include travel planning and approval, expense reporting, and reimbursement. The system must be able to electronically: (a) interface with the Florida Accounting Information Resource Subsystem and the Personnel Information System, (b) generate the uniform travel authorization request and travel voucher forms pursuant to section 112.061, Florida Statutes, and (c) receive approvals for travel. The system must also include search features that query travel information by specific criteria to minimally include: employee name and position title, purpose of travel, dates and location of travel, mode of travel, confirmation of agency head or designee authorization if required, and total travel cost. The system must allow executive branch state agencies and the judicial branch to retain current customized organizational code information to ensure that travel

reimbursements are made from the appropriate fund source. The Executive Office of the Governor and the Legislature shall be provided access to the statewide travel management system for the purposes of generating reports on all travel completed by executive branch state agencies and the judicial branch.

- **PROVISO LANGUAGE:** From the funds provided in Specific Appropriation 2788, \$175,000 in recurring funds and \$175,000 in nonrecurring funds from the General Revenue Fund are provided to the Department of Management Services to provide public viewing access to travel reports posted on the statewide travel management system by executive branch state agencies and the judicial branch.
- **BACK OF THE BILL SECTION 73:** The unexpended balance of funds from the General Revenue Fund provided to the Department of Management Services in Specific Appropriation 2708 of Chapter 2018-09, Laws of Florida, to provide continued operations and maintenance as well as public viewing access to travel reports posted on the Statewide Travel Management System, shall revert and is appropriated to the department for Fiscal Year 2019-2020 for the same purpose.

AGENCY FOR STATE TECHNOLOGY

- \$1,000,000 reduction in Deferred- Payment Commodity Contracts from Working Capital Trust fund.
- Other Deferred Payment Category was removed; the budget was moved to Contracted Services \$4,377,485 and Expense \$1,300,000.
- House Bill 5301 – Reorganization of the Agency for State Technology – signed into law by the Governor on 06/24/19.

RETIREMENT

- Eliminate 1.00 FTE – (\$26,487) GR (\$32,998) Rate
- Pensions and Benefits - \$308,322 GR
- Transfer from Salaries and Benefits to OPS - \$15,000 TF
- Retirement System Transition Services - \$1,500,000 NR TF – Reserve
 - **PROVISO LANGUAGE:** From the funds in Specific Appropriation 2892, \$1,500,000 shall be placed in reserve. The funds may be released upon the completion of the competitive procurement and award of the contract for implementation of technical and functional changes to the Division of Retirement information system should a new service provider be chosen. The funds shall be used to support costs necessary to transition all components related to the system to a new service provider. The Department of Management Services may submit budget amendments for the release of these funds in accordance with chapter 216, Florida Statutes.
- Florida Retirement System (FRS) Online Security - \$275,000 TF
 - **PROVISO LANGUAGE:** From the funds in Specific Appropriations 2892, \$275,000 in recurring funds from the Operating Trust Fund is provided for the Department of Management Services to competitively procure a contract for anti-fraud technical support to assist the department with identification and authentication services for individuals accessing the Florida Retirement System self-service website.
- Transfer of authority from Expense to Lease Purchase, Net Zero - \$10,000 TF
- Transfer of authority from Expense to Contracted Services, Net Zero - \$16,500 TF

REAL ESTATE

- Building Operation Competencies – To address a wide range of salary issues of the Florida Facilities Pool. Net Zero Fund authority from State Utility Payments, \$508,723 in Salaries and Benefits with 350,000 in Rate.
 - **PROVISO LANGUAGE:** From the funds in Specific Appropriation 2797, \$508,723 and salary rate of 350,000, shall be held in reserve. The Department of Management Services is authorized to submit budget amendments requesting release of funds pursuant to the provisions of chapter 216, Florida Statutes. Request for release of funds is contingent upon the submission of a plan to increase the retention rate and identify the necessary technical support needed for critical mission services directly affecting oversight, operations, and maintenance of the Florida Facilities Pool. The department shall submit the plan to the Executive Office of the Governor’s Office of Policy and Budget and the chairs of the Senate Appropriations Committee and the House of Representatives Appropriations Committee.
- Migrate Tririga Asset Management to the Cloud – Contracted Services \$75,943 TF
- SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM SUPERVISION TRUST FUND 10,800,370
 - **PROVISO LANGUAGE:** From the funds in Specific Appropriation 2803, \$6,685,266 in recurring funds is provided for the Department of Management Services to contract for custodial services.
- Florida Facilities Pool Tenant Space Refurbishment - \$1,942,689 NR TF
- Reduction to State Utility Payments – (\$50,000) TF
- FCO ADA – To correct deficiencies within the Florida Facilities Pool in order to comply with ADA. \$1,600,000 NR GR
 - **PROVISO LANGUAGE:** Funds in Specific Appropriations 2813 through 2815 shall be held in reserve contingent upon the submission of a project plan to the chair of the Senate Appropriations Committee, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor’s Office of Policy and Budget detailing the request for building repair, code correction, and other deficiency projects. The project plan must include all high priority deficiency issues and all issues affecting life, health and safety. The project plan shall also include the facility, location and estimated cost for each project and shall be submitted by August 1, 2019. The Department of Management Services shall request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.
- FCO Life Safety Building Repairs - \$1,385,000 NR GR
- FCO General – To correct statewide general building deficiencies within the Florida Facilities Pool. \$15,000,000 NR TF; \$29,345,750 NR GR
- FCO Waller Park Renovation – Not Funded
 - **PROVISO LANGUAGE:** From the funds in Specific Appropriation 2815, the Department of Management Services shall finalize pursuant to section 255.103(2), (3), and (4), Florida Statutes, the guaranteed maximum price and the design for the renovation of the Capitol Complex’s Waller Park. The department shall provide the guaranteed maximum price for the renovation and design along with supporting documentation by November 29, 2019, to the chair of the Senate Appropriations Committee, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor’s Office of Policy and Budget.
- FCO Florida Slavery Memorial – Proviso
 - **PROVISO LANGUAGE:** From the funds provided in Specific Appropriation 2815, the Department of Management Services shall continue the process to implement the Florida Slavery Memorial

as specified in section 265.006, Florida Statutes. The department shall continue with implementation of its design plan by accepting public input, screening design submissions, and selecting possible final designs. The department shall submit its preferred designs and estimated cost to the chair of the Senate Appropriations Committee, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor's Office of Policy and Budget.

- Debt Service Reduction – (\$103,000) TF
- FCO Florida Holocaust Memorial – Back of the Bill Section 78 – Revert and Re-appropriate unexpended balance. NR GR
 - **BACK OF THE BILL SECTION 78:** From the unexpended balance of funds appropriated to the Department of Education in Specific Appropriation 114B of chapter 2016-66, Laws of Florida, \$100,000 in non-recurring funds from the General Revenue Fund for the Holocaust Memorial shall revert and is appropriated in Fiscal Year 2019-2020 to the Department of Management Services for the planning and design of the Holocaust Memorial.
 - **BACK OF THE BILL SECTION 79:** The unexpended balance of funds from the General Revenue Fund provided to the Department of Management Services in Chapter 2017-69, Laws of Florida, relating to the former Arthur G. Dozier School for Boys, shall revert and is appropriated to the department for Fiscal Year 2019-2020 for the same purpose.

SPECIALIZED SERVICES

Federal Property Assistance (FPA)

- Federal Property – Incorporate IT system and upgrade current inventory management system. \$17,000 TF

Fleet Management

- FLEET Management Information System (FIMS) ongoing support services - \$180,000 TF
- FLEET – Create Special Category for FIMS – Net Zero \$462,603

Private Prison Monitoring (PPM)

- PPM – Gadsden Repairs Phase I - \$3,807,060 NR GR
- PPM – Lake City Roof Replacement Phase III - \$2,100,000 NR TF
- PPM Repairs and Maintenance – Proviso
 - **PROVISO LANGUAGE:** Funds in Specific Appropriation 2869 are provided to the DMS for building repairs and maintenance at private prison facilities maintained by the department. These funds shall be placed in reserve and are contingent upon the submission of a detailed project and spending plan that identifies all high-priority deficiency issues, reflecting estimated and actual costs for each facility. From these funds, \$3,807,060 in nonrecurring funds are provided for the Gadsden Correctional Facility and \$2,100,000 in nonrecurring funds are provided for the Lake City Correctional Facility. The DMS shall request the release of funds pursuant to the provisions of chapter 216, Florida Statutes.
- Florida Department of Corrections Budget - PPM Continuum of Care
 - 612 SPECIAL CATEGORIES
 - PRIVATE PRISON OPERATIONS
 - FROM GENERAL REVENUE FUND \$124,838,839
 - FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND \$1,300,586
 - **PROVISO LANGUAGE:** From the funds in Specific Appropriation 612, \$2,961,680 in nonrecurring general revenue funds are provided to the Florida Department of Corrections for the provision

of enhanced in-prison and post-release recidivism reduction programs at the Bay, Moore Haven, South Bay and Blackwater River correctional facilities based on the "Continuum of Care Program" which is currently provided to individuals at and who are released from those facilities. The Continuum of Care program, which was developed and piloted at the Graceville Correctional Facility, will continue to be provided at Graceville at no cost to the state. With these recidivism reduction programs in place, the above referenced facilities shall be known as Correctional and Rehabilitation Facilities (Senate Form 2272) (HB 3343).

- **PROVISO LANGUAGE:** From the funds in Specific Appropriation 612, \$3,500,000 in recurring general revenue funds is provided to increase per diem rates at privately operated correctional facilities.

STATE GROUP INSURANCE

- Administrative Services Only Contract for Health Insurance (ASO) – (\$1,000,000) TF
- Transparency-Bundled-Administrative Services for Statewide Contracts - \$3,000,000 TF
- Employee Health Insurance premiums – no changes.
 - **IMPLEMENTING LANGUAGE:** For the coverage period beginning August 1, 2019, the employee share of the health insurance premiums for the standard plans shall continue to be \$50 per month for individual coverage and \$180 per month for family coverage.
- Employer Health Insurance premiums – will increase and funding is provided in the GAA to cover the increase.
 - **IMPLEMENTING LANGUAGE:** For the coverage period, beginning January 1, 2020, the state share of the State Group Health Insurance Standard and High Deductible Health Plan premiums to the executive, legislative, and judicial branch agencies shall increase, effective December 1, 2019, from \$684.42 to \$713.80 per month for individual coverage and from \$1,473.18 to \$1,539.32 for family coverage.
- Obesity Pilot Program will continue – participant report due on January 15, 2020; Final Report on outcomes due Dec 15, 2020.
 - **IMPLEMENTING LANGUAGE:** The Department of Management Services shall continue the pilot program within the PPO plan and the self-insured HMO plans to provide coverage for the treatment and management of obesity and related conditions during the 2020 plan year.
 - **IMPLEMENTING LANGUAGE:** The Department of Management Services shall review the results and outcomes of the pilot program beginning June 30, 2020. The department shall provide a final report by December 15, 2020, to be submitted to the legislature. The report shall include, at a minimum, a discussion of whether members participating in the pilot program have experienced a reduction in body mass index, and if so, the average amount of reduction; and the reduction or elimination of co-morbidities, and if so, which co-morbidities were reduced or eliminated. In addition, the report should determine the average cost to the state employee health insurance program on a per member per month basis and the total cost of each participant's annual health care costs prior to entering the pilot program, and upon completion of the pilot program. The department must include recommendations to treat, reduce, and prevent obesity in the state employee population.

STATE PURCHASING

- MyFloridaMarketPlace Procurement Support - \$277,000 TF NR
 - **PROVISO LANGUAGE:** From the funds in Specific Appropriation 2843, \$277,000 in nonrecurring funds from the Operating Trust Fund is provided for the Department of Management Services to

competitively procure technical support to assist with the development of a project plan and implementation timeline for transition to a future scalable MyFloridaMarketPlace platform.

- MyFloridaMarketPlace Fee remains at .7 percent vs. 1% as included in the Implementing Bill
 - **BACK OF THE BILL SECTION 66:** In order to implement Specific Appropriations 2839 through 2850A of the 2019-2020 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 2019-2020 fiscal year only. This section expires July 1, 2020.
 - **BACK OF THE BILL SECTION 79:** The unexpended balance of funds from the General Revenue Fund provided to the DMS in Chapter 2017-69, Laws of Florida, relating to the former Arthur G. Dozier School for Boys, shall revert and is appropriated to the department for Fiscal Year 2019-2020 for the same purpose.

STATE TECHNOLOGY

Division of Telecommunications (DivTel)

- E911 Other Personnel Services (OPS) Support – Net Zero issue \$167,214 transfer from expense; (\$214 will be transferred to the HR Services)
- Reduce Excess Budget Authority – (\$8,000,000) TF Line #2924 & 2926 in the GAA from E-911 Trust Fund.
- SUNCOM Communications Services (SCS) Migration Staff Augmentation Next Generation E911 – \$1,270,000 NR TF
- Replacement of Public Safety Site Radio Inspection Vehicles - \$114,400 NR TF (\$76,192 in Acquisition Of Motor Vehicles & \$32,208 in OCO – to outfit the vehicles).
- State and Local Implementation Grant Program (SLIGP-2.0) FirstNet Grant – Appropriated \$322,762 NR TF
- Transfer for authority from FIRN to Centrex & SUNCOM Payments - \$998,000 TF Net Zero
- SLERS Staff Augmentation and IV&V - \$1,083,000 NR TF
- SLERS Contract Increase – \$862,657 TF & \$1,357,165 NR TF (prior years)
- Realignment of Pass Through of State and Federal Funds to Local Governments – Net Zero \$7,480,210
- Florida Interoperability Network (FIN) - \$1,296,900 NR GR
- Mutual Aid - \$464,935 NR GR
- Reduce Expenses – Telecommunications Services (\$100,000) TF; \$50,000 from the Communication Working Capital TF and \$50,000 from the E-911 TF.
- Reduce Contracted Services- Telecommunications Services – (\$116,000) TF; from the Communication Working Capital TF.
- MEMBER PORJECT: Bradford County Communications System Upgrade - \$750,000 NR GR
 - **BACK OF THE BILL SECTION 74:** The unexpended balance of funds from the Law Enforcement Radio System Trust Fund, provided to the DMS in Specific Appropriation 2857, chapter 2018-19, Laws of Florida, for acquiring and maintaining the necessary staff augmentation support and subject matter expertise for the Statewide Law Enforcement Radio System, shall revert and is appropriated to the department for Fiscal Year 2019-2020 for the same purpose.
 - **BACK OF THE BILL SECTION 75:** The unexpended balance of funds from the Operating Trust Fund provided to the DMS in Specific Appropriation 2856A, chapter 2018-19, Laws of Florida, for the First Responder Network Authority (FirstNet) Grant, shall revert and is appropriated to the department for Fiscal Year 2019-2020 for the same purpose.

- **BACK OF THE BILL SECTION 76:** The unexpended balance of funds from the Communications Working Capital Trust Fund provided to the DMS in Specific Appropriation 2846 of Chapter 2018-19, Laws of Florida, for acquiring and maintaining the necessary staff augmentation subject matter expertise and independent verification and validation (IV&V) support services to continue the migration of SUNCOM Communications Services, shall revert and is appropriated to the department for Fiscal Year 2019-2020 for the same purpose.
- **BACK OF THE BILL SECTION 77:** The unexpended balance of funds up to \$150,000, from the Law Enforcement Radio System Trust Fund, provided to the DMS in Specific Appropriation 2857 of Chapter 2018-19, Laws of Florida, to continue the migration of the Florida Region Interference Program from a legacy disk operating system (DOS) to a Windows operating system, shall revert and is appropriated to the department for Fiscal Year 2019-2020 for the same purpose.
- **BACK OF THE BILL SECTION 98:** The Legislature hereby adopts by reference the changes to the approved operating budget as set forth in Budget Amendment EOG #B2019-0482 as submitted on February 22, 2019, by the Governor on behalf of the DMS for approval by the Legislative Budget Commission. The Governor shall modify the approved operating budget for Fiscal Year 2018-2019 consistent with the amendment. This section is effective upon becoming law.

SUMMARY OF ADMINISTRATIVE RELATED BILLS

[SB 0186: Public Records/Victim of Mass Violence](#)

Sponsored by Senator Lee

Amends, transfers, and renumbers s. 406.136, F.S. to s. 119.071, F.S.

The bill expands an existing public record exemption for photographs, video, or audio recordings held by an agency that depicts or records the killing of a law enforcement officer to include photographs, video, or audio recordings held by an agency that depicts or records the killing of a victim of mass violence.

The bill defines the term “killing of a victim of mass violence” as events that depict either a victim being killed or the body of a victim killed in an incident in which three or more persons, not including the perpetrator, are killed by the perpetrator of an intentional act of violence.

The bill further clarifies that a surviving spouse, parent or adult child of the victim is not precluded from publicly releasing such photographs, video, or audio recordings.

The bill has retroactive applicability and provides that it is a third-degree felony for a custodian of such photographs, video, or audio recordings to willfully and knowingly violate the exemption. The bill will stand repealed on October 2, 2024, unless reviewed and saved from repeal through reenactment by the Legislature.

Finally, the bill provides a public necessity statement as required by the State Constitution. The statement includes legislative findings regarding photographs and video and audio recordings that depict or record the killing of a victim of mass violence.

[SB 0248: Public Records/Civilian Personnel Employed by a Law Enforcement Agency](#)

Sponsored by Senator Hooper

Amends s. 119.071, F.S.

The bill expands several public records exemptions by defining the term “home addresses” and creates a new public records exemption for:

- Home addresses, telephone numbers, dates of birth, and photographs of active or former civilian personnel employed by a law enforcement agency;
- Names, home addresses, telephone numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel; and
- Names and locations of schools and day care facilities attended by the children of such personnel.

The bill allows an officer, employee, justice, judge, or other person covered by the public records exemptions to file a written request for release of his or her exempt information to the custodial agency. The written request must be notarized and must specify the information to be released and the party that is authorized to receive the information. Upon receipt of the written request, the custodial agency must release the specified information to the party authorized to receive such information.

The bill saves several public records exemptions that would have otherwise been removed via Sunset Provisions in upcoming years.

[SB 0838: Public Records/Mental Health Treatment and Services](#)

Sponsored by Senator Powell

Creates s. 394.464, F.S.

The bill exempts from public record pleadings, orders, and personal identifying information on Baker Act proceedings. The information may be disclosed upon request to certain persons involved in the proceedings, certain agencies, or when directed by the court.

The bill provides that the exemptions are subject to the Open Government Sunset Review Act, and stand repealed on October 2, 2024, unless reviewed and saved from repeal by the Legislature. The bill also provides a statement of public necessity as required by the State Constitution.

[HB 0845: Public Records/Mental Health Treatment and Services](#)

Sponsored by Representative Andrade

Amends s. 119.0714, F.S.

The bill makes confidential and exempts any information, until the alleged batterer or stalker is served by a law enforcement officer with a copy of the petition, that can be used to identify a petitioner or respondent in a petition for an injunction against domestic violence, repeat violence, dating violence, sexual violence, stalking, or cyberstalking, and any affidavits, notice of hearing, or temporary injunctions. The bill also provides a statement of public necessity as required by the State Constitution.

[SB 2504: Relating to Collective Bargaining](#)

Sponsored by Senator Bradley

Establishes provisions for the 2019 Laws of Florida

The bill directs the resolution of collective bargaining issues at impasse not relating to salary and benefit issues for the 2019-2020 fiscal year regarding state employees. Salary and benefit issues are typically resolved by the spending decisions included in the Fiscal Year 2019-2020 General Appropriations Act (GAA) or conforming legislation.

[HB 7009: OGSR/Identification and Location Information/Department of Health](#)

Sponsored by Representative Plakon & Good

Amends s. 119.071, F.S.

The bill removes the Sunset provision in s. 119.071(4)(d)2.0., F.S. which provides a public records exemption for certain personal identification and location information of the Department of Health personnel, their spouses, and children. The exemption applies to records of personnel whose duties include, or result in, the determination or adjudication of eligibility for social security disability benefits, the investigation or prosecution of complaints against health care practitioners, or the inspection of health care practitioners or health care facilities.

[SB 7016: State-administered Retirement Systems](#)

Sponsored by Senator Hooper

Amends s. 121.71, F.S.

The bill establishes the contribution rates paid by employers participating in the Florida Retirement System (FRS) beginning July 1, 2019. These rates are intended to fund the full normal cost and the amortization of the unfunded actuarial liabilities of the FRS. The public employers that will incur these additional costs are state agencies, state universities and colleges, school districts, counties, and certain municipalities and other governmental entities. This bill fulfills an important state interest.

[HB 7018: OGSR/Identification and Location Information/Department of Health](#)

Sponsored by Senator Diaz

Amends s. 585.611, F.S.

The bill saves from repeal a public records exemption for personal identifying information of a person employed by, under contract with, or volunteering for a public research facility, including a state university that conducts animal research or is engaged in activities related to animal research. Such information is exempt from public records requirements when the information is contained in the following records:

- Animal records, including animal care and treatment records.
- Research protocols and approvals.
- Purchase and billing records related to animal research or activities.
- Animal care and committee records.
- Facility and laboratory records related to animal research or activities.

RESOURCES

If you have questions regarding the information contained within this report, please contact:

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More information on the legislative process and all bills, their final action, legislative staff analyses, floor amendments, bill history and Florida Statutes citations can be accessed from the following legislative websites:

The Florida House of Representatives
<http://www.myfloridahouse.gov>

The Florida Senate
<http://www.flsenate.gov>

Online Sunshine
<http://www.leg.state.fl.us>

Laws of Florida (maintained by the Florida Department of State)
<http://laws.flrules.org/>