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**FLORIDA DEPARTMENT OF TRANSPORTATION**

**SUMMARY OF  
TRANSPORTATION-RELATED  
LEGISLATION ENACTED BY THE  
2018 LEGISLATURE**

**Regular Session**

**APRIL 2018**

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## SUMMARY OF LEGISLATION OF INTEREST

Readers are encouraged to consult information provided by the Department's Budget Office regarding HB 5001, the General Appropriations Act, and HB 5003, Implementing the 2018-2019 General Appropriations Act, for transportation-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 transportation-related bills and other bills of interest that were passed by the 2018 Legislature.

### **Relating to Transportation**

#### **HB 141 by Representative Harrison**

Amends and creates various statutes

The bill includes a comprehensive collection of transportation issues. A summary of issues included are below:

- **Alligator Alley:** The bill extends the Department's existing obligation to reimburse Collier County for the direct actual costs of operating the fire station at mile marker 63 on Alligator Alley for one year, through no later than June 30, 2019.
- **Toll Exemptions:** Revises existing statutory exemptions from the payment of tolls for use of toll facilities within the State.
- **Transfer of Department Facilities:** The bill revises current provisions and allows, but does not require, the Department to contract with local entities for the transfer, purchase, sale, acquisition, or other conveyance of the ownership, operation, or maintenance of any turnpike project approved by the Legislature. Local entities are authorized to negotiate and contract with the Department for the same purposes.
- **Miami Dade Expressway Authority:** The bill requires that by October 1, 2018 the Miami-Dade County Expressway Authority (MDX) must submit to the Governor information regarding its compliance with an existing provision of law. MDX is currently required to provide a minimum five-percent reduction in tolls charged for SunPass users of MDX facilities at the time the toll is incurred.

If compliance has not been reached by October 31, 2018 the bill requires that a new board be appointed and sets selection criteria. The bill excludes the Department's district secretary ex-officio voting seat from this section.

### **Relating to Motor Vehicles**

#### **HB 215 by Representative Payne**

Amends and creates various statutes

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The bill is a comprehensive collection of transportation issues. A summary of the issues included are below:

- **Autocycles:** The bill defines the term “autocycle,” includes an autocycle under the statutory definitions of a motorcycle, and requires autocycle occupants to wear safety belts. The bill also exempts drivers of autocycles from motorcycle endorsement or motorcycle license requirements, meaning drivers are not required to complete motorcycle knowledge and skills testing to operate an autocycle.
- **Mobile Carriers:** The bill defines the term “mobile carrier” and provides regulations for such devices. The bill provides a mobile carrier is not considered a vehicle, motor vehicle, or a personal delivery device, and is not required to be registered or insured to operate within the state pursuant to s. 320.02, F.S. The bill authorizes a mobile carrier to be operated on sidewalks and crosswalks within a county or municipality when such use is permissible under federal law, but does not restrict a county or municipality from adopting regulations for the safe operation of mobile carriers.
- **State University Ingress and Egress:** The bill prohibits a local governmental entity from preventing motor vehicle use on or access to an existing transportation facility or corridor if that facility or corridor is the only point, or only one of two.

### **Relating to State Investments**

#### **HB 359 by Representative Nunez**

Amends s. 215.471 and s. 215.472, F.S.

- In recent years, the federal government has imposed various sanctions on the government of Venezuela. Sanctions increased in August of 2017 following the filing of Executive Order 13808 that prohibits United States persons and entities from engaging in certain financial transactions with the government of Venezuela.
- The bill requires the State Board of Administration to divest any investment in stocks, securities, or other obligations of any institution or company domiciled in the U.S., or foreign subsidiary of a company domiciled in the U.S., doing business in or with the government of Venezuela, or with any agency or instrumentality thereof, in violation of federal law. The bill also prohibits the SBA from investing in such stocks, securities, or other obligations.
- The bill prohibits a state agency from investing in any financial institution or company domiciled in the U.S., or foreign subsidiary of a company domiciled in the U.S. which, directly or through the U.S. foreign subsidiary, extends credit of any kind or character, advances funds in any manner, or purchases or trades any goods or services with the

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government of Venezuela, or any company doing business in or with the government of Venezuela, in violation of federal law.

- The Revenue Estimating Conference has not evaluated the bill for potential revenue impacts. However, the bill does not appear to impact state or local government revenues. The bill may have an insignificant negative impact on state government expenditures.

### **Relating to Transportation Facility Designations**

#### **SB 382 by Representative Book**

Establishes provisions for the 2018 Laws of Florida and amends the 2017 Laws of Florida

- The bill creates 39 honorary designations of transportation facilities around the state and directs the Department to erect suitable markers designating the transportation facilities. The bill also updates a provision for a designation passed during the 2017 Regular Session.
- A list of the designations can be found in Appendix A.

### **Relating to Linear Facilities**

#### **HB 405 by Representative Williamson**

Amends and creates various statutes

- The Florida Electrical Power Plant Siting Act (PPSA) and the Florida Electric Transmission Line Siting Act (TLSA) establish centrally coordinated review processes for state and local permitting of certain electrical power plants and transmission lines. Under the PPSA, an application for certification of a site for a power plant and associated facilities must include a statement on the consistency of the site, and any associated facilities that constitute “development,” with existing land use plans and zoning ordinances. Certain activities are excluded from the definition of development. Further, the PPSA and the TLSA authorize the establishment of conditions in an order granting certification, though both state that they do not affect in any way the ratemaking powers of the Public Service Commission (PSC).
- In 2016, the Third District Court of Appeal (Court) determined that transmission lines associated with a proposed power plant under the PPSA constitute “development” and, thus, require review for consistency with existing local land use plans and zoning ordinances. This decision conflicts with the historical interpretation and application of the PPSA by administrative tribunals in Florida. Further, the Court determined that the siting board empowered by the PPSA would not infringe on the PSC’s exclusive ratemaking jurisdiction if the siting board were to require, as a condition of certification, that a utility install such transmission lines underground at its own expense.

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- The bill appears to make the law consistent with the historical interpretation of the PPSA by amending two of the items excluded from the definition of “development” in relation to the PPSA:
    - The bill provides that the exclusion for work done on established rights-of-way applies to established rights-of-way and corridors and to rights-of-way and corridors to be established.
    - The bill provides that the exclusion for the creation of specified types of property rights applies to creation of distribution and transmission corridors.
  - The bill also establishes the standard to be used in authorizing variances in a site certification under the PPSA and under the TLSA. Further, the bill provides that the PPSA and the TLSA do not affect in any way the PSC’s exclusive jurisdiction to require transmission lines to be located underground.
  - The bill does not appear to impact state or local government revenues or expenditures.

### **Relating to Trespass on Airport Property**

#### **HB 523 by Representative Payne**

Amends s. 810.09, F.S.

- The bill increases criminal penalties from a first degree misdemeanor to a third degree felony where an offender trespasses on the operational area of an airport with the intent to:
  - Injure another person;
  - Damage property; or
  - Impede the operation or use of an aircraft, runway, taxiway, ramp or apron area.
- The bill defines “operational area of an airport” as any portion of an airport to which access by the public is prohibited by fences or appropriate signs and includes runways, taxiways, ramps, apron areas, aircraft parking and storage areas, fuel storage areas, maintenances areas, and any other area of an airport used or intended to be used for landing, takeoff, or surface maneuvering of aircraft.
- The bill requires that a sign with language similar to the following be posted in order for a trespasser to be prosecuted: “This area is a designated operational area of an airport and anyone who trespasses on this property commits a felony.”

### **Relating to Prohibition Against Contracting with Certain Companies**

#### **HB 545 by Representative Fine**

Amends s. 287.135, F.S.

- Current law prohibits a company that is on the Scrutinized Companies that Boycott Israel List (Israel List) or that is engaged in a boycott of Israel from bidding on, submitting a

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proposal for, or entering into or renewing a contract with an agency or local governmental entity for goods or services of \$1 million or more. A company that submits a bid or proposal for or enters into or renews such a contract must certify that the company is not participating in a boycott of Israel.

- The bill amends the provision prohibiting agencies and local governmental entities from contracting with companies on the Israel List or that boycott Israel to apply the prohibition to contracts for goods or services of any amount, rather than only contracts of \$1 million or more. The bill requires a contract with an agency or local governmental entity for goods or services of any amount entered into or renewed on or after July 1, 2018, to contain a provision that allows for the termination of the contract at the option of the awarding body if the company has been placed on the Israel List or is engaged in a boycott of Israel.
- An agency or local governmental entity is authorized to make a case-by-case exception to the contracting prohibition for a company on the Israel List based on the same conditions currently applicable to contracts of \$1 million or more.

### **Relating to Department of Agriculture and Consumer Services**

#### **SB 740 by Senator Stargel**

Amends and creates various statutes

- CS/CS/SB 740 addresses various issues related to agriculture and certain powers and duties of the Department of Agriculture and Consumer Services (department).
  - As it relates to the Department, the bill updates provisions related to the issuance of permits for agriculture vehicles during emergencies.
- Currently, s. 316.565, F.S. authorizes the Governor to declare an emergency when a breakdown occurs in the normal public transportation facilities necessary in moving perishable food crops grown in this state. The Department may establish weight loads during such emergency for hauling perishable foods over the highways from the fields or packinghouses to the nearest available public transportation facility as circumstances demand. The Department is required to designate special highway routes, excluding the interstate highway system, to facilitate the trucking and render any other assistance needed to expedite moving the perishables.
- The bill authorizes the Department to issue, and any law enforcement office authorized to enforce the traffic laws must accept, electronic verification of permits during such emergency. The bill allows the Department to issue permits for up to 60 days; however, the validity of the permit may not exceed the period of the declared state of emergency or any extension thereof.

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- The legislative intent is also revised to supersede any existing laws when necessary to protect and save agricultural products, rather than to protect and save any perishable food crops grown in the state.

### **Relating to Development of Regional Impact**

#### **HB 1151 by Representative La Rosa**

Amends and creates various statutes

- The bill eliminates state and regional review of existing Developments of Regional Impact (DRIs), eliminates the Florida Quality Development (FQD) program, and transfers the responsibility for implementation of, and amendments to, DRI and FQD development orders to the local governments in which the developments are located.
- The bill preserves existing DRI letters, development orders, agreements, and vested rights.
- The bill transfers the DRI exemptions and partial exemptions currently found in s. 380.06, F.S., to s. 380.0651, F.S., which contains the statewide guidelines and standards for determining whether a proposed development is a DRI-sized development subject to state coordinated review.
- The bill deletes the criteria for determining when two or more developments must be “aggregated” and treated as a single development for the purposes of DRI review and deletes the substantial deviation criteria for development order changes.
- The bill ends all DRI appeals to the Florida Land and Water Adjudicatory Commission except for decisions by local governments to abandon an approved DRI. However, no changes are made regarding the authority of the Commission to review development orders in areas of critical state concern.
- The bill repeals the Department of Economic Opportunity’s DRI and FQD rules in Chapter 73C-40, F.A.C., and Administration Commission rules related to DRI aggregation.

### **Relating to Relief/Estate of Dr. Sherrill Lynn Aversa/Department of Transportation**

#### **HB 6535- by Representative Newton**

Claims Bill

- The bill provides for compensation to the personal representative of the Estate of Dr. Sherrill Lynn Aversa. The bill:



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- Appropriates \$650,000 from the State Transportation Trust Fund to the Department of Transportation and directs the Chief Financial Officer to draw warrants upon the funds of the Department of Transportation in the State Treasury not otherwise appropriated, payable to the Estate of Dr. Sherrill Lynn Aversa.
  - Provides that the amount paid by the Department pursuant to s. 768.28, F.S., and the amount awarded in the bill are intended to provide the sole compensation for all present and future claims arising out of the incident that resulted in the death of Dr. Sherrill Lynn Aversa. The total amount paid for attorney fees, lobbying fees, costs, and other similar expenses relating to this claim may not exceed 25 percent of the amount awarded.

### **Relating to Taxation**

#### **HB 7087 by Representative Renner**

Amends and creates various statutes

The bill contains provisions for tax relief and changes to tax policy. An overview of those provisions is below:

- Specific temporary tax relief for hurricane recovery include:
  - Sales tax exemptions for farms damaged by 2017 hurricanes for certain materials;
  - Refund of taxes on fuel used for agricultural shipments post Hurricane Irma;
  - Assessment of citrus processing and packing equipment not being used at salvage value for 2018 property tax;
  - Hurricane-damaged agricultural parcels taken out of production can retain their agricultural classification for five years.;
  - Residential homestead property damaged by the Hurricane is eligible for tax relief;
  - Documentary stamp tax exemption for emergency loans; and
  - Temporary sales tax exemption for emergency generators purchased by nursing homes and assisted living facilities.
- Specific sales tax holidays include:
  - 7-day disaster preparedness holiday in June; and
  - 3-day back to school sales tax holiday in August.
- Sales tax provisions include:
  - Reduction of the business rent tax from 5.8 percent to 5.7 percent;

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- Exempts industrial machinery and equipment, and electricity, purchased by aquaculture operations;
  - Exempts electricity and roll off containers used by recyclers; and
  - It revises the list of public facilities that can be funded with the local option infrastructure surtax to include facilities that are necessary to carry out governmental purposes, such as fire stations, general governmental buildings, and animal shelters, and adds instructional technology used in school district classrooms.
  - Traffic fines reductions include:
    - Reduces the civil traffic penalty by nine percent if the driver cited elects to participate in traffic school.
  - Fuel tax provisions include:
    - Exempts motor fuel purchased by a terminal supplier who resells the fuel to an exporter;
    - Extends the natural gas tax exemption until 2024; and
    - Reduces the aviation fuel tax rate for air carriers who conduct scheduled operations or all-cargo operations.
  - Other relevant Transportation related provisions:
    - Changes mileage restrictions for certain registrations with reduced fees on trucks used to haul forestry products and agricultural products;
    - Authorizes additional uses of Tourist Development Tax revenue for certain water-related improvements, and for infrastructure to support tourism businesses; and
    - Prohibits a local government from requiring a communications services tax dealer that occupies its roads or rights-of-way to pay into a security fund.

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## SUMMARY OF APPROPRIATION RELATED BILLS

The FY 2018-2019 Department budget was signed into law by Governor Scott on March 16, 2018. The budget, totaling \$10.8 billion, includes a \$9.8 billion work program and fully funds multiple operating issues including the Work Program Integration Initiative (WPPII).

### **HB 5001 - Relating to the General Appropriations Act (GAA)**

HB 5001 provides monies for Fiscal Year 2018-2019 which begins July 1, 2018 and ends June 30, 2019. The bill appropriates over \$10.8 billion to the Department and becomes effective July 1, 2018, or upon becoming law for specific sections. The funding is broken down into four categories:

- Work Program: \$9.8 billion
- Operating: \$779.8 million
- Fixed Capital Outlay: \$2.1 million
- Debt Service: \$209 million

### **Proviso Overview**

Provisions retained from the 2017 GAA require the Department to submit quarterly reports on all travel related to training, seminars, workshops, conferences, or similarly purposed travel that was completed by senior management employees and division or program directors. Each quarterly report shall include the following information: (a) employee name, (b) position title, (c) purpose of travel, (d) dates and location of travel, (e) confirmation of agency head authorization and (f) total travel cost. The report shall be submitted to the chair of the Senate Committee on Appropriations, the chair of the House of Representatives Appropriations Committee, and the Executive Office of the Governor. The first report is due on July 13, 2018, for the period of April 1, 2018, through June 30, 2018, and shall be submitted on a quarterly basis thereafter.

New provisions include language that allows the Department to utilize STTF funds for payments issued by the Florida Department of Transportation Financing Corporation (FINC), for the I-95/I-595 project. The proviso also sets a debt cap of \$500 million for the project.

Provisions also include an increase in Small County Outreach- Rural Area of Opportunity (SCOP RAO) funding for this cycle, appropriating \$15,000,000 for the program.

### **Back of Bill Overview**

**-Section 77/Hurricane Evacuations:** requires the Department to complete (3) contraflow exceptional operation model exercises on limited access facilities. **This language and its corresponding appropriation were vetoed by the Governor.**

**-Section 78/WPII:** allows for the reversion and re-appropriation of unused WPII funds from FY 2017-2018. These funds will supplement the \$11 Million in funds authorized under the 2018 GAA.

**-Section 79/Local Transportation Projects:** allows for the reversion and re-appropriation of unused funds for the Underline, a specific local transportation project in Miami-Dade County.

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### **Local Transportation Projects**

The 2018 GAA includes approximately \$162 million in legislative earmarks following the Governor's vetoes. Of these, \$87 million are included as local transportation projects and are being incorporated into the Work Program.

### **Operating Issues**

The Department's operating issues were funded at the following levels:

- \$11 million- Work Program Integration Initiative
- \$7.6 million- Tolling Operation Efficiency
- \$2.2 million- Communication Hardware Upgrades
- \$1.9 million- Materials Equipment Testing
- \$1.9 million- Turnpike Expressway Authority Payments
- \$1.8 million- Alligator Alley
- \$1.6 million- FCO: Code Corrections
- \$1.4 million- Construction Management System Updates
- \$1.0 million- Secure Access Management
- \$904,000 - Transportation Disadvantaged AOR
- \$525,000 - FCO: Environmental Restoration
- \$464,000 - Secure Video Conference Equipment
- \$445,000 - District Five RTMC Operating Costs
- \$335,000 - Secure Enterprise Server Consolidation
- \$200,000 - Ladders of Opportunity

### **Employee Related Items included in HB 5001**

*State Health Insurance Plans and Benefits*

**Employee Paid Premiums:** The GAA allows for the current health insurance premium plan to remain in effect through the 2018 benefit year. Beginning in 2019, the GAA allows for the following:

- Employee premiums shall be established pursuant to Section 87 of HB 5003. Such premiums shall be established to reflect the relative difference in costs to the program for each of the health options provided in the state group insurance program and will be calculated in a manner that is actuarially neutral, in total funds generated, to the employee premiums currently in effect. Please see additional comments found in the HB 5003 analysis.

### **HB 5003 – Relating to Implementing the 2018-2019 General Appropriations Act**

HB 5003 provides implementation requirements for the funds appropriated in the GAA. An overview of specific sections that may impact the Department or Employees are included below.

- **Section 47/Tenant Broker Services:** Requires the Department of Management Services (DMS) and agencies to utilize a tenant broker to renegotiate or procure private lease agreements, in excess of 2,000 square feet, expiring between July 1, 2019 and June 30, 2021, in order to reduce costs in the future.

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- **Section 48/Online Procurement Transaction Fees:** Sets the transaction fee for the use of the online procurement system at 7/10<sup>th</sup> of 1 percent for FY 2018-19.

- **Section 50/Data Processing Assessment-AST Category:** The Executive Office of the Governor may transfer funds appropriated in “Data Processing Assessment-Agency for State Technology” category between Departments to align the budget authority granted based on the estimated billing cycle and methodology used by the Agency for State Technology for data processing services provided.

- **Section 51/Special Categories-Risk Management:** The Executive Office of the Governor may transfer funds appropriated in that category between Departments to align budget authority granted with the premiums paid by each Department for risk management insurance.

- **Section 54/Agency for State Technology (AST):** All powers, duties, functions, records, personnel, property, pending issues and existing contracts, administrative authority, and administrative rules of the Budget and Policy Section of the Cost Recovery and Billing Section within AST are transferred to DMS.

- **Section 55/Recovery of Administrative and Data Costs:** Creates the method for developing and implementing cost-recovery mechanisms for administrative and data costs of services through agency assessments.

- **Section 56/Geospatial Data:** Provides that the Department of Environmental Protection (DEP) shall be the lead agency of the executive branch for the development and review of policies, practices, and standards related to geospatial data. DEP shall coordinate and promote geospatial data sharing throughout state government and serve as the primary point of contact for statewide geographical information systems, projects, grants and resources.

- **Section 62/Statewide Travel Management System:** Implements the statewide travel management system ordered under the 2017 GAA to the DMS.

- **Section 73/Transportation Disadvantaged:** Amends s. 427.013, F.S., to authorize the Commission for the Transportation Disadvantaged during the 2018-2019 fiscal year to make:

- Distributions to community transportation coordinators who operate in counties that do not receive federal Urbanized Area Formula Funds to provide transportation disadvantaged services; and
- Competitive grants to community transportation coordinators to support transportation projects that enhance access to specified activities, assist in development of transportation systems in nonurbanized areas, promote efficient coordination of services, support inner-city bus transportation, and encourage private transportation providers to participate.

- **Section 77/Adoption of the Work Program:** Provides intent that the Department maintain fiscal solvency and minimize any project, or a phase thereof, from being deferred within the Work Program. Further intent directs the Department, to the maximum extent feasible, reduce financial projects not programmed for contract letting as identified with a Work Program contract class code 8 and the box code RV to add projects to the 2018-2019 Work Program which are identified by a

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specific appropriation in the 2018-2019 General Appropriations Act. For Fiscal Year 2018-2019 only, the Department is authorized to realign budget authority among appropriation categories to support the implementation of the 2018-2019 General Appropriations Act without having to seek Legislative Budget Commission approval and must be supported by documented production and financial goals within the parameters of finance, available cash, and total authorized budget. This only applies when projects, or a phase(s), are not deferred or deleted from the Work Program.

If the realignment causes projects or phase to be deferred or deleted, the Department is subject to approval by the Legislative Budget Commission. The Department shall provide to the Legislative Budget Commission a proposed cash forecast; an adopted finance plan as of 7/1/18; an adopted cash forecast as of 7/1/18; a complete list of projects, or phases deferred or deleted from the impact of the projects identified by specific appropriations in the 2018-2019 GAA for the 2018-2019 through 2022-2023 Work Program; the Department's methodology for identifying projects, or phases, deferral or deletion for the 2018-2019 through 2022-2023 Work Program; a letter of concurrence or nonconcurrent from the affected MPO or nonmetropolitan areas, the county commissioners with the impacted project selections; and complete list of financial projects not programmed for contract letting as identified with a Work Program contract letting in the reserves for the 2018-2019 through 2022-2023 Work Program.

In addition, any Work Program amendment submitted to the Legislative Budget Commission which results in a reduced project commitment level for the 2018-2019 fiscal year the above documents must also be attached.

- **Section 79/Competitive Solicitation Funded from Expense or Contracted Services:** Prohibits an agency from engaging in competitive solicitation using Expenses, Contracted Services or other special categories if the solicitation would require a law change or require a change in the agency's budget other than in the 5% provisions. The section does not apply in emergency situations.

- **Section 84/State Employee Travel:** Requires state employee travel to be limited to being mission critical to the agency's mission. Prohibits the use of funds for travel to foreign countries, other states, conferences, staff training activities, or other administrative functions unless approved by the agency head. This section does not apply to travel for law enforcement purposes, military purposes, emergency management activities, or public health activities.

- **Section 85/State Employee Travel Lodging:** State employee travel costs for lodging associated with a meeting, conference, or convention organized or sponsored in whole or in part by a state agency or the judicial branch may not exceed \$150 per day. An employee may expend his or her own funds for any lodging expenses in excess of \$150 per day. For purposes of this section, a meeting does not include travel activities for conducting an audit, examination, inspection, or investigation or travel activities related to a litigation or emergency response.

- **Section 86/Non-Disclosure Clauses in Contracts:** Prohibits a state agency from using Expenses, Contracted Services or other special categories to enter into a contract containing a nondisclosure clause that prohibits the contractor from disclosing information relevant to the performance of the contract to members or staff of the Senate or the House of Representatives.

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- **Section 87/Health Insurance Premiums:** Requires the Department of Management Services (DMS) to develop and establish the enrollee premium rates for the 2019 plan year for the State Employee Health Insurance Program. The rates must be calculated within certain parameters. The Department must establish the rates no later than August 15, 2018, and the Legislature may object to such rates by August 31, 2018.

## **SUMMARY OF EMPLOYEE RELATED BILLS**

Beyond the General Appropriations Act, the Legislature also passed multiple bills that may impact Department Employees. An overview of the legislation is below:

### **Relating to Prescription Drug Pricing Transparency**

#### **HB 351 by Representative Santiago**

Amends and creates various statutes

- Health insurers increasingly rely on pharmacy benefit managers (PBMs) to provide a range of specified services related to the acquisition and distribution of prescription drugs. PBMs negotiate with pharmaceutical manufacturers to acquire drugs at the lowest possible price. PBMs also negotiate with pharmacies to develop reliable distribution networks for those drugs. These services are provided on behalf of a PBM's client.
- The bill requires that a contract between a PBM and a health plan include prohibitions on certain practices that limit patient access to pricing information. The bill specifies that a contract must require the PBM to update maximum allowable cost pricing information at least once every seven days. This requirement was previously in the Pharmacy Practice Act; the bill moves this language to the Insurance Code, which gives OIR enforcement authority. The bill also requires a contract to limit patient cost sharing for a drug to the lesser of the applicable cost sharing amount, the total submitted charges, or the retail price.
- The bill creates an affirmative duty for a pharmacist to communicate to a patient the availability of a lower cost, generically equivalent drug if one exists and whether the patient's cost sharing obligation exceeds the retail price of a drug in the absence of prescription drug coverage.
- The bill applies to contracts entered into or renewed on or after July 1, 2018.

### **Relating to State Employment**

#### **HB 651 by Representative Yarborough**

Repeals s. 110.181, F.S and creates s. 110.182, F.S.

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- Current law establishes the Florida State Employees' Charitable Campaign ("FSECC"), which is an annual charitable fundraising drive administered by the Department of Management Services. It is the only authorized charitable fundraising drive directed toward state employees within work areas during work hours, and for which the state will provide a payroll deduction. State officer and employee participation is voluntary. A state officer or employee choosing to donate during an FSECC fundraising drive must specifically designate a participating organization as the recipient of the officer's or employee's contribution. Participation in the FSECC is limited to nonprofit charitable organizations that meet certain criteria.
  - In December 2016, the secretary of DMS notified state agencies that the campaign was being suspended.
  - The bill eliminates the FSECC and provides that no organization, entity, or person may intentionally solicit a state employee through any means for fundraising or business purposes within work areas during work hours.
  - However, the bill does not prohibit state-approved communications by entities that the state has contracted to provide employee benefits or services, non-coercive voluntary communications between state employees in workplace areas, and activities at authorized public events occurring in non-work areas of state owned or leased facilities.

### **Relating to Collective Bargaining**

#### **HB 5005 by Representative Trujillo**

Establishes provisions for the 2018 Laws of Florida

- The bill resolves the collective bargaining issues at impasse between the State of Florida and the bargaining representatives for state employees for Fiscal Year 2018-2019 that have not been resolved in the General Appropriations Act or other legislation.

### **Relating to State-Administered Retirement Systems**

#### **HB 5007 by Representative Yarborough**

Amends s. 121.71, F.S.

- Current law requires an annual actuarial valuation of the Florida Retirement System (FRS) be provided by the administrator of DMS and for the results to be reported to the Legislature by December 31 of each year. Thereafter, the Legislature uses the results of the actuarial valuation to establish uniform employer contribution rates during the next Legislative Session to ensure the FRS is funded in a sound actuarial manner.
- Effective July 1, 2018, the bill revises the employer contribution rates for the FRS based on the 2017 Actuarial Valuation.



## Appendix A: Roadway Designations passed during the 2018 Session

SB0382 – Senator Book			
Designation	Description	County	District
“Deputy Ryan Seguin Memorial Highway.”	That portion of I-595 between S.W. 136th Avenue and S.R. 823/Flamingo Road.	Broward	4
“Trooper Stephen G. Rouse Memorial Highway.”	That portion of I-75/Alligator Alley between mile marker 24 and mile marker 26.	Broward	4
“Tera Ross Memorial Interchange.”	The Minneola interchange on S.R. 91/Florida’s Turnpike at N. Hancock Road.	Lake	5
“Deputy Christopher Smith Memorial Highway.”	That portion of U.S. 90/S.R. 10 between Chaires Cross Road and S.R. 59.	Leon & Jefferson	3
“Elias ‘Rico’ Piccard Memorial Overpass.”	The pedestrian bridge over S.R. 436/Semorán Boulevard (75003000) at Abercorn Drive.	Orange	5
“Fortune Taylor Bridge.”	Bridge number 105503 on W. Laurel Street over the Hillsborough River.	Hillsborough	7
“Patricia Angella Barrett Lewis and Charlton Pernell Lewis Avenue.”	That portion of N.W. 133rd Avenue between N.W. 11th Street and N.W. 12th Street.	Broward	4
“Joseph Emmanuel ‘Manno’ Charlemagne Street.”	That portion of 5th Street between Euclid Avenue and Lenox Avenue.	Miami-Dade	6
“Richard Jason Randolph Memorial Bridge.”	The bridge on Peninsula Corp Drive over I-95.	Palm Beach	4
“Submarine Veterans Memorial Highway.”	That portion of I-75/S.R. 93 (03175000) between mile marker 110 and the Broward County line.	Collier	1
“Senator Greg Evers Memorial Highway.”	That portion of S.R. 4 between Munson Highway and S.R. 189.	Santa Rosa & Okaloosa	3
“Lieutenant Ewart T. Sconiers Highway.”	That portion of U.S. 90/S.R. 10 between S.R. 285 and N. 9th Street/S.R. 83 N.	Walton	3
“Steve Mainster Memorial Drive.”	That portion of S.R. 9336/S.W. 344th Street/W. Palm Drive between S.W. 192nd Avenue/Tower Road and S.W. 177th Avenue/S. Krome Avenue	Miami-Dade	6

“Harold Haynes Memorial Pedestrian Bridge.”	Upon completion of construction, the pedestrian bridge over S.R. 390 at Kentucky Avenue and Mowat School Road.	Bay	3
“Jim Tullis Memorial Boulevard.”	That portion of S.R. 109/University Boulevard between Clifton Avenue and Fort Caroline Road.	Duval	2
“Dr. R.C. Sproul Way.”	That portion of S.R. 46 between International Parkway and S.R. 431/Orange Boulevard.	Seminole	5
“John B. Arnold, Jr., Memorial Highway.”	That portion of S.R. 190/Valparaiso Parkway between S.R. 85/Government Avenue and S.R. 397/John Sims Parkway.	Okaloosa	3
“Deputies Tony Forgione and Bill Myers Memorial Bridge.”	Bridge number 570018 on S.R. 85/Eglin Parkway over Garnier Bayou.	Okaloosa	3
“SFC William Kelly Lacey Memorial Highway.”	That portion of S.R. 85 between College Boulevard and Colonel Greg Malloy Road.	Okaloosa	3
“Deputy Matt Miller Memorial Boulevard.”	That portion of S.R. 414/Maitland Boulevard between Magnolia Homes Road and S.R. 434/Forest City Road.	Seminole	5
“Nelle W. Needham Memorial Highway.”	That portion of S.R. 464/Maricamp Road between S.E. 25th Avenue and S.E. 24th Street.	Marion	5
“Gold Star Family Memorial Bridge, dedicated to U.S. Army CPL Frank R. Gross.”	Bridge numbers 150202 and 150203 on S.R. 580/Main Street.	Pinellas	7
“Amos Walter Atchley Memorial Highway.”	That portion of U.S. 17-92 between Wisconsin Avenue and Saxon Boulevard.	Volusia	5
“David G. Ledgerwood Memorial Highway.”	That portion of S.R. 415 between Acorn Lake Road and Reed Ellis Road.	Volusia	5
“Nick Capitano Memorial Road.”	That portion of E. 9th Avenue between N. 13th Street and N. 14th Street.	Hillsborough	7
“Gonzmart Memorial Road.”	That portion of C.R. 574/7th Avenue between N. 20th Street and 22nd Street.	Hillsborough	7
“Pepin Memorial Road.”	That portion of S.R. 583/56th Street between S.R. 574/E. Dr. Martin Luther King, Jr., Boulevard and Harney Road.	Hillsborough	7
“Barkett Memorial Road.”	That portion of Port Avenue between McCloskey Boulevard and Shoreline Avenue.	Hillsborough	7
“Jim Holmes Memorial Road.”	That portion of N. MacDill Avenue between W. Woodlawn Avenue and S.R. 574.	Hillsborough	7

“Nona and Popa Road.”	That portion of the San Juan Street Extension in Anastasia State Park between Santander Street and Anastasia Park Road.	St. Johns	2
“Lance Corporal Clemon ‘Clyde’ Alexander Memorial Drive.”	That portion of U.S. 90 between Main Avenue and Martin Luther King, Jr., Avenue.	Jefferson	3
“Benolken Parkway.”	That portion of S.R. 115/Southside Boulevard between Geiger Road and Leahy Road.	Duval	2
“Deputies Skip York and Burt Lopez Memorial Highway.”	That portion of U.S. 90 between the Shoal River Bridge and the Walton County line.	Okaloosa	3
“Sheriff Chris Daniels Memorial Highway.”	That portion of S.R. 19 between Lane Park Cutoff Road and U.S. 441.	Lake	5
“Officer Matthew Baxter and Sergeant Richard Sam Howard, III Boulevard.”	That portion of Hoagland Boulevard between Old Tampa Highway and Pershing Street.	Osceola	5
“Stevie LaDue Giving Hope Highway.”	That portion of Bruce B. Downs Boulevard between Cypress Preserve Drive and Amberly Drive.	Hillsborough	7
“John J. Brunetti, Sr., Avenue.”	That portion of E. 4th Avenue between 21st Street and 25th Street.	Miami-Dade	6
“CK Steele Memorial Highway.”	That portion of State Road 371/373/Orange Avenue between State Road 263/Capital Circle Southwest and State Road 61/Monroe Street.	Leon	3
<b>2017 Laws of Florida Updates</b>			
“The Hope and Healing Highway.”	Notwithstanding s. 334.071(3), that portion of U.S. 1 142 between Broward Boulevard and Sunrise Boulevard	Broward	4