



Tallahassee Update 2021 Legislative Session Weeks 7 & 8

As of this update, there are seven days remaining in the 2021 legislative session. The Legislature is in the middle of state budget conference negotiations. Issues that could not be resolved by the subcommittee chairs have now been “bumped” up to the House and Senate Budget Committee Chairs, Rep. Jay Trumbull (R, Panama City) and Sen. Kelli Stargel (R, Lakeland).

The “Big Chairs” as they are called in this process began their negotiations on Wednesday morning. Any remaining issues on which the Big Chairs cannot agree will get bumped up to the Presiding Officers, House Speaker Chris Sprowls (R, Palm Harbor) and Senate President Wilton Simpson (R, Trilby).

State University Budget Issues

The House and Senate higher education negotiations have been rough. The original House budget proposal cut the universities by more than \$570 million. The state universities are undoubtedly a current target for finding recurring general revenue to address the state’s previously projected recurring general revenue shortfall. The impact of budget reductions will be exacerbated if legislation expanding required tuition and fee waivers is successful.

Senate Offer 1

The Senate’s higher education offer to the House was delivered on Saturday evening and included \$223 million in recurring reductions to the state universities. Under the Senate’s first offer, UCF would sustain a 7.2 percent budget cut totaling \$46,979,838.

House Offer 1

The House countered with their first offer on Monday evening, with \$222 million in recurring reductions to the System. But the House position would limit the reductions to each state university at no more than 5% of a university’s total appropriation. To accomplish this, the House offer included an infusion of \$25.8 million to raise the universities sustaining deeper cuts back up to a 5% reduction. Under the House proposal UCF would take a 5

percent budget cut, along with FIU, FAU, USF, and UNF, with UCF’s cut totaling \$32,452,328.

Common Positions

Performance Funding: Both House and Senate retain the current funding level for Performance Funding, however the \$265 million of “state investment” would consist of nonrecurring or one-time funding for FY 2021-22.

Reduction Based on Courses Not Associated with Programs of Strategic Emphasis (\$83,963,724)

Impact to UCF: Loss of \$18,984,784

Reduction Based on Distance Learning Fee Revenue (\$69,845,373)

Impact to UCF: Loss of \$13,079,286

Reduction in State Salary Support (\$18,497,463)

This reduction represents an expansion of the current state funding limit on administrative salaries. Faculty salaries can only be paid with state funds up to \$200,000, except for faculty teaching in specific high-demand disciplines. While the House attempted to define the high-demand disciplines, the Senate would task the BOG to develop that list.

Impact to UCF: Loss of \$3,846,946

Program Reduction

Senate: (\$50,614,422)

House: (\$49,713,484)

This reduction was originally proposed in the Senate budget at \$217 million. However, the Senate’s first offer reduced the cut to \$50.6 million. The cut is calculated on a percentage of the federal funds received by the universities in the December 2020 Coronavirus Response and Relief Supplemental Appropriations Act.

UCF’s share of the Senate cut would total \$11,068,822. The House version of this cut is an across-the-board base cut which results in a \$7,206,717 reduction to UCF’s base budget.

State Retirement (SB 7018)

- **SUS Reduction: \$40.9 million**
- **UCF Impact: TBD**

The House and Senate have reached agreement to increase the amounts, in the aggregate, employers participating in the Florida Retirement System (FRS) must pay for retiree benefits. The impacts by employer group for Fiscal Year 2021-2022 are noted below.

Employer Group	Additional Contributions
State Agencies	\$52.8 m
Universities	\$40.9 m
Colleges	\$11.2 m
School Boards	\$134.2 m
Counties	\$114.0 m
Other	\$20.4 m
Total	\$373.5 m

UCF-SPECIFIC BUDGET CONFERENCE ISSUES

Issue	House	Senate
UCF/COM Keeping FL’s Economy Safe from Infectious Diseases	\$ -0-	\$500,000
UCF PTSD Clinic for Florida Veterans & First Responders (\$1,050,000 Requested)	\$750,000	\$400,000
FL Postsecondary Comprehensive Transition Program	\$8,984,565	\$5,984,565
Florida Center for Students with Unique Abilities	\$1,500,000	\$1,500,000
Maximum Annual Grants	\$300,000	\$500,000
Maximum Annual Scholarship	\$7,000	\$7,000
WUCF		
Public TV	\$320,400	\$288,360
Public Radio	\$100,000	\$85,000
Community School Grant Program	\$7,180,571	\$7,180,571

Federal Stimulus Funds

The first meeting of the “Big Chairs” on Wednesday morning revealed the first general outline of how the two chambers are proposing to spend Federal Coronavirus State Fiscal Recovery Funds. Florida is slated to receive \$10 billion in federal funds.

The House has outlined a proposal to spend \$7.9 billion of the \$10 billion and put the rest in various state reserve funds, while the Senate's first proposal allocates just \$3.2 billion of the money.

Of particular note, the Senate proposes nearly \$264 million as a PECO supplement for higher education construction. The House proposal has \$3.5 billion for deferred building maintenance.

Senate budget chief Kelli Stargel responded to media questions following Wednesday’s Big Chairs meeting that the \$3.2 billion is her chamber’s “starting point” and it will likely go up as final budget talks continue. Of course, lawmakers could leave some of the funding in reserves to make spending decisions on the federal funding in the future.

Budget Policy Priorities – Carry Forward

The House has made some movement toward granting additional spending authority for carry forward funds. The House proposed budget proviso would authorize universities to spend their January 31, 2021 carry forward fund balances for recurring purposes, but not to exceed the amount of the recurring base budget reduction. The Senate has not yet offered language on this issue.

University Trustee Confirmations

On Monday, the Senate Ethics and Elections Committee unanimously recommended five UCF Trustees for Senate confirmation:

- Tiffany Altizer (Orlando) 01/06/2026
- William Christy (Daytona Beach) 01/06/2025
- Jeffrey Condello (Windermere) 01/06/2026
- Joseph D. Conte (Winter Park) 01/06/2025
- Harold F. Mills (Windermere) 01/06/2026

These Trustees are now ready for confirmation by the full Senate, which is normally done on the last day of the session.

Governor’s Bill Actions

To date, the Legislature has passed 57 bills, and Governor DeSantis has already received and signed 6 bills into law:

- [CS/SB 72 Civil Liability for Damages Relating to COVID-19](#)
- [CS/HB 1 Combating Public Disorder](#)
- [SB 2510 State Agency Law Enforcement Radio System](#)
- [SB 7054 Trust Funds](#) (Recreating the Triumph Gulf Coast Trust Fund within DEO)
- [CS/CS/SB 50 Taxation](#) (Internet Sales Tax)
- [SB 7056 Trust Funds](#) (Terminating Certain Trust Funds)

Intellectual Freedom/Viewpoint Diversity (HB 233)

The legislature passed HB 233 on April 7th, but the bill has not yet made it to the Governor’s desk.

This bill requires the Board of Governors (BOG) to select or create a survey to be administered annually by the state universities. Beginning September 1, 2022, the results of this survey are to be compiled by the BOG and published each year.

The bill authorizes the recording, for specified purposes, of video and audio in classrooms at Florida’s public

institutions of higher education, while clarifying that the nonconsensual recording of video and audio in classrooms is permissible. Faculty research, lectures, writings, and commentary, whether published or unpublished, are protected expressive rights. Any person injured by the unauthorized publishing of video and audio can seek civil remedy including injunctive relief and damages.

There are also several new requirements for student governments and university student conduct codes.

Legislation Moving Toward the Finish Line

With eight days left in the legislative session, bills – and amendments – are racing to the finish line for approval, but the process leaves many on the cutting room floor. Here is a list of bills that seem positioned for making it to the finish line.

Florida Postsecondary Academic Library Network

CS/SB 1436 and its House companion, **HB 847**, are on the Senate Special Order Calendar for April 22nd.

The bill establishes this Network under the joint oversight of the BOG Office and DOE and repeals the Complete Florida Plus Program (Complete Florida Plus). The bill retains certain functions from Complete Florida Plus, with modifications, and adds new functions. The bill maintains the current provisions relating to distance learning courses and degree programs, and online academic support services, but specifies that the Network purposes must include providing recommendations on the use and distribution of open-access textbooks and education resources, and innovative pricing techniques as a method to reduce costs.

The Network single library automation system and associated resources and services must include a shared Internet-based catalog and discovery tool, an Internet-based searchable collection of electronic resources, an integrated library management system, and a statewide searchable database that includes an inventory of digital archives and collections that public postsecondary education institutions hold.

The bill maintains an online admissions and computer-assisted student advising system, and requires, by June 1, 2022, the Commissioner of Education and the Chancellor of the BOG to provide a joint recommendation for a process by which school district career centers and charter technical career centers would access appropriate Network services.

Public Records/Meetings (Presidential Search)

The House and Senate bills are identical. The House passed **HB 997** on April 14th and sent it to the Senate where it was referred to the Senate Rules Committee. On

April 20th, the Senate Rules Committee reported the bill's identical companion, **SB 220**, favorably on a 9-5 vote and placed the bill on the Senate's 2nd Reading Calendar.

This legislation makes confidential and exempt from public disclosure requirements any personal identifying information of an applicant for the position of president of a state university held by a state university. The personal identifying information of an applicant included in a final group of applicants for president is no longer confidential and exempt from public records requirements beginning at the earlier of the date the final group of applicants to be considered for president is established or at least 21 days before either an interview of an applicant or final action on the offer of employment.

Foreign Influence

The House and Senate bills are identical. The House passed **HB 7017** on April 14th unanimously on a 117-0 vote. The Senate received the House bill and referred it to the Senate Appropriations Committee where it was approved. The bill is now on the Senate's 2nd Reading Calendar.

The bill requires greater disclosure of foreign support for public entities, scrutiny of grant applicants and vendors of goods and services with certain foreign connections, and thorough scrutiny of foreign applicants for research positions and of foreign travel and activities of employees of major research institutions. The bill also prohibits agreements between certain state entities and the seven countries of concern (the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity under significant control of such foreign country of concern) if the agreement contains certain provisions or requirements and requires thorough screening of foreign applicants for research positions and foreign travel and activities of employees for every higher education institution and related research institutes having a research budget of \$10 million or more.

Higher Education Train

HB 1261 passed the House on April 21 and the Senate has referred it to the Senate Appropriations Committee. The bill contains the following issues:

- Immunity for educational institutions for actions related to COVID-19 pandemic.
- State university career planning and information (BOG Online Dashboard) and new requirements for state university students to register with the university's career center.
- BOGO provision for every course in one of eight Programs of Strategic Emphasis. The BOG must

adopt eight PSE in science, technology, engineering or math for which a student may be eligible to receive a tuition and fee waiver. (upper-level courses only and up to 110 percent of the number of required credit hours). The student received Bright Futures for the waived course and the university may earn incentive funding under the SUS Performance-Based Incentive (1001.92)

SB 1798 contains a similar BOGO program. Under the Senate plan, the waiver would apply to a student who enrolls in a program of strategic emphasis in one of the following categories as identified by the Board of Governors (BOG):

- Science, technology, engineering, or math.
- Critical workforce education.
- Critical workforce healthcare.
- Critical workforce and undersupplied.

A state university that fails to comply with the waiver requirements would be ineligible for performance-based funding.

Postsecondary Financial Matters (Dual Enrollment, University Bonuses, FPCTP)

HB 281 was reported favorably by its last referenced committee and is ready for approval by the full House Chamber. The bill’s Senate counterpart, **SB 52**, has passed the Senate and is waiting to be taken up by the House. This bill creates s. 1012.978 to authorize university boards of trustees to implement a bonus plan based on awards for work performance or employee recruitment and retention. The boards of trustees must submit the bonus plan, including evaluation criteria for awards, to the BOG for approval.

The bill also contains some policy changes to the Florida Postsecondary Comprehensive Transition Program as requested by the Florida Center for Unique Abilities relating to increased flexibility in the eligibility for FPCTP grants.

Department of Health (Accreditation Fix)

HB 1565 is on the House Second Reading Calendar while its Senate companion, **SB 1568**, is on the Senate’s Special

Order Calendar. The bills contain the following issues needed by particular state universities, including UCF:

- Clarifies the educational requirements for psychologists applying for licensure by examination or endorsement;
- Amends section 491.005, Florida Statutes, regarding mental health counselors to update educational requirements and authorize a licensed mental health professional to be available by phone or other electronic methods when clinical services are being provided by a registered intern by telehealth methods; and
- Amends certain statutes to delete references to the term “regional” and replace it with the term “institutional” to conform to the U.S. Department of Education accreditation nomenclature for approving educational institutions.

A complete bill tracking chart, and further information on specific legislation of interest, will be provided promptly upon request.



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Charge On!