

FLORIDA POLICY INSTITUTE

FLORIDA FY 2022-23 BUDGET: SUMMARY BY ISSUE AREA

Updated December 2022



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Executive Summary

Gov. Ron DeSantis signed the fiscal year (FY) 2022-23 budget into law on June 2, 2022. After accounting for \$3.1 billion in vetoes, the post-veto General Appropriations Act (GAA) totals \$110 billion, an 8.3 percent increase over the FY 2021-22 budget.¹

Introduction: Families Still Struggling to Make Ends Meet in Wake of Recession

A thriving economy is one in which all residents can access what they need to live healthy, happy, and prosperous lives: safe housing, nutritious food, affordable health care, economic security, and opportunities for enjoyment and recreation. On the heels of the COVID-19 pandemic, the development of the FY 2022-23 state budget represented an opportunity to make bold investments in each of these areas — to secure a strong foundation for the state’s future.

In 2021, the National Bureau of Economic Research (NBER) announced that the economic recession spurred by COVID-19 technically lasted only two months, ending in April 2020.² Additionally, although the COVID-19 recession was the shortest in U.S. history, the NBER also recognized the “unprecedented magnitude of the decline in employment and production, and its broad reach across the entire economy.” Indeed, despite being in a period of economic expansion, marked by indicators such as historically low unemployment rates³ and job growth,⁴ the depth and breadth of the economic hardships brought on by the pandemic are still reverberating throughout Florida.

Data from the U.S. Census Bureau Household Pulse Survey shows that many Florida households continue to struggle. As of May 2022, among households in Florida with children: 18 percent reported a loss of employment income⁵; 26 percent reported little to no confidence in their ability to pay their next rent or mortgage payment⁶; and 22 percent reported not having enough food to eat in the week prior to the survey.⁷ Across the board, these hardships are heightened for Black and Latina/o households in Florida.

Many economists warn that the U.S. is headed for another recession in 2023,⁸ and another lesson of the COVID-19 recession is how precarious shared resources are to any disruptions. Without the massive influx of federal pandemic relief dollars, the hardships Americans faced would have undoubtedly been much more severe.

The “Roadmap to Shared Prosperity in Florida” is FPI’s blueprint for improving economic mobility, health, and fiscal stability for families in the Sunshine State,⁹ principles that are important now more than ever. This includes:

- fostering community well-being by investing in education and health;

- spurring sustainable growth by promoting equitable economic development, investing in smart infrastructure, and improving climate resilience;
- advancing shared prosperity by nurturing inclusive communities and building a strong safety net; and
- cleaning up and modernizing the tax code for a stronger future.

FPI has analyzed the post-veto FY 2022-23 budget in the context of the roadmap's principles.

➤ **Does the budget include meaningful investments in education and health that will foster community well-being?**

The post-veto GAA provides increases to the state's portion of the K-12 funding formula (the Florida Education Finance Program or FEFP) and the Base Student Allocation (BSA). Despite the increase in the BSA, after adjusting for inflation, it remains lower than it was before the Great Recession of 2008-2009. Notably, there is still much in federal relief funding for education that remains unallocated. The post-veto GAA also includes funding to increase eligibility for the School Readiness Program from 150 percent of the federal poverty threshold to 200 percent.

The post-veto GAA does not include any cuts to eligibility for Medicaid services and includes full funding for Medicaid caseloads. However, it cuts funding for reimbursements for services offered by safety-net hospitals. Such cuts would be avoided if Florida expanded its Medicaid program, which the chambers failed to include in their proposals.

Additionally, despite some increases, the post-veto GAA does not include adequate funding to reduce long waitlists for home- and community-based services (HCBS) for Floridians with disabilities and older adults. These services are designed to reduce their chances of requiring long-term institutional care (e.g., nursing homes). Neither budget proposal includes additional funding to reduce the waitlists for the Statewide Medicaid Managed Care Long Term Care (SMMC-LTC) program, which has the largest HCBS waitlist (over 54,000 people), or the Home Care for the Elderly program, which has a waitlist of 15,727 people.

➤ **Does the budget include economic development and public infrastructure projects to help promote quality jobs, spur sustainable growth, and improve climate resilience?**

A bright spot in the post-veto GAA is an increase in wages for public workers ahead of the scheduled minimum wage increases passed by voters in 2020. Starting July 1, full- and part-time state employees — plus some state-funded subcontractors — must be paid at least \$15 per hour. Also, notably, the budget also includes enforcement language to ensure compliance with this increase.

Investment in Florida's infrastructure — transportation, public buildings, and water treatment systems — is essential. However, the state's infrastructure is persistently graded poorly by the American Society of Civil Engineers. It is imperative to have modern, climate-resilient facilities in a state prone to hurricanes and

extreme humidity. Overall, the post-veto GAA includes more robust investments in conservation, including a substantial increase in funding for the Department of Environmental Protection and an allocation of \$110.7 million in funding for the Florida Forever program.

➤ **Does the budget include provisions to advance shared prosperity by nurturing inclusive communities and building a strong safety net?**

In 2021, Gov. Ron DeSantis signed into law SB 2512, which reduces the funds earmarked for affordable housing by half while at the same time preventing future sweeps of the Sadowski Affordable Housing Trust Fund. The budget includes a higher level of funding for the Sadowski fund than the FY 2021-22 budget, which had been the largest appropriation for the trust fund in 12 years. While this is notable progress, permanently reducing the revenue for affordable housing will further hamper Florida's ability to mitigate the state's affordable housing crisis in the long term.

Overall, the post-veto GAA does not include adequate funding to ease the unprecedented hardships that continue to grip Florida's communities in the wake of COVID-19. While families still face difficulty putting food on the table and meeting their day-to-day needs, the FY 2022-23 budget decreases Temporary Assistance for Needy Families (TANF) payments by \$11 million. TANF payments had remained stagnant for three decades, and inflation has eroded the payment value significantly. Additionally, the budget does not include needed reforms of Florida's failing Reemployment Assistance program, nor does it provide temporary help for Supplemental Nutrition Assistance Program (SNAP) participants who experienced a significant loss of benefits this year.

The budget includes increased funding for the Department of Corrections, with additional investment in education for people who are incarcerated. However, given the increased need to ensure safety during COVID-19, lawmakers continue to underinvest in reentry programs, and the budget includes insufficient funding to address the fiscal challenges the department has faced in recent years.

➤ **Does the budget contain language to clean up and modernize the tax code for a strong future?**

The tax package (CS/HB 7071) that legislators approved includes several temporary tax reductions and other tax-related modifications designed to directly impact families and businesses.

These include: a one-year exemption for baby and children's clothing, shoes, and diapers; a one-year exemption for certain ENERGY STAR certified appliances; a three-month exemption for children's books; and a two-year exemption for impact-resistant windows, doors, and garage doors. While the exemptions offset the sales tax burden for the specified items through 2022, they do not alter Florida's tax code in the long term, nor do they offer targeted relief to Floridians with low- to moderate-income who, as a percentage of personal income, bear a higher sales tax burden. Together, these exemptions will cost Floridians \$391 million during the first year of implementation.¹⁰

Alongside these exemptions, policymakers also passed a series of short-term sales tax holidays reminiscent of previous fiscal years, including: a 14-day back-to-school exemption for school supplies, a 14-day exemption for disaster preparedness supplies, a seven-day exemption for tools, and a seven-day exemption on purchases for certain recreational activities. These holidays will cost Floridians \$209 million, even though only one-out-of-five Floridians use them.¹¹ Conclusively, these exemptions do nothing to clean up the Sunshine State's tax code.¹² The tax package also includes targeted sales tax exemptions that will not benefit everyday Floridians, such as sales tax exemptions on admissions for events like the Daytona 500 and World Cup soccer matches.

The tax package also includes the "Florida Motor Fuel Relief Act of 2022," a one-month motor fuel tax exemption period. This holiday will cost \$200 million, which is funded in the budget through ARPA. However, the U.S. Department of the Treasury prohibits states from using ARPA dollars to "directly or indirectly offset a reduction in net tax revenue."¹³ If a state fails to comply, it will have to return an amount equal to the revenue lost due to the tax cut. Since the budget includes the Florida Motor Fuel Relief Act alongside other ARPA appropriations, it is unclear if Florida will have to forfeit \$200 million in ARPA funds or pay for the holiday through its own general revenue.

FY 2022-23 Final Post-Veto Budget:

BUDGET & REVENUE OVERVIEW

Although the final General Appropriations Act (GAA) includes lump-sum appropriations for the fiscal year, policymakers often include additional appropriations in “back-of-the-bill” sections, which are *not* included in the GAA total for the pertinent fiscal year. The operating budget, however, does not discriminate between GAA sections — it combines funding across all categories to offer a more accurate picture of government spending increases when compared to the GAA alone.

How is The State Budget Broken Down?

The Florida Constitution specifies that the GAA must be broken down into separate sections for each major program area: (1) education enhancement “lottery” trust fund item, (2) education (all other funds), (3) human services, (4) criminal justice and corrections, (5) natural resources, environment, growth management, and transportation, (6) general government, and (7) judicial branch.

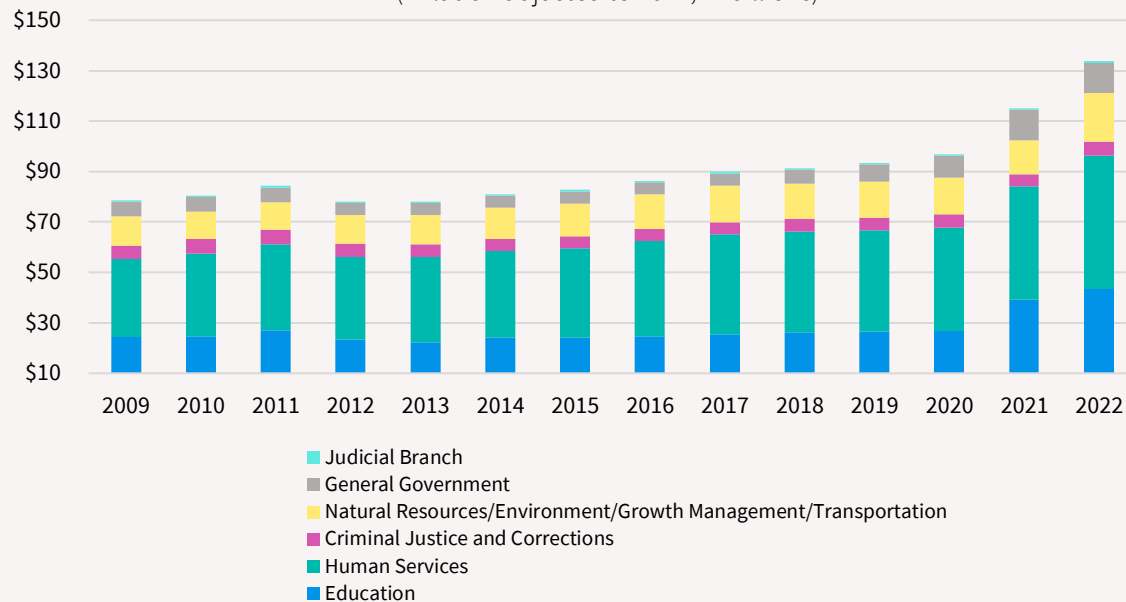
The “**back of the bill**” sections are all remaining sections, outside of the major program area expenditures. These sections typically include employee compensation and benefits, adjustments to the operating budget (for the previous fiscal year), and trust fund sweeps.

The **operating budget** includes the approved plan of operation consistent with the GAA and other substantive legislation or appropriations approved through the interim budget amendment process. It consists of all funding for the state’s traditional appropriation categories (i.e., Salaries and Benefits, Other Personal Services, Expenses, Aid to Local Government, Operating Capital Outlay, Food Products, Special Categories, Financial Assistance Payments, Data Processing Services, Pension and Benefits, Claim Bills and Relief Acts, Fixed Capital Outlay, and Grants and Aids to Local Governments and Nonstate Entities).

The operating budget in Florida, like in many states, has mostly seen incremental changes over several years, with notable exceptions. Following the Great Recession (2008-2009), the state budget stagnated until it dropped 7 percent between FY 2010-11 and FY 2011-12, followed by a smaller decrease the next fiscal year. (See *Figure 1*.) As the July 2012 Economic Estimating Conference explained, the Great Recession triggered extreme financial and economic stress statewide, leading to sharp declines in state gross domestic product, personal income growth, and employment.¹⁴ As such, the drop in Florida’s operating budget between FY 2010-11 and FY 2011-12 points to a period of sluggish recovery, continued financial difficulties, and budget cuts. Nevertheless, from FY 2008-09 to FY 2019-20, the state’s operating budget has gradually increased: during this period, the budget had an average annual growth rate of approximately 2 percent. *Figure 1* depicts this trend and offers insight across Florida’s six primary service areas.

Figure 1. Annual Florida Operating Budget by Fiscal Year and Service Area

Total includes general appropriations, vetoes, budget amendments, and reversions.
(Inflation adjusted to 2022, in billions)



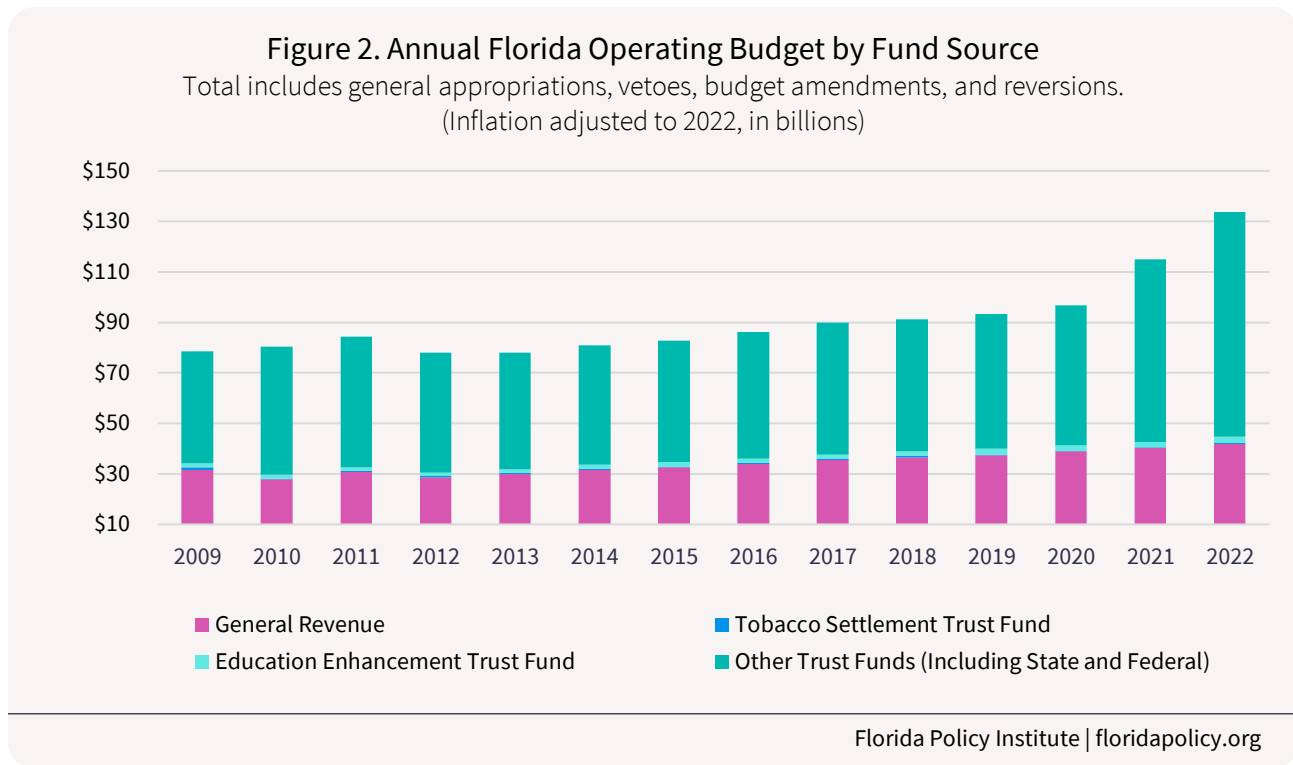
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As Figure 1 shows, Florida's operating budget dropped sharply following the Great Recession and slowly returned to a period of incremental growth up until FY 2019-20. However, against this trend, the state's operating budget skyrocketed in response to the COVID-19 pandemic. Considering FY 2020-21 and FY 2021-22, the budget has had a staggering average annual growth rate of approximately 17.6 percent, including significant boosts in Education, General Government, NREGMT, and Human Services.

Florida's State Operating Budget Has Been Boosted by Federal Dollars and Assistance Throughout the Pandemic

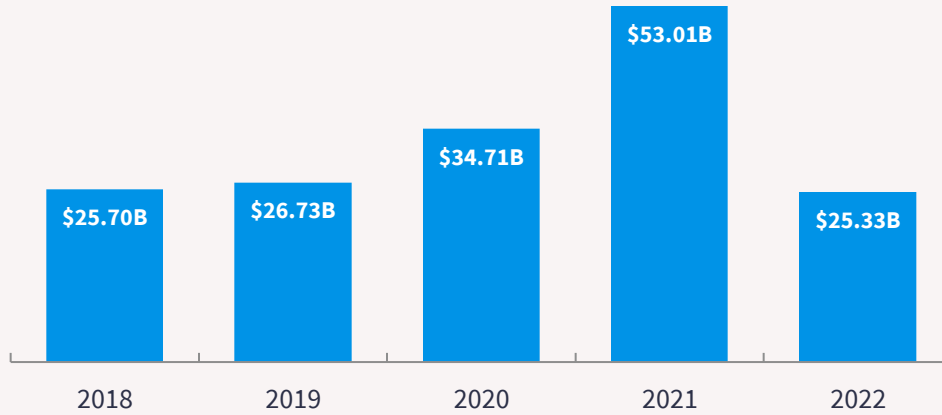
Considering the substantial jump in the operating budget, the increase is driven by an influx of federal pandemic-related relief dollars and not by increased general revenue collections or investments. To elaborate, as a component of the operating budget, Florida's General Revenue Fund (GRF) accounts for one-third of the entire budget. Through the GRF, legislators have access to undesignated revenue from tax collections that they can appropriate for any government purpose. In contrast, monies designated or earmarked for specific purposes go to state or federal trust funds, which offer less flexibility than the GRF. Consequently, general revenue spending is an indicator of statewide financial sustainability tied to tax collections. General revenue in the operating budget sharply declined following the Great Recession and had an average growth rate of about 2 percent through FY 2021-22. Whereas the entire operating budget has

substantially increased during the pandemic, general revenue spending continues to exhibit the same pre-pandemic incremental trend. Therefore, the overall increase in the operating budget (*Figure 1*) is not due to increased general revenue but increases in state trust funds and federal funding (*Figure 2*).



As *Figure 2* corroborates, recent operating budget increases are not due to GRF spending. In response to the pandemic, the federal government stepped in to help state governments. As *Figure 3* shows, federal grants increased from \$27 billion in FY 2018-2019 to \$35 billion in FY 2019-20, a 30 percent increase. Then, federal grants increased from \$35 billion to \$53 billion in FY 2020-21, a 53 percent increase. Through these fiscal years, which cover the peak of the pandemic, some key areas that received federal funding include the Agency for Health Care Administration (the bulk of U.S. grants went to the Medical Care Trust Fund), the Department of Economic Opportunity (including critical federal investment to the Unemployment Compensation Benefit Trust Fund), the Department of Education, and the Department of Health. The increase illustrates the important role of the federal government in supporting Florida's operating budget during the pandemic. At the same time, by offering increased assistance, the federal government helped Florida policymakers avoid deep budget cuts and reductions to the GRF.

Figure 3. Total Trust Fund Revenues from Federal Grants Increased During the COVID-19 Peak Years



Source: FPI Analysis of the 5-Year Trust Fund Report found via Transparency Florida.

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Florida Lawmakers Have Underfunded Public Services for Over a Decade

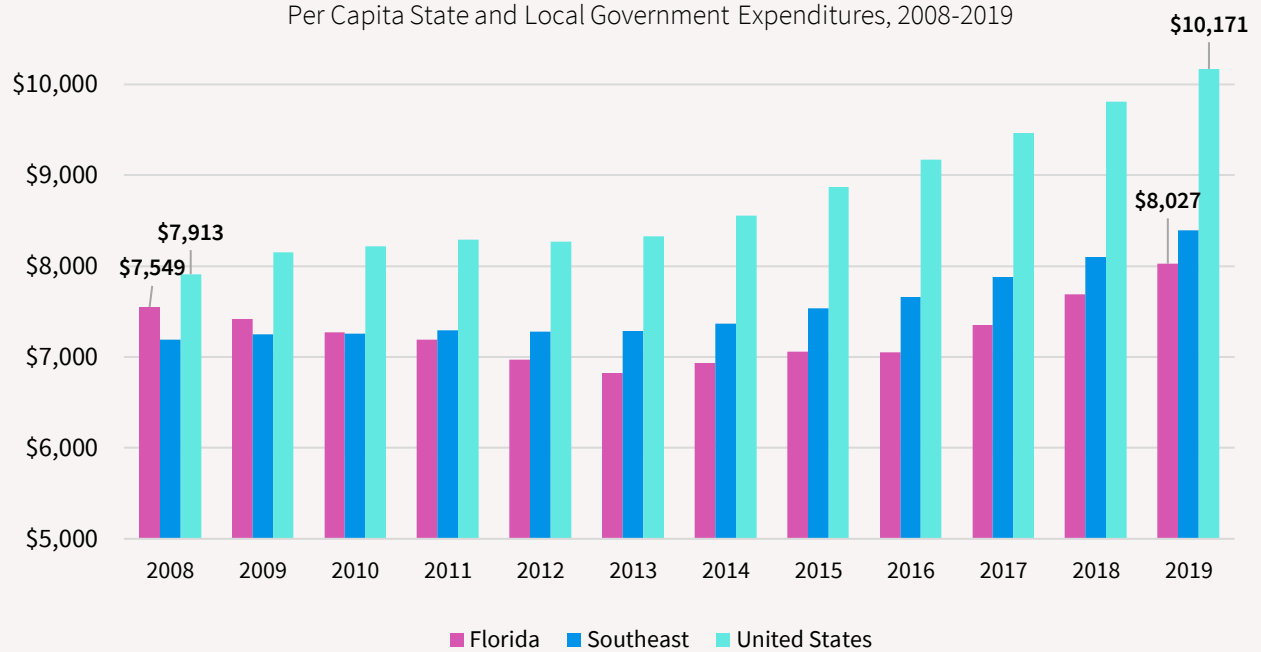
Although federal assistance through FY 2020-21 and FY 2021-22 was substantial, the long-term impact of federal dollars in the operating budget will taper off. For this reason, it is crucial to consider Florida's ability to fund public services with its own revenue. As the state's population continues to increase, change, and age, so will public service demands. Since the early 2000s, Florida's population has grown by 34 percent, from 16 million in 2000 to 21.5 million in 2020, and it is much more diverse. Additionally, Florida is second in the country in the percent of the population age 65 or older.¹⁵ The population continues to age — today, just over one-third of the population is 57 years of age and older.¹⁶ These changes have implications for the relative size of the labor pool, the need for health care services, the modes of service delivery, and overall tax revenue.

Yet, despite significant ongoing demographic changes, Florida has set a trend of spending less general revenue per capita than most other states, including neighboring states in the Southeast. As *Figure 3* shows, since 2010, per capita public service expenditures in the Sunshine State have consistently trailed investments made in other parts of the country. From 2008 to 2019, Florida per capita local and state government expenditures had an average annual growth rate of approximately 0.6 percent, compared to 1.4 percent across the Southeast and 2.3 percent nationally. Florida trails most of the nation in per capita direct general revenue expenditures in various areas, ranking 49th for elementary and secondary education, 50th for higher education, 49th for public welfare, and 36th for highway infrastructure.¹⁷ This is not surprising given that Florida also ranks 46th in per capita general revenue collections, behind 44 other states and D.C. Only five

other states (Mississippi, Idaho, South Carolina, Alabama, and Tennessee) collect less general revenue per resident. Florida’s low ranking is problematic because general revenue helps finance education, health and human services, corrections, natural resource management, growth management, transportation projects, and general government operations.

Figure 4. Florida Ranks 46th On Investment in Public Services

Per Capita State and Local Government Expenditures, 2008-2019



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Finally, conversations about the operating budget, trust fund balances, and per capita general revenue spending do not consider the forgone revenue from tax expenditures. This “shadow budget” has increased substantially since FY 2010, growing on average \$607 million each year. In FY 2021-22, Florida’s shadow budget will cost the state \$24 billion, a number that is likely to continue growing in the coming years.

How Do the House and Senate Propose Funding the FY 2022-23 Budget?

Upon receiving the budget from the Legislature, Gov. DeSantis vetoed \$219 million from Education, \$65 million from Health and Human Services, \$870 million from Criminal Justice and Corrections, \$728 million from NREGMT, \$125 million from General Government, and \$65 million from the Judicial Branch. Alongside the section vetoes, which total \$2.07 billion, the governor cut an additional \$1.04 billion in back-of-the-bill appropriations. The post-veto budget amounts to \$110 billion, an increase of \$8.5 billion, or 8.4 percent, over the FY 2021-22 budget. (See *Table 1*.)

Table 1. Breakdown and Comparison of the GAA FY 2021-22 and FY 2022-23

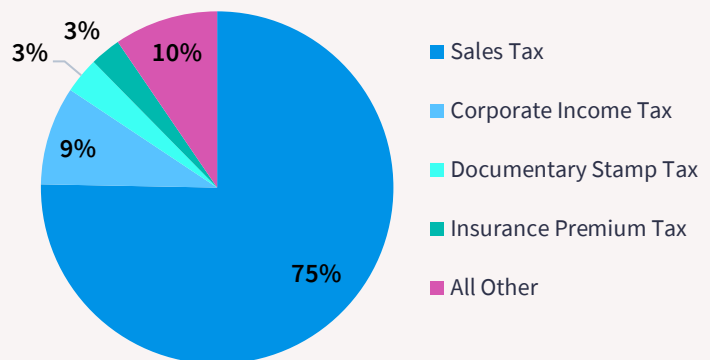
YEAR-TO-YEAR BUDGET COMPARISON		
	GAA FY 2021-22	GAA FY 2022-23
General Revenue Fund (% of Total Appropriations)	\$36,344,000,000 (36%)	\$41,820,000,000 (38%)
General Revenue Fund (GRF) Difference from Previous Year	-	+5,476,000,000
State Trust Funds (% of Total Appropriations)	\$25,261,000,000 (25%)	\$28,953,000,000 (26%)
State Trust Funds Difference from Previous Year		+3,692,000,000
Federal Trust Funds (% of Total Appropriations)	\$39,939,000,000 (39%)	\$39,226,000,000 (36%)
Federal Trust Funds Difference from Previous Year		-713,000,000
Total Appropriations	\$101,544,000,000	\$109,999,000,000
Difference from Previous Year		+\$8,455,000,000

As Table 1 shows, legislators have access to the GRF and various state and federal trust funds to pay for the final GAA. The GRF comprises undesignated revenue from tax collections and accounts for 38 percent of the post-veto GAA. For this reason, it is vital to consider Florida's revenue sources. (See Figure 5.) Seventy-five percent of Florida's revenue comes from sales tax collections, followed by corporate income taxes (9 percent), documentary stamp tax (3 percent), insurance premium tax (3 percent), and others (10 percent).

Rainy Day Funds

Rainy day funds are another source of revenue that policymakers can tap into. Specifically, rainy day funds are budget reserves that policymakers can use when recessions or other unexpected events cause revenue to fall or spending to rise. Also, rainy day funds can help reduce economic harm during crises.¹⁸ In Florida, policymakers have access to two central rainy-day funds:

Figure 5. Seventy-Five Percent of General Revenue comes from Sales Tax Collections



Source: The Florida Legislature, Fiscal Analysis in Brief (2021)

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- **Unallocated General Revenue Fund.** This fund holds about \$15.7 billion.¹⁹ The Unallocated General Revenue Fund consists of excess general dollars needed to meet General Revenue Fund appropriations for the current fiscal year.
- **Budget Stabilization Fund (BSF),** which holds about \$2.73 billion. This includes the FY 2021-22 transfer of \$1.06 billion due to the termination of the Lawton Chiles Endowment Fund following the passage of HB 5011 (2022).²⁰ The BSF can only be used to offset a declared deficit or provide funding for an emergency. Consequently, policymakers have limited access to the BSF.

What Comes Next in the Budget Process?

The FY 2022-23 budget took effect on July 1, 2022. To reverse any of the governor’s line-item vetoes, the House and Senate would have to reach a two-thirds majority vote in the upcoming session.

Following the start of FY 2022-23, the Florida Legislature will have to summarize the fiscal and budgetary information pertinent to the new fiscal year. The “Fiscal Analysis in Brief” will include graphical depictions and detailed listings of appropriations, fund sources, nonrecurring issues, vetoed items, financial outlooks, and legislation affecting revenue. Similarly, by September 15, 2022, the Legislative Budget Commission is required to issue a “Long-Range Financial Outlook (Three-Year Plan)” detailing fiscal strategies for the state and its departments to assist the legislature in making budget decisions for the upcoming session.

HEALTH AND HUMAN SERVICES

→ Current Landscape

Florida ranks near the bottom on multiple national rankings of health and wellness.²¹ Even before COVID-19, the state had one of the highest rates of uninsured residents in the U.S., and lawmakers have failed to expand Medicaid to more than 800,000 uninsured, low-income residents. State leaders' ongoing failure to expand Florida's Medicaid program contributes to the growing racial health gap, exacerbating health disparities in communities of color.²²

Florida also lags far behind other states in investments for mental health and substance use disorder (SUD) treatment. Twenty percent of adults in Florida experience a mental illness.²³ Due to the COVID-19 pandemic, the need for mental health and SUD care is increasing. Adding to the pressure on Florida's already-strained community mental health system is the state's very high rate of uninsured people with mental illness. Mental Health America estimates there are 512,000 uninsured Florida adults with mental illness — the sixth-highest percentage in the country.²⁴ Twelve Floridians die each day due to opioid overdoses,²⁵ and overdose deaths are surging during due to the pandemic.²⁶ In FY 2020-21, 7,250 clients (both children and adults) were added to waitlists for community mental health and substance use disorder services.²⁷

State leaders' ongoing failure to expand Florida's Medicaid program contributes to the growing racial health gap, exacerbating health disparities in communities of color.

As of 2020, the number of Floridians 62 and older (5.1 million) is more than the entire state populations of Kentucky (4.5 million), South Carolina (5 million), and Louisiana (4.5 million). In fact, Floridians 65 to 74 years of age are the fastest growing age group in the state. Home- and community-based services (HCBS) are critical in helping Florida's growing senior population, as well as the one in four Floridians who have a disability, stay in their homes and avoid or delay nursing home or other institutional care. Institutional care can take a mental and physical toll on individuals and their families. Also, nursing homes cost anywhere from eight to 24 times more to the individual and taxpayers than HCBS.²⁸ However, enormous HCBS waitlists in the tens of thousands grow substantially year after year, keeping these services out of reach for many.

The pandemic is a stark reminder that Florida has made deep cuts to public health programs over the years. These have been particularly severe for county health departments, which are intended to be the state's frontline hubs for responding to crises. Notably, between 2010 and 2018, Florida cut county health department funding by 10 percent, shrinking staff levels from 12,800 to 9,300.²⁹

With billions of additional federal dollars available to the state through federal COVID relief, like the American Rescue Plan Act (ARPA), lawmakers avoided most cuts and bumped up investment in already woefully

underfunded health and human services. Additionally, ARPA includes an offer to increase the portion of costs covered by the federal government (the Federal Medical Assistance Percentage, or FMAP) for two years if states that have not expanded their Medicaid program, like Florida, pursue expansion. As a result, Medicaid expansion would bring in between \$3 billion to \$3.5 billion in new federal funding.³⁰ These new Medicaid dollars under ARPA would be in addition to the enhanced FMAP (an additional 6.2 percent) that Florida has already been receiving since January 2020 under the Families First Coronavirus Response Act (FCCRA). This enhanced FMAP will most likely continue at least through October 2022.³¹ For FY 2021-22, due to these increased federal Medicaid dollars, Florida is projected to realize a general revenue surplus of nearly \$664 million.³²

In addition, recognizing the increased demands for HCBS during the pandemic, the federal government, through ARPA, offered states a one-year (April 1, 2021-March 30, 2022) 10 percent increase in the FMAP for these services. This spending deadline was recently extended for another year.³³ The increased federal funds must supplement current state funding to enhance, expand, or strengthen HCBS. Florida has received conditional approval from the federal government for its HCBS spending plan and has already solicited applications from providers. Overall, thanks to the federal increase, Florida is set to receive an additional \$1 billion for these services.³⁴

Concerning the well-being of children and families, policymakers continue to allow the Temporary Assistance for Needy Families (TANF) program to languish. Florida's TANF program, the state's core safety net program for providing families with children the means to meet basic needs, does a poor job of reaching and assisting families struggling to make ends meet. For every 100 families with income below the federal poverty level, only 13 receive TANF cash assistance. If TANF today reached the same share of families as it did in 1996, 55 out of every 100 would receive TANF cash assistance in Florida.³⁵ Since 1996, fewer families receive TANF cash assistance and, when adjusted for inflation, Florida's TANF benefit levels have dropped more than 41 percent.³⁶

Concerning the well-being of children and families, policymakers continue to allow the Temporary Assistance for Needy Families (TANF) program to languish.

Fortunately, through ARPA, Florida has an additional \$35 million in Pandemic Emergency Assistance (PEA) funds for TANF. This is an extraordinary opportunity to supplement cash assistance to TANF participants and help them meet pandemic-related expenses. However, Florida must spend this money by September 30, 2022, or it may be reallocated to other states.³⁷

Although Supplemental Nutrition Assistance Program (SNAP) benefits have decreased statewide due to rising food costs and the expiration of pandemic-related enhancements, policymakers did not include direct relief to SNAP recipients in the budget. Furthermore, policymakers are taking few steps to address food insecurity statewide, provide public assistance recipients with meaningful benefit levels, or educate and train public assistance recipients with the skills they need to get and keep good-paying jobs.

→ Budget

Table 2. Health and Human Services Budget

HEALTH AND HUMAN SERVICES BUDGET					
		FY 2022-23 Budget			
	FY 2021-22 Budget	House	Senate	GAA	Post-Veto GAA FY 2022-23
Appropriation Amount	\$44,562,737,298	\$47,058,700,000	\$47,867,200,000	\$48,909,400,000	\$48,844,402,903
Difference from Previous Year Budget		+\$2,495,962,702	+\$3,304,462,702	+\$4,346,662,702	+\$4,281,665,605

The total Health and Human Services (HHS) budget is \$48.8 billion, an increase of \$4.3 billion from the FY 2021-22 budget. (See Table 2.) Within HHS, Florida's Medicaid program, which is administered by the Agency for Health Care Administration (AHCA), accounts for approximately \$37.6 billion (77 percent) of the entire HHS budget — nearly 8 of every 10 dollars in the HHS budget end up going to ACHA for Medicaid-related expenditures. AHCA uses most of these Medicaid funds, about \$25 billion, for the Statewide Medicaid Managed Care program, which is responsible for providing care to over 4 million beneficiaries.³⁸ Finally, more than 60 percent of the Medicaid budget is financed through federal funding. Due to COVID-19, the federal government gave Florida an enhanced FMAP to support higher caseloads, which led to an increase in Medicaid funding and, consequently, an increase in the HHS budget during the pandemic.

Unfortunately, the Legislature's decisions to not expand Medicaid, reduce the Statewide Medicaid Managed Care Long Term Care (SMMC-LTC) waitlists, and fully fund behavioral and public health programs are short-sighted. Furthermore, vital services needed to meet Florida's growing population of older adults, children, and people with disabilities remain seriously underfunded.

Medicaid Caseload

The budget includes full funding for Medicaid caseloads. Per Florida's Social Services Estimating Conference, Medicaid caseloads will remain at about 5 million in FY 2022-23.³⁹ However, it is crucial to note that Florida has been receiving and will continue to receive increased federal Medicaid dollars during FY 2022-23 under FCCRA for the duration of the federal public health emergency. As a condition of receiving the additional federal dollars, since March 2020, the state has agreed to not terminate coverage for most beneficiaries and to not cut eligibility or make it harder to enroll or retain coverage.

KidCare

The budget fully funds caseloads in the KidCare programs (Florida Healthy Kids, MediKids, and Children's Medical Services) at \$495 million,⁴⁰ including \$363 million in federal funds. However, this is a reduction of \$59 million from the FY 2021-22 budget due to declining enrollment in KidCare programs. As of May 2022, there

were 114,339 children enrolled in these programs, a decline of over 44,000 since May 2021.⁴¹ Enrollment has significantly dropped during the pandemic due to the recession and resulting job losses, with a portion of children being shifted to Medicaid. Conclusively, projected lower enrollment for FY 2022-23 and an enhanced federal match under FFCRA have reduced the need for state funding.

Medicaid Eligibility/Service Cuts

The budget does not include cuts to Medicaid eligibility requirements nor benefits. However, policymakers did cut funds from the critical care fund program, which provides supplemental Medicaid reimbursement to certain hospitals. This could disproportionately impact safety net hospitals' capacity to serve uninsured and underinsured people and Medicaid beneficiaries. (See *Hospital Medicaid Reimbursement*.)

Canadian Prescription Drug Importation Program

The post-veto GAA includes a \$15 million appropriation for AHCA to administer the Canadian Prescription Drug Importation Program.⁴² Florida law authorizes the state to purchase prescription drugs from Canada for use in various state programs,⁴³ including Medicaid. The budget also authorizes the Agency for Persons with Disabilities, Department of Children and Families, Department of Health, and the Department of Corrections to transfer funding to purchase medications through the importation program. In November 2020, the Pharmaceutical Research and Manufacturers of America filed a lawsuit to stop these initiatives in Florida and other states. Before starting the program, Florida must get federal approval of its plan, which has not happened to date.⁴⁴

Hospital Medicaid Reimbursement

The post-veto budget includes elimination of about \$300 million in critical care program funding for services offered by 28 safety-net hospitals. The post-veto GAA⁴⁵ does include additional funding for certain children's hospitals (\$84.8 million) and cancer hospitals (\$156.2 million), as well as funding for hospital "outlier payments" (\$50 million). Outlier payments are made when the estimated hospital cost for an admission far exceeds normal reimbursement.⁴⁶

Policymakers continue to rely on multiple other supplemental payment programs, like the Disproportionate Share Hospital and Low Income Pool (LIP) programs, to support hospitals and other health care providers.⁴⁷ Most of these programs rely on local entities to raise the state share of Medicaid funding required to draw down federal funds. If the total state share is not raised, the amount of federal funding is reduced.

Policymakers continue to rely on multiple other supplemental payment programs, like the Disproportionate Share Hospital and Low Income Pool (LIP) programs, to support hospitals and other health care providers.

For example, for multiple years, both budgets have included a \$1.5 billion appropriation for the LIP program,⁴⁸ which provides supplemental funding for mainly uncompensated hospital care costs. In past years, the state has not been able to access the entire \$1.5 billion allotment because the full state match portion has not been

raised through intergovernmental transfers (IGTs). For FY 2020-21, only \$1 billion of the \$1.5 billion LIP dollars were paid out.⁴⁹

Hospital rate cuts underscore the ongoing challenges of unpredictable year-to-year funding to sustain sufficient hospital capacity to meet the needs of Medicaid beneficiaries and other underserved communities. If Florida lawmakers chose to expand the state's Medicaid program, there would be millions more in stable federal funding available to support hospitals.⁵⁰

Health Care Worker Wage Increases

The post-veto GAA also includes a \$15-per-hour minimum wage for health care employees working for Medicaid providers.⁵¹ AHCA is required to enter into a supplemental wage agreement with each provider, including an attestation that “every employee of the provider as of October 1, 2022, will be paid at least \$15 per hour.” Beginning January 1, 2023, employees of providers that have received an increased rate who are not receiving a wage of at least \$15 per hour will have a right to sue and obtain damages and attorneys' fees.

Medicaid Institutional Care

The budget includes a 7.8 percent increase in Medicaid reimbursement rates for nursing homes, amounting to an additional \$293 million in funding.⁵² The funding increase will allow nursing homes to increase their employee pay with all staff wages moving to a \$15 per hour minimum as of October 1, 2022.⁵³ Similar to prior years, the post-veto GAA authorizes AHCA to transfer funds appropriated for nursing home care to the Statewide Medicaid Managed Care Long Term Waiver to move from nursing home care to community-based alternatives, such as staying in one's own home or residing in an assisted living community.

The budget also includes a \$15-per-hour minimum wage for health care employees working for Medicaid providers.

Medicaid Expansion

Policymakers failed to include in the budget funding that would expand Florida's Medicaid program, even though doing so could benefit more than 800,000 uninsured adult Floridians and save lives.⁵⁴ Moreover, a large and growing body of research shows that Medicaid expansion would save state dollars and provide fiscal gains well beyond the cost of expansion.⁵⁵ In addition, ARPA provides a substantial financial incentive for states to expand their Medicaid programs. With these incentives, if Florida expanded Medicaid, the state could draw down an additional \$3 billion to \$3.5 billion in federal dollars over a two-year period.⁵⁶

Community Mental Health and Substance Use Disorder Services

The Department of Children and Families administers funding for community mental health and substance use disorder (SUD) service, collectively referred to as behavioral health services, through seven not-for-profit regional managing entities.⁵⁷ This funding is directed to their safety net program serving uninsured or underinsured people.

A substantial portion of funding supporting this safety net program comes from two federal block grants: the Community Mental Health Block Grant and the Community Substance Abuse Block Grant. The post-veto budget includes additional non-recurring block grant funding due to federal COVID relief; specifically, \$54.2 million for community mental health services and \$54.5 million for SUD services.⁵⁸

The post-veto budget also includes nearly \$126.3 million in additional recurring state funds for community behavioral health services.⁵⁹ Funds are prioritized for expanding crisis services through community-based interdisciplinary teams, including mobile response teams (MRTs). Notably, the post-veto budget does not include federal Medicaid funding currently available to states under federal COVID relief for support of MRTs. If the state decided to take up this option and leverage its current state investment, it could bring millions of additional matching federal dollars into the state for MRTs.⁶⁰ Overall, the \$1.1 billion FY 2022-23 budget for community mental health and substance use disorder services exceeds the FY 2021-22 budget by \$56.5 million.⁶¹

Despite this increase, policymakers continue to rely on substantial non-recurring funds for recurring needs, such as substance abuse treatment. When these non-recurring dollars are exhausted, it will create a funding and treatment “cliff” unless policymakers appropriate state funds to continue the increased service capacity. This creates uncertainty for providers on their capacity to keep delivering services and uncertainty for consumers as to whether they will have access to ongoing treatment. Also, the post-veto budget fails to significantly increase investment in preventative behavioral health care. Without the availability of these services, more people are forced into “crisis” care as the only way to access treatment.

Despite [\$126.3 million in additional recurring state funds for community behavioral health services] policymakers continue to rely on substantial non-recurring funds for recurring needs, such as substance abuse treatment.

The post-veto budget does, however, increase funding for school-based mental health services, as provided for under the 2018 Marjory Stoneman Douglas Act, from \$120 million to \$140 million.⁶²

Home- and Community-Based Services (HCBS)

Massive waitlists and slight annual increases for HCBS have left thousands of Floridians languishing without care for years. Since the COVID-19 pandemic hit, the demand for HCBS has increased substantially, especially among older, homebound adults. Investing more in these programs now can help offset taxpayer costs in the long term. Usually, as older adults wait to receive services, they spend down what little savings they have, gradually becoming eligible for Medicaid. At this stage of life, health care is the most expensive. Investing in preventative HCBS programs can reduce the need for other more costly services, such as institutional care.

Current waitlists include all seniors/people with disabilities who have been screened by the appropriate Aging and Disabilities Resource Center or the Agency for Persons with Disabilities (APD) and determined to need services.

Compared to FY 2021-22 levels, the post-veto budget for FY 2022-23 adds:

- **\$59.5 million to serve approximately 1,120 individuals on the APD waiver waitlist.**⁶³ There are 22,759 individuals on the waitlist.⁶⁴ APD provides a wide array of medical, social, behavioral, and residential services to individuals whose daily lives are severely hindered by a developmental disability present before adulthood.
- **\$12 million to take approximately 1,000 people off the Alzheimer’s Disease Initiative (ADI) waitlist.**⁶⁵ The ADI waitlist stands at 11,277 Floridians.⁶⁶ ADI is a Department of Elder Affairs (DOEA) program that provides respite and support services to family caregivers of individuals living with Alzheimer’s disease and similar cognitive disorders.
- **\$9 million to take approximately 1,000 people off the waitlist for the Community Care for the Elderly (CCE) program.**⁶⁷ The CCE program waitlist stands at 64,695 Floridians.⁶⁸ CCE is a DOEA program that provides a continuum of care (e.g., case management, personal care, homemaking, adult day care) to functionally impaired seniors, especially those referred to Adult Protective Services for risk of abuse, neglect, or exploitation.

There is no additional funding to take people off the waitlist for the SMMC-LTC program. The SMMC-LTC waitlist includes 54,522 Floridians.⁶⁹ This program provides the most robust package of long-term care services. Notably, for every dollar the state spends on SMMC-LTC, it receives \$1.56 in federal reimbursement. Plus, the state is currently receiving an even higher federal match for the duration of the federal COVID-19 public health emergency.

Also, there is no additional funding to take people off the Home Care for the Elderly (HCE) waitlist. The HCE has a waitlist of 15,727 Floridians.⁷⁰ HCE is a DOEA program that provides subsidies to individuals caring for seniors in a private home setting.

Table 3. HCBS Waitlists

HCBS WAITLISTS					
		FY 2022-23			
Type of HCBS	Size of Waitlist*	FY 2021-22 Budget	House	Senate	Post-Veto GAA
Agency for Persons with Disabilities (APD) waiver	22,759	1,900	789	0	1,200
Alzheimer’s Disease Initiative	11,277	244	500	575	1,000
Community Care for the Elderly Program	64,695	501	539	855	1,000

Home Care for the Elderly Program	15,727	146	0	0	0
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* Waitlist numbers accessed via the Florida Council on Aging.⁷¹ Estimates for how many additional people will be served are based on the estimated cost of \$9,090 per individual for CCE and \$12,006 per individual for the Alzheimer’s Disease Initiative.⁷² APD numbers are based on what Gov. DeSantis is using as a cost per person estimate in his proposed budget: that is \$53,125 per person.

Public Health Funding

The post-veto budget continues to fund county health department services at \$1 billion.⁷³ Despite the increased demand of the pandemic, there is no additional funding for staff. Since 2010, 3,500 positions have been slashed from county health department budgets.⁷⁴

Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) is a federally funded program that provides healthy food and one-on-one nutrition counseling to low-income pregnant, breastfeeding, and non-breastfeeding postpartum mothers, along with infants and children under the age of five at nutritional risk. Unfortunately, WIC participation of *eligible* families has been on a steady decline for years. In 2021 alone, participation in WIC declined by almost 15,000 people in Florida despite increased food insecurity and the need created by the pandemic.⁷⁵ The FY 2022-23 budget keeps funding for Florida’s WIC program at \$251 million,⁷⁶ the same level as FY 2021-22. This funding comes exclusively from the federal government.

WIC holds the promise of a healthier future for low-income infants and children in Florida. The WIC program is associated with better overall health outcomes for infants and children nutritionally at risk. The program is also associated with reducing low-birth-weight rates and improving fetal and cognitive development. In addition to giving low-income children access to a more nutritious diet, WIC plays a role in improving school performance. However, if the participation of eligible families in the program continues to shrink, that promise will not be realized.

The decline in WIC participation calls for funding of collaborative strategic planning by lawmakers, state agencies, and health professionals, alongside eligible families, to explore impediments to participation and effective workable solutions. Because many otherwise eligible families are not being served, Florida should be investing funds from general revenue to explore specific reforms and analyze barriers that keep eligible families from participating in the program.

Temporary Assistance for Needy Families (TANF)

The TANF program helps families with very-low income make ends meet by providing them cash assistance to pay for subsistence needs like toothpaste, diapers, rent, and utilities.

The FY 2021-22 budget included an appropriation of \$127 million for TANF cash assistance payments. In comparison, through the post-veto budget, policymakers are decreasing funding for TANF payments by almost \$11 million.⁷⁷ While DCF has identified a reduction in TANF as a potential cut in the event of revenue shortfall,⁷⁸ DCF cautions against implementing the cut because of the adverse impact on critical safety net programs and services, which are already operating at capacity.

Florida lawmakers have kept TANF payments at the same level for almost three decades. As a result, inflation has eroded the payment value by about 41 percent. The maximum TANF benefit for families in Florida — \$303/month for a family of three — is under 17 percent of the poverty level, which is not enough for families to make ends meet.⁷⁹

Just this year, the 2022 Legislature, using TANF money,⁸⁰ increased payments to people caring for children who have been removed from their parents under court order. However, lawmakers did not increase TANF cash benefits to parents who need help to keep their families together.⁸¹

Although increasing money available to care for children who need help the most is a good investment, laws that only provide for better care of children after they are removed from their parents are the antithesis of family friendly. Unless Florida acts, TANF benefits for families will only continue to fall further below poverty—to the detriment of children whose most basic needs go unmet.

Florida lawmakers have kept TANF payments at the same level for almost three decades.

Due to stagnant cash assistance levels, Florida's TANF program is not fulfilling its intended purpose of promoting economic self-sufficiency and providing families the temporary help they need in hard times to keep their children out of foster care. Lawmakers should increase TANF payment levels to meet children's basic needs in families with low income.

The TANF-linked Pandemic Emergency Assistance (PEA) Fund included in ARPA may help to temporarily alleviate some of the hardships that TANF participants are experiencing during the pandemic. The PEA Fund provides the state with more than \$35 million to meet the emergency needs of struggling families with children. Although Florida has not yet distributed these funds to eligible families, DCF announced that it plans to use a portion of its PEA to provide clothing allowances to children in need, including children participating in TANF.⁸²

The post-veto budget does not include adequate investment in meaningful supports for TANF recipients to improve their education or build skills for stable employment. In the TANF program, most recipients who do not have a disability must participate in the TANF Employment and Training (E&T) program as a condition of eligibility unless they have a good reason to be excused. Nonetheless, many Floridians in TANF E&T either do not get the targeted education and training necessary to boost their employability, or they lose their assistance when significant obstacles, such as health problems or lack of child care and transportation, keep them from being able to attend the program.⁸³ The program should provide robust work supports targeted to

the needs of the individual family instead of terminating cash assistance when barriers are insurmountable or subjecting participants to cookie-cutter E&T assignments.

Veterans and the Military

The post-veto budget includes an increase in funding for the Department of Veterans' Affairs (FDVA), which assists veterans in accessing benefits and operates long-term care facilities for veterans in Florida. While previous funding for DVA was \$153 million, the post-veto budget increases FDVA funding to \$171 million.⁸⁴

The post-veto budget also includes an increase in funding for the Department of Military Affairs (DMA) at roughly \$75 million,⁸⁵ up from its previous level of just under \$70 million for FY 2021-22.⁸⁶ As part of DMA's appropriation, the Legislature funds the National Guard Tuition Assistance (NGTA) program at just over \$5 million,⁸⁷ an increase of over \$1 million from the previous fiscal year's funding level. The NGTA assists National Guard members who are seeking undergraduate or certain postgraduate degrees.

FY 2022-23 Final Post-Veto Budget:

PUBLIC SAFETY & CORRECTIONS

→ Current Landscape

Florida's Department of Corrections (DOC) is the third-largest state prison system in the country. In fact, Florida's incarceration rate is higher than all 13 founding North Atlantic Treaty Organization (NATO) countries: the USA, Canada, and the 11 European countries. Since 1996, the number of people serving 10 or more years has tripled. As a result, the state has not adequately responded to the costs and needs associated with its incarcerated population. Inmates' health costs have significantly increased, which caused the department to experience a significant budget deficit in FY 2018-19. However, due to the impact of COVID-19, Florida's prison population has seen a substantial drop in FY 2020-21.⁸⁸ Despite the decrease, the DOC continued to face major challenges; illustratively, former DOC Secretary, Mark Inch, has reported that the department is in "crisis" with several vacant security posts, a severe staff shortage, and insufficient funds to fully cover the salaries of all authorized positions.⁸⁹ According to a report from the state Criminal Justice Estimating Conference, Florida's prison population is projected to be 85,450 by the end of FY 2022-23 and gradually reach 92,369 by the end of FY 2026-27.⁹⁰ Consequently, the challenges DOC is grappling with will undoubtedly intensify unless the Legislature enacts the appropriate measures to provide relief.

→ Budget

Table 4. Public Safety & Corrections Budget

PUBLIC SAFETY & CORRECTIONS BUDGET					
		FY 2022-23 Budget			
	FY 2021-22 Budget	House	Senate	GAA	Post-Veto GAA FY 2022-23
Appropriation Amount	\$5,216,002,465	\$5,254,300,000	\$7,035,100,000	\$6,257,100,000	\$5,387,513,926
Difference from Previous Year Budget		+\$38,297,535	+\$1,819,097,535	+\$1,041,097,535	+\$ 171,511,461

Department of Corrections

The post-veto budget increases funding for DOC to \$2.96 billion,⁹¹ roughly \$64 million more over the FY 2021-22 funding level. DOC's budget has grown by 29 percent since FY 2014-15. The department has been dealing with the increasing need to ensure staff safety, fill up various vacancies, and upgrade transportation and building infrastructure. The post-veto budget does not include substantial relief for the most critical issues DOC facilities have been experiencing for the past decade: understaffing, shortage of educational teachers, and maintenance. A significant portion of DOC's budget over the last two fiscal years has gone toward funding

treatment of Hepatitis C, mental health, and compliance with the Americans with Disabilities Act as ordered by a court mandate. As a result, critical reentry programs have been consistently underfunded.

Inmate Education

The post-veto budget recommends \$43 million for basic education skills,⁹² roughly the same as the previous year. This is alarming given that hiring and retaining quality teachers has been a persistent issue for the department for years. Notably, a facility of 1,500 people only had one or two teachers.⁹³ Without additional dollars, it will be difficult, if not impossible, to fill the gap in educational and vocational programming. Nearly 73 percent of the state's incarcerated population younger than 22 years of age do not have a high school diploma, nor a GED (i.e., a General Education Development degree). The lack of educational resources has left many individuals idle, which the department considers a contributor to violence in the facilities.⁹⁴

Maintenance and Repairs

The Florida Legislature initially included roughly \$1 billion for maintenance and repair projects at correctional facilities, an overwhelming increase over the previous year budget of \$207 million.⁹⁵ This included a \$645 million appropriation to build a 4,500-bed correctional institution, and \$195 million for the construction of a 250-bed hospital unit for elderly incarcerated people.⁹⁶ However, the governor vetoed the projects and another \$10 million for planning and design, which totaled \$850 million vetoed. Consequently, the signed budget allocates \$193 million, a sizable \$14 million cut, to maintenance in repair.

The difference in funding levels between the previous year and FY 2022-23 is important because a reduction in funding means delaying critical improvements that DOC has been waiting on to help with an aging population — who has mounting health complications — and deteriorating building infrastructure. Illustratively, several of the state's institutions were built more than five decades ago and are in dire need of renovations. For instance, Cross City Correctional Institution was ordered shut in 2021 due to flooding. Additionally, out of DOC's 623 housing units, only 150 of them have air conditioning, which creates unbearable living conditions during Florida's summers. Furthermore, due to Florida's 85 percent rule, which requires that incarcerated people complete 85 percent of their sentence, people are spending more time in prison. This has led to a large elderly population that requires specialized health care.

... due to Florida's 85 percent rule, which requires that incarcerated people complete 85 percent of their sentence, people are spending more time in prison. This has led to a large elderly population that requires specialized health care.

Health Care

The post-veto budget includes \$568 million for inmate health care services,⁹⁷ about the same amount as the previous fiscal year's funding. For the past two years, the department's health care has remained relatively the same. This is primarily due to the state winning a court appeal that sought to challenge an existing court mandate that required treatment for all inmates who have been diagnosed with Hepatitis C, regardless of the

stage of their diagnosis. Specifically, a judge has ruled that the state can delay treatment for those who are in the early stages of their diagnosis. Following the decision, in FY 2020-21, the governor vetoed \$28 million for Hepatitis C treatment for individuals who have been diagnosed and are at level F0-F1, or the early stage of their diagnosis.⁹⁸

Security and Institutional Operations

The post-veto budget includes an allocation of \$1.6 billion for all four types of custody operations:

- adult male custody (\$890 million)⁹⁹ ;
- adult and youthful offender female custody (\$92 million)¹⁰⁰ ;
- male youthful offender custody (\$48 million)¹⁰¹; and
- specialty correctional institution (\$579 million).¹⁰²

The post-veto GAA includes almost \$20 million to increase the salaries of correctional officers who are in privately-operated correctional facilities. Furthermore, there is \$2.4 million appropriation to offer enhanced in-prison and post-release recidivism reduction programs at three correctional facilities.¹⁰³ The post-veto GAA also provides funds for the department to continue its retention step plan, which involves the department converting shifts for correctional officers, correctional probation officers, and inspectors from 12 hours to 8.5 hours.

Community Supervision

Community supervision is a part of community corrections where some who are justice-involved are serving their time out in the community under the supervision of probation officers. Community supervision receives approximately \$243 million in the post-veto GAA,¹⁰⁴ a \$3 million increase over the previous year's funding level of \$240 million. Additionally, the budget includes a \$26 million investment in community substance abuse prevention and evaluation,¹⁰⁵ the same as in FY 2021-22.

Department of Juvenile Justice

The Department of Juvenile Justice (DJJ) receives \$606 million in the post-veto GAA,¹⁰⁶ roughly \$20 million more than FY 2021-22 funding of \$586 million.

The budget includes almost \$128 million for detention centers.¹⁰⁷ From this funding, the DJJ is mandated to conduct a comprehensive statewide review of county-level data, including a gap analysis of services and programs available across all counties in the state, to evaluate the implementation of juvenile justice policies at the county level. Specifically, \$1.6 million is allocated to initiate maintenance and repair of detention centers in the Broward, Hillsborough, and Palm Beach areas.

The post-veto GAA also provides funds for the department to continue its retention step plan, which involves the department converting shifts for correctional officers, correctional probation officers, and inspectors from 12 hours to 8.5 hours.

Community supervision receives almost \$6 million in additional funds,¹⁰⁸ for a total allocation of \$99 million. The post-veto GAA includes \$4 million to help the department provide alternative services to youth who are at risk for commitment,¹⁰⁹ and another approximately \$4 million to offer vocational and educational services that would support at-risk youth in their transition from residential commitment programs to their community.¹¹⁰

Additionally, the post-veto GAA includes \$115 million for non-secure residential commitment,¹¹¹ substantially more than FY 2021-22 funding of \$109 million. Secure residential commitment receives \$74 million.¹¹² To address the persisting issue of high staff turnover and noncompetitive pay, the post-veto GAA includes \$298 million to raise the hourly wages of employees of secure and nonsecure residential program providers and employees of prevention and intervention program providers to at least \$15 per hour.¹¹³

The FY 2022-23 budget includes \$102 million for delinquency prevention,¹¹⁴ a \$10 million increase from the previous fiscal year. This is a step in the right direction, as in FY 2021-22, the governor vetoed \$1.8 million from delinquency prevention such as diversion programs, which have been effective as an alternative to juvenile arrests.¹¹⁵ They provide innovative and hands-on approaches to help divert at-risk kids from delinquent behavior. Additionally, diversion programs offer great fiscal benefits for the state in the long run. This year, the governor only vetoed \$820,000.¹¹⁶

FY 2022-23 Final Post-Veto Budget:

EDUCATION

→ Budget

Table 5. Education Budget

EDUCATION BUDGET					
	FY 2022-23 Budget				
	FY 2021-22 Budget	House	Senate	GAA	Post-Veto GAA FY 2022-23
Appropriation Amount	\$30,088,215,350	\$28,025,900,000	\$28,438,900,000	\$29,268,400,000	\$29,048,911,293
Difference from Previous Year Budget		-\$2,062,315,350	-\$1,649,315,350	-\$819,815,350	-\$1,039,304,057

→ Current Landscape

The end of the 2022 legislative session marked two years since the pandemic began, with businesses shutting down, people being laid off from their jobs, and others taking their work home. Parents who could transition to a home work environment frequently had to simultaneously supervise their children's education or care for very young children. In late 2020 and 2021, stimulus payments helped to offset income loss to some extent, and the federal government provided a large infusion of funds to jumpstart a recovery, including support to education from pre-K through post-secondary education. (See *Figure 6.*) By the second half of 2021, schools resumed in-person learning, and families began receiving monthly Child Tax Credit payments.

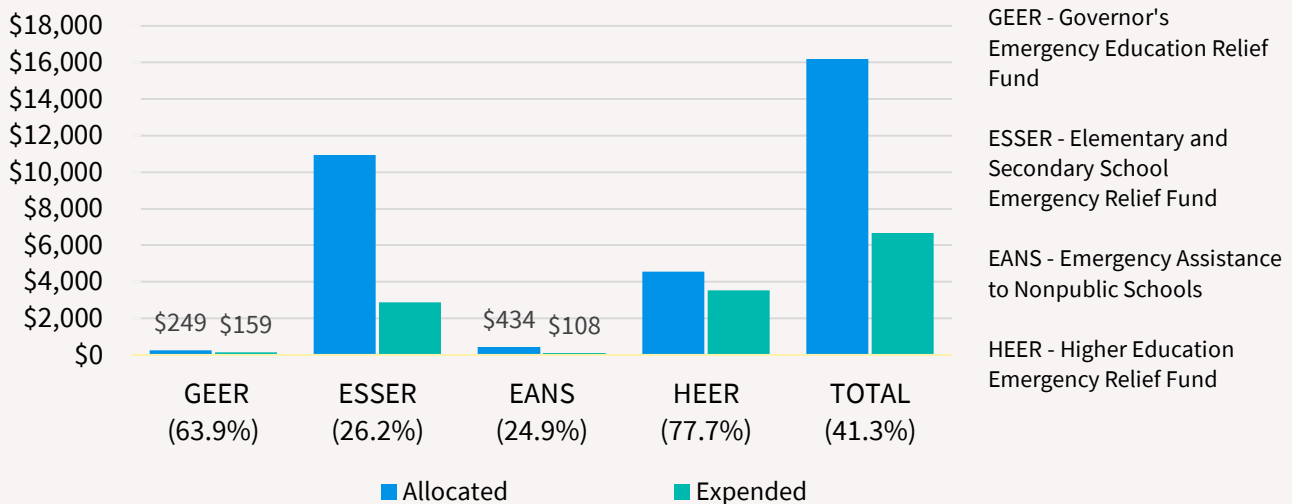
However, full recovery has proven elusive. Not all child care centers reopened or reopened at full capacity due to staffing shortages and COVID-related shutdowns. Schools similarly struggle with staff shortages among teachers and support staff. Critical shortages of special educators, which predated the pandemic, became more acute. Support staff, such as bus drivers, are also in drastically short supply. As with early childhood education, pre-existing shortages were exacerbated by quarantine-related absences. In higher education, undergraduate enrollment declined in both 2020 and 2021, with students of color being most affected¹¹⁷ and, like younger students are struggling academically¹¹⁸ and with their mental and physical health¹¹⁹. Still, funding for education in the post-veto GAA is more than \$1 billion less than it was in FY 2021-22. (See *Table 5.*)

In 2020 and 2021, the federal government passed three relief laws that infused the state's child care and education system with billions of supplemental dollars to support the needed response to the pandemic and address revenue drops. Between the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES), the 2020 Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), and the 2021 American Rescue Plan (ARPA), K-12 and higher education systems received \$16.1 billion, with \$3.3 billion allocated for

early learning and child care. If the entire amount was allocated in FY 2022-23, this \$19.4 billion allotment would represent 67 percent of total funding for education in the post-veto GAA.

Figure 6. Federal Covid Relief Significantly Bolstered Florida Education Funding

Total Florida allocations for education funds across CARES, CRRSA, and ARP Acts of 2020 and 2021 (in millions)



Source: US Department of Education Stabilization Fund.

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Across the three funds in the Education Stabilization Funds — CARES, CRRSAA and ARPA — \$6.7 billion (41.2 percent) had been expended as of April 30, 2022. (See *Figure 6*.) Not surprisingly, 92.3 percent of CARES funds, the earliest federal relief package, has been expended for elementary and secondary schools (ESSER funds) and workforce development (GEER funding).¹²⁰ Plans to allocate the remaining ESSER funds are fully approved by the United States Department of Education (USDOE). Funding was also made available for non-public schools under the CRRSAA (EANS funds), of which 54.2 percent has been expended. There have been no expenditures or encumbrances of the EANS funds under the American Rescue Plan at the end of April 2022.

Higher Education Emergency Relief Funds (HEERF), which combine CARES, CRRSAA and ARPA funds, were awarded directly to institutions in both the Florida College System and State University System (SUS). Seventy-eight percent of this \$4.6 billion in funding has been expended to date. (See *Figure 6*, above.)

EARLY CHILDHOOD AND PRE-K-12 EDUCATION

→ Current Landscape

Florida voters passed a constitutional amendment in 2002 that mandated the state provide free, quality, universal voluntary pre-Kindergarten (VPK). The program pays for three hours of educational programming a day for four- and five-year-old children. There is no income eligibility; 72 percent of eligible four-year-old children in the state attend VPK, one of the highest participation rates in the country.¹²¹ However, many families find themselves struggling to pay for the remainder of each day's services. Florida's per-student VPK spending ranks 41st out of the 43 states that offer free VPK.¹²² Three hours a day is hardly enough for robust, quality education for children. The amount Florida spends per child for high-quality, full-day preschool is \$5,000 less than what is required.¹²³

Florida's School Readiness Program offers financial assistance to low-income families for early education so parents can work, and their children will be prepared for school. Most of the funding comes from the federal Child Care and Development Block Grant (CCDBG) as well as general revenue and other federal funds. The program is available to families with income below 150 percent of the federal poverty level; most counties have waiting lists for participation. Even pre-pandemic, many Florida families were unable to access School Readiness vouchers to assist with the ever-increasing cost of child care. In FY 2020, there were 19,000 children on the waiting list.¹²⁴

The pandemic has dramatically altered the landscape for child care in the state and the nation. Many of Florida's centers shut their doors in spring of 2020 and then reopened with support of CARES Act dollars administered through the state, which prioritized serving children of first responders and paying providers according to enrollment instead of attendance, girding against the worst predictions about the sector from early in the pandemic.¹²⁵ Child care advocates still express worry about the fiscal pressure due to drops in enrollment, which have yet to rebound, and are hopeful the state continues to support providers in a flexible manner. The Division of Early Learning (DEL) has already distributed \$1.3 billion of the total appropriation of CARES, CRRSA supplemental and ARPA Discretionary and Supplemental child care support dollars, a total of \$3.3 billion.

Even pre-pandemic, many Florida families were unable to access School Readiness vouchers to assist with the ever-increasing cost of child care. In FY 2020, there were 19,000 children on the waiting list.

→ Budget

Voluntary Pre-Kindergarten (VPK)

Table 6. Voluntary Pre-Kindergarten Budget

VOLUNTARY PRE-KINDERGARTEN BUDGET					
		FY 2022-23 Budget			
	FY 2021-22 Budget	House	Senate	GAA	Post-Veto GAA FY 2022-23
Appropriation Amount	\$408,568,112	\$408,607,569	\$402,137,694	\$553,417,542	\$553,417,542
Difference from Previous Year Budget		+\$39,457	-\$6,430,418	+\$144,849,430	+\$144,849,430
VPK Per-Pupil School Year Funding	\$2,486	\$2,526	\$2,486	\$2,803	\$2,803
Difference from Current Year Per-Pupil School Year Funding		+\$40	0	+\$317	+\$317

The total allocation for Voluntary Pre-Kindergarten (VPK) in the post-veto GAA is \$144 million more than it was in FY 2021-22; additionally, the per-pupil funding level is increased to \$2,803 for the school year base student allocation and \$2,393 for the summer program.¹²⁶ The state's VPK enrollment was 146,132 in January 2022 and is expected to decrease by 17,944 at the end of the 2022-23 school year. This is the second year in a row of declining enrollment due to the pandemic.¹²⁷

While this is an important increase of 35 percent for VPK, it includes \$100 million in non-recurring funds. This allocation is meant to offer VPK providers additional base student allocation funds if they apply to the Division of Early Learning and “submit an attestation confirming that within 30 days of receiving this additional funding, all VPK personnel employed by the provider or public school will receive wages of at least \$15.00 per hour for VPK duties.”¹²⁸ Since the post-veto GAA commits nonrecurring funds, it remains to be seen: (1) how many VPK providers will apply to receive the additional funds in exchange for the wage increase; (2) whether the \$100 million is enough to cover the minimum wage increase ahead of 2026; and (3) supposing \$100 million is not enough, if policymakers will include more nonrecurring funds for the same purpose in future GAAs.

School Readiness Program

Table 7. School Readiness Program Budget

SCHOOL READINESS PROGRAM BUDGET					
	FY 2021-22 Budget	FY 2022-23 Budget			
		House	Senate	GAA	Post-Veto GAA FY 2022-23
Appropriation Amount	\$938,635,276	\$932,877,228	\$932,877,228	\$1,079,034,998	\$1,079,034,998
Difference from Previous Year Budget		-\$5,758,048	-\$5,758,048	+\$140,399,722	+\$140,399,722

The post-veto GAA increases School Readiness Program funding by \$146 million, which provides much needed and requested access to the program overall. Non-recurring funds in the amount of \$30 million will be available to expand eligibility to families at 200 percent of the federal poverty level or 85 percent of the state median income. Local Early Learning Coalitions (ELCs) must provide matching local funds to draw down this allocation. To address waiting lists for School Readiness, \$72 million is specifically allocated for this purpose. To further address waiting lists that exist in many places, authority is also provided to the Division of Early Learning to reallocate School Readiness dollars from ELCs who do not have eligible children on the waiting list to those that do. While the expansion is much needed, the use of non-recurring funds means that the sustainability of the added capacity is not guaranteed.

K-12 EDUCATION

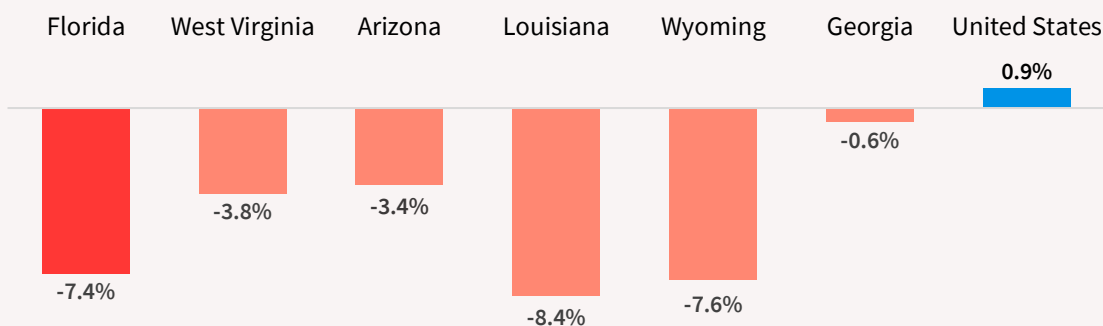
→ Current Landscape

Providing quality education to all of Florida's students is a core constitutional responsibility of state government and critical to economic growth. Adequate state funding for education provides the foundation for students to compete in an ever-changing economy, and it helps to attract highly qualified teachers and maintain the equity and fairness of Florida's education system. In the wake of the Great Recession, many states cut education funding dramatically after state and local revenues plummeted. Increasing teacher pay has been a focus of policymakers over the last few years, and the post-veto GAA allocates funds to increase teacher pay. The increase is much needed, as even with increases over the last few years, Florida currently ranks 48th in the nation for its average teacher pay of \$51,009, which is an increase of 3.8 percent since 2019-2020.¹²⁹ Florida lawmakers have cut teacher pay more than any other state from 2009 to 2018. (See *Figure 7*.)

School enrollment is beginning to rebound from decreases during the pandemic, though growth is modest. Compared to Florida's Education Estimating Conference's 2022-23 forecast for PreK-12 enrollment,¹³⁰ for the 2022-23 school year, the state estimates that public school enrollment will increase by 66,727 "full-time

equivalent” students.¹³¹The slow growth is attributed in part to the participation in the newly expanded Family Empowerment Scholarships.¹³²

Figure 7. Florida Has Cut Teacher Pay Over the Last Decade
Percent change in select state average K-12 teacher pay, inflation adjusted, FY 2011-2021



Source: Ranking of the States 2020 and Estimates of School Statistics 2021, NEA Research, National Education Association, April 2021.

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→ Budget

Table 8. K-12 Education Budget

K-12 EDUCATION BUDGET					
		FY 2022-23 Budget			
	FY 2021-22 Budget	House	Senate	GAA	Post-Veto GAA FY 2022-23
K-12 Total State Funding – FEFP	\$12,173,070,268	\$13,336,104,134	\$13,331,242,491	\$13,553,672,086	\$13,553,672,086
K-12 Total State Funding – Non-FEFP	\$293,446,867	\$252,723,548	\$294,188,078	\$563,060,900	\$485,043,652
K-12 Total Local Funding ¹³³	\$9,919,815,731	\$10,723,995,387	\$10,733,110,543	\$10,740,219,713	\$10,740,219,713
K-12 Total Federal Funding	4,264,606,313	\$2,296,233,909	\$2,296,233,909	\$2,296,233,909	\$2,296,233,909
K-12 Per-pupil Spending ¹³⁴	\$7,795	\$8,080.98	\$8,110.67	\$8,142.85	\$8,143
K-12 Base Student allocation	\$4,373	\$4,523	\$4,613	\$4,587	\$4,587

In FY 2021-22,¹³⁵ schools received 39.2 percent of their funds from state funds, 50.1 percent from local sources (including the Required Local Effort portion of Florida Education Finance Program [FEFP] funds), and 10.7 percent from federal sources.

The post-veto GAA:

- **Includes an increase in the state’s portion of the FEFP funding by \$1.4 billion over the previous fiscal year.** Local funding will also increase, as will per pupil spending and the base student allocation (BSA), which will increase by 5 percent. BSA is the most flexible spending bucket for schools and is considered the best measure for comparing year-to-year K-12 funding. Non-FEFP funding spending increased greatly as compared to SY 2021-22; however, it was also one of the largest categories of education vetoes (31 percent), many of which were member projects. Fixed capital outlay projects accounted for 51 percent of total education vetoes to colleges, universities, and public radio.
- **Includes a decrease in allocations from federal funding sources.** One explanation is that FY 2020-21 included a large infusion of COVID relief dollars appropriated in sections 1-7 of the post-veto GAA. Much of the federal funding in the FY 2022-23 budget is included in the back-of-the-bill sections, which are not included in the post-veto GAA calculations.
- **Includes an increase in funding for Mental Health Assistance.** The post-veto GAA allocates \$140 million,¹³⁶ an increase of \$20 million over the previous allocation. These funds go toward mental health services provided at K-12 schools that are desperately needed considering the declining mental well-being of teens and young adults and increases in suicide attempts.¹³⁷
- **Includes \$64.4 million in back-of-the-bill appropriations** for special facilities construction, such as building new school facilities in Bradford, Okeechobee, Calhoun, Baker, Levy, and Jackson Counties.

A Note on Jefferson County School District

It is noteworthy that the post-veto GAA includes a \$5 million non-recurring allocation of general funds to help Jefferson County “transition [from a district run by a charter company] into a fully autonomous, highly effective school district.” While the governor kept the \$5 million to help Jefferson County transition into a school district, he did veto a \$394,000 recurring allocation meant to assist the planning and implementation of the community partnership schools program in Jefferson County. Community partnership schools are founded on a partnership between schools, an institution of higher learning, community non-profit organizations and a health care provider. This model allows schools to offer comprehensive services based on the needs identified by the school and the community.*

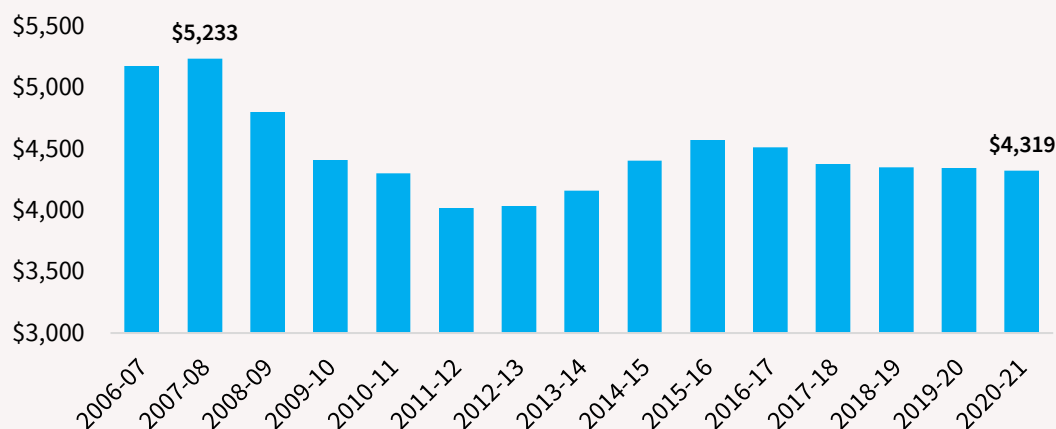
*Source: University of Central Florida, “Community Partnership Schools Model of Community School,” <https://ccie.ucf.edu/communityschools/partnership-schools/>.

Also, the increase in local funding in the post-veto GAA is largely attributable to rising property values. However, the proposed millage rates are the same as the previous fiscal year (4.354), which is a missed opportunity to increase available education funding by increasing the millage rate.

The Base Student Allocation (BSA) in the post-veto GAA, \$4,587, is an increase over last year's allocation. (See *Figure 8*). However, it still lags when adjusted for inflation. The BSA for FY 2007-08 would equal \$5,233 in today's dollars. It is worth noting that the BSA funds do not include funding from CARES, CRRSA or ARPA. The funds are intended to help school districts pay for COVID-related expenditures, make up for lost revenue, and provide services to address learning loss, which are captured outside of the post-veto GAA calculations.

Figure 8. K-12 Base Student Allocation

Inflation adjusted, 2020 dollars



Source: National Education Association.

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The post-veto GAA includes \$800 million for the Teacher Salary Increase Allocation, which has to be spent on increasing full-time teacher salaries, including certified Pre-K teachers, to a minimum of \$47,500.¹³⁸ This is the same as the previous fiscal year funding. While Florida average teacher pay is now \$49,102, average teacher pay overall ranked 49th in the nation for 2019-2020.¹³⁹ The state needs greater investment in teachers to be able to recruit and retain K-12 faculty. Doing so would not only improve the quality of life for them and their families — it would promote stability in the workforce, which enhances the academic success of all students, especially children and youth of color, who are disproportionately and adversely affected by teacher turnover.¹⁴⁰

Notably, language in the post-veto GAA also stipulates that all school personnel receive \$15 per hour minimum wage effective October 1, 2022. These funds are necessary to help school districts maintain and recruit and to start to address the large number of vacancies across all support staff and personnel categories.

HIGHER EDUCATION

→ Current Landscape

Researchers have found that the more educated a state's populace is, the higher the median wage.¹⁴¹ This makes sense on an individual level: the median wage for someone with a bachelor's degree (\$78,560) was roughly 2.1 times that of someone with a high school diploma alone (\$38,310) in 2021.¹⁴² Investments in higher education also make sense at the community level: the larger the supply of highly-skilled workers, the more attractive the community is to high-wage employers.¹⁴³ Indeed, Florida's public higher education system charges relatively low tuition. Recently, U.S. News and World Report ranked Florida number 1, in part due to low tuition.¹⁴⁴ While actual appropriations have increased over time, Florida's educational appropriations per student decreased 11.6 percent between 2010 and 2020 in inflation adjusted dollars.¹⁴⁵

→ Budget

Florida College System

Table 9. Florida College System Budget

FLORIDA COLLEGE SYSTEM BUDGET					
		FY 2022-23 Budget			
	FY 2021-22 Budget	House	Senate	GAA	Post-Veto GAA FY 2022-23
Appropriation Amount	\$1,362,458,227	1,491,677,463	\$1,342,660,850	\$1,535,063,867	\$1,527,791,744
Difference from Previous Year Budget		+\$129,219,236	-\$19,797,377	+\$172,605,640	+\$165,333,517

The Florida College System (FCS) saw a more than \$165 million increase over FY 2021-22. A recent TaxWatch report found that the FCS is a great investment for the state, students, and the economy, infusing \$9 into the economy for every dollar spent on FCS.¹⁴⁶ As was noted in the *K-12 Education* section, the post-veto GAA does not reflect the COVID relief funds allocated for higher education under CARES, CRRSA or ARPA, collectively known as Higher Education Emergency Relief Funds (HEERF) funds. The total allocation of HEERF funds in Florida totals \$4.6 billion, 77.7 percent of which have been expended as of April 30, 2022.

The post-veto GAA includes a \$20 million allocation from the GRF to the Open Door Grant program, which is intended to help students complete high-demand certification in career and technical education as well as programs in FCS. This is the same as the previous fiscal year allocation. In the back of the bill, an additional \$175.8 million in non-recurring funds was allocated for deferred maintenance projects across the state.

State University System

Table 10. State University System (SUS) Budget

STATE UNIVERSITY SYSTEM (SUS) BUDGET					
	FY 2021-22 Budget	FY 2022-23 Budget			
		House	Senate	GAA	Post-Veto GAA FY 2022-23
Appropriation Amount	\$4,845,952,728	\$5,434,302,630	\$5,315,225,550	\$5,631,383,611	\$5,625,427,435
Difference from Previous Year Budget		+\$588,349,902	+\$469,272,822	+\$785,430,883	+\$779,474,707

The post-veto GAA increases overall financial aid by more than \$11 million. Bright Futures, Florida's merit-based scholarships, decreased; however, other financial aid was increased substantially.

Student Financial Aid

Table 11. Student Financial Aid Budget

STUDENT FINANCIAL AID BUDGET					
	FY 2021-22 Budget	FY 2022-23 Budget			
		House	Senate	GAA	Post-Veto GAA FY 2022-23
Bright Futures (Merit-based scholarships)	\$623,231,360	\$620,881,057	\$620,881,057	\$620,881,057	\$620,881,057
Other Aid (Specialty scholarships, matches, and loans)	\$359,234,226	\$370,544,659	\$371,579,415	\$373,244,659	\$372,594,659
Total Student Financial Aid	\$982,465,586	\$991,425,716	\$992,460,472	\$994,125,716	\$993,475,716
Difference from Previous Year Budget		+\$8,960,130	+\$9,994,886	+\$11,660,130	+\$11,010,130

Research shows that students of color from households with low income are more likely to face barriers to academic success during their K-12 years, which can then cause them to miss out on merit-based scholarships

like Florida's Bright Futures.¹⁴⁷ Indeed, in its 23-year history, the share of Bright Futures grants going to Black students has never exceeded 7 percent.¹⁴⁸ As such, the continued emphasis on merit-based scholarships as they are currently awarded could be a further barrier to students with low income from the higher education system, adding yet another barrier to economic mobility and the shared prosperity of all Floridians.

GENERAL GOVERNMENT

→ Current Landscape

Florida continues to fall behind in promoting economic security and self-sufficiency for residents struggling to make ends meet. The erosion of the state's safety net leaves families experiencing hard times with few, if any, resources to meet their basic needs.

COVID-19 highlighted the inadequacy of the state's Reemployment Assistance (RA) program, commonly referred to as Unemployment Insurance (UI). Florida is among the states that provide the fewest unemployed workers with help for one of the shortest lengths of time and at one of the lowest benefit levels.

Florida's RA program has been broken for years, focusing more on reducing program costs than providing an adequate benefit for unemployed workers. The program was significantly scaled back in 2011. Since then, the program has ranked at or near the bottom on nearly every indicator of a robust program. In fact, Florida's reciprocity rate, which looks at the proportion of jobless workers who receive benefits, is among the worst in the country.¹⁴⁹ This particularly disadvantages Floridians of color, who have an unemployment rate roughly twice that of the average for all workers.¹⁵⁰ However, the post-veto GAA does not fund comprehensive RA reforms.

Also putting a strain on residents is the lack of affordable housing in Florida. The state ranks 7th in the nation least affordable housing markets,¹⁵¹ with only 28 affordable and available housing units for every 100 extremely low-income households.¹⁵² Previous trust fund sweeps of the Sadowski Affordable Housing Trust Fund have contributed to this shortage. Between FY 2001-02 and FY 2019-20, more than \$2.6 billion was taken from the fund and moved into the GRF to support other appropriations. However, in 2021, lawmakers approved a bill that will permanently suspend fund sweeps of the trust fund.

Florida's RA program has been broken for years, focusing more on reducing program costs than providing an adequate benefit for unemployed workers.

→ Budget

Table 12. General Government Budget

GENERAL GOVERNMENT BUDGET					
		FY 2022-23 Budget			
	FY 2021-22 Budget	House	Senate	GAA	Post-Veto GAA FY 2022-23
Appropriation Amount	\$6,291,009,192	\$7,272,400,000	\$6,672,400,000	\$7,565,200,000	\$7,439,934,281
Difference from Previous Year Budget		+\$981,390,808	+\$381,390,808	+\$1,274,190,808	+\$1,148,925,089

Increasing Minimum Wages for State and Subcontracted Workers

The final budget reflects state leaders' promise to speed up the timeline of minimum wage increases, bringing state workers to \$15 well before the rest of the state must comply with Amendment 2 (2020).¹⁵³ This ballot measure, passed in 2020, raised the minimum wage for all Florida workers — public and private — to \$10 per hour in 2021 and increases it by \$1 each year until it reaches \$15 in 2026. During the 2021 legislative session, state leaders raised the minimum wage for most full-time state workers to \$13 per hour, anticipating Amendment 2's phase-in.¹⁵⁴

Building on last year's increases, the FY 2022-23 budget brings all "eligible" state employees and those in Other Personal Services to a \$15 minimum wage on July 1.¹⁵⁵ The post-veto GAA also includes provisions that require contracted providers to bring certain employees to \$15 per hour in 2022, including voluntary pre-K (VPK) personnel,¹⁵⁶ public school district and SEED Miami employees,¹⁵⁷ direct care staff working for Medicaid providers,¹⁵⁸ juvenile detention and probation officers,¹⁵⁹ local certified rape crisis center employees,¹⁶⁰ and contracted Department of Veterans Affairs workers.¹⁶¹

Notably, the final budget includes some enforcement language to ensure employers receiving state contracts are complying with this \$15 minimum wage by January 2023, yet it is not comprehensive nor applied uniformly. The bill language specifies that those subcontracted employees eligible for the wage increase who work for Medicaid providers, in juvenile justice, or for public school districts can sue providers for noncompliance. VPK personnel can instead petition the Division of Early Learning for undue wages. No enforcement mechanism is outlined for other contracted employees.

Moreover, the state's attempt at wage enforcement does not go far enough, since lawsuits are time-consuming, costly, and not feasible for most people earning at or near the minimum wage. In addition, employees already can sue their employers for wage theft (e.g., failing to pay at least the minimum wage) per Florida law, yet wage theft persists.¹⁶² Instead, Florida should adopt a statewide wage enforcement entity, like a Department of Labor, to enforce wage and hour laws uniformly for every working Floridian.

Reemployment Assistance (RA)

Florida's RA program does not provide adequate support to hard-working Floridians who lose jobs through no fault of their own. The program provides one of the lowest benefit levels in the country, forcing applicants to wait a week before they qualify and capping aid at \$275 a week. Additionally, the program restricts the maximum number of weeks that a worker can get help to 23, and makes it harder overall for people with low earnings to qualify. Although the influx of unemployment assistance applications during COVID-19 shined a light on the program's insufficiencies, Florida's RA program has been riddled with these problems for over a decade.¹⁶³ Yet, except for reverting unexpended funds that were appropriated in the FY 2021-22 budget for modernization of RA technology back to the Florida Department of Economic Opportunity, the FY 2022-23 budget does not include funding for comprehensive reforms to the RA program.

Additionally, lawmakers do not fund a much-needed analysis of the nature of unemployment assistance claims during COVID-19 and the extent to which unemployment assistance is meeting the need of struggling Floridians.¹⁶⁴ An FPI analysis suggests that the pandemic disproportionately impacts Floridians' ability to access assistance, particularly Black and Latina/o workers, workers in poor health, and those in the service industry.¹⁶⁵ According to DEO, less than half of all claims for unemployment assistance filed by Floridians during the pandemic have been approved: out of the 6.2 million unduplicated claims, only 2.6 million have been determined eligible as of June 8, 2022. Publicly available data published on DEO's dashboard about denied claims lacks the detail necessary to understand why Floridians are being denied benefits, how many are denied, and the reasons for denial.

Notably, the final budget includes some enforcement language to ensure employers receiving state contracts are complying with this \$15 minimum wage by January 2023, yet it is not comprehensive nor applied uniformly.

Detailed data to inform state officials and the public about apparent inequities in Florida's UI program is critical to addressing unmet needs. To appropriately serve Floridians who have lost jobs during COVID-19, the state should be proactive about collecting, analyzing, and releasing detailed data. Having a better understanding of the program's impact is essential to increasing awareness among the public of common pitfalls in establishing eligibility and informing state officials who should reform laws or policies that are being wrongly applied or unnecessarily excluding eligible claimants.

Florida's Reemployment Assistance Program Remains in Dire Need of Reform

Lawmakers do not address in the FY 2022-23 budget the following ongoing issues with Florida's RA program:

- the mandate that most households file their unemployment claims electronically;
- the limitation on the number of weeks that claimants can get assistance;
- the imposition of a wait week before eligible claimants can start getting assistance;
- excessive monetary eligibility requirements that make claimants ineligible for assistance;
- the lack of an alternative base period; and
- the need to increase the taxable wage base and tax rate to fully fund Florida's RA system.

Source: Cindy Huddleston and Karen Woodall (Guest Author), "4 Steps to Fix Florida's Broken Unemployment Insurance Program," Florida Policy Institute, Oct. 6, 2020, <https://bit.ly/3Pj9Z0G>.

Supplemental Nutrition Assistance Program (SNAP)

In the post-veto GAA, it is noted that Florida received \$20 million in federal ARPA funds to support SNAP operations such as technology investments, improving service delivery, and expanding call center capacity. However, those funds are placed in reserve for the time being, despite the immediate need for initiatives to address inadequate operations.¹⁶⁶

Lawmakers also overlooked the predicament of 2.8 million SNAP participants in Florida whose food assistance was reduced after COVID-related increases to their monthly benefits ended in 2021.¹⁶⁷ (Some other states have either passed or are considering temporary state-funded supplements to SNAP to help ease the burden of loss of these enhancements on families).¹⁶⁸ Because of these reductions, most Floridians who participate in SNAP are having to make do with significantly less benefits this year, despite rising food costs.

Factors that have resulted in smaller SNAP allotments include:

- **Loss of SNAP Emergency Allotments (EAs).** The Families First Coronavirus Response Act of 2020 authorizes states to issue EAs to SNAP participants to supplement the family's SNAP benefits up to the maximum for a household of their size to alleviate the effects of the public health emergency during the pandemic. EAs, which are paid for in their entirety by the federal government, provide a minimum of \$95 in SNAP to households every month.¹⁶⁹ However, EAs are only available to people in states that have a state-declared health emergency.¹⁷⁰ Floridians participating in SNAP lost EAs last year after Florida did not extend its public health emergency past June 2021. In contrast, approximately 33 states continue to provide EAs through June 2022.¹⁷¹ (For July 2021 alone, which was the last month that Florida issued EAs, approximately 1.7 million Floridians received an estimated \$283 million in EAs.)
- **End of the 15 Percent Increase in SNAP:** Floridians lost the automatic 15 percent per month increase in SNAP that was provided under the American Rescue Plan Act to help families with food costs during COVID. This increase, which was paid for by the federal government, amounted to about \$28 per person every month in Florida.¹⁷² However, it expired nationwide in October 2021.

Although USDA increased SNAP allotment levels in 2021 for the first time since 2006, this increase, which only amounts to about \$8.38 per week per person, or roughly \$1.20 per day, is not enough to make up for the reduction in SNAP that Floridians have experienced due to the end of COVID enhancements.¹⁷³

In addition, the post-veto GAA does not increase transportation expense funding for SNAP recipients in the Employment and Training (E&T) program. Most SNAP recipients who do not have a disability or are not raising minor children are required to work or participate in the E&T program, which is intended to help recipients gain the skills they need to get and keep a job. If E&T participants need help with transportation, Florida provides up to \$25 monthly. This amount is insufficient for many of the SNAP recipients who travel back and forth to work or training. Thousands of recipients lose their SNAP as a sanction when barriers such as lack of access to transportation prevent them from participating in E&T. In 2016, as many as 58 percent of SNAP recipients — 360,000 people — who were referred to E&T in Florida lost their assistance due to nonparticipation in SNAP E&T. Notably, transportation was their biggest barrier.¹⁷⁴

The impact on recipients who lose their SNAP as an E&T sanction due to lack of transportation is anything but minimal: they will have no way to put food on the table for their families and no opportunity to take part in E&T. Florida lawmakers should raise the \$25 cap on transportation services so that all SNAP recipients have the chance for E&T.

The impact on recipients who lose their SNAP as an E&T sanction due to lack of transportation is anything but minimal: they will have no way to put food on the table for their families and no opportunity to take part in E&T. Florida lawmakers should raise the \$25 cap on transportation services so that all SNAP recipients have the chance for E&T.

Food Deserts

Floridians still have not fully recovered from the impact of COVID-19 on their ability to put food on the table, particularly in areas where it is difficult to buy affordable, nutritious food. This is due, in part, to the pandemic's effect on the capability of local supermarkets to stock their shelves, stay in business, or keep full-time hours of operation, as well as the means of food-insecure people to afford the rising costs of food or travel to full-service grocery stores or farmer's markets. In the U.S. Census Bureau's bi-weekly survey collecting data on the effects of the pandemic on people's lives, more than 12 percent of households in Florida that reported on their food sufficiency for April 27, 2022, through May 9, 2022, say that they often or sometimes did not have enough to eat in the past week.¹⁷⁵ Families with children fare even worse for the same time period, with 15 percent of reporting households saying that their families often or sometimes did not have enough to eat in the past week.¹⁷⁶

The GAA allocates \$3 million in funding for Feeding Florida,¹⁷⁷ which supports the state's network of food banks. This appropriation includes a mandate that 30 percent of all food commodities distributed by Feeding Florida must be fresh Florida products. The GAA also appropriates almost \$1 million for the Florida Children's Initiative Food Security Project,¹⁷⁸ which engages children and their families in physical fitness programs, provides nutrition education and cooking lessons, expands community gardening, and helps neighborhood youth to develop and operate businesses for growing, packaging, marketing, and selling fresh produce in several food desert communities. Further, the GAA includes \$8.4 million in federal money to fund emergency feeding organizations,¹⁷⁹ as well as \$5 million for Farm Share,¹⁸⁰ which distributes food to families in need, food entities, and community partners, the same amount appropriated in the previous year's budget.

However, the governor vetoed funding of the following projects designed primarily to combat food insecurity among people with low income or special needs:

- almost \$465,000 to fund the United Against Poverty Member Share Grocery Program,¹⁸¹ which would have provided fresh produce and proteins from area farmers to families in need in Indian River, St. Lucie, and Orange Counties;¹⁸²
- \$1 million for Second Harvest of the Big Bend,¹⁸³ which would have funded the redistribution of fresh food that may have otherwise gone to waste to food-insecure Floridians in Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla Counties;¹⁸⁴
- \$100,000 for Grow it Forward Urban Farm Network Strategic Planning,¹⁸⁵ which would have expanded healthy food access for people who are vulnerable to food insecurity in Orange County;¹⁸⁶ and

- \$100,000 for Helping Others and Giving Hope Mobile Food Pantry,¹⁸⁷ which would have provided a mobile food pantry to food-insecure people with low income in Miami Dade County who cannot access food distribution sites.¹⁸⁸

Economic Development

The state's economic development programs have been contested in recent years, with the governor, House, and Senate proposing widely varying funding levels — and in some cases, recommending that funding for certain programs be eliminated — during each of the past few legislative sessions.

The final budget includes \$50 million for the Job Growth Grant Fund,¹⁸⁹ which is a program that provides discretionary funds that the governor can use toward targeting job training projects or for public infrastructure. This is funded through ARPA and included in the back-of-the-bill sections. The House and Senate had proposed significantly different funding amounts for this fund — \$25 million and no funding, respectively. The value of this program has been debated since it was established in a 2017 special session and funding has fluctuated significantly from year to year. The Job Growth Grant fund received \$50 million in FY 2021-22, also funded through ARPA.

The final budget also provides \$400 million to the Department of Economic Opportunity for the Broadband Opportunity Program, which was established in 2021 through HB 1239 to expand internet service in underserved areas. This appropriation is also funded through ARPA.

Enterprise Florida, the state's public-private economic development partnership, is funded at \$12 million for FY 2022-23.¹⁹⁰ This program has also been a source of contention, facing severe scrutiny over its use of public funds. Between FY 2018-19 and FY 2020-21, Enterprise Florida had been funded at \$16 million. Funding was reduced to \$14.4 million in FY 2021-22, and further reduced in the final FY 2022-23 budget.

The FY 2022-23 budget allocates \$50 million for Visit Florida (the state's tourism and marketing agency), which is a reduction of \$4 million from the FY 2021-22 budget.¹⁹¹ Visit Florida was slated to “sunset” by July 1, 2020, but legislation passed in 2020, SB 362, extended its authority until October 2, 2023.

Affordable Housing

During the 2021 session, policymakers enacted significant changes via SB 2512 to the Sadowski Affordable Housing Trust Fund, which is funded through documentary stamp tax revenue. The trust fund received about 24 percent of documentary stamp tax collections in prior years. However, over nearly two decades, lawmakers have “swept,” or diverted funds away from Sadowski to be used to fund other parts of the state budget. This new law reduces the amount of documentary stamp tax revenue earmarked for the Sadowski trust fund by

half (reducing the distribution to 9.7 percent); however, at the same, it makes Sadowski funding recurring, meaning that it will be funded every year and that future sweeps will be averted.

Although preventing future funding sweeps is notable progress, especially given that more than \$2 billion has been swept from the Sadowski fund since FY 2002-03, SB 2512's significant reduction in the amount of revenue dedicated to affordable housing essentially enacts a permanent sweep of the trust fund. In FY 2021-22, the Sadowski trust fund received its largest allocation in 12 years. Despite the improvements that have happened since then, Florida's affordable housing crisis still reached records level in the past two years.¹⁹²

Table 13. Sadowski Housing Trust Fund

SADOWSKI HOUSING TRUST FUND				
		FY 2022-23 Budget Proposals		
	FY 2021-22 Budget	House	Senate	Post-Veto GAA FY 2022-23
Local Government Housing Trust Fund	\$62,500,000	\$202,900,000	\$209,475,000	\$209,475,000
State Housing Trust Fund	\$146,700,000	\$65,200,000	\$128,250,000	\$128,250,000
Total Funding Sweeps or Additional Funding	\$0	\$0	\$0	+25,000,000
Total Housing Support	\$209,200,000	\$268,100,000	\$337,725,000	362,725,000
Difference from Previous Year Budget		+\$58,900,000	+\$128,525,000	+\$153,525,000

The Sadowski Housing Trust Fund supports two programs for expanding the availability of affordable housing:

- The State Housing Initiatives Partnership (SHIP) Program, which is administered by the Florida Housing Finance Corporation (FHFC) and distributes funds to local governments for the creation and preservation of affordable homeownership and multifamily housing.
- The State Apartment Incentive Loan (SAIL) Program, which is also administered by FHFC and provides low-interest loans to developers for affordable housing development.

The Sadowski Coalition estimates that full funding in FY 2020-21 would have resulted in more than 30,000 jobs and \$4.4 billion in positive economic impact.¹⁹³

NATURAL RESOURCES / ENVIRONMENT / GROWTH MANAGEMENT / TRANSPORTATION (NREGMT)

→ Current Landscape

In a disaster-prone state like Florida, investment in environmental conservation efforts and updated state infrastructure is of utmost importance. Such investments are particularly important in South Florida, where climate equity and gentrification are growing issues of concern.¹⁹⁴ The rising sea levels have made higher elevation properties more desirable to investors and developers, putting families with low income who reside in these regions at risk of being displaced.¹⁹⁵

A study by the Office of Economic and Demographic Research noted that “hurricanes, tropical storms and other shocks have a negative effect on the attractiveness of the state to visitors and state tax revenues. Depending on the magnitude of the shock, the state may need to spend additional dollars to restore the beaches while also experiencing reduced revenues.”¹⁹⁶ Not only do natural disasters impact tourism, but they also cause economic and physical devastation within impacted communities.

In March 2021, Governor DeSantis appointed a new Chief Science Officer (CSO) who will address, among other things, longstanding harmful algae blooms like red tide and beach erosion. Advocates contend the previous CSO’s Blue-Green Algae Task Force recommendations were largely ignored due to industry group pressures;¹⁹⁷ so far, however, some see the new CSO being more “responsive.”¹⁹⁸ The American Society of Civil Engineers gave Florida an overall grade of “C” in its 2021 Infrastructure Report Card (the same as four years ago), with even lower grades on indicators like coastal areas, dams, levees, schools, and stormwater.¹⁹⁹

Florida’s public transportation system has long been ranked as one of the worst in the country. Despite spending more on highways than many neighboring states, Florida has one of the worst highway systems in the nation, with high fatalities and commute times compared to other states.²⁰⁰ The state’s response has often been to build more toll roads — like the M-CORES project, which was disparaged by advocates in recent years — although the environmental and economic implications of such projects remain concerning.²⁰¹

The state’s response has often been to build more toll roads — like the M-CORES project, which was disparaged by advocates in recent years — although the environmental and economic implications of such projects remain concerning.

→ Budget

Table 14. Natural Resources/Environment/Growth Management/Transportation Budget

NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION BUDGET					
		FY 2022-23 Budget			
	FY 2021-22 Budget	House	Senate	GAA	Post-Veto GAA FY 2022-23
Appropriation Amount	\$14,657,343,198	\$17,030,600,000	\$17,915,800,000	\$19,367,700,000	\$18,640,093,480
Difference from Previous Year Budget		+\$2,373,256,802	+\$3,258,456,802	+\$4,710,356,802	+\$3,982,750,282

Transportation

The post-veto GAA recommends \$12.6 billion for the Department of Transportation (DOT), funded through the State Transportation Trust Fund.²⁰² Compared to previous year funding of \$9.5 billion, nearly \$11 billion is recommended for the Transportation Work Program to fund DOT’s Five-Year Work Program. From that allocation, \$9 million is included for transportation projects in municipalities.

This session, Florida’s transportation industry was front and center as legislation — HB 1355/SB 1808 — was introduced (and ultimately passed) to dissuade transportation providers from carrying “unauthorized” immigrants into the state. (See FPI’s bill summary for a more detailed analysis of this legislation and its implications).²⁰³ Despite strong opposition by immigration advocates, the legislation passed. Furthermore, in the post-veto GAA, the state appropriates \$12 million in funds received for COVID-19 recovery to the Department of Transportation to “facilitate the transfer of unauthorized aliens *out of* the state” (emphasis added), including subcontracting to private transportation companies to do so.²⁰⁴

Section 196 of the FY 2022-23 budget — the “back of the bill” — allocates \$937 million in American Rescue Plan Act funds (i.e., State Fiscal Recovery Funds) from the State Transportation Trust Fund to the Department of Transportation to give spending authority to the State Highway System projects.

Passage of a significant bill has changed the state’s transportation program landscape. Senate Bill 100, which was signed into law during the 2021 legislative session, repealed the controversial Multi-Use Corridors of Regional Economic Significance (M-CORES) program. Passed in 2019, M-CORES was an aggressive plan to expand the highway system in rural areas of the state by creating three new toll roads and other transportation and economic initiatives. The toll road program had been critiqued by environmental and community advocates, as the more than 330 miles of proposed toll roads would endanger over 52,800 acres of undeveloped land, including sensitive animal habitats, as well as critical ecosystems such as wetlands, springs, and aquifer recharge areas, with questionable economic benefit to rural communities.

While SB 100 eliminated the M-CORES program, it did not eliminate all three of the toll roads. Of the three proposed toll roads only one was fully eliminated. Two remain, yet on a different timetable, and if developed, will pose significant environmental and economic risks. The bill includes extending the Florida Turnpike and provides \$20 million to expand rural roads with a high volume of truck traffic.

Disaster Planning & Recovery

The GAA appropriates over \$1.6 billion in federal and state funding for Emergency Prevention, Preparedness, and Response to provide disaster relief and recovery, roughly the same as the previous funding level.²⁰⁵ Most of this appropriation comes from the federal government. However, the governor vetoed roughly \$4 million of the funding, including money for a generator backup for Bay Harbor Islands, generators for the Village of North Palm Beach, and a landfall bunker for Golden Beach, all which would have been funded with state GR funds.

Environment

Overall, the post-veto GAA reflects significant environmental investments, with nearly every program receiving funding increases. Investing fully in all these areas is key to protecting the state's natural resources and unique ecosystem, mitigating the effects of climate change, and keeping the state's drinking water safe and plentiful for the growing number of Florida residents and visitors.

Overall, the post-veto GAA reflects significant environmental investments, with nearly every program receiving funding increases.

As predicted, the post-veto GAA reconciliation process was pivotal to environmental funding this year,²⁰⁶ as several key programs — including Florida Forever — received higher appropriations than either chamber originally proposed. Cuts in a few areas persist, though most are nominal. The larger reductions may be attributed to reallocation of interdepartmental resources and less federal COVID-19 relief funding than what was appropriated in the current- budget rather than true, significant cuts.

Department of Environmental Protection

The Department of Environmental Protection (DEP) administers most of the vital environmental activities in the state, including Everglades restoration and protection, Florida Forever/land conservation, state park operations, preserving Florida's coastlines, mitigating pollution, and monitoring air and water resources.

Compared to the previous year funding, this budget monumentally increases funding to the DEP, adding \$1.4 billion (a 64 percent increase) and 98 net positions. Most of these added positions are for Coastal and Aquatic Managed Areas and Water Restoration Assistance, with a small number going toward State Park Operations and Waste Management.

This significant investment persevered despite \$456 million in direct DEP vetoes and \$3.2 million in the back-of-the-bill section related to the 2021 Piney Point emergency. One such veto totaling approximately \$300 million was of a controversial, fast-tracked conforming bill — SB 2508 — that many advocates and Governor DeSantis opposed for its implications on land management and the South Florida Waste Management Division’s ability to complete restoration projects.²⁰⁷

Conversely, the governor also vetoed numerous positive appropriations, including several state park improvements and over 50 local water projects, more than one in five of those the Legislature had proposed for the 2022-23 fiscal year.

Everglades Restoration

The Everglades remains one of the most endangered natural resources, despite nearly one in three Floridians relying on it for their water supply.²⁰⁸ Governor DeSantis has made supporting this vital area a key priority. The post-veto GAA allocates more than \$590 million to Everglades restoration and protection,²⁰⁹ nearly \$100 million over previous-year funding. Notably, this includes a nonrecurring appropriation of \$35 million for the state to acquire 11,000-plus acres known as the Green Heart of the Everglades, an area home to numerous rare and endangered plant and animal species.²¹⁰ The only veto in this area was the aforementioned SB 2508, which advocates strongly opposed.

Coastal and Aquatic Managed Areas

The post-veto GAA increases this program’s funding by \$131 million over previous year appropriations and adds over 90 new positions.²¹¹ However, as it is coupled with a \$106 million cut and several reduced positions for the Water Resource Management program, this is likely due to shifting of funds to implement state leaders’ three-year Resilient Florida plan to mitigate the impacts of climate change.

The post-veto GAA allocates more than \$590 million to Everglades restoration and protection, nearly \$100 million over previous-year funding.

State Parks

The post-veto GAA adds \$269 million and several positions for State Park Operations.²¹² Most of this added funding is dedicated to addressing backlogged improvements to state park facilities. While the program faced nearly \$56 million in vetoes this year, the House stated this represents the “highest level of funding for these projects in history.”²¹³

Waste Management

The post-veto GAA reflects new positions and a \$136.3 million-increase over previous year funding for this vital anti-pollution program.²¹⁴ This generous appropriation is partially due to the passage of CS/HB 1177,²¹⁵ an initiative that requires greater oversight over private businesses’ waste disposal.

Florida Forever

Florida Forever is a critical program that allows the state to acquire and preserve ecologically important land and prevent future environmental problems. It officially began in 2001 after landmark legislation (Preservation 2000) authorized \$300 million in bonds for 10 years to support “the largest land acquisition program of its kind in the United States.” Since then, 870,000 acres of conservation land have been managed by the program.²¹⁶ Additional legislation, like 2014’s Amendment 1, designated new funding from the documentary stamp tax²¹⁷ and expanded the duration of Florida Forever’s bonds through 2040

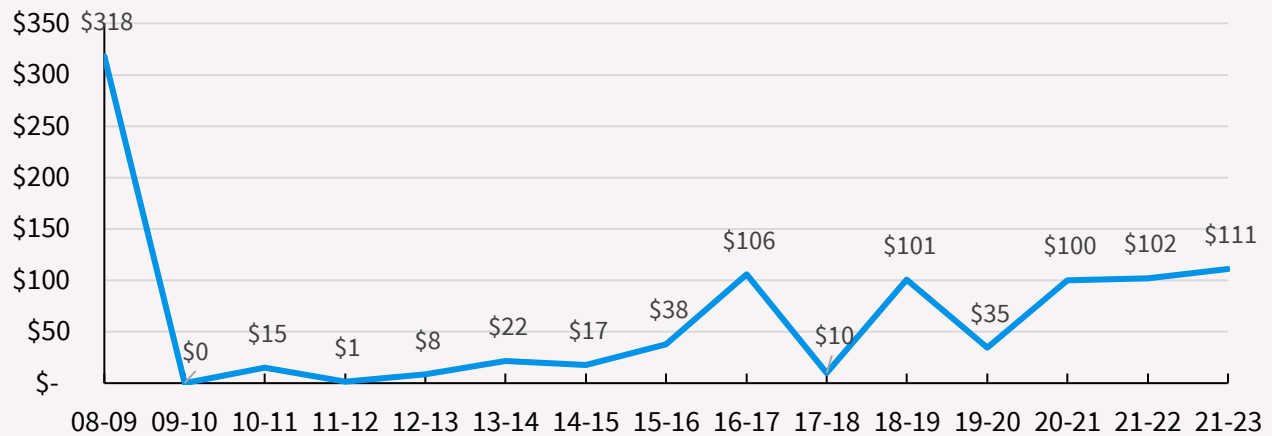
The post-veto GAA allocates \$110.7 million to the Florida Forever program.²¹⁸ While only a small increase (8.6 percent) over previous year funding, this amount is the highest appropriation to the program in 14 years. In January, the Department of Environmental Protection announced its acquisition of over 14,000 acres of land for the program within the state’s wildlife corridor.²¹⁹ Most of the post-veto GAA’s added funding is due to appropriations for the Florida Recreation Development Assistance Grant, but advocates note that, as in prior years, key Florida Forever programs like the Florida Communities Trust did not receive funding in this budget.²²⁰

Table 15. Florida Forever Program Budget

FLORIDA FOREVER PROGRAM BUDGET				
		FY 2022-23		
	FY 2021-22 Budget	House	Senate	Post-Veto GAA FY 2022-23
Appropriation Amount	\$101,998,100	\$100,000,000	\$101,021,968	\$110,721,968
Difference from Previous Year Budget		- \$1,998,100	- \$976,132	+8,723,868

Funding for Florida Forever was appropriated in full until 2008, when it was then significantly reduced or eliminated. Strong advocacy has reversed this trend, with funding peaks of \$100 million in FY 2020-21, \$102 million in FY 2021-22, and \$111 million in this year’s post-veto GAA. (See *Figure 9*). This uptick in funding is encouraging and exceeds the \$100 million floor that advocates have called for, yet it still falls short of the \$300 million in funding called for in the 2001 legislation. To address this, bills in both chambers were introduced in the 2022 session that would have extended Florida Forever bonds through 2054, limited sweeps from program funds into other areas of the budget, and set annual funding from \$100 million to \$350 million. Unfortunately, the bills did not pass,²²¹ nor did similar proposals last year.²²²

Figure 9. Florida Forever Funding
Appropriation by fiscal year, 2008-present (in millions)



Source: FPI analysis of General Appropriations Acts for fiscal years 2008-09 through 2022-23.

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Fish and Wildlife Conservation Commission

Since 1999, the FWC has coordinated the state's fish and wildlife research, enforced hunting and fishing laws, and addressed nuisance species and loss of animal habitat. The FWC is central to managing the rich array of Florida's natural species, including nearly 600 land animals and 700 native marine and freshwater fish.²²³

The post-veto GAA increases funding for the Fish and Wildlife Conservation Commission (FWC) by \$47.4 million over the previous year (an 11-percent increase) and adds 34 positions. This is true despite the governor vetoing \$4.9 million in additional funds the Legislature allocated to the FWC for improvements to animal facilities and local piers. These added positions are nearly evenly divided among the FWC's Research, Habitat and Species Conservation, and Law Enforcement programs.

¹ Florida Policy Institute defines current year funding in this report as FY 2021-22 appropriations, plus vetoes. Except for *Figure 1*, FPI does not include adjustments and supplemental funding in calculations of current year funding levels.

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- ²¹⁹ Florida Department of Environmental Protection, “State Acquires 14,347 Acres Through the Florida Forever Program,” January 31, 2022, <https://content.govdelivery.com/accounts/FLDEP/bulletins/308647f>.
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