

Decision Log ID #	276
Requester Name	Rachael Lieblick
Owner Name	Melissa Turner
Due Date	January 26, 2022
Ownership	Project-Wide with A&A support
Decision Type	Policy

Description

Confirm draft legislation for any statutory changes needed to implement Florida PALM.

Background

The Department has drafted legislation and presented the recommended statutory changes to the ESC. The Department has updated draft legislation based on feedback received from the ESC.

Considerations

In accordance with Specific Appropriation 2344 of the 2021-2022 GAA, the Department shall submit draft legislation for any statutory changes needed to implement the FLAIR replacement system to the Chair of the legislature and Office of Policy and Budget.

Draft legislation for updates to 17.13 F.S., 17.26 F.S., 215.34 F.S., and 17.27(2) F.S. are contained in the appendix. The updated list of statutes recommended for change are located on the [Florida PALM website](#).

Final Decision

Recommended draft legislation for statutory changes needed to implement Florida PALM has been confirmed by the ESC.

Decision By

Florida PALM Executive Steering Committee

Appendix

Item 001 draft language:

17.13 To replace duplicate warrants lost or destroyed.

(1) The Chief Financial Officer is required to replace duplicate any Chief Financial Officer's warrants that may have been lost or destroyed, or may hereafter be lost or destroyed, upon the owner thereof or the owner's agent or attorney presenting the Chief Financial Officer the statement, under oath, reciting the number, date, and amount of any warrant or the best and most definite description in his or her knowledge and the circumstances of its loss; if the Chief Financial Officer deems it necessary, the owner or the owner's agent or attorney shall file in the office of the Chief Financial Officer a surety bond, or a bond with securities, to be approved by one of the judges of the circuit court or one of the justices of the Supreme Court, in a penalty of not less than twice the amount of any warrants so replaced duplicated, conditioned to indemnify the state and any innocent holders thereof from any damages that may accrue from such replacement duplication.

(2) The Chief Financial Officer is required to replace duplicate any Chief Financial Officer's warrant that may have been lost or destroyed, or may hereafter be lost or destroyed, when sent to any payee via any state agency when such warrant is lost or destroyed prior to being received by the payee and provided the director of the state agency to whom the warrant was sent presents to the Chief Financial Officer a statement, under oath, reciting the number, date, and amount of the warrant lost or destroyed, the circumstances surrounding the loss or destruction of such warrant, and any additional information that the Chief Financial Officer shall request in regard to such warrant.

(3) Any replacement duplicate Chief Financial Officer's warrant issued in pursuance of the above provisions shall be of the same validity as the original was before its loss.

Item 002 draft language:

Section 4. Subsection (1) of section 215.34, Florida Statutes, is amended to read:

215.34 Florida Financial Management Information System.—

(1) Any check, draft, or other order for the payment of money in payment of any licenses, fees, taxes, commissions, or charges of any sort authorized to be made under the laws of the state and deposited in the State Treasury as provided herein, which may be returned for any reason by the bank or other payor upon which same shall have been drawn shall be forthwith returned by the Chief Financial Officer for collection to the state officer, the state agency, or the entity of the judicial branch making the deposit. In such case, the Chief Financial Officer may issue a debit memorandum charging an account of the agency, officer, or entity of the judicial branch which originally received the payment. The original of the debit memorandum shall state the reason for the return of the check, draft, or other order and shall accompany the item being returned to the officer, agency, or entity of the judicial branch being charged. The officer, agency, or entity of the judicial branch receiving the charged-back item shall ~~prepare a journal transfer which shall~~ debit the charge against the fund or account to which the same shall have been originally credited. Such procedure for handling no collectible items shall not be construed as paying funds out of the State Treasury without an appropriation, but shall be considered as an administrative procedure for the efficient handling of state records and accounts.

Item 009 draft language:

17.27 Microfilming and destroying records and correspondence.

(1) The Department of Financial Services may destroy general correspondence files and also any other records which the department may deem no longer necessary to preserve in accordance with retention schedules and destruction notices established under rules of the Division of Library and Information Services, records and information management program, of the Department of State. Such schedules and notices relating to financial records of the department shall be subject to the approval of the Auditor General.

(2) The Department of Financial Services may photograph, microphotograph, or reproduce on film, or digitally store such documents and records as it may select, in such manner that each page will be exposed in exact conformity with the original.

(3) The Department of Financial Services may destroy any of such documents after they have been photographed and filed or digitally stored in accordance with the provisions of subsection (1).

(4) Photographs or microphotographs in the form of film or prints or electronic facsimiles of any records made in compliance with the provisions of this section shall have the same force and effect as the originals thereof would have, and shall be treated as originals for the purpose of their admissibility in evidence. Duly certified or authenticated reproductions of such photographs or microphotographs or electronic facsimiles of records shall be admitted in evidence equally with the original photographs or microphotographs or documents.