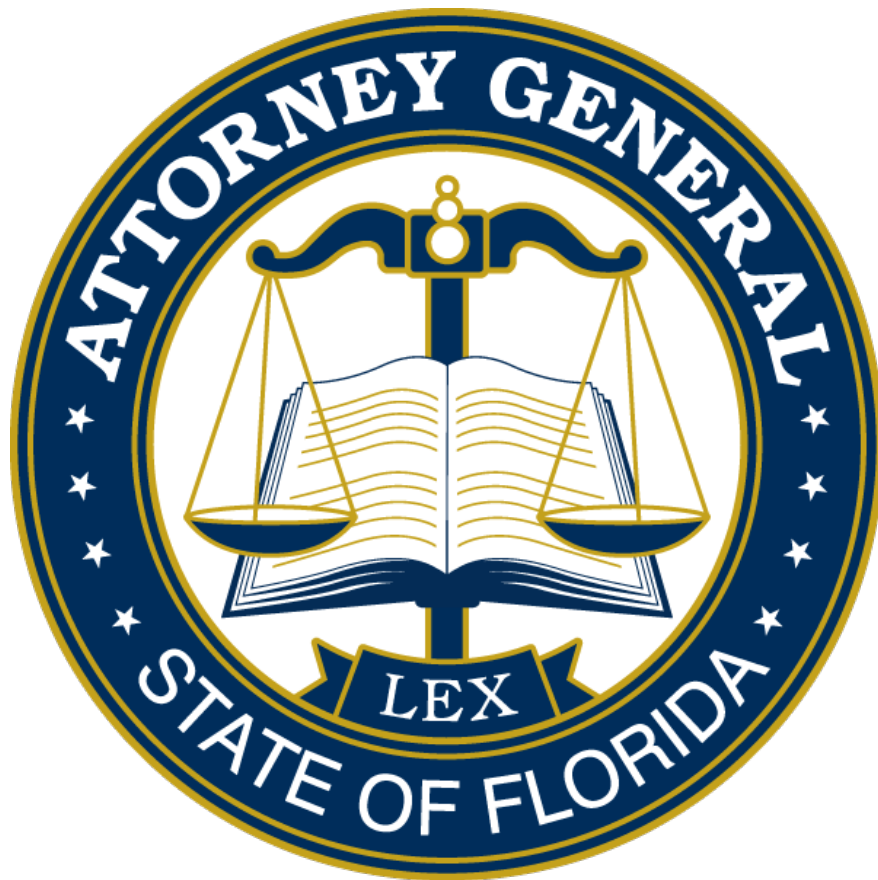


Legislative Budget Request

FY 2023-24



Department of Legal Affairs
Office of the Attorney General

PL 01 The Capitol
Tallahassee, Florida 32399-1050



ASHLEY MOODY
ATTORNEY GENERAL
STATE OF FLORIDA

OFFICE OF THE ATTORNEY GENERAL

PL-01 The Capitol
Tallahassee, FL 32399-1050
Phone (850) 414-3300
<http://www.myfloridalegal.com>

Legislative Budget Request

Department of Legal Affairs

October 14, 2022

Chris Spencer, Director
Office of Policy and Budget
Executive Office of the Governor
1701 Capitol
Tallahassee, Florida 32399-0001

Eric Pridgeon, Staff Director
House Appropriations Councils
221 Capitol
Tallahassee, Florida 32399-1300

Tim Sadberry, Staff Director
Senate Appropriations Committee
201 Capitol
Tallahassee, Florida 32399-1300

Dear Directors:

Pursuant to Chapter 216, Florida Statutes, our Legislative Budget Request for the Department of Legal Affairs is submitted in the format prescribed in the budget instructions. The information provided electronically and contained herein is a true and accurate presentation of our proposed needs for the 2023-24 Fiscal Year. This submission has been approved by Attorney General Ashley Moody.

Included in this submission is the Schedule VIII B-2 as required by Article III, section 19 of the Florida Constitution and Section 216.221(5), F.S. Required targeted reductions included in these schedules would have a significant impact to the important programs that provide services to crime victims and at-risk youth. It is the General's sincere request that if reductions become necessary, that impacts are minimal.

Sincerely,

Sarah Nortelus
Deputy Director of Administration

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.

Agency:	Department of Legal Affairs		
Contact Person:	Karen Brodeen	Phone Number:	850-414-3665
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	<p><u>CITY OF SOUTH MIAMI, ET AL. V. DESANTIS AND MOODY</u>, 11th Circuit case no. 21-13657 (SG’s office) L.T. USDC – SD Fla. case no. 1:19-cv-22927-BB</p>		
Court with Jurisdiction:			
Case Number:			
Summary of the Complaint:	<p>Plaintiffs, a number of non-profit entities providing services to various immigrant populations, seek declaratory and injunctive relief, challenging provisions of chapter 908, Florida Statutes (chapter 2019-102, L.O.F.), which prohibit sanctuary policies.</p>		
Amount of the Claim:	\$ n/a		
Specific Statutes or Laws (including GAA) Challenged:	<p>Sections 908.105, 908.160, 908.102(6), 908.103, 908.104(1) and 908.104(4).</p>		
Status of the Case:	<p>The court dismissed challenges to ss. 908.105 (the detainer mandate), 908.160 (cost reimbursement provision), and 908.102(6) (definition of sanctuary policy). After a trial, the court entered Final Judgment and Permanent Injunction against enforcement of ss. 908.103, 908.104, and 908.104(4), finding that sections 908.103 and 908.104 were enacted with discriminatory intent and that 908.104(4) was preempted.</p> <p>Cross appeals to the 11th Circuit Court of Appeals are pending.</p>		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input checked="" type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input type="checkbox"/>	Outside Contract Counsel	

If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	
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Office of Policy and Budget – June 2022

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the "Legislative Budget Request (LBR) Instructions" located on the Governor's website.

Agency:	Department of Legal Affairs		
Contact Person:	William Stafford	Phone Number:	850-414-3785
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	<u>PLANNED PARENTHOOD OF SOUTHWEST AND CENTRAL FLORIDA, ET AL. V. STATE OF FLORIDA, ET AL.</u> SC22-1050 and SC22-1127 1D22-2034 L.T. 2d Jud. Cir. case no. 2022 CA 912		
Court with Jurisdiction:			
Case Number:			
Summary of the Complaint:	Plaintiffs, a series of reproductive health care facilities and providers challenge HB 5 (chapter 2022-69, s s. 3 -4 L.O.F.), which criminalizes abortions after 15 weeks from last menstrual period (with some exceptions). Plaintiffs assert that chapter 2022-69 violates article I, section 23 of the Florida Constitution (Florida's Right to Privacy).		
Amount of the Claim:	\$ n/a		
Specific Statutes or Laws (including GAA) Challenged:	Chapter 2022-69, sections 3 and 4, LOF		
Status of the Case:	An injunction was entered in the lower tribunal. After the state was successful in its appeal to the 1 st DCA, plaintiffs are seeking relief in the Florida Supreme Court by invoking the court's discretionary jurisdiction. Jurisdictional briefs have been filed.		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input checked="" type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input type="checkbox"/>	Outside Contract Counsel	

If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	
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Office of Policy and Budget – June 2022

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.

Agency:	Department of Legal Affairs		
Contact Person:	William Stafford	Phone Number:	8504143785
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	<u>GENERATION TO GENERATION, INC. V. STATE, ET AL.,</u> 2d Jud. Cir. case no. 2022 CA 980		
Court with Jurisdiction:			
Case Number:			
Summary of the Complaint:	Plaintiffs, a group of faith organizations and leaders and an OB/GYN physician, seek temporary and permanent relief, raising the following: 1) chapter 2022-69 violates article I, section 23 of the Florida Constitution (Florida’s Right to Privacy); 2) – 4) the law violates article I, section 3 of the Florida Constitution (the free-exercise clause and the anti-establishment clause and by penalizing the practice of religion); 5) the law violates section 761.01, Fla. Stat., the Religious Freedom and Restoration Act; 6) the law is unconstitutionally vague; 7) the law violates article I, section 2 (basic rights clause); and 8) the law violates article I, section 4 (freedom of speech).		
Amount of the Claim:	\$ n/a		
Specific Statutes or Laws (including GAA) Challenged:	Chapter 2022-69		
Status of the Case:	State level defendants were served on September 20, 2022. Without opposition, plaintiffs seek to amend the complaint.		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input checked="" type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input type="checkbox"/>	Outside Contract Counsel	

If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	
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Office of Policy and Budget – June 2022

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the "Legislative Budget Request (LBR) Instructions" located on the Governor's website.

Agency:	Department of Legal Affairs		
Contact Person:	William Stafford	Phone Number:	8504143785
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	<p><u>HAFNER V. STATE, MOODY, ET AL.</u> 11th Jud. Cir. case no. 2022 CA 14370</p> <p><u>CHOTSO V. STATE, MOODY, ET AL.,</u> 11th Jud. Cir. case no. 2022 CA 14371</p> <p><u>JOHN/JANE DOE (EPISCOPAL PRIEST) V. STATE, MOODY, ET AL.</u> 11th Jud. Cir. case no. 2022 CA 14372</p> <p><u>POMERANTZ, ET AL. V. STATE, MOODY, ET AL.</u> 11th Jud. Cir. case no. 2022 CA 014373</p> <p><u>CAPO V. STATE, MOODY, ET AL.</u> 11th Jud. Cir. case no. 2022 CA 14374</p>		
Court with Jurisdiction:			
Case Number:			
Summary of the Complaint:	<p>Plaintiffs are religious leaders of different faiths, and they all seek declaratory and injunctive relief against the state, General Moody, and all 20 State Attorneys. Plaintiffs in all 5 cases challenge chapter 2022-69, LOF, on the following grounds: 1) the law violates chapter 761, Fla. Stat., Florida's Religious Freedom Restoration Act; 2) the law violates Art. 1, Sec. 4 of the Florida Constitution (liberty of speech); 3) the law violates Art. 1, Sec. 3 of the Florida Constitution (free exercise and anti-establishment clauses); 4) the law violates the 1st Amendment to the US Constitution (free speech); 5) the law violates the 1st Amendment to the US Constitution (free exercise); and 6) the law violates the 1st Amendment to the US Constitution (anti-establishment clause).</p> <p>The state will seek a transfer of venue to the 2d Judicial Circuit, and consolidation of the 5 cases.</p>		

Amount of the Claim:	\$ n/a	
Specific Statutes or Laws (including GAA) Challenged:	Chapter 2022-69, LOF	
Status of the Case:		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel
	<input checked="" type="checkbox"/>	Office of the Attorney General or Division of Risk Management
	<input type="checkbox"/>	Outside Contract Counsel
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).		

Office of Policy and Budget – June 2022

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.

Agency:	Department of Legal Affairs		
Contact Person:	Anita Patel	Phone Number:	8504143694
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	<u>COUSINS, ET AL. V. ORANGE CTY SCHOOL BOARD, ET AL.,</u> USDC- MD Fla.- case no. 6:22-cv-1312		
Court with Jurisdiction:			
Case Number:			
Summary of the Complaint:	<p>Plaintiffs are students in specific public schools in Orange, Indian River, Duval and Palm Beach counties, as well as the students’ parents and a LGBTQ advocacy group. Defendants are the four school boards of those counties, and the Attorney General was granted intervention.</p> <p>Plaintiffs challenge 2022-22, LOF (Parental Rights in Education act), and seek preliminary and permanent injunctive relief. Hearing will be set on plaintiffs’ motion for preliminary injunction.</p>		
Amount of the Claim:	\$ n/a		
Specific Statutes or Laws (including GAA) Challenged:	Chapter 2022-22 LOF		
Status of the Case:	Hearing will be set on plaintiffs’ motion for preliminary injunction.		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input checked="" type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input type="checkbox"/>	Outside Contract Counsel	

If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	
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Office of Policy and Budget – June 2022

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.

Agency:	Department of Legal Affairs		
Contact Person:	Anita Patel	Phone Number:	850-414-3694
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	<u>DREAM DEFENDERS V. DESANTIS, ET AL.</u> , 11 th Circuit case no. 21-13489 L.T. USDC – ND Fla. case no. 4:21-cv-191		
Court with Jurisdiction:			
Case Number:			
Summary of the Complaint:	<p>This case challenges specific sections of chapter 2021-6, LOF, 2021’s Anti-Riot bill. Plaintiffs are a group of organizations focused on outreach and community mobilization to abolish institutional racism. They challenge the following:</p> <ul style="list-style-type: none"> -section 1, which relates to actions by municipalities to reduce law enforcement budgets; -section 2, which amends section 316.2045 regarding pedestrian violations resulting in the obstruction of traffic; -section 8, which creates the new offense of mob intimidation; -section 14, creating a new crime of cyberintimidation by publication; -section 15, amending the definition of “riot” in section 870.01(2), Fla. Stat. -section 16, which requires those arrested of unlawful assembly to be held without bail; and -section 18, which creates a new affirmative defense to a damages claim that the injury for which damages are sought arose from the participation in a riot. <p>Plaintiffs assert various constitutional challenges, including violations of the Equal Protection Clause (discriminatory purpose in enactment), the 1st Amendment (speech is chilled),</p>		

	and violations of the 14 th Amendment for vagueness. The Attorney General was granted the right to intervene.	
Amount of the Claim:	\$ n/a	
Specific Statutes or Laws (including GAA) Challenged:	Sections 166.241(4) and (5), 316.2045, 784.0495, 836.115, 870.01(2), 870.02, 870.07, Fla. Stat.	
Status of the Case:		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input checked="" type="checkbox"/>	Agency Counsel
	<input checked="" type="checkbox"/>	Office of the Attorney General or Division of Risk Management
	<input type="checkbox"/>	Outside Contract Counsel
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).		

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.

Agency:	Department of Legal Affairs		
Contact Person:	Karen Brodeen	Phone Number:	850-414-3665
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	<u>FLORIDA RIGHT TO PRAY TOGETHER, LOUDEN, CITIZENS IN CHARGE & POOL V. SECY. OF STATE LEE AND ATTORNEY GENERAL ASHLEY MOODY, IN THEIR OFFICIAL CAPACITIES</u> USDC – ND Fla. case no. 4:22-cv-00033		
Court with Jurisdiction:			
Case Number:			
Summary of the Complaint:	<p>Plaintiffs seek injunctive relief in a challenge to various provisions relating to the gathering of signatures on petitions for ballot initiatives. Section 104.186 bans compensating signature gatherers per signature. Section 100.371(3) requires a signature gatherer to register with the DOS, s. 100.371(4)(b) collects certain personal data from each gatherer, s. 100.371(6) requires the gatherer to be identified on each petition, and s. 100.371(7)(a) imposes financial liability on the political committee for any late-filed petition forms.</p> <p>Plaintiffs assert 10 counts: 1) and 2) are facial and as-applied challenges under the 1st and 14th amendments (free speech/due process) to the compensation ban; 3) is an Equal Protection challenge to the registration requirements; 4), 5), 6), 7), 8) and 9) bring challenges under the 1st and 14th amendments (free speech/due process) and Equal Protection to the “data collection,” “identification requirement,” and financial liability provisions; and count 10 asserts a claim for 1st and 14th amendment violations as the provisions work “in tandem.”</p>		
Amount of the Claim:	\$ n/a		
Specific Statutes or Laws (including GAA) Challenged:	Sections 100.371(3), 100.371(4)(b), 100.371(6), 100.371(7) and 104.186, Fla. Stat.		

Status of the Case:	Hearing on motion for preliminary injunction on October 20, 2022.	
Who is representing (of record) the state in this lawsuit? Check all that apply.		Agency Counsel
	x	Office of the Attorney General or Division of Risk Management
		Outside Contract Counsel
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).		

Office of Policy and Budget – June 2022

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.

Agency:	Department of Legal Affairs		
Contact Person:	William Stafford	Phone Number:	850-414-3785
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	<u>NETCHOICE, LLC, ET AL. V. ASHLEY MOODY, ET AL.</u> United States Supreme Court case no. _____ 11 th Circuit case no. 21-12355 L.T. USDC – ND Fla. case no. 4:21-cv-00220-RH-MAF		
Court with Jurisdiction:			
Case Number:			
Summary of the Complaint:	Plaintiffs, two trade associations of major social media platforms, sued to enjoin chapter 2021-32, Florida’s social media de-platforming law. Claims have been asserted for violations of freedom of speech, due process, equal protection, the Commerce Clause, and the Supremacy Clause.		
Amount of the Claim:	\$ n/a		
Specific Statutes or Laws (including GAA) Challenged:	Sections 106.072, 287.137, and 501.2041, Fla. Stat.		
Status of the Case:	<p>The District Court enjoined enforcement of the law on June 30, 2021, and the court’s ruling was largely affirmed by the 11th Circuit on May 23, 2022.</p> <p>Florida filed its petition for writ of certiorari in the US Supreme Court on September 21, 2022, seeking review of the 11th Circuit’s affirmance that the following are unconstitutional: sections 106.072(2), and sections 501.2041(2)(b),(c)(30-day restriction), (d), (f), (g), (h), and (j)</p> <p>(Separately, the 11th Circuit vacated and remanded as to the District Court’s holdings regarding certain other provisions of the law. The 11th Circuit held that the following provisions are constitutional: sections 501.2041(2)(a), (c)(rule changes), (e), and (i), and section 106.072(4).)</p>		

Who is representing (of record) the state in this lawsuit? Check all that apply.		Agency Counsel
	x	Office of the Attorney General or Division of Risk Management
		Outside Contract Counsel
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).		

Office of Policy and Budget – June 2022

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.

Agency:	Department of Legal Affairs		
Contact Person:	Tim Newhall	Phone Number:	850-414-3633
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	<u>NATIONAL RIFLE ASSN. OF AMERICA, INC. V. MOODY AND RICK SWEARINGEN</u> 11th Circuit case no. 21-12314 L.T. USDC – ND Fla. case no. 4:18-cv-137		
Court with Jurisdiction:			
Case Number:			
Summary of the Complaint:	<p>By Second Amended Complaint filed November 19, 2019, plaintiffs National Rifle Association and Radford Fant seek declaratory and injunctive relief against the Attorney General and the Commissioner of FDLE. Plaintiffs bring facial and as-applied challenges under the Second Amendment and the Equal Protection clause to section 11 of chapter 2018-3, Laws of Florida, (the Marjory Stoneman Douglas High School Public Safety Act), which prohibits the sale of a firearm by a licensed importer, manufacturer or dealer to a person younger than 21 (except individuals who are correctional officers, members of law enforcement or military service members). On June 24, 2021, the court granted summary judgment for the state, holding that the Second Amendment does not protect the sale of firearms to individuals under the age of 21.</p> <p>Appeal to the 11th Circuit was docketed July 8, 2021 (case no. 21-12314). OA was held on March 24, 2022.</p>		
Amount of the Claim:	\$ n/a		
Specific Statutes or Laws (including GAA) Challenged:	Chapter 2018-3, LOF		
Status of the Case:	Waiting for the 11 th Circuit’s opinion		

Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel
	<input type="checkbox"/>	Office of the Attorney General or Division of Risk Management
	<input type="checkbox"/>	Outside Contract Counsel
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).		

Office of Policy and Budget – June 2022

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.

Agency:	Department of Legal Affairs		
Contact Person:	Bilal Faruqi	Phone Number:	850-414-3757
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	<u>TALLAHASSEE BAIL FUND, INC. v. GWENDOLYN MARSHALL, IN HER CAPACITY AS CLERK OF THE CIRCUIT COURT</u> USDC – ND Fla. case no. 4:22-cv-297		
Court with Jurisdiction:			
Case Number:			
Summary of the Complaint:	TBF brings this 1983 action seeking declaratory and injunctive relief, as well as compensatory damages, challenging section 903.286, Florida Statutes, which requires that court costs, fines and fees are to be withheld from the return of a cash bond posted by a person or entity (e.g., TBF) other than a bail bond agent. Counts I and II assert that the statute violates the 8 th Amendment’s prohibition of excessive bail and excessive fines, and count III asserts a due process claim, arguing that the TBF has a pre-deprivation right to be heard before the costs, fines and fees are deducted. The Attorney General was granted the right to intervene.		
Amount of the Claim:	\$ n/a		
Specific Statutes or Laws (including GAA) Challenged:	Section 903.286, Fla. Stat.		
Status of the Case:	Preliminary injunction was denied on October 11, 2022.		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input checked="" type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input type="checkbox"/>	Outside Contract Counsel	

If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	
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Office of Policy and Budget – June 2022

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.

Agency:	State of Florida; Department of Legal Affairs/OAG;		
Contact Person:	Ivy Rollins	Phone Number:	(813) 233-2880
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	<i>Franklin Johnson, III v. State of Florida; Judge Thomas Barber, Middle District of Florida</i>		
Court with Jurisdiction:	Thirteenth Judicial Circuit		
Case Number:	2021-CA-7337		
Summary of the Complaint:	Plaintiff sues the State of Florida, Judge Thomas Barber, and Ashley Moody for failure to conduct an adequate Faretta inquiry and accepting his waiver of right to counsel in his criminal trial. He claims that the State held him in prison against his will and violated his 13th amendment rights. Further, he claims a violation of his 2nd amendment right to bear arms. He is seeking 135 million dollars and restoration of his gun rights.		
Amount of the Claim:	\$135,000,000		
Specific Statutes or Laws (including GAA) Challenged:	N/A		
Status of the Case:	<p>Motion to Quash Improper Service of Process and in the alternative Motion to Dismiss Complaint was filed October 25, 2021. Court granted Motion to Dismiss as to Thomas Barber and Ashley Moody. Court quashed service of process as to the State of Florida and gave Defendant 120 days from June 6, 2022, to properly effectuate service on the State pursuant to F.S. 48.121. Plaintiff again purported to serve the State of Florida on June 14, 2022. Another Motion to Quash Improper Service of Process and in the alternative Motion to Dismiss Complaint as to the State of Florida was filed on July 28, 2022. A hearing on this Motion is set for December 7, 2022.</p> <p>Evaluation of possible outcome: The likelihood of an unfavorable outcome is extremely remote due to sovereign immunity and the Plaintiff’s failure to make an specific allegations as to the State of Florida. Plaintiff is unlikely to get past the motion to dismiss stage. Additionally, the calculation of his claimed damages is spurious and speculative.</p>		
Who is representing (of record) the state in this lawsuit? Check all that apply.	<input type="checkbox"/>	Agency Counsel	
	<input checked="" type="checkbox"/>	Office of the Attorney General or Division of Risk Management	
	<input type="checkbox"/>	Outside Contract Counsel	

If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	N/A
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Office of Policy and Budget – Dec 2021

Schedule VII: Agency Litigation Inventory

For directions on completing this schedule, please see the “Legislative Budget Request (LBR) Instructions” located on the Governor’s website.

Agency:	Office of the Attorney General		
Contact Person:	Mason Hall	Phone Number:	850-414-3300
Names of the Case: (If no case name, list the names of the plaintiff and defendant.)	Vinodh Raghbir v. Judge Elaine Barbour; Judge Renee Roche; Assistant State Attorney Anna Mompremier; Senior Assistant Attorney General Bonnie Jean Parrish; Office of the State Attorney for the Ninth Judicial Circuit; Office of the Attorney General; Orange County Clerk of Court; Orange County Florida; Administrative Office of the 9th Judicial Circuit; Florida Department of Corrections; Florida Department of Highway Safety and Motor Vehicles; and Alliance One Inc.		
Court with Jurisdiction:	Ninth Judicial Circuit of Florida		
Case Number:	2022-CA-7974		
Summary of the Complaint:	Mr. Raghbir sues multiple state agencies and employees, including the Office of the Attorney General and Senior Assistant Attorney General Bonnie Jean Parrish, for civil rights violations based on claims that fraud occurred at various stages of his criminal conviction and the subsequent appeals. He brings suit against the multiple individuals and the agencies for the undue hardships he incurred, including the loss of his voting rights and driving privileges. Plaintiff is not specific as to most actions each agency engaged in to violate his civil rights, but he does list some specific actions of individuals. He is seeking \$6.5 million in damages.		
Amount of the Claim:	\$6,500,000		
Specific Statutes or Laws (including GAA) Challenged:	None		
Status of the Case:	<p>Service has occurred on most defendants and initial responses are due before the end of October. A motion to dismiss will be filed.</p> <p><i>Evaluation of possible outcome:</i> The likelihood of an unfavorable outcome is extremely unlikely based on sovereign immunity and Plaintiff’s failure to make specific allegations as to the Office of the Attorney General. While Plaintiff did make specific allegations as to SAAG Bonnie Jean Parrish, the allegations are unlikely to survive a motion to dismiss. All specific allegations are in relation to Ms. Parrish’s duties as a SAAG and her handling of the Mr. Raghbir’s criminal appeal, which are protected under immunities.</p>		
Who is representing (of record) the state in this lawsuit? Check all that	<input type="checkbox"/>	Agency Counsel	
	<input checked="" type="checkbox"/>	Office of the Attorney General or Division of Risk Management	

apply.		Outside Contract Counsel
If the lawsuit is a class action (whether the class is certified or not), provide the name of the firm or firms representing the plaintiff(s).	N/A	

Office of Policy and Budget – June 2022

**SCHEDULE IX: MAJOR AUDIT
FINDINGS AND RECOMMENDATIONS**

Budget Period: 2022 -2023

Department: Department of Legal Affairs

Chief Internal Auditor: Kimberly Rolfe

Budget Entity: 41101000

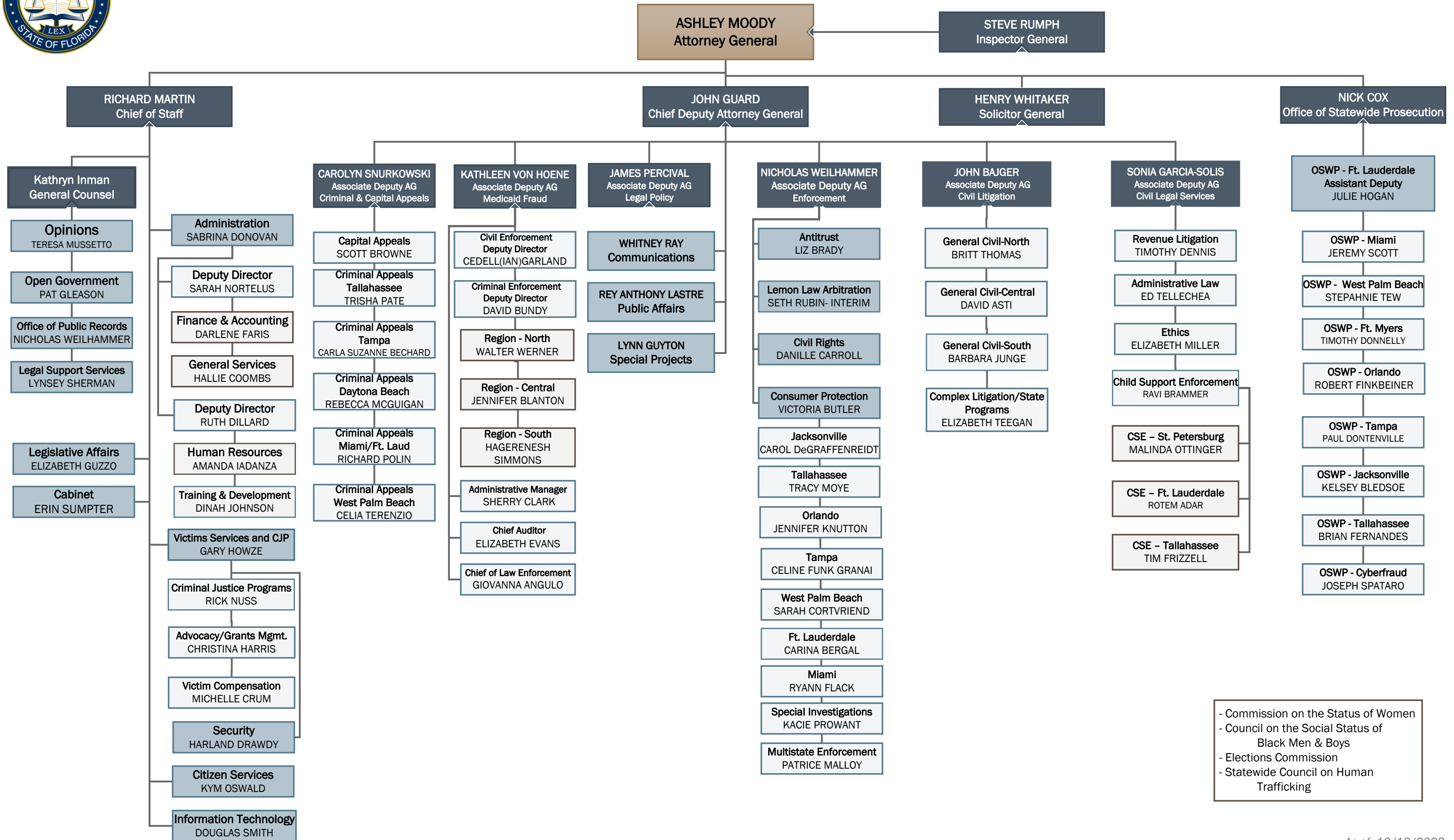
Phone Number: 850-414-3591

(1) REPORT NUMBER	(2) PERIOD ENDING	(3) UNIT/AREA	(4) SUMMARY OF FINDINGS AND RECOMMENDATIONS	(5) SUMMARY OF CORRECTIVE ACTION TAKEN	(6) ISSUE CODE
OIG Audit 20-06	Jun-21	Consumer Protection	<p>Finding One: Policies and Procedures</p> <p>1. We recommend that all internal controls are reviewed annually with any updates applied to SOPs disseminated to all employees</p> <p>2. We further recommend that all documents, policies and procedures continue to be notate with the last edit date and by whom, to ensure that all documents have been reviewed, updated or retired (as needed).</p> <p>Finding Two: User Assess</p> <p>We recommend that the Consumer Protection unit add a requirement that there be a policy or procedure, established for each data system, a period review of all user access as stated in Florida Administrative Code 60GG-5-2.003 (1)(a) 6.</p>	<p>Finding 1: Complete</p> <p>1. The division team reviews the SOPs annually and updates them accordingly. They send an email out to all the CP staff as a reminder to review them, and in the process will highlight any important updates.</p> <p>2. This is complete. Our IT programmer added an automatic date which displays when the last edit was made and the outdated Price Gouging documents have been archived.</p> <p>Finding 2: Complete</p> <p>The division staff will also start sending an email to the restricted database gatekeepers once a month, or at a minimum once a quarter, which lists the Consumer Protection staff that have left the previous month or quarter to have them check if access on their system needs to be disabled for a user no longer employed by Consumer Protection or no longer authorized by consumer protection to have access. Every 6 months, Division Staff will also request a list of users from each gatekeeper to ensure only authorized active users/staff have access.</p> <p>This process has been implemented as of 11/1/21.</p>	
OIG Audit 21-08	Jun-22	Medicaid Fraud Control Unit	No Findings	N/A	

<p>Auditor General Report 2022-186 Finding 2021-087</p>	<p>Jun-22</p>	<p>Information Technology</p>	<p>The list used by the FDLA to conduct periodic HCL Notes user access privilege reviews did not promote an effective review of the appropriateness of all user accounts</p>	<p>Partially corrected. IBM notes does not support a single system generated list that shows active users, terminated users, and deactivated users. The separate system generated terminated users list does not show the effective access at time of termination. Deactivated users are disabled in Active Directory which removes all access in the IBM Notes client and there is no system generated list within IMB Notes that can report this.</p>
<p>Auditor General Report 2022-186 Finding 2021-088</p>	<p>Jun-22</p>	<p>Information Technology</p>	<p>Certain security controls related to user authentication for HCL Notes need improvement to ensure the confidentiality, integrity, and availability of HCL Notes data and related information technology (IT) resources.</p>	<p>Partially corrected. IBM notes does not support minimum password age.</p>



STATE OF FLORIDA OFFICE OF THE ATTORNEY GENERAL



- Commission on the Status of Women
- Council on the Social Status of Black Men & Boys
- Elections Commission
- Statewide Council on Human Trafficking

LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL		FISCAL YEAR 2021-22			
SECTION I: BUDGET		OPERATING		FIXED CAPITAL OUTLAY	
TOTAL ALL FUNDS GENERAL APPROPRIATIONS ACT		367,622,795		0	
ADJUSTMENTS TO GENERAL APPROPRIATIONS ACT (Supplementals, Vetoes, Budget Amendments, etc.)		15,555,109		0	
FINAL BUDGET FOR AGENCY		383,177,904		0	
SECTION II: ACTIVITIES * MEASURES		Number of Units	(1) Unit Cost	(2) Expenditures (Allocated)	(3) FCO
Executive Direction, Administrative Support and Information Technology (2)					0
Lemon Law * Number of Active Lemon Law Cases		590	3,187.87	1,880,846	
Child Support Enforcement * Number of final orders obtained representing the Department of Revenue in child support enforcement proceedings.		40,883	195.92	8,009,720	
Antitrust * Number of cases enforcing provisions of the Antitrust Act		107	69,395.83	7,425,354	
Racketeer Influenced And Corrupt Organization (rico)/ Consumer Fraud * Cases enforcing the Racketeer Influenced and Corrupt Act and Unfair and Deceptive Trade Practices Act.		417	32,822.43	13,686,952	
Commission On Ethics Prosecutions * Number of cases prosecuted before the Florida Commission on Ethics		169	1,783.14	301,350	
Medicaid Fraud Control * Number of cases investigated involving Medicaid fraud activities		1,133	18,130.10	20,541,408	
Civil Rights * Number of cases investigated and prosecuted involving violations of civil rights		30	28,473.67	854,210	
Solicitor General And Complex Litigation * Number of cases		620	3,989.61	2,473,561	
Opinions * Number of Opinions Issued		4	205,579.50	822,318	
Cabinet Support Services * Number of Cabinet Meetings		6	101,997.33	611,984	
Eminent Domain * Cases representing the Department of Transportation and other government agencies in eminent domain proceedings.		6	64,387.67	386,326	
Sexual Predator Civil Commitment Appeals * Number of cases		10	36,605.50	366,055	
Non-capital Criminal Appeals * Number of cases - non-capital appellate litigation		16,651	1,175.52	19,573,528	
Capital Appeals * Number of cases - capital appellate litigation		1,437	2,692.94	3,869,756	
Administrative Law * Number of cases		214	13,083.18	2,799,801	
Tax Law * Number of cases enforcing, defending and collecting tax assessments		1,500	1,025.64	1,538,459	
Civil Litigation Defense Of State Agencies * Number of cases defending the state and its agents in litigation of appellate, corrections, employment, state programs and tort.		3,221	3,526.08	11,357,492	
Grants-victims Of Crime Advocacy * Number of victims served through grants.		1,021,721	120.74	123,358,078	
Victim Notification * Number of criminal and capital appellate services provided		14,927	262.97	3,925,388	
Victim Compensation * Number of victim compensation claims relieved		12,214	1,310.25	16,003,381	
Local Initiatives * Number of crime prevention programs and local funding initiatives assisted.		13	1,093,889.77	14,220,567	
Grants-crime Stoppers * Number of Crime Stopper agencies assisted		27	175,359.81	4,734,715	
Crime Prevention/Training * Number of people attending training		1,198	544.49	652,302	
Investigation And Prosecution Of Multi-circuit Organized Crime * Annual volume of investigations handled		908	11,427.34	10,376,024	
Florida Elections Commission * Number of cases pursuant to Chapters 104 and 106, Florida Statutes.		889	2,017.29	1,793,372	
TOTAL				271,562,947	
SECTION III: RECONCILIATION TO BUDGET					
PASS THROUGHS					
TRANSFER - STATE AGENCIES					
AID TO LOCAL GOVERNMENTS					
PAYMENT OF PENSIONS, BENEFITS AND CLAIMS					
OTHER					
REVERSIONS				111,614,959	
TOTAL BUDGET FOR AGENCY (Total Activities + Pass Throughs + Reversions) - Should equal Section I above. (4)				383,177,906	

SCHEDULE XI/EXHIBIT VI: AGENCY-LEVEL UNIT COST SUMMARY

- (1) Some activity unit costs may be overstated due to the allocation of double budgeted items.
- (2) Expenditures associated with Executive Direction, Administrative Support and Information Technology have been allocated based on FTE. Other allocation methodologies could result in significantly different unit costs per activity.
- (3) Information for FCO depicts amounts for current year appropriations only. Additional information and systems are needed to develop meaningful FCO unit costs.
- (4) Final Budget for Agency and Total Budget for Agency may not equal due to rounding.

SECTION III - PASS THROUGH ACTIVITY ISSUE CODES SELECTED:

TRANSFER-STATE AGENCIES ACTIVITY ISSUE CODES SELECTED:

1-8:

AID TO LOCAL GOVERNMENTS ACTIVITY ISSUE CODES SELECTED:

1-8:

AUDIT #1: THE FOLLOWING STATEWIDE ACTIVITIES (ACT0010 THROUGH ACT0490) HAVE AN OUTPUT STANDARD
(RECORD TYPE 5) AND SHOULD NOT:

*** NO ACTIVITIES FOUND ***

AUDIT #2: THE FCO ACTIVITY (ACT0210) CONTAINS EXPENDITURES IN AN OPERATING CATEGORY AND SHOULD NOT:
(NOTE: THIS ACTIVITY IS ROLLED INTO EXECUTIVE DIRECTION, ADMINISTRATIVE SUPPORT AND INFORMATION
TECHNOLOGY)

*** NO OPERATING CATEGORIES FOUND ***

AUDIT #3: THE ACTIVITIES LISTED IN AUDIT #3 DO NOT HAVE AN ASSOCIATED OUTPUT STANDARD. IN ADDITION, THE
ACTIVITIES WERE NOT IDENTIFIED AS A TRANSFER-STATE AGENCIES, AS AID TO LOCAL GOVERNMENTS, OR A PAYMENT OF
PENSIONS, BENEFITS AND CLAIMS (ACT0430). ACTIVITIES LISTED HERE SHOULD REPRESENT TRANSFERS/PASS THROUGH
THAT ARE NOT REPRESENTED BY THOSE ABOVE OR ADMINISTRATIVE COSTS THAT ARE UNIQUE TO THE AGENCY AND
ARE NOT APPROPRIATE TO BE ALLOCATED TO ALL OTHER ACTIVITIES.

*** NO ACTIVITIES FOUND ***

AUDIT #4: TOTALS FROM SECTION I AND SECTIONS II + III:

DEPARTMENT: 41	EXPENDITURES	FCO
FINAL BUDGET FOR AGENCY (SECTION I):	383,177,904	
TOTAL BUDGET FOR AGENCY (SECTIONS II + III):	383,177,906	
	-----	-----
DIFFERENCE:	2-	
(MAY NOT EQUAL DUE TO ROUNDING)	=====	=====

Schedule XIV
Variance from Long Range Financial Outlook

Agency: Department of Legal Affairs Contact: Sarah Nortelus

Article III, section 19(a)3 of the Florida Constitution, requires each agency Legislative Budget Request to be based upon and reflect the long range financial outlook adopted by the Joint Legislative Budget Commission or to explain any variance from the outlook.

- 1) Does the long range financial outlook adopted by the Joint Legislative Budget Commission in September 2022 contain revenue or expenditure estimates related to your agency?

Yes No

- 2) If yes, please list the estimates for revenues and budget drivers that reflect an estimate for your agency for Fiscal Year 2023-2024 and list the amount projected in the long range financial outlook and the amounts projected in your Schedule I or budget request.

	Issue (Revenue or Budget Driver)	R/B*	FY 2023-2024 Estimate/Request Amount	
			Long Range Financial Outlook	Legislative Budget Request
a				
b				
c				
d				
e				
f				

- 3) If your agency's Legislative Budget Request does not conform to the long range financial outlook with respect to the revenue estimates (from your Schedule I) or budget drivers, please explain the variance(s) below.

* R/B = Revenue or Budget Driver

Fiscal Year 2023-24 LBR Technical Review Checklist

Department/Budget Entity (Service): Department of Legal Affairs

Agency Budget Officer/OPB Analyst Name: Sarah Nortelus/Christian Griffin

A "Y" indicates "YES" and is acceptable, an "N/J" indicates "NO/Justification Provided" - these require further explanation/justification (additional sheets can be used as necessary), and "TIPS" are other areas to consider.

Action	Program or Service (Budget Entity Codes)		
	41100000	41200000	41300000

1. GENERAL

1.1 Are Columns A01, A04, A05, A91, A92, A93, A94, A95, A96, A36, A10, IA1, IA4, IA5, IA6, IP1, IV1, IV3 and NV1 set to TRANSFER CONTROL for DISPLAY status and MANAGEMENT CONTROL for UPDATE status for both the Budget and Trust Fund columns (no trust fund files for narrative columns)? Is Column A02 set to TRANSFER CONTROL for DISPLAY status and MANAGEMENT CONTROL for UPDATE status for the Trust Fund Files (the Budget Files should already be on TRANSFER CONTROL for DISPLAY and MANAGEMENT CONTROL for UPDATE)? Are Columns A06, A07, A08 and A09 for Fixed Capital Outlay (FCO) set to TRANSFER CONTROL for DISPLAY status only (UPDATE status remains on OWNER)? (CSDI or Web LBR Column Security)	Y	Y	Y
1.2 Is Column A03 set to TRANSFER CONTROL for DISPLAY and UPDATE status for both the Budget and Trust Fund columns? (CSDI)	Y	Y	Y

AUDITS:

1.3 Have Column A03 budget files been copied to Column A12? Run the Exhibit B Audit Comparison Report to verify. (EXBR, EXBA)	Y	Y	Y
1.4 Have Column A03 trust fund files been copied to Column A12? Run Schedule I (SC1R, SC1 or SC1R, SC1D adding column A12) to verify.	Y	Y	Y
1.5 Has Column A12 security been set correctly to ALL for DISPLAY status and MANAGEMENT CONTROL for UPDATE status for Budget and Trust Fund files? (CSDR, CSA)	Y	Y	Y
TIP The agency should prepare the budget request for submission in this order: 1) Copy Column A03 to Column A12, and 2) Lock columns as described above. A security control feature included in the LAS/PBS Web upload process requires columns to be in the proper status before uploading to the portal.			

2. EXHIBIT A (EADR, EXA)

2.1 Is the budget entity authority and description consistent with the agency's LRPP and does it conform to the directives provided on page 57 of the LBR Instructions?	Y	Y	Y
2.2 Are the statewide issues generated systematically (estimated expenditures, nonrecurring expenditures, etc.) included?	Y	Y	Y
2.3 Are the issue codes and titles consistent with <i>Section 3</i> of the LBR Instructions (pages 15 through 27)? Do they clearly describe the issue?	Y	Y	Y

3. EXHIBIT B (EXBR, EXB)

3.1 Is it apparent that there is a fund shift where an appropriation category's funding source is different between A02 and A03? Were the issues entered into LAS/PBS correctly? Check D-3A funding shift issue 340XXX0 - a unique deduct and unique add back issue should be used to ensure fund shifts display correctly on the LBR exhibits.	Y	Y	Y
---	---	---	---

AUDITS:

3.2 Negative Appropriation Category Audit for Agency Request (Columns A03 and A04): Are all appropriation categories positive by budget entity and program component at the FSI level? Are all nonrecurring amounts less than requested amounts? (NACR, NAC - Report should print "No Negative Appropriation Categories Found")	Y	Y	Y
--	---	---	---

Action		Program or Service (Budget Entity Codes)		
		41100000	41200000	41300000
3.3	Current Year Estimated Verification Comparison Report: Is Column A02 equal to Column B07? (EXBR, EXBC - Report should print "Records Selected Net To Zero")	Y	Y	Y
TIP	Generally look for and be able to fully explain significant differences between A02 and A03.			
TIP	Exhibit B - A02 equal to B07: Compares Current Year Estimated column to a backup of A02. This audit is necessary to ensure that the historical detail records have not been adjusted. Records selected should net to zero.			
TIP	Requests for appropriations which require advance payment authority must use the sub-title "Grants and Aids". For advance payment authority to local units of government, the Aid to Local Government appropriation category (05XXXX) should be used. For advance payment authority to non-profit organizations or other units of state government, a Special Categories appropriation category (10XXXX) should be used.			
4. EXHIBIT D (EADR, EXD)				
4.1	Is the program component objective statement consistent with the agency LRPP, and does it conform to the directives provided on page 61 of the LBR Instructions?	Y	Y	Y
4.2	Is the program component code and title used correct?	Y	Y	Y
TIP	Fund shifts or transfers of services or activities between program components will be displayed on an Exhibit D whereas it may not be visible on an Exhibit A.			
5. EXHIBIT D-1 (ED1R, EXD1)				
5.1	Are all object of expenditures positive amounts? (This is a manual check.)	Y	Y	Y
AUDITS:				
5.2	Do the fund totals agree with the object category totals within each appropriation category? (ED1R, XD1A - Report should print "No Differences Found For This Report")	Y	Y	Y
5.3	FLAIR Expenditure/Appropriation Ledger Comparison Report: Is Column A01 less than Column B04? (EXBR, EXBB - Negative differences [with a \$5,000 allowance] need to be corrected in Column A01.)	Y	Y	Y
5.4	A01/State Accounts Disbursements and Carry Forward Comparison Report: Does Column A01 equal Column B08? (EXBR, EXBD - Differences [with a \$5,000 allowance at the department level] need to be corrected in Column A01.)	Y	Y	Y
TIP	If objects are negative amounts, the agency must make adjustments to Column A01 to correct the object amounts. In addition, the fund totals must be adjusted to reflect the adjustment made to the object data.			
TIP	If fund totals and object totals do not agree or negative object amounts exist, the agency must adjust Column A01.			
TIP	Exhibit B - A01 less than B04: This audit is to ensure that the disbursements and carry/certifications forward in A01 are less than FY 2020-21 approved budget. Amounts should be positive. The \$5,000 allowance is necessary for rounding.			
TIP	If B08 is not equal to A01, check the following: 1) the initial FLAIR disbursements or carry forward data load was corrected appropriately in A01; 2) the disbursement data from departmental FLAIR was reconciled to State Accounts; and 3) the FLAIR disbursements did not change after Column B08 was created. Note that there is a \$5,000 allowance at the department level.			
6. EXHIBIT D-3 (ED3R, ED3) (Not required in the LBR - for analytical purposes only.)				
6.1	Are issues appropriately aligned with appropriation categories?	Y	Y	Y
TIP	Exhibit D-3 is not required in the budget submission but may be needed for this particular appropriation category/issue sort. Exhibit D-3 is also a useful report when identifying negative appropriation category problems.			
7. EXHIBIT D-3A (EADR, ED3A) (Required to be posted to the Florida Fiscal Portal)				

Action		Program or Service (Budget Entity Codes)		
		41100000	41200000	41300000
7.1	Are the issue titles correct and do they clearly identify the issue? (See pages 15 through 27 of the LBR Instructions.)	Y	Y	Y
7.2	Does the issue narrative adequately explain the agency's request and is the explanation consistent with the LRPP? (See pages 65 through 68 of the LBR Instructions.)	Y	Y	Y
7.3	Does the narrative for Information Technology (IT) issue follow the additional narrative requirements described on pages 67 through 69 of the LBR Instructions?	Y	Y	Y
7.4	Are all issues with an IT component identified with a "Y" in the "IT COMPONENT?" field? If the issue contains an IT component, has that component been identified and documented?	Y	Y	Y
7.5	Does the issue narrative explain any variances from the Standard Expense and Human Resource Services Assessments package? Is the nonrecurring portion in the nonrecurring column? (See pages E.4 through E.5 of the LBR Instructions.)	Y	Y	Y
7.6	Does the salary rate request amount accurately reflect any new requests and are the amounts proportionate to the Salaries and Benefits request? Note: Salary rate should always be annualized.	Y	Y	Y
7.7	Does the issue narrative thoroughly explain/justify all Salaries and Benefits amounts entered into the Other Salary Amounts transactions (OADA/C)? Amounts entered into OAD are reflected in the Position Detail of Salaries and Benefits section of the Exhibit D-3A. (See pages 93 through 95 of the LBR Instructions.)	N/A	N/A	N/A
7.8	Does the issue narrative include the Consensus Estimating Conference forecast, where appropriate?	N/A	N/A	N/A
7.9	Does the issue narrative reference the specific county(ies) where applicable?	Y	Y	Y
7.10	Do the 160XXX0 issues reflect budget amendments that have been approved (or in the process of being approved) and that have a recurring impact (including Lump Sums)? Have the approved budget amendments been entered in Column A18 as instructed in Memo #22-001?	Y	Y	Y
7.11	When appropriate are there any 160XXX0 issues included to delete positions placed in reserve in the LAS/PBS Position and Rate Ledger (e.g. unfunded grants)? Note: Lump sum appropriations not yet allocated should <u>not</u> be deleted. (PLRR, PLMO)	N/A	N/A	N/A
7.12	Does the issue narrative include plans to satisfy additional space requirements when requesting additional positions?	Y	Y	Y
7.13	Has the agency included a 160XXX0 issue and 210XXXX and 260XXX0 issues as required for lump sum distributions?	N/A	N/A	N/A
7.14	Do the amounts reflect appropriate FSI assignments?	Y	Y	Y
7.15	Are the 33XXXX0 issues negative amounts only and do not restore nonrecurring cuts from a prior year or fund any issues that net to a positive or zero amount? Check D-3A issues 33XXXX0 - a unique issue should be used for issues that net to zero or a positive amount.	N/A	N/A	N/A
7.16	Do the issue codes relating to special <i>salary and benefits</i> issues (e.g., position reclassification, pay grade adjustment, overtime/on-call pay, etc.) have an "A" in the fifth position of the issue code (XXXXAXX) and are they self-contained (not combined with other issues)? (See pages 26 and 90 of the LBR Instructions.)	N/A	N/A	N/A
7.17	Do the issues relating to <i>Information Technology (IT)</i> have a "C" in the sixth position of the issue code (36XXXXCX) and are the correct issue codes used (361XXC0, 362XXC0, 363XXC0, 24010C0, 30010C0, 33011C0, 160E470, or 160E480)?	Y	Y	Y
7.18	Are the issues relating to <i>major audit findings and recommendations</i> properly coded (4A0XXX0, 4B0XXX0)?	N/A	N/A	N/A
7.19	Does the issue narrative identify the strategy or strategies in the Five Year Statewide Strategic Plan for Economic Development?	Y	Y	Y

Action		Program or Service (Budget Entity Codes)		
		41100000	41200000	41300000
AUDIT:				
7.20	Does the General Revenue for 160XXXX (Adjustments to Current Year Expenditures) issues net to zero? (GENR, LBR1)	Y	Y	Y
7.21	Does the General Revenue for 180XXXX (Intra-Agency Reorganizations) issues net to zero? (GENR, LBR2)	N/A	N/A	N/A
7.22	Does the General Revenue for 200XXXX (Estimated Expenditures Realignment) issues net to zero? (GENR, LBR3)	N/A	N/A	N/A
7.23	Have FCO appropriations been entered into the nonrecurring column (A04)? (GENR, LBR4 - Report should print "No Records Selected For Reporting" or a listing of D-3A issue(s) assigned to Debt Service (IOE N) or in some cases State Capital Outlay - Public Education Capital Outlay (IOE L))	N/A	N/A	N/A
7.24	Has narrative been entered for all issues requested by the agency? Agencies do not need to include narrative for startup issues (1001000, 2103XXX, etc.) that were not input by the agency. (NAAR, BSNR)	Y	Y	Y
7.25	Has the agency entered annualization issues (260XXX0) for any issue that was partially funded in Fiscal Year 2021-22? Review Column G66 to determine whether any incremental amounts are needed to fully fund an issue that was initially appropriated in Fiscal Year 2021-22. Do not add annualization issues for pay and benefit distribution issues, as those annualization issues (26AXXXX) have already been added to A03.	N/A	N/A	N/A
TIP	Salaries and Benefits amounts entered using the OADA/C transactions must be thoroughly justified in the D-3A issue narrative. Agencies can run OADA/OADR from STAM to identify the amounts entered into OAD and ensure these entries have been thoroughly explained in the D-3A issue narrative.			
TIP	The issue narrative must completely and thoroughly explain and justify each D-3A issue. Agencies must ensure it provides the information necessary for the OPB and legislative analysts to have a complete understanding of the issue submitted. Thoroughly review pages 65 through 70 of the LBR Instructions.			
TIP	Check BAPS to verify status of budget amendments. Check for reapprovals not picked up in the General Appropriations Act. Verify that Lump Sum appropriations in Column A02 do not appear in Column A03. Review budget amendments to verify that 160XXX0 issue amounts correspond accurately and net to zero for General Revenue funds.			
TIP	If an agency is receiving federal funds from another agency the FSI should = 9 (Transfer - Recipient of Federal Funds). The agency that originally receives the funds directly from the federal agency should use FSI = 3 (Federal Funds).			
TIP	If an appropriation made in the FY 2021-22 General Appropriations Act duplicates an appropriation made in substantive legislation, the agency must create a unique deduct nonrecurring issue to eliminate the duplicated appropriation. Normally this is taken care of through line item veto.			
8. SCHEDULE I & RELATED DOCUMENTS (SC1R, SC1 - Budget Entity Level or SC1R, SC1D - Department Level) (Required to be posted to the Florida Fiscal Portal)				
8.1	Has a separate department level Schedule I and supporting documents package been submitted by the agency?	Y	Y	Y
8.2	Has a Schedule I and Schedule IB been completed in LAS/PBS for each operating trust fund?	Y	Y	Y
8.3	Have the appropriate Schedule I supporting documents been included for the trust funds (Schedule IA, Schedule IC, and Reconciliation to Trial Balance)?	Y	Y	Y
8.4	Have the Examination of Regulatory Fees Part I and Part II forms been included for the applicable regulatory programs?	N/A	N/A	Y

Action		Program or Service (Budget Entity Codes)		
		41100000	41200000	41300000
8.5	Have the required detailed narratives been provided (5% trust fund reserve narrative; method for computing the distribution of cost for general management and administrative services narrative; adjustments narrative; revenue estimating methodology narrative; fixed capital outlay adjustment narrative)?	Y	Y	Y
8.6	Has the Inter-Agency Transfers Reported on Schedule I form been included as applicable for transfers totaling \$100,000 or more for the fiscal year?	Y	Y	Y
8.7	If the agency is scheduled for the annual trust fund review this year, have the Schedule ID and applicable draft legislation been included for recreation, modification or termination of existing trust funds?	N/A	N/A	N/A
8.8	If the agency is scheduled for the annual trust fund review this year, have the necessary trust funds been requested for creation pursuant to section 215.32(2)(b), Florida Statutes - including the Schedule ID and applicable legislation?	N/A	N/A	N/A
8.9	Are the revenue codes correct? In the case of federal revenues, has the agency appropriately identified direct versus indirect receipts (object codes 000700, 000750, 000799, 001510 and 001599)? For non-grant federal revenues, is the correct revenue code identified (codes 000504, 000119, 001270, 001870, 001970)?	Y	Y	Y
8.10	Are the statutory authority references correct?	Y	Y	Y
8.11	Are the General Revenue Service Charge percentage rates used for each revenue source correct? (Refer to section 215.20, Florida Statutes, for appropriate General Revenue Service Charge percentage rates.)	Y	Y	Y
8.12	Is this an accurate representation of revenues based on the most recent Consensus Estimating Conference forecasts?	N/A	N/A	N/A
8.13	If there is no Consensus Estimating Conference forecast available, do the revenue estimates appear to be reasonable?	Y	Y	Y
8.14	Are the federal funds revenues reported in Section I broken out by individual grant? Are the correct CFDA codes used?	Y	Y	Y
8.15	Are anticipated grants included and based on the state fiscal year (rather than federal fiscal year)?	Y	Y	Y
8.16	Are the Schedule I revenues consistent with the FSI's reported in the Exhibit D-3A?	Y	Y	Y
8.17	If applicable, are nonrecurring revenues entered into Column A04?	N/A	N/A	N/A
8.18	Has the agency certified the revenue estimates in columns A02 and A03 to be the latest and most accurate available? Does the certification include a statement that the agency will notify OPB of any significant changes in revenue estimates that occur prior to the Governor's Budget Recommendations being issued?	Y	Y	Y
8.19	Is a 5% trust fund reserve reflected in Section II? If not, is sufficient justification provided for exemption? Are the additional narrative requirements provided?	Y	Y	Y
8.20	Are appropriate General Revenue Service Charge nonoperating amounts included in Section II?	Y	Y	Y
8.21	Are nonoperating expenditures to other budget entities/departments cross-referenced accurately?	N/A	N/A	N/A
8.22	Do transfers balance between funds (within the agency as well as between agencies)? (See also 8.6 for required transfer confirmation of amounts totaling \$100,000 or more.)	Y	Y	Y
8.23	Are nonoperating expenditures recorded in Section II and adjustments recorded in Section III?	Y	Y	Y
8.24	Are prior year September operating reversions appropriately shown in column A01, Section III?	Y	Y	Y
8.25	Are current year September operating reversions (if available) appropriately shown in column A02, Section III?	N/A	N/A	N/A

Action		Program or Service (Budget Entity Codes)		
		41100000	41200000	41300000
8.26	Does the Schedule IC properly reflect the unreserved fund balance for each trust fund as defined by the LBR Instructions, and is it reconciled to the agency accounting records?	Y	Y	Y
8.27	Has the agency properly accounted for continuing appropriations (category 13XXXX) in column A01, Section III?	Y	Y	Y
8.28	Does Column A01 of the Schedule I accurately represent the actual prior year accounting data as reflected in the agency accounting records, and is it provided in sufficient detail for analysis?	Y	Y	Y
8.29	Does Line I of Column A01 (Schedule I) equal Line K of the Schedule IC?	Y	Y	Y
AUDITS:				
8.30	Is Line I a positive number? (If not, the agency must adjust the budget request to eliminate the deficit).	Y	Y	Y
8.31	Is the June 30 Adjusted Unreserved Fund Balance (Line I) equal to the July 1 Unreserved Fund Balance (Line A) of the following year? If a Schedule IB was prepared, do the totals agree with the Schedule I, Line I? (SC1R, SC1A - Report should print "No Discrepancies Exist For This Report")	Y	Y	Y
8.32	Has a Department Level Reconciliation been provided for each trust fund and does Line A of the Schedule I equal the CFO amount? If not, the agency must correct Line A. (SC1R, DEPT)	Y	Y	Y
8.33	Has a Schedule IB been provided for ALL trust funds having an unreserved fund balance in columns A01, A02 and/or A03, and if so, does each column's total agree with line I of the Schedule I?	Y	Y	Y
8.34	Have A/R been properly analyzed and any allowances for doubtful accounts been properly recorded on the Schedule IC?	Y	Y	Y
TIP	The Schedule I is the most reliable source of data concerning the trust funds. It is very important that this schedule is as accurate as possible!			
TIP	Determine if the agency is scheduled for trust fund review. (See page 126 of the LBR Instructions.) Transaction DFTR in LAS/PBS is also available and provides an LBR review date for each trust fund.			
TIP	Review the unreserved fund balances and compare revenue totals to expenditure totals to determine and understand the trust fund status.			
TIP	Typically nonoperating expenditures and revenues should not be a negative number. Any negative numbers must be fully justified.			
9. SCHEDULE II (PSCR, SC2)				
AUDIT:				
9.1	Is the pay grade minimum for salary rate utilized for positions in segments 2 and 3? (BRAR, BRAA - Report should print "No Records Selected For This Request") Note: Amounts other than the pay grade minimum should be fully justified in the D-3A issue narrative. (See <i>Base Rate Audit</i> on page 156 of the LBR Instructions.)	Amounts are Justified	Amounts are Justified	Amounts are Justified
10. SCHEDULE III (PSCR, SC3)				
10.1	Is the appropriate lapse amount applied? (See page 88 of the LBR Instructions.)	Y	Y	Y
10.2	Are amounts in <i>Other Salary Amount</i> appropriate and fully justified? (See pages 93 through 95 of the LBR Instructions for appropriate use of the OAD transaction.) Use OADI or OADR to identify agency other salary amounts requested.	N/A	N/A	N/A
11. SCHEDULE IV (EADR, SC4)				
11.1	Are the correct Information Technology (IT) issue codes used?	Y	Y	Y
TIP	If IT issues are not coded (with "C" in 6th position or within a program component of 1603000000), they will not appear in the Schedule IV.			
12. SCHEDULE VIIIA (EADR, SC8A)				

Action		Program or Service (Budget Entity Codes)		
		41100000	41200000	41300000
12.1	Is there only one #1 priority, one #2 priority, one #3 priority, etc. reported on the Schedule VIII-A? Are the priority narrative explanations adequate? Note: FCO issues can be included in the priority listing.	Y	Y	Y
13. SCHEDULE VIII B-1 (EADR, S8B1)				
13.1	Do the reductions comply with the instructions provided on pages 100 through 103 of the LBR Instructions regarding an 8.5% reduction in General Revenue and Trust Funds, including the verification that the 33BXXX0 issue has NOT been used? Verify that excluded appropriation categories and funds were not used (e.g. funds with FSI 3 and 9, etc.)	N/A	N/A	N/A
TIP	If all or a portion of an issue is intended to be reduced on a nonrecurring basis, include the total reduction amount in Column A91 and the nonrecurring portion in			
14. SCHEDULE VIII B-2 (EADR, S8B2) (Required to be posted to the Florida Fiscal Portal)				
14.1	Do the reductions comply with the instructions provided on pages 100 through 103 of the LBR Instructions regarding a 10% reduction in General Revenue and Trust Funds, including the verification that the 33BXXX0 issue has NOT been used? Verify that excluded appropriation categories and funds were not used (e.g. funds with FSI 3 and 9, etc.)	Y	Y	Y
TIP	Compare the debt service amount requested (IOE N or other IOE used for debt service) with the debt service need included in the Schedule VI: Detail of Debt Service, to determine whether any debt has been retired and may be reduced.			
TIP	If all or a portion of an issue is intended to be reduced on a nonrecurring basis, in the absence of a nonrecurring column, include that intent in narrative.			
15. SCHEDULE VIII C (EADR, S8C) (This Schedule is optional, but if included it is required to be posted to the Florida Fiscal Portal)				
15.1	Does the schedule display reprioritization issues that are each comprised of two unique issues - a deduct component and an add-back component which net to zero at the department level?	N/A	N/A	N/A
15.2	Are the priority narrative explanations adequate and do they follow the guidelines on pages 97 through 103 of the LBR instructions?	N/A	N/A	N/A
15.3	Does the issue narrative in A6 address the following: Does the state have the authority to implement the reprioritization issues independent of other entities (federal and local governments, private donors, etc.)? Are the reprioritization issues an allowable use of the recommended funding source?	N/A	N/A	N/A
AUDIT:				
15.4	Do the issues net to zero at the department level? (GENR, LBR5)	N/A	N/A	N/A
16. SCHEDULE XI (UCSR, SCXI) (LAS/PBS Web - see pages 111-115 of the LBR Instructions for detailed instructions) (Required to be posted to the Florida Fiscal Portal in Manual Documents)				
16.1	Agencies are required to generate this spreadsheet via the LAS/PBS Web. The Final Excel version no longer has to be submitted to OPB for inclusion on the Governor's Florida Performs Website. (Note: Pursuant to section 216.023(4) (b), Florida Statutes, the Legislature can reduce the funding level for any agency that does not provide this information.)	Y	Y	Y
16.2	Do the PDF files uploaded to the Florida Fiscal Portal for the LRPP and LBR match?	Y	Y	Y
AUDITS INCLUDED IN THE SCHEDULE XI REPORT:				
16.3	Does the FY 2020-21 Actual (prior year) Expenditures in Column A36 reconcile to Column A01? (GENR, ACT1)	Y	Y	Y
16.4	None of the executive direction, administrative support and information technology statewide activities (ACT0010 thru ACT0490) have output standards (Record Type 5)? (Audit #1 should print "No Activities Found")	Y	Y	Y

Action		Program or Service (Budget Entity Codes)		
		41100000	41200000	41300000
16.5	Does the Fixed Capital Outlay (FCO) statewide activity (ACT0210) only contain 08XXXX or 14XXXX appropriation categories? (Audit #2 should print "No Operating Categories Found")	Y	Y	Y
16.6	Has the agency provided the necessary standard (Record Type 5) for all activities which <u>should</u> appear in Section II? (Note: The activities listed in Audit #3 do not have an associated output standard. In addition, the activities were not identified as a Transfer to a State Agency, as Aid to Local Government, or a Payment of Pensions, Benefits and Claims. Activities listed here should represent transfers/pass-throughs that are not represented by those above or administrative costs that are unique to the agency and are not appropriate to be allocated to all other activities.)	Y	Y	Y
16.7	Does Section I (Final Budget for Agency) and Section III (Total Budget for Agency) equal? (Audit #4 should print "No Discrepancies Found")	Y	Y	Y
TIP	If Section I and Section III have a small difference, it may be due to rounding and therefore will be acceptable.			
17. MANUALLY PREPARED EXHIBITS & SCHEDULES (Required to be posted to the Florida Fiscal Portal)				
17.1	Do exhibits and schedules comply with LBR Instructions (pages 52 through 84 of the LBR Instructions), and are they accurate and complete?	Y	Y	Y
17.2	Does manual exhibits tie to LAS/PBS where applicable?	Y	Y	Y
17.3	Are agency organization charts (Schedule X) provided and at the appropriate level of detail?	Y	Y	Y
17.4	Does the LBR include a separate Schedule IV-B for each IT project over \$1 million (see page 136 of the LBR instructions for exceptions to this rule)? Have all IV-Bs been emailed to: IT@LASPBS.STATE.FL.US?	N/A	N/A	N/A
17.5	Are all forms relating to Fixed Capital Outlay (FCO) funding requests submitted in the proper form, including a Truth in Bonding statement (if applicable) ?	N/A	N/A	N/A
AUDITS - GENERAL INFORMATION				
TIP	Review <i>Section 6: Audits</i> of the LBR Instructions (pages 155-157) for a list of audits and their descriptions.			
TIP	Reorganizations may cause audit errors. Agencies must indicate that these errors are due to an agency reorganization to justify the audit error.			
18. CAPITAL IMPROVEMENTS PROGRAM (CIP) (Required to be posted to the Florida Fiscal Portal)				
18.1	Are the CIP-2, CIP-3, CIP-A and CIP-B forms included?	Y	Y	Y
18.2	Are the CIP-4 and CIP-5 forms submitted when applicable (see CIP Instructions)?	Y	Y	Y
18.3	Do all CIP forms comply with CIP Instructions where applicable (see CIP Instructions)?	Y	Y	Y
18.4	Does the agency request include 5 year projections (Columns A03, A06, A07, A08 and A09)?	Y	Y	Y
18.5	Are the appropriate counties identified in the narrative?	N/A	N/A	N/A
18.6	Has the CIP-2 form (Exhibit B) been modified to include the agency priority for each project and the modified form saved as a PDF document?	N/A	N/A	N/A
TIP	Requests for Fixed Capital Outlay appropriations which are Grants and Aids to Local Governments and Non-Profit Organizations must use the Grants and Aids to Local Governments and Non-Profit Organizations - Fixed Capital Outlay major appropriation category (140XXX) and include the sub-title "Grants and Aids". These appropriations utilize a CIP-B form as justification.			
19. FLORIDA FISCAL PORTAL				
19.1	Have all files been assembled correctly and posted to the Florida Fiscal Portal as outlined in the Florida Fiscal Portal Submittal Process?	Y	Y	Y