

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB HCC 08-08 Trust Funds of the Department of Children and Family Services
SPONSOR(S): Healthcare Council and Bean
TIED BILLS: **IDEN./SIM. BILLS:** SB 2116

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Healthcare Council	17 Y, 0 N	Ekholm/Massengale	Gormley
1) _____	_____	_____	_____
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

I. SUMMARY ANALYSIS

This bill terminates the Child Advocacy Trust Fund and the Refugee Assistance Trust Fund in the Department of Children and Family Services and replaces them with the Grants and Donation Trust Fund and the Federal Grants Trust Fund, respectively. The bill also amends or repeals cross references in sections 215.22, 39.3035, 39.30351 and 938.10, Florida Statutes, and provides for the disposition of remaining unobligated funds.

The bill also codifies into section 20.195, Florida Statutes, all of the remaining trust funds administered by the Department of Children and Family Services that were re-created in the 2004 Session to be consistent with the placement in statute of the Tobacco Settlement Trust Fund. The bill also revises the date for the reversion of encumbered balances remaining undisbursed in the Tobacco Settlement Trust Fund from December 31 to September 30 in accordance with chapter 216, Florida Statutes.

Finally, the bill modifies section 895.09, Florida Statutes, to direct revenues to the General Revenue Fund, which had been deposited into a substance abuse trust fund in the Department of Children and Family Services, which was terminated in 2006.

II. SUBSTANTIVE ANALYSIS

A. PRESENT SITUATION:

To implement section 19(f), Article III of the State Constitution, section 215.3208(1), Florida Statutes, specifies that a schedule for review of trust funds be included in the legislative budget instructions developed pursuant to section 216.023, Florida Statutes. The trust funds in the Department of Children and Family Services are scheduled for review this year.

The Child Advocacy Trust Fund was created effective July 1, 2004, by chapter 2004-302, Laws of Florida, to receive funds collected from the additional court costs imposed in cases of certain crimes against minors under section 938.10, Florida Statutes, to be used for the specific purpose of funding children's advocacy centers. The projected receipts for the current fiscal year are \$82,580.

The Refugee Trust Fund was re-created effective November 4, 2004, by chapter 2004-164, Laws of Florida, to administer the refugee assistance program in accordance with 45 Code of Federal

Regulations, parts 400 and 401. Funds credited to the trust fund support the refugee assistance program, which provides temporary public assistance to refugees. The trust fund is not currently used for this program. The Legislature replaced all Refugee Assistance Trust Fund appropriations with Federal Grants Trust Fund appropriations in the Fiscal Year 2006-2006 General Appropriations Act, and the department transferred any remaining cash balance to the Federal Grants Trust Fund.

The Tobacco Settlement Trust Fund was created in section 20.195, Florida Statutes, in chapter 99-199, Laws of Florida. All the remaining trust funds administered by the Department of Children and Family Services, except for the Child Advocacy Trust Fund as indicated above, were re-created in the 2004 Session.

The Children and Adolescents Substance Abuse Trust Fund within the Department of Children and Family Services was terminated in chapter 2006-162, Laws of Florida, and the revenues that had been deposited into this trust fund were redirected to the General Revenue Fund. Certain revenue deposited into the fund under the provisions section 895.09, Florida Statutes, was not addressed in that bill.

B. EFFECT OF PROPOSED CHANGES:

The bill terminates the Child Advocacy Trust Fund in the Department of Children and Family Services, and replaces it with the Grants and Donations Trust Fund. Any remaining unobligated funds will be transferred to the Grants and Donations Trust to continue current activities amends or repeals cross references in sections 215.22, 39.3035, 39.30351 and 938.10, Florida Statutes.

The bill also terminates the Refugee Assistance Trust Fund and replaces it with the Federal Grants Trust Fund. Any remaining unobligated funds will be transferred to the Federal Grants Trust Fund to continue current activities.

The bill codifies into section 20.195, Florida Statutes, all of the remaining trust funds administered by the Department of Children and Family Services that were created or re-created in the 2004 Session to be consistent with the placement in statute of the Tobacco Settlement Trust Fund: Administrative Trust Fund; Alcohol, Drug Abuse and Mental Health Trust Fund; Child Welfare Training Trust Fund; Domestic Violence Trust Fund; Federal Grants Trust Fund; Grants and Donations Trust Fund; Operations and Maintenance Trust Fund; Social Services Block Grant Trust Fund; Welfare Transition Trust Fund; and Working Capital Trust Fund.

Finally, the bill modifies section 895.09, Florida Statutes, to direct revenue previously deposited in the Children and Adolescents Substance Abuse Trust Fund to the General Revenue Fund. This change is needed because this trust fund was terminated in chapter 2006-162, and this reference was not corrected at that time.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

The bill will have no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector.

III. COMMENTS

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES