

PCB HCC 08-09

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1 A bill to be entitled  
 2 An act relating to trust funds of the Department of  
 3 Elderly Affairs; creating s. 20.415, F.S.; providing for  
 4 the administration of the Administrative Trust Fund, the  
 5 Tobacco Settlement Trust Fund, the Federal Grants Trust  
 6 Fund, the Grants and Donations Trust Fund, and the  
 7 Operations and Maintenance Trust Fund by the department;  
 8 providing for sources of funds and purposes; providing for  
 9 annual carryforward of funds; providing for reversion of  
 10 funds in the Tobacco Settlement Trust Fund; providing for  
 11 certification of undisbursed obligated general revenue  
 12 appropriation balances in the Grants and Donations Trust  
 13 Fund for a specified period of time; repealing s. 430.41,  
 14 F.S., which creates the Grants and Donations Trust Fund,  
 15 to conform; repealing s. 430.42, F.S., which creates the  
 16 Department of Elderly Affairs Tobacco Settlement Trust  
 17 Fund, to conform; providing an effective date.

18  
 19 Be It Enacted by the Legislature of the State of Florida:

20  
 21 Section 1. Section 20.415, Florida Statutes, is created to  
 22 read:

23 20.415 Department of Elderly Affairs; trust funds.--The  
 24 following trust funds shall be administered by the Department of  
 25 Elderly Affairs:

26 (1) Administrative Trust Fund.

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27 (a) Funds to be credited to and uses of the trust fund  
 28 shall be administered in accordance with ss. 215.32, 744.534,  
 29 and 744.7021.

30 (b) Notwithstanding the provisions of s. 216.301 and  
 31 pursuant to s. 216.351, any balance in the trust fund at the end  
 32 of any fiscal year shall remain in the trust fund at the end of  
 33 the year and shall be available for carrying out the purposes of  
 34 the trust fund.

35 (2) Tobacco Settlement Trust Fund.

36 (a) Funds to be credited to the trust fund shall consist  
 37 of funds disbursed, by nonoperating transfer, from the  
 38 Department of Financial Services Tobacco Settlement Clearing  
 39 Trust Fund in amounts equal to the annual appropriations made  
 40 from this trust fund.

41 (b) Notwithstanding the provisions of s. 216.301 and  
 42 pursuant to s. 216.351, any unencumbered balance in the trust  
 43 fund at the end of any fiscal year and any encumbered balance  
 44 remaining undisbursed on September 30 of the same calendar year  
 45 shall revert to the Department of Financial Services Tobacco  
 46 Settlement Clearing Trust Fund.

47 (3) Federal Grants Trust Fund.

48 (a) Funds to be credited to and uses of the trust fund  
 49 shall be administered in accordance with s. 215.32.

50 (b) Notwithstanding the provisions of s. 216.301 and  
 51 pursuant to s. 216.351, any balance in the trust fund at the end  
 52 of any fiscal year shall remain in the trust fund at the end of  
 53 the year and shall be available for carrying out the purposes of  
 54 the trust fund.

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55       (4) Grants and Donations Trust Fund.  
 56       (a) Funds to be credited to the trust fund shall include  
 57 all public and private grants and donations to the department,  
 58 except for grants provided by the Federal Government and other  
 59 earnings that are deposited into the Operations and Maintenance  
 60 Trust Fund of the department. Funds from the Grants and  
 61 Donations Trust Fund shall be used to fulfill agreements made  
 62 with grantors and contributors and such other purposes as may be  
 63 appropriate and shall be expended only pursuant to legislative  
 64 appropriation or an approved amendment to the department's  
 65 operating budget pursuant to chapter 216.  
 66       (b) Notwithstanding the provisions of s. 216.301 and  
 67 pursuant to s. 216.351, any balance in the trust fund at the end  
 68 of any fiscal year shall remain in the trust fund at the end of  
 69 the year and shall be available for carrying out the purposes of  
 70 the trust fund.  
 71       (c) Notwithstanding the provisions of s. 216.301 and  
 72 pursuant to s. 216.351, any balance of any general revenue  
 73 appropriation to the Grants and Donations Trust Fund that is not  
 74 disbursed but that is obligated pursuant to contract or  
 75 committed to be expended may be certified by the Governor for up  
 76 to 3 years following the effective date of the original  
 77 appropriation.  
 78       (5) Operations and Maintenance Trust Fund.  
 79       (a) Funds to be credited to and uses of the trust fund  
 80 shall be administered in accordance with s. 215.32.  
 81       (b) Notwithstanding the provisions of s. 216.301 and  
 82 pursuant to s. 216.351, any balance in the trust fund at the end

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83 of any fiscal year shall remain in the trust fund at the end of  
84 the year and shall be available for carrying out the purposes of  
85 the trust fund.

86 Section 2. Sections 430.41 and 430.42, Florida Statutes,  
87 are repealed.

88 Section 3. This act shall take effect July 1, 2008.