

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB HCC 08-09 Trust Funds of the Department of Elderly Affairs
SPONSOR(S): Healthcare Council and Bean
TIED BILLS: **IDEN./SIM. BILLS:** SB 2124

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

I. SUMMARY ANALYSIS

This bill creates section 20.415, Florida Statutes, to codify the administration of all trust funds maintained by the Department of Elder Affairs (the “department”) that were re-created during the 2004 Legislative Session. The bill further repeals sections 430.41 and 430.42, Florida Statutes, to be consistent with this codification.

The effective date of the bill is July 1, 2008.

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 Elderly Affairs are scheduled for review this year.

The department’s Grants and Donations Trust Fund and Tobacco Settlement Trust Fund are created in chapter 430, Florida Statutes. The department’s three remaining trust funds are created in chapter 216, Florida Statutes.

All department trust funds were re-created during the 2004 Legislative Session: the Administrative Trust Fund (chapter 2004-185, Laws of Florida), the Tobacco Settlement Trust Fund (chapter 2004-186, Laws of Florida), the Federal Grants Trust Fund (chapter 2004-187, Laws of Florida), the Grants and Donations Trust Fund (chapter 2004-188, Laws of Florida), and the Operations and Maintenance Trust Fund (chapter 2004-189, Laws of Florida).

B. EFFECT OF PROPOSED CHANGES:

The bill creates section 20.415, Florida Statutes, to codify the administration of all trust funds maintained by the department. The bill repeals sections 430.41 and 430.42, Florida Statutes, to be consistent with this codification.

III. 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.

IV. COMMENTS

V. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES