

By the Committees on Judiciary, Fiscal Policy and Senator Kirkpatrick

308-2066-99

1 A bill to be entitled
2 An act relating to grant proposals for county
3 courthouse facilities; authorizing the Supreme
4 Court, through the Department of Management
5 Services, to administer a grant program to
6 provide small counties with funding for the
7 acquisition, renovation, or construction of
8 county courthouse facilities; authorizing small
9 counties to apply for such grants; requiring
10 that the recipient provide certain matching
11 funds; providing for a grant review panel and
12 its membership and terms of office; requiring
13 the review panel to annually recommend grant
14 recipients to the Department of Management
15 Services; providing that the Department of
16 Management Services may not allocate a project
17 grant unless the project is approved by the
18 Legislature; authorizing the Department of
19 Management Services to establish the process
20 and the procedure for submission and review of
21 applications; providing criteria for review of
22 grant applications; providing an effective
23 date.

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25 Be It Enacted by the Legislature of the State of Florida:

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27 Section 1. Small county courthouse facilities; grants
28 for acquisition, renovation, or construction; funding;
29 approval; allocation.--

30 (a) "Small county" means a county that has a
31 population of fewer than 75,000.

1 (b) "Department" means the Department of Management
2 Services.

3 (2) The Small County Courthouse Facilities Grant
4 Review Panel is created in the Department of Management
5 Services for the purpose of receiving and reviewing grant
6 applications that seek funds to acquire, renovate, or
7 construct small county courthouse facilities and making
8 recommendations regarding those applications to the
9 department.

10 (3)(a) The panel shall consist of five members, and
11 the following persons and organizations shall each make one
12 appointment to the panel: the President of the Senate, the
13 Speaker of the House of Representatives, the Chief Justice of
14 the Supreme Court, the Florida Association of Court Clerks and
15 Comptrollers, and the Florida Association of Counties. The
16 members appointed by the associations must reside in small
17 counties.

18 (b) All initial members of the panel must be appointed
19 by July 15, 1999, and shall initially be appointed as follows:
20 the President of the Senate, the Speaker of the House of
21 Representatives, and the Florida Association of Court Clerks
22 and Comptrollers shall each appoint one member to serve a
23 1-year term; and the Chief Justice of the Supreme Court and
24 the Florida Association of Counties shall each appoint one
25 member to serve a 2-year term. Subsequent appointments to the
26 panel shall be for 3-year terms. Panel members may not be
27 reappointed to the panel within 1 year after serving a 3-year
28 term.

29 (c) A vacancy on the panel shall be filled for the
30 unexpired portion of the term in the same manner as the
31 original appointment. The panel shall elect a chairperson from

1 among its members to serve a 1-year term. The chairperson may
2 be subsequently reelected.

3 (4) The panel shall review each grant application
4 seeking funds to acquire, renovate, or construct small county
5 courthouse facilities. The panel shall then make
6 recommendations to the secretary of the department regarding
7 the applications. The panel and the department shall use the
8 following criteria when reviewing, evaluating, recommending,
9 and approving grant applications:

10 (a) Whether the chief judge of the circuit of the
11 county submitting the grant application expressly recommends
12 that a need exists for courthouse facility acquisition,
13 renovation, or construction;

14 (b) Whether the county submitting the application has
15 matching funds, either in-kind or cash, available for the
16 project;

17 (c) Whether the application requests funds to address:
18 physical access to the courts and compliance with the
19 Americans with Disabilities Act; fire safety; air quality;
20 structural integrity; physical security of courthouse
21 facilities; compliance with court orders mandating renovation,
22 expansion, and construction of courthouse facilities to
23 provide safer workplaces for court-related business;
24 appropriate space to conduct court proceedings; or compliance
25 with other state and federal construction requirements;

26 (d) Whether the county submitting the grant
27 application has a minimum millage rate of 9 mills; and

28 (e) Other criteria that the department determines
29 would facilitate the equitable distribution of grant funds
30 based on need.

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1 When reviewing and approving grant applications, the panel and
2 the department shall assume that the funding available for
3 distribution is the same level of recurring funding
4 appropriated in the previous fiscal year.

5 (5) The Department of Management Services is
6 responsible for submitting its recommendations, in priority
7 order, to the Office of the State Courts Administrator by
8 August 15 of each year for inclusion in the State Court
9 System's legislative budget request for the subsequent fiscal
10 year. The Office of State Courts Administrator shall include
11 the department's recommendations in the legislative budget
12 request without modification.

13 (6) Any grant application that is approved and
14 recommended for funding by the department but is not
15 subsequently funded by the Legislature must be updated and
16 resubmitted by the grant applicant for consideration in
17 subsequent years.

18 (7) The department shall specify the process and
19 procedures for submitting and reviewing grant applications.
20 Notice to submit applications for grants of state funds shall
21 be published in the Florida Administrative Weekly.

22 Section 2. This act shall take effect upon becoming a
23 law.

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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 SB's 914 & 220
4 Authorizes the Department of Management Services to administer
5 a statewide grants program to provide funding to counties with
6 populations of less than 75,000, for the acquisition,
7 renovation and construction of courthouse facilities.
8 Provides a process by which small counties may apply and
9 obtain a grants award.
10 Establishes a five-member grants review panel to review and
11 make recommendations for such grant applications.
12 Establishes criteria to be used by the review panel and the
13 Department to review and make recommendations for projects.
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