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An act relating to state funds; reenacting s. 215.32(2)(b), F.S., to implement the transfer of moneys to the Working Capital Fund from certain trust funds; providing an effective date.

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

Section 1. Paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.--

(2) The source and use of each of these funds shall be as follows:

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys shall be responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Comptroller may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established within a trust fund, the Comptroller may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

2. In order to maintain a minimum number of trust funds in the State Treasury, each state agency or the judicial branch may consolidate, if permitted under the terms and conditions of their receipt, the trust funds administered by

1 it; provided, however, the agency or judicial branch employs
2 effectively a uniform system of accounts sufficient to
3 preserve the integrity of such trust funds; and provided,
4 further, that consolidation of trust funds is approved by the
5 Governor or the Chief Justice.

6 3. All such moneys are hereby appropriated to be
7 expended in accordance with the law or trust agreement under
8 which they were received, subject always to the provisions of
9 chapter 216 relating to the appropriation of funds and to the
10 applicable laws relating to the deposit or expenditure of
11 moneys in the State Treasury.

12 4.a. Notwithstanding any provision of law restricting
13 the use of trust funds to specific purposes, unappropriated
14 cash balances from selected trust funds may be authorized by
15 the Legislature for transfer to the Budget Stabilization Fund
16 and Working Capital Fund in the General Appropriations Act.

17 b. This subparagraph does not apply to trust funds
18 required by federal programs or mandates; trust funds
19 established for bond covenants, indentures, or resolutions
20 whose revenues are legally pledged by the state or public body
21 to meet debt service or other financial requirements of any
22 debt obligations of the state or any public body; the State
23 Transportation Trust Fund; the trust fund containing the net
24 annual proceeds from the Florida Education Lotteries; the
25 Florida Retirement System Trust Fund; trust funds under the
26 management of the Board of Regents, where such trust funds are
27 for auxiliary enterprises, self-insurance, and contracts,
28 grants, and donations, as those terms are defined by general
29 law; trust funds that serve as clearing funds or accounts for
30 the Comptroller or state agencies; trust funds that account
31 for assets held by the state in a trustee capacity as an agent

1 or fiduciary for individuals, private organizations, or other
2 governmental units; and other trust funds authorized by the
3 State Constitution.

4 Section 2. This act shall take effect upon becoming a
5 law.

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