

By Senator Pruitt

27-655B-02

1 A bill to be entitled
2 An act relating to transfers to the General
3 Revenue Fund from other funds; amending s.
4 216.222, F.S.; authorizing the Comptroller to
5 use funds of the Budget Stabilization Fund to
6 offset a projected deficit in the General
7 Revenue Fund; providing conditions and
8 requirements for such transfer of funds;
9 providing for repayment of the amount
10 transferred; authorizing use of the Budget
11 Stabilization Fund to provide temporary
12 transfers to the General Revenue Fund; amending
13 s. 215.18, F.S., to conform; providing an
14 effective date.

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

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18 Section 1. Section 216.222, Florida Statutes, is
19 amended to read:

20 216.222 Budget Stabilization Fund; criteria for
21 withdrawing moneys.--Moneys in the Budget Stabilization Fund
22 may be transferred to the General Revenue Fund for:

23 (1)(a) Offsetting a deficit in the General Revenue
24 Fund. A deficit is deemed to occur when the official estimate
25 of funds available in the General Revenue Fund for a fiscal
26 year falls below the total amount appropriated from the
27 General Revenue Fund for that fiscal year. Such a transfer
28 must be made pursuant to s. 216.221, or pursuant to an
29 appropriation by law.

30 (b) Notwithstanding the requirements of s. 216.221,
31 if, after consultation with the Revenue Estimating Conference,

1 the Comptroller believes that a deficit will occur in the
2 General Revenue Fund and if:

3 1. Fewer than 30 but more than 4 days are left in the
4 fiscal year, the Legislature is not in session, and neither
5 the Legislature nor the Legislative Budget Commission is
6 scheduled to meet before the end of the fiscal year, or

7 2. Fewer than 5 days are left in the fiscal year and
8 the Governor and the Chief Justice, the Legislature, or the
9 Legislative Budget Commission have not implemented measures to
10 resolve the deficit,

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12 the Comptroller shall certify the deficit to the Governor, the
13 Chief Justice, the President of the Senate, and the Speaker of
14 the House of Representatives, and may thereafter withdraw
15 funds from the Budget Stabilization Fund to offset the
16 projected deficit in the General Revenue Fund. The
17 Comptroller shall consult with the Governor and the chair and
18 vice chair of the Legislative Budget Commission before any
19 funds may be withdrawn from the Budget Stabilization Fund. At
20 the beginning of the next fiscal year, the Comptroller shall
21 promptly determine the General Revenue Fund balance to be
22 carried forward. The Comptroller shall immediately repay the
23 Budget Stabilization Fund for the withdrawn amount, up to the
24 amount of the balance. If the General Revenue Fund balance
25 carried forward is not sufficient to fully repay the Budget
26 Stabilization Fund, the repayment of the remainder of the
27 withdrawn funds shall be as provided in s. 215.32(2)(c)3.

28 (2) Providing funding for an emergency as defined in
29 s. 252.34. The emergency must have been declared by the
30 Governor pursuant to s. 252.36, or declared by law. Such a
31 transfer must be made pursuant to s. 252.37, subject to the

1 conditions in that section, or pursuant to an appropriation by
2 law.

3 (3) Providing temporary transfers to the General
4 Revenue Fund pursuant to s. 215.18.

5 Section 2. Section 215.18, Florida Statutes, is
6 amended to read:

7 215.18 Transfers between funds; limitation.--Whenever
8 there exists in any fund provided for by s. 215.32 a
9 deficiency which would render such fund insufficient to meet
10 its just requirements, and there shall exist in the other
11 funds in the State Treasury moneys which are for the time
12 being or otherwise in excess of the amounts necessary to meet
13 the just requirements of such last-mentioned funds, the
14 Governor may order a temporary transfer of moneys from one
15 fund to another in order to meet temporary deficiencies in a
16 particular fund without resorting to the necessity of
17 borrowing money and paying interest thereon. Except as
18 otherwise provided in s. 216.222(1)(b),the fund from which
19 any money is temporarily transferred shall be repaid the
20 amount transferred from it not later than the end of the
21 fiscal year in which such transfer is made, the date of
22 repayment to be specified in the order of the Governor.

23 Section 3. This act shall take effect upon becoming a
24 law.

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27 LEGISLATIVE SUMMARY

28 Authorizes the Comptroller to use funds of the Budget
29 Stabilization Fund to offset a projected deficit in the
30 General Revenue Fund and provides conditions and
31 requirements for such transfer of funds and for repayment
of the amount transferred. Authorizes use of the Budget
Stabilization Fund as a source for temporary transfers to
the General Revenue Fund.