

1 A bill to be entitled
2 An act relating to hurricane-relief funding; amending s.
3 252.37, F.S., relating to emergency management; requiring
4 that the state and the affected local government provide
5 certain amounts of matching funds following acceptance of
6 federal public assistance funds that are conditioned upon
7 such match; authorizing the Executive Office of the
8 Governor to waive the requirement under certain
9 circumstances; requiring that the recipient provide a
10 required match before receiving federal hazard-mitigation
11 funds; providing for certain exceptions; providing for
12 retroactive application of the requirements for providing
13 matching funds; providing appropriations; providing
14 requirements for local governments with respect to
15 matching funds; authorizing future payments or a deduction
16 from the local government's revenue-sharing allocation;
17 specifying that the nonrecurring appropriations are to
18 meet needs caused by hurricanes and a tropical storm;
19 requiring that the Executive Office of the Governor
20 provide prior notice to the Legislative Budget Commission
21 of allocations from lump-sum appropriations to
22 appropriation categories; providing an effective date.

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

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26 Section 1. Effective upon this act becoming a law and
27 applying retroactively to July 1, 2004, subsections (5) and (6)
28 are added to section 252.37, Florida Statutes, to read:

29 252.37 Financing.--

30 (5) Unless otherwise specified in the General
 31 Appropriations Act:

32 (a) Whenever the state accepts financial assistance from
 33 the Federal Government or its agencies under the federal Public
 34 Assistance Program and such financial assistance is conditioned
 35 upon a requirement for matching funds, the state shall provide
 36 the entire match requirement for state agencies and one-half of
 37 the required match for grants to local governments. The affected
 38 local government shall be required to provide one-half of the
 39 required match prior to receipt of such financial assistance.

40 (b) The Executive Office of the Governor may approve a
 41 waiver, subject to the requirement for legislative notice and
 42 review under s. 216.177, of all or a portion of the required
 43 match for public assistance projects for local governments if
 44 the Executive Office of the Governor determines that such a
 45 match requirement cannot be provided, or that doing so would
 46 impose a documented hardship on the local government, and if the
 47 local government applies for the waiver within the first 18
 48 months after the disaster is declared.

49 (6) Whenever the state accepts financial assistance from
 50 the Federal Government or its agencies under the federal Hazard
 51 Mitigation Assistance Grant Program and such financial
 52 assistance is conditioned upon a requirement for matching funds,
 53 the eligible subgrantee recipient shall be required to provide
 54 the full amount of the required match prior to receipt of such
 55 financial assistance unless otherwise specified in the General
 56 Appropriations Act.

57 Section 2. For the 2004-2005 fiscal year only, \$55,722,888
58 is appropriated from the General Revenue Fund for deposit into
59 the Grants and Donations Trust Fund in the Department of
60 Community Affairs and \$55,722,888 is appropriated in lump sum
61 from the Grants and Donations Trust Fund to the Department of
62 Community Affairs for the purpose of meeting the state's portion
63 of the match requirements of the Individuals and Households,
64 Other Needs Assistance Program administered by the Federal
65 Government.

66 Section 3. (1) For the 2004-2005 fiscal year only,
67 \$578,193,040 is appropriated in lump sum from the U.S.
68 Contributions Trust Fund in the Department of Community Affairs
69 to the Department of Community Affairs to provide supplemental
70 federal disaster grant assistance to eligible recipients.

71 (2) Prior to the release of the funds appropriated in this
72 section, the department shall ensure that the affected local
73 government has provided a 5-percent local match. Because the
74 location, type of disaster, and severity of the event can
75 materially affect the magnitude of costs, a local government's
76 share of public assistance projects may be initially provided by
77 the state, with future payment being provided by the appropriate
78 local government or deducted from the local government's state
79 revenue-sharing allocation.

80 Section 4. For the 2004-2005 fiscal year only, \$35,526,935
81 is appropriated from the General Revenue Fund for deposit into
82 the Grants and Donations Trust Fund in the Department of
83 Community Affairs and \$35,526,935 is appropriated in lump sum
84 from the Grants and Donations Trust Fund to the Department of

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85 Community Affairs for the purpose of meeting the state's portion
86 of the match requirements for the public assistance grant
87 program.

88 Section 5. For the 2004-2005 fiscal year only, \$305,405 is
89 appropriated from the General Revenue Fund for deposit into the
90 Grants and Donations Trust Fund in the Department of Community
91 Affairs, \$305,405 is appropriated in lump sum from the Grants
92 and Donations Trust Fund to the Department of Community Affairs,
93 and \$916,214 is appropriated in lump sum from the U.S.
94 Contributions Trust Fund in the Department of Community Affairs
95 to the Department of Community Affairs for the purpose of paying
96 the state management administrative costs of the Hazard
97 Mitigation Grant Program. The funds appropriated in this section
98 from the General Revenue Fund are provided to meet the state's
99 portion of the match requirements for state management
100 administrative costs of the Hazard Mitigation Grant Program.

101 Section 6. All appropriations authorized by this act are
102 nonrecurring and are intended to address needs caused by
103 Tropical Storm Bonnie and Hurricanes Charley, Frances, Ivan, and
104 Jeanne.

105 Section 7. Notwithstanding the provisions of section
106 216.177, Florida Statutes, requiring a 14-day notice for interim
107 budget actions, and pursuant to section 216.351, Florida
108 Statutes, the Executive Office of the Governor shall provide
109 notice of the allocation of the lump sum appropriations
110 authorized by this act into traditional appropriation categories
111 to the chair and vice chair of the Legislative Budget Commission

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112 | at least 3 working days prior to the effective date of such
113 | allocation.

114 | Section 8. This act shall take effect upon becoming a law.