

ENROLLED

HB 0019A

2004 Legislature

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.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
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.--

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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

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

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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  
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.