

1                   A bill to be entitled  
2           An act relating to hurricane recovery assistance; creating  
3           s. 215.5593, F.S.; creating the Hurricane Recovery  
4           Assistance Program of 2004; providing legislative findings  
5           and intent; requiring the revenue estimating conference to  
6           identify sales tax revenues generated from hurricane-  
7           related rebuilding, identify the need for such funds for  
8           certain purposes, and report such information to the  
9           Legislature; requiring the Executive Office of the  
10          Governor to develop plans for certain agencies to  
11          implement and administer the program; providing plan  
12          requirements; requiring the Executive Office of the  
13          Governor to submit copies of such plans to the Legislature  
14          and the Chief Financial Officer for certain purposes;  
15          providing for annual appropriations to the Hurricane  
16          Recovery Trust Fund of 2004 for specified purposes;  
17          providing duties of the Department of Insurance, the  
18          Office of Tourism, Trade, and Economic Development, and  
19          the Department of Community Affairs with respect to such  
20          appropriations; providing that moneys appropriated for the  
21          program are not to supplant other funding sources of the  
22          affected agencies; requiring annual reports to the  
23          Legislature and the Chief Financial Officer; requiring the  
24          Chief Financial Officer to conduct annual financial,  
25          operational, and performance audits and continuing  
26          oversight of such agencies to determine compliance with  
27          plan requirements; requiring the Chief Financial Officer  
28          to submit a report of such audits to the Legislature prior

29 to each regular session; providing for future expiration  
 30 of the program; providing an effective date.

31  
 32 Be It Enacted by the Legislature of the State of Florida:

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 34 Section 1. Section 215.5593, Florida Statutes, is created  
 35 to read:

36 215.5593 Hurricane Recovery Assistance Program of 2004.--

37 (1) The Legislature finds and declares that the 2004  
 38 hurricane season was uniquely devastating to the residents and  
 39 economy of the state. Hurricanes Charley, Frances, Jeanne, and  
 40 Ivan caused extensive damage to property and infrastructure and  
 41 though much reconstruction and rebuilding is accomplished, much  
 42 remains to be done. It is the intent of this section to assist  
 43 in that reconstruction and rebuilding effort.

44 (2)(a) The Hurricane Recovery Assistance Program of 2004  
 45 is created to use sales tax revenues generated from hurricane-  
 46 related rebuilding efforts to assist in that rebuilding.

47 (b) The revenue estimating conference shall identify those  
 48 funds that represent sales tax revenues generated from  
 49 hurricane-related rebuilding efforts during such period and  
 50 shall identify the relative need for funds for each of the  
 51 purposes specified in subsection (4). The revenue estimating  
 52 conference shall provide such information to the Speaker of the  
 53 House of Representatives, the President of the Senate, and the  
 54 Majority and Minority Leaders of the House of Representatives  
 55 and the Senate by February 1 each year.

56        (c) Each fiscal year, the Legislature shall appropriate  
57 from the General Revenue Fund to the Hurricane Recovery Trust  
58 Fund of 2004, created under s. 215.5595, the amount identified  
59 by the Revenue Estimating Conference in paragraph (b) for the  
60 purposes specified in subsection (4). Moneys shall first be  
61 available for appropriation under this paragraph in fiscal year  
62 2004-2005.

63        (3) By January 1, 2005, the Executive Office of the  
64 Governor shall develop plans for the Department of Insurance,  
65 the Office of Tourism, Trade, and Economic Development, and the  
66 Department of Community Affairs to enable those agencies to  
67 implement and administer the program established by this section  
68 by such agency. Each plan shall provide guidelines, procedures,  
69 requirements, criteria, and measures to enable the agency to  
70 effectively and with accountability satisfy elements of the  
71 plan. The Executive Office of the Governor shall submit copies  
72 of each plan to the Speaker of the House of Representatives, the  
73 President of the Senate, the Majority and Minority Leaders of  
74 the House of Representatives and the Senate, and the Chief  
75 Financial Officer for review and comment.

76        (4) The Legislature shall annually appropriate moneys  
77 authorized for appropriation under subsection (2) from the  
78 Hurricane Recovery Trust Fund of 2004 to:

79        (a) The Department of Insurance to assist residential  
80 property owners, including mobile home owners and owners of  
81 condominium or cooperative units, with expenses not covered by  
82 the Federal Emergency Management Agency and expenses resulting

83 from multiple deductibles for hurricane damage on their insured  
 84 residential property.

85 (b) The Office of Tourism, Trade, and Economic Development  
 86 to provide grants or low-interest loans to small businesses.

87 (c) The Department of Community Affairs to:

88 1. Assist counties and municipalities with their  
 89 unreimbursable costs due to hurricane damage.

90 2. Provide the required 5-percent match for the Federal  
 91 Emergency Management Agency.

92 3. Hold counties, municipalities, and school districts  
 93 harmless for any property tax abatements resulting from  
 94 hurricane damage.

95 4. Provide local governments relief for other needs  
 96 resulting from hurricane damage.

97 (5) Moneys provided to the Department of Insurance, the  
 98 Office of Tourism, Trade, and Economic Development, and the  
 99 Department of Community Affairs under this section are intended  
 100 to supplement other funding sources of such agencies and may not  
 101 supplant other funding sources of such agencies.

102 (6) By December 31 of each year, beginning in 2005, the  
 103 Department of Insurance, the Office of Tourism, Trade, and  
 104 Economic Development, and the Department of Community Affairs  
 105 shall each provide a full report and accounting of their  
 106 respective activities under this section for that calendar year,  
 107 and an evaluation of such activities, to the Speaker of the  
 108 House of Representatives, the President of the Senate, the  
 109 Majority and Minority Leaders of the House of Representatives  
 110 and the Senate, and the Chief Financial Officer.

111       (7) The Chief Financial Officer shall conduct annual  
112 financial, operational, and performance audits of the Department  
113 of Insurance, the Office of Tourism, Trade, and Economic  
114 Development, and the Department of Community Affairs to  
115 determine compliance with the plans developed by the Executive  
116 Office of the Governor for such agencies under this section and  
117 shall provide continuing oversight of the activities of such  
118 agencies in implementing such plans to ensure compliance with  
119 the intent and application of this section. The Chief Financial  
120 Officer shall submit a report of such audits to the Speaker of  
121 the House of Representatives and the President of the Senate  
122 prior to each regular session of the Legislature.

123       (8) This section expires January 1, 2009.

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