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1
2 An act relating to trust funds; re-creating the
3 Administrative Trust Fund within the Agency for Persons
4 with Disabilities without modification; carrying forward
5 current balances and continuing current sources and uses
6 thereof; amending s. 20.1971, F.S.; removing the scheduled
7 termination of the trust fund; providing an effective
8 date.
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10 WHEREAS, the Legislature wishes to extend the life of the
11 Administrative Trust Fund within the Agency for Persons with
12 Disabilities, which is otherwise scheduled to be terminated
13 pursuant to constitutional mandate, and

14 WHEREAS, the Legislature has reviewed the trust fund before
15 its scheduled termination date and has found that it continues to
16 meet an important public purpose, and

17 WHEREAS, the Legislature has found that existing public
18 policy concerning the trust fund sets adequate parameters for
19 its use, NOW, THEREFORE,

20
21 Be It Enacted by the Legislature of the State of Florida:
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23 Section 1. (1) The Administrative Trust Fund within the
24 Agency for Persons with Disabilities, FLAIR number 67-2-021,
25 which is to be terminated pursuant to Section 19(f), Article III
26 of the State Constitution on July 1, 2009, is re-created.

27 (2) All current balances of the trust fund are carried
28 forward, and all current sources and uses of the trust fund are
29 continued.

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30 Section 2. Section 20.1971, Florida Statutes, is amended to
31 read:

32 20.1971 Agency for Persons with Disabilities; trust
33 funds.--The following trust funds ~~are created and~~ shall be
34 administered by the Agency for Persons with Disabilities:

35 (1) The Administrative Trust Fund.

36 (a) Funds to be credited to the trust fund shall consist of
37 federal matching funds provided for the administration of
38 Medicaid services. Funds shall be used for the purpose of
39 supporting the agency's administration of Medicaid programs and
40 for other such purposes as may be appropriate and shall be
41 expended only pursuant to legislative appropriation or an
42 approved amendment to the agency's operating budget pursuant to
43 the provisions of chapter 216.

44 (b) Notwithstanding the provisions of s. 216.301 and
45 pursuant to s. 216.351, any balance in the trust fund at the end
46 of any fiscal year shall remain in the trust fund at the end of
47 the year and shall be available for carrying out the purposes of
48 the trust fund.

49 ~~(c) In accordance with s. 19(f)(2), Art. III of the State~~
50 ~~Constitution, the Administrative Trust Fund shall, unless~~
51 ~~terminated earlier, be terminated on July 1, 2009. Before its~~
52 ~~scheduled termination, the trust fund shall be reviewed as~~
53 ~~provided in s. 215.3206(1) and (2).~~

54 (2) The Operations and Maintenance Trust Fund.

55 (a) Funds to be credited to the trust fund shall consist of
56 receipts from third-party payors of health care services such as
57 Medicaid. Funds shall be used for the purpose of providing health
58 care services to agency clients and for other such purposes as

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59 | may be appropriate and shall be expended only pursuant to
60 | legislative appropriation or an approved amendment to the
61 | agency's operating budget pursuant to the provisions of chapter
62 | 216.

63 | (b) Notwithstanding the provisions of s. 216.301 and
64 | pursuant to s. 216.351, any balance in the trust fund at the end
65 | of any fiscal year shall remain in the trust fund at the end of
66 | the year and shall be available for carrying out the purposes of
67 | the trust fund.

68 | (c) In accordance with s. 19(f)(2), Art. III of the State
69 | Constitution, the Operations and Maintenance Trust Fund shall,
70 | unless terminated earlier, be terminated on July 1, 2009. Before
71 | its scheduled termination, the trust fund shall be reviewed as
72 | provided in s. 215.3206(1) and (2).

73 | (3) The Social Services Block Grant Trust Fund.

74 | (a) Funds to be credited to the trust fund shall consist of
75 | federal social services block grant funds. These shall be used
76 | for the purpose of providing health care and support services to
77 | agency clients and for other such purposes as may be appropriate
78 | and shall be expended only pursuant to legislative appropriation
79 | or an approved amendment to the agency's operating budget
80 | pursuant to the provisions of chapter 216.

81 | (b) Notwithstanding the provisions of s. 216.301 and
82 | pursuant to s. 216.351, any balance in the trust fund at the end
83 | of any fiscal year shall remain in the trust fund at the end of
84 | the year and shall be available for carrying out the purposes of
85 | the trust fund.

86 | (c) In accordance with s. 19(f)(2), Art. III of the State
87 | Constitution, the Social Services Block Grant Trust Fund shall,

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88 unless terminated earlier, be terminated on July 1, 2009. Before
89 its scheduled termination, the trust fund shall be reviewed as
90 provided in s. 215.3206(1) and (2).

91 (4) The Tobacco Settlement Trust Fund.

92 (a) Funds to be credited to the trust fund shall consist of
93 funds disbursed, by nonoperating transfer, from the Department of
94 Financial Services Tobacco Settlement Clearing Trust Fund in
95 amounts equal to the annual appropriations made from this trust
96 fund.

97 (b) Notwithstanding the provisions of s. 216.301 and
98 pursuant to s. 216.351, any unencumbered balance in the trust
99 fund at the end of any fiscal year and any encumbered balance
100 remaining undisbursed on December 31 of the same calendar year
101 shall revert to the Department of Financial Services Tobacco
102 Settlement Clearing Trust Fund.

103 (c) In accordance with s. 19(f)(2), Art. III of the State
104 Constitution, the Tobacco Settlement Trust Fund shall, unless
105 terminated earlier, be terminated on July 1, 2009. Before its
106 scheduled termination, the trust fund shall be reviewed as
107 provided in s. 215.3206(1) and (2).

108 (5) The Federal Grants Trust Fund.

109 (a) Funds to be credited to the trust fund shall consist of
110 receipts from federal grants. Funds shall be used for the purpose
111 of providing health care services to agency clients and for other
112 such purposes as may be appropriate and shall be expended only
113 pursuant to legislative appropriation or an approved amendment to
114 the agency's operating budget pursuant to the provisions of
115 chapter 216.

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116 (b) Notwithstanding the provisions of s. 216.301 and
117 pursuant to s. 216.351, any balance in the trust fund at the end
118 of any fiscal year shall remain in the trust fund at the end of
119 the year and shall be available for carrying out the purposes of
120 the trust fund.

121 (c) In accordance with s. 19(f)(2), Art. III of the State
122 Constitution, the Federal Grants Trust Fund shall, unless
123 terminated earlier, be terminated on July 1, 2009. Before its
124 scheduled termination, the trust fund shall be reviewed as
125 provided in s. 215.3206(1) and (2).

126 Section 3. This act shall take effect July 1, 2008.