

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Health and Human Services Appropriations Committee

BILL: SB 2124

INTRODUCER: Senator Peaden

SUBJECT: Trust Funds/Department of Elderly Affairs

DATE: March 12, 2008      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Peters	Peters	HA	<b>Favorable</b>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

The bill codifies into statute the trust funds administered by the Department of Elderly Affairs that were re-created during the 2004 Legislative Session: Administrative Trust Fund; Tobacco Settlement Trust Fund; Federal Grants Trust Fund; Grants and Donations Trust Fund; and Operations and Maintenance Trust Fund. The bill also revises the date for the reversion of encumbered balances remaining undisbursed in the Tobacco Settlement Trust Fund from December 31 to September 30 in accordance with chapter 216, Florida Statutes.

This bill creates s. 20.415, F.S. and repeals ss. 430.41 and 430.42, F.S.

**II. Present Situation:**

To implement section 19(f), Article III of the State Constitution, section 215.3208(1), F.S., specifies that a schedule for review of trust funds be included in the legislative budget instructions developed pursuant to section 216.023, F.S.. The trust funds in the Department of Elderly Affairs are scheduled for review this year.

The department's Grants and Donations Trust Fund and Tobacco Settlement Trust Fund are created in chapter 430, F.S.. The department's three remaining trust funds are created in chapter 216, F.S.

All department trust funds were re-created during the 2004 Legislative Session: the Administrative Trust Fund (chapter 2004-185, Laws of Florida), the Tobacco Settlement Trust Fund (chapter 2004-186, Laws of Florida), the Federal Grants Trust Fund (chapter 2004-187,

Laws of Florida), the Grants and Donations Trust Fund (chapter 2004-188, Laws of Florida), and the Operations and Maintenance Trust Fund (chapter 2004-189, Laws of Florida).

### **III. Effect of Proposed Changes:**

**Section 1.** Creates s. 20.415, F.S., to provide for the administration of the Administrative Trust Fund, the Tobacco Settlement Trust Fund, the Federal Grants Trust Fund, the Grants and Donations Trust Fund, and the Operations and Maintenance Trust Fund by the Department of Elderly Affairs. The bill provides for the sources and uses of the trust funds and the disposition of balances in the trust funds. The bill also revises the date for the reversion of encumbered balances remaining undisbursed in the Tobacco Settlement Trust Fund from December 31 to September 30 in accordance with chapter 216, F.S.

**Section 2.** Repeals s. 430.41, F.S., related to the Grants and Donations Trust Fund and s. 430.42, F.S., related to the Tobacco Settlement Trust Fund, to conform to the changes.

**Section 3.** Provides for a July 1, 2008 effective date.

### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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