

1 A bill to be entitled
 2 An act relating to trust funds of the Department of
 3 Elderly Affairs; creating s. 20.415, F.S.; providing for
 4 the administration of the Administrative Trust Fund, the
 5 Tobacco Settlement Trust Fund, the Federal Grants Trust
 6 Fund, the Grants and Donations Trust Fund, and the
 7 Operations and Maintenance Trust Fund by the department;
 8 providing for sources of funds and purposes; providing for
 9 annual carryforward of funds; providing for reversion of
 10 funds in the Tobacco Settlement Trust Fund; providing for
 11 certification of undisbursed obligated general revenue
 12 appropriation balances in the Grants and Donations Trust
 13 Fund for a specified period of time; repealing s. 430.41,
 14 F.S., which creates the Grants and Donations Trust Fund,
 15 to conform; repealing s. 430.42, F.S., which creates the
 16 Department of Elderly Affairs Tobacco Settlement Trust
 17 Fund, to conform; providing an effective date.

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

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 21 Section 1. Section 20.415, Florida Statutes, is created to
 22 read:

23 20.415 Department of Elderly Affairs; trust funds.--The
 24 following trust funds shall be administered by the Department of
 25 Elderly Affairs:

26 (1) Administrative Trust Fund.

HB 5021

2008

27 (a) Funds to be credited to and uses of the trust fund
28 shall be administered in accordance with ss. 215.32, 744.534,
29 and 744.7021.

30 (b) Notwithstanding the provisions of s. 216.301 and
31 pursuant to s. 216.351, any balance in the trust fund at the end
32 of any fiscal year shall remain in the trust fund at the end of
33 the year and shall be available for carrying out the purposes of
34 the trust fund.

35 (2) Tobacco Settlement Trust Fund.

36 (a) Funds to be credited to the trust fund shall consist
37 of funds disbursed, by nonoperating transfer, from the
38 Department of Financial Services Tobacco Settlement Clearing
39 Trust Fund in amounts equal to the annual appropriations made
40 from this trust fund.

41 (b) Notwithstanding the provisions of s. 216.301 and
42 pursuant to s. 216.351, any unencumbered balance in the trust
43 fund at the end of any fiscal year and any encumbered balance
44 remaining undisbursed on September 30 of the same calendar year
45 shall revert to the Department of Financial Services Tobacco
46 Settlement Clearing Trust Fund.

47 (3) Federal Grants Trust Fund.

48 (a) Funds to be credited to and uses of the trust fund
49 shall be administered in accordance with s. 215.32.

50 (b) Notwithstanding the provisions of s. 216.301 and
51 pursuant to s. 216.351, any balance in the trust fund at the end
52 of any fiscal year shall remain in the trust fund at the end of
53 the year and shall be available for carrying out the purposes of
54 the trust fund.

55 (4) Grants and Donations Trust Fund.

56 (a) Funds to be credited to the trust fund shall include
57 all public and private grants and donations to the department,
58 except for grants provided by the Federal Government and other
59 earnings that are deposited into the Operations and Maintenance
60 Trust Fund of the department. Funds from the Grants and
61 Donations Trust Fund shall be used to fulfill agreements made
62 with grantors and contributors and such other purposes as may be
63 appropriate and shall be expended only pursuant to legislative
64 appropriation or an approved amendment to the department's
65 operating budget pursuant to chapter 216.

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

71 (c) Notwithstanding the provisions of s. 216.301 and
72 pursuant to s. 216.351, any balance of any general revenue
73 appropriation to the Grants and Donations Trust Fund that is not
74 disbursed but that is obligated pursuant to contract or
75 committed to be expended may be certified by the Governor for up
76 to 3 years following the effective date of the original
77 appropriation.

78 (5) Operations and Maintenance Trust Fund.

79 (a) Funds to be credited to and uses of the trust fund
80 shall be administered in accordance with s. 215.32.

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

HB 5021

2008

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 Section 2. Sections 430.41 and 430.42, Florida Statutes,
87 are repealed.

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