



466608

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2010	.	
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	.	

The Committee on Judiciary (Richter) recommended the following:

1 **Senate Amendment to Amendment (977426) (with title**
2 **amendment)**

3
4 Between lines 85 and 86
5 insert:

6 Section 2. Paragraph (c) of subsection (2) of section
7 365.173, Florida Statutes, is amended to read:

8 365.173 Emergency Communications Number E911 System Fund.-

9 (2) As determined by the board pursuant to s.
10 365.172 (8) (h), and subject to any modifications approved by the
11 board pursuant to s. 365.172 (6) (a) 3. or (8) (i), the moneys in
12 the fund shall be distributed and used only as follows:

13 (c) Any county that receives funds under paragraphs (a) and



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14 (b) shall establish a fund to be used exclusively for the
15 receipt and expenditure of the revenues collected under
16 paragraphs (a) and (b). All fees placed in the fund and any
17 interest accrued shall be used solely for costs described in
18 subparagraphs (a)1. and 2. The money collected and interest
19 earned in this fund shall be appropriated for these purposes by
20 the county commissioners and incorporated into the annual county
21 budget. The fund shall be included within the financial audit
22 performed in accordance with s. 218.39. A county may carry
23 forward up to 30 ~~20~~ percent of the total funds disbursed to the
24 county by the board during a calendar year for expenditures for
25 capital outlay, capital improvements, or equipment replacement,
26 if such expenditures are made for the purposes specified in
27 subparagraphs (a)1. and 2.; however, the 30-percent ~~20-percent~~
28 limitation does not apply to funds disbursed to a county under
29 s. 365.172(6)(a)3., and a county may carry forward any
30 percentage of the funds, except that any grant provided shall
31 continue to be subject to any condition imposed by the board. In
32 order to prevent an excess recovery of costs incurred in
33 providing E911 service, a county that receives funds greater
34 than the permissible E911 costs described in s. 365.172(9),
35 including the 30 ~~20~~ percent carryforward allowance, must return
36 the excess funds to the E911 board to be allocated under s.
37 365.172(6)(a).

38
39 The Legislature recognizes that the fee authorized under s.
40 365.172 may not necessarily provide the total funding required
41 for establishing or providing the E911 service. It is the intent
42 of the Legislature that all revenue from the fee be used as



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43 specified in this subsection.

44

45 ===== T I T L E A M E N D M E N T =====

46 And the title is amended as follows:

47 Delete line 99

48 and insert:

49 prepaid calling arrangement; amending s. 365.173,
50 F.S.; revising the percentage of total funds that a
51 county may carry forward to pay certain costs
52 associated with the county's E911 or 911 system, to
53 contract for E911 services, and to reimburse wireless
54 telephone service providers for costs incurred to
55 provide such services; providing an effective