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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

04/06/2011 07:11 PM

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Senator Altman moved the following:

**Senate Amendment (with title amendment)**

Between lines 977 and 978

insert:

Section 51. Subsection (4) is added to section 216.212, Florida Statutes, to read:

216.212 Budgets for federal funds; restrictions on expenditure of federal funds.—

(4) (a) If a state agency or the judicial branch has qualified or can qualify to receive federal funds in excess of \$1 million without committing the state to make expenditures or implement policies that are inconsistent with state law, the agency or branch shall pursue receipt of such funds until the



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14 agency or branch:

15 1. Provides notice, subject to the notice and review  
16 requirements in s. 216.177, that it intends to take an action or  
17 refrain from taking an action that will result in such funds not  
18 being received by the state; and

19 2. Presents its decision and the rationale for such  
20 decision to the Legislative Budget Commission in accordance with  
21 s. 216.065.

22 (b) Notwithstanding s. 216.195, if an agency or branch  
23 fails to provide notice and present its decision to the  
24 commission pursuant to paragraph (a), the Executive Office of  
25 the Governor or the Chief Justice of the Supreme Court, subject  
26 to the notice and review requirements in s. 216.177, shall place  
27 an amount of approved budget equal to the amount of federal  
28 funds involved into mandatory reserve for the remainder of the  
29 fiscal year.

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

32 And the title is amended as follows:

33 Delete line 144

34 and insert:

35 American Recovery and Reinvestment Act of 2009;  
36 amending s. 216.212, F.S.; requiring a state agency or  
37 the judicial branch to pursue federal funds and notify  
38 the Legislative Budget Commission of any decision  
39 regarding the receipt of such funds; providing that  
40 failure to provide such notice will result in the  
41 placement of an equal amount of the agency's or  
42 judicial branch's budget into mandatory reserve for



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the remainder of the fiscal year;