

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 Committee on Appropriations

BILL: SB 680
 INTRODUCER: Senator Hays
 SUBJECT: Federal Grants Trust Fund/Department of Business and Professional Regulation
 DATE: February 20, 2014 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Davis	Kynoch	AP	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____

I. Summary:

SB 680 re-creates, without modification, the Federal Grants Trust Fund within the Department of Business and Professional Regulation (department). The bill is effective July 1, 2014, and has no fiscal impact on state or local funds.

II. Present Situation:

Article III, s. 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless the trust fund is exempted by the constitution or operation of law. The Federal Grants Trust Fund within the department is scheduled to be terminated on July 1, 2015.

Pursuant to s. 215.32(2)(b)2.g., F.S., a federal grants trust fund is a depository for funds that must be used for allowable activities funded by restricted program revenues from federal sources, including interest earnings and cash advances from other trust funds. The trust fund was created by ch. 2011-60, L.O.F., to administer grants in the Division of Alcoholic Beverages and Tobacco and the Florida Building Commission. The specific grants have either been completed or transferred to another state agency. Therefore, for Fiscal Year 2013-2014, there is no appropriation from the Federal Grants Trust Fund within the Department of Business and Professional Regulation.

The department does not anticipate receiving any other federal grant funding; however, this trust fund provides the department with the necessary segregation of funds and proper alignment of agency accounts in accordance with the requirements of s. 215.32, F.S.

III. Effect of Proposed Changes:

The Federal Grants Trust Fund within the department is re-created without modification. Section 455.1165(3), F.S., which terminates the trust fund on July 1, 2014, is repealed.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

Pursuant to Art. III, s. 19(f)(1) of the Florida Constitution, a bill that re-creates a trust fund must pass by a three-fifths vote of the membership of each house in a separate bill for that purpose only.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole, or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill repeals section 455.1165(3) of the Florida Statutes.

This bill creates an unnumbered section of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

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