

1 A bill to be entitled
 2 An act relating to trust funds; terminating specified
 3 trust funds within the Department of Economic
 4 Opportunity; providing for the disposition of balances
 5 in and revenues of such trust funds; prescribing
 6 procedures for the termination of such trust funds;
 7 amending ss. 17.61 and 420.36, F.S.; conforming
 8 provisions to changes made by this act; providing an
 9 effective date.

10

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

12

13 Section 1. (1) The following trust funds within the
 14 Department of Economic Opportunity are terminated:

15 (a) The Community Services Block Grant Trust Fund, FLAIR
 16 number 40-2-118;

17 (b) The Energy Consumption Trust Fund, FLAIR number 40-2-
 18 174; and

19 (c) The Low-Income Home Energy Assistance Program Block
 20 Grant Trust Fund, FLAIR number 40-2-451.

21 (2) All current balances remaining in, and all the
 22 revenues of, the trust funds shall be transferred to the Federal
 23 Grants Trust Fund within the Department of Economic Opportunity.

24 (3) The Department of Economic Opportunity shall pay any
 25 outstanding debts and obligations of the terminated trust funds
 26 as soon as practicable, and the Chief Financial Officer shall

27 close out and remove the terminated trust funds from the various
 28 state accounting systems using generally accepted accounting
 29 principles concerning outstanding warrants, assets, and
 30 liabilities.

31 Section 2. (1) The Economic Development Transportation
 32 Trust Fund within the Department of Economic Opportunity, FLAIR
 33 number 40-2-175, is terminated.

34 (2) All current balances remaining in, and all the
 35 revenues of, the trust fund shall be transferred to the State
 36 Transportation Trust Fund within the Department of
 37 Transportation.

38 (3) The Department of Economic Opportunity shall pay any
 39 outstanding debts and obligations of the terminated trust fund
 40 as soon as practicable, and the Chief Financial Officer shall
 41 close out and remove the terminated trust fund from the various
 42 state accounting systems using generally accepted accounting
 43 principles concerning outstanding warrants, assets, and
 44 liabilities.

45 Section 3. Paragraph (c) of subsection (3) of section
 46 17.61, Florida Statutes, is amended to read:

47 17.61 Chief Financial Officer; powers and duties in the
 48 investment of certain funds.—

49 (3)

50 (c) Except as provided in this paragraph and except for
 51 moneys described in paragraph (d), the following agencies may
 52 not invest trust fund moneys as provided in this section, but

53 shall retain such moneys in their respective trust funds for
 54 investment, with interest appropriated to the General Revenue
 55 Fund, pursuant to s. 17.57:

56 1. The Agency for Health Care Administration, except for
 57 the Tobacco Settlement Trust Fund.

58 2. The Agency for Persons with Disabilities, except for:

59 a. The Federal Grants Trust Fund.

60 b. The Tobacco Settlement Trust Fund.

61 3. The Department of Children and Families ~~Family~~
 62 ~~Services~~, except for:

63 a. The Alcohol, Drug Abuse, and Mental Health Trust Fund.

64 b. The Social Services Block Grant Trust Fund.

65 c. The Tobacco Settlement Trust Fund.

66 d. The Working Capital Trust Fund.

67 4. The Department of Corrections.

68 5. The Department of Elderly Affairs, except for:

69 a. The Federal Grants Trust Fund.

70 b. The Tobacco Settlement Trust Fund.

71 6. The Department of Health, except for:

72 a. The Federal Grants Trust Fund.

73 b. The Grants and Donations Trust Fund.

74 c. The Maternal and Child Health Block Grant Trust Fund.

75 d. The Tobacco Settlement Trust Fund.

76 7. The Department of Highway Safety and Motor Vehicles,
 77 only for the Security Deposits Trust Fund.

78 8. The Department of Juvenile Justice.

- 79 9. The Department of Law Enforcement.
- 80 10. The Department of Legal Affairs.
- 81 11. The Department of State, only for:
- 82 a. The Grants and Donations Trust Fund.
- 83 b. The Records Management Trust Fund.
- 84 12. The Department of Economic Opportunity, only for:
- 85 ~~a. The Economic Development Transportation Trust Fund.~~
- 86 ~~b.~~ the Economic Development Trust Fund.
- 87 13. The Florida Public Service Commission, only for the
- 88 Florida Public Service Regulatory Trust Fund.
- 89 14. The Justice Administrative Commission.
- 90 15. The state courts system.

91 Section 4. Paragraphs (a) and (c) of subsection (4) of
 92 section 420.36, Florida Statutes, are amended to read:

93 420.36 Low-income Emergency Home Repair Program.—There is
 94 established within the Department of Economic Opportunity the
 95 Low-income Emergency Home Repair Program to assist low-income
 96 persons, especially the elderly and physically disabled, in
 97 making emergency repairs which directly affect their health and
 98 safety.

99 (4) (a) Funds appropriated to the department for the
 100 program shall be deposited in the Federal Grants ~~Energy~~
 101 ~~Consumption~~ Trust Fund. Administrative and personnel costs
 102 incurred by the department in implementing the provisions of
 103 this section may be paid from the fund.

104 (c) Funds shall be distributed to grantees and subgrantees

105 as follows:

106 1. For each county, a base amount of at least \$3,000 shall
107 be set aside from the total funds available, and such amount
108 shall be deducted from the total amount appropriated by the
109 Legislature.

110 2. The balance of the funds appropriated by the
111 Legislature shall be divided by the total poverty population of
112 the state, and this quotient shall be multiplied by each
113 county's share of the poverty population. That amount plus the
114 base of at least \$3,000 constitutes ~~shall constitute~~ each
115 county's share. A grantee that ~~which~~ serves more than one county
116 shall receive the base amount plus the poverty population share
117 for each county to be served. Contracts with grantees may be
118 renewed annually.

119 3. The funds allocated to each county shall be offered
120 first to an existing weatherization assistance program grantee
121 in good standing, as determined by the department, which ~~that~~
122 can provide services to the target population of low-income
123 persons, low-income elderly persons, and low-income physically
124 disabled persons throughout the county.

125 4. If a weatherization assistance program grantee is not
126 available to serve the entire county area, the funds shall be
127 distributed through the following process:

128 a. An announcement of funding availability shall be
129 provided to the county. The county may elect to administer the
130 program.

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131 b. If the county elects not to administer the program, the
132 department shall establish rules to address the selection of one
133 or more public or private not-for-profit agencies that are
134 experienced in weatherization, rehabilitation, or emergency
135 repair to administer the program.

136 5. If no eligible agency agrees to serve a county, the
137 funds for that county shall be distributed to grantees having
138 the best performance record as determined by department rule. At
139 the end of the contract year, any uncontracted or unexpended
140 funds shall be returned to the Federal Grants ~~Energy Consumption~~
141 Trust Fund and reallocated under the next year's contracting
142 cycle.

143 Section 5. This act shall take effect July 1, 2014.