

ENROLLED

HB 5205, Engrossed 1

2017 Legislature

1
 2 An act relating to the Department of Veterans'
 3 Affairs; terminating the State Homes for Veterans
 4 Trust Fund within the department; providing for the
 5 disposition of balances in, revenues of, and
 6 outstanding appropriations of the trust fund;
 7 prescribing termination procedures; amending s.
 8 20.375, F.S.; revising provisions for use and
 9 administration of funds in the department's Operations
 10 and Maintenance Trust Fund; conforming provisions to
 11 changes made by the act; amending s. 296.11, F.S.;;
 12 revising purposes for the expenditure of moneys in the
 13 trust fund; amending s. 296.37, F.S.;; revising income
 14 requirements for certain contributions by residents of
 15 a veterans' nursing home; amending ss. 296.38, 320.02,
 16 320.08058, 320.089, 320.0891, and 322.08, F.S.;;
 17 conforming provisions to changes made by the act;
 18 providing an effective date.

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

21
 22 Section 1. (1) The State Homes for Veterans Trust Fund
 23 within the Department of Veterans' Affairs, FLAIR number 20-2-
 24 692, is terminated.

25 (2) All current balances remaining in, and all revenues

ENROLLED

HB 5205, Engrossed 1

2017 Legislature

26 | of, the trust fund shall be transferred to the Operations and
 27 | Maintenance Trust Fund within the Department of Veterans'
 28 | Affairs.

29 | (3) The Department of Veterans' Affairs shall pay any
 30 | outstanding debts or obligations of the terminated fund as soon
 31 | as practicable, and the Chief Financial Officer shall close out
 32 | and remove the terminated fund from various state accounting
 33 | systems using generally accepted accounting principles
 34 | concerning warrants outstanding, assets, and liabilities.

35 | Section 2. Paragraph (a) of subsection (3) and subsection
 36 | (4) of section 20.375, Florida Statutes, are amended to read:

37 | 20.375 Department of Veterans' Affairs; trust funds.—The
 38 | following trust funds shall be administered by the Department of
 39 | Veterans' Affairs:

40 | (3) Operations and Maintenance Trust Fund.

41 | (a) Funds to be credited to and uses of the trust fund
 42 | shall be administered in accordance with ~~the provisions of ss.~~
 43 | 215.32, 296.11, and 296.38, 320.08058, 320.089, and 320.0891.

44 | ~~(4) State Homes for Veterans Trust Fund.~~

45 | ~~(a) Funds to be credited to and uses of the trust fund~~
 46 | ~~shall be administered in accordance with the provisions of ss.~~
 47 | ~~320.08058 and 320.0891.~~

48 | ~~(b) Notwithstanding the provisions of s. 216.301 and~~
 49 | ~~pursuant to s. 216.351, any balance in the trust fund at the end~~
 50 | ~~of any fiscal year shall remain in the trust fund at the end of~~

ENROLLED

HB 5205, Engrossed 1

2017 Legislature

51 ~~the year and shall be available for carrying out the purposes of~~
 52 ~~the trust fund.~~

53 Section 3. Subsection (1) of section 296.11, Florida
 54 Statutes, is amended to read:

55 296.11 Funds of home and disposition of moneys.—

56 (1) The home shall deposit all moneys ~~which~~ it receives
 57 for care of residents from the United States Department of
 58 Veterans Affairs and residents into the Operations and
 59 Maintenance Trust Fund. All such moneys must be expended for the
 60 purpose of supporting program operations that benefit veterans
 61 or the operation, maintenance, or construction of a ~~operating~~
 62 and maintaining the home, subject to the requirements of chapter
 63 216.

64 Section 4. Subsection (1) of section 296.37, Florida
 65 Statutes, is amended to read:

66 296.37 Residents; contribution to support.—

67 (1) Every resident of the home who receives a pension,
 68 compensation, or gratuity from the United States Government, or
 69 income from any other source of more than \$105 ~~\$35~~ per month,
 70 shall contribute to his or her maintenance and support while a
 71 resident of the home in accordance with a schedule of payment
 72 determined by the administrator and approved by the director.
 73 The total amount of such contributions shall be to the fullest
 74 extent possible, ~~but, in no case,~~ shall not exceed the actual
 75 cost of operating and maintaining the home.

ENROLLED

HB 5205, Engrossed 1

2017 Legislature

76 Section 5. Subsection (1) of section 296.38, Florida
 77 Statutes, is amended to read:

78 296.38 Funds of home and disposition of moneys.—

79 (1) The home shall deposit all moneys ~~which~~ it receives
 80 for care of residents from the United States Department of
 81 Veterans Affairs and residents into the Operations and
 82 Maintenance Trust Fund. All such moneys shall be expended for
 83 the purpose of supporting program operations that benefit
 84 veterans or the operation, maintenance, or construction of a
 85 ~~operating and maintaining the home,~~ subject to the requirements
 86 of chapter 216.

87 Section 6. Paragraph (f) of subsection (15) of section
 88 320.02, Florida Statutes, is amended to read:

89 320.02 Registration required; application for
 90 registration; forms.—

91 (15)

92 (f) Notwithstanding s. 320.023, the application form for
 93 motor vehicle registration and renewal of registration must
 94 include language permitting a voluntary contribution of \$1 per
 95 applicant to the state homes for veterans, to be distributed on
 96 a quarterly basis by the department to the Operations and
 97 Maintenance State Homes for Veterans Trust Fund within, ~~which is~~
 98 ~~administered by~~ the Department of Veterans' Affairs.

99
 100 For the purpose of applying the service charge provided in s.

ENROLLED

HB 5205, Engrossed 1

2017 Legislature

101 215.20, contributions received under this subsection are not
 102 income of a revenue nature.

103 Section 7. Paragraph (b) of subsection (4), paragraph (b)
 104 of subsection (28), paragraph (b) of subsection (38), and
 105 paragraph (b) of subsection (63) of section 320.08058, Florida
 106 Statutes, are amended to read:

107 320.08058 Specialty license plates.—

108 (4) FLORIDA SALUTES VETERANS LICENSE PLATES.—

109 (b) The Florida Salutes Veterans license plate annual use
 110 fee shall be distributed as follows:

111 1. Ten percent shall be distributed to a direct-support
 112 organization created under s. 292.055 for a period not to exceed
 113 48 months after the date the direct-support organization is
 114 incorporated.

115 2. Any remaining fees must be deposited in the Operations
 116 and Maintenance State Homes for Veterans Trust Fund within
 117 ~~which is created in the State Treasury. All such moneys are to~~
 118 ~~be administered by the Department of Veterans' Affairs and must~~
 119 be used to support program operations that benefit veterans or
 120 the operation, maintenance, or construction of ~~solely for the~~
 121 ~~purpose of constructing, operating, and maintaining~~ domiciliary
 122 and nursing homes for veterans and for continuing promotion and
 123 marketing of the license plate, subject to the requirements of
 124 chapter 216.

125 (28) UNITED STATES MARINE CORPS LICENSE PLATES.—

ENROLLED

HB 5205, Engrossed 1

2017 Legislature

126 (b) The department shall distribute the United States
 127 Marine Corps license plate annual use fees as provided in this
 128 paragraph.

129 1. The first \$50,000 collected annually shall be
 130 distributed to the Marine Corps Scholarship Foundation, Inc.

131 2. Any remaining fees collected annually shall be
 132 distributed as follows:

133 a. Thirty-five percent shall be deposited in the
 134 Operations and Maintenance State Homes for Veterans Trust Fund
 135 within the Department of Veterans' Affairs and must be used to
 136 support program operations that benefit veterans or the
 137 operation, maintenance, or construction of solely for the
 138 purpose of constructing, operating, and maintaining domiciliary
 139 and nursing homes for veterans, subject to the requirements of
 140 chapter 216.

141 b. Sixty-five percent shall be distributed to the Marine
 142 Corps Scholarship Foundation, Inc., which shall use all fees
 143 distributed by the department to fund scholarships and assist
 144 Marine Corps Junior ROTC and Young Marine programs of this
 145 state. The foundation shall develop a plan to distribute the
 146 funds to recipients nominated by residents of the state to
 147 receive scholarships, and to the Marine Corps Junior ROTC and
 148 Young Marine programs in the state.

149 (38) MILITARY SERVICES LICENSE PLATES.—

150 (b) The department shall retain all revenues from the sale

ENROLLED

HB 5205, Engrossed 1

2017 Legislature

151 of such plates until all startup costs for developing and
 152 issuing the plates have been recovered. Thereafter, the annual
 153 use fee shall be deposited into the Operations and Maintenance
 154 ~~State Homes for Veterans~~ Trust Fund within the Department of
 155 Veterans' Affairs and must be used to support program operations
 156 that benefit veterans or the operation, maintenance, or
 157 construction of ~~solely to construct, operate, and maintain~~
 158 domiciliary and nursing homes for veterans, subject to the
 159 requirements of chapter 216.

160 (63) SUPPORT OUR TROOPS LICENSE PLATES.—

161 (b) The annual use fees from the plate shall be
 162 distributed to Support Our Troops, Inc., to be used for the
 163 benefit of Florida troops and their families in accordance with
 164 its articles of incorporation. Support Our Troops, Inc., shall
 165 receive the first \$60,000 of the use fees to offset startup
 166 costs for developing and establishing the plate. Thereafter, the
 167 department shall distribute the annual use fees as follows:

168 1. Twenty-five percent shall be distributed to Support Our
 169 Troops, Inc., to offset marketing, administration, and promotion
 170 costs.

171 2. Of the remaining 75 percent, 65 percent shall be
 172 distributed to Support Our Troops, Inc., and 35 percent shall be
 173 distributed to the Operations and Maintenance ~~State Homes for~~
 174 ~~Veterans~~ Trust Fund within the Department of Veterans' Affairs
 175 ~~State Homes~~.

ENROLLED

HB 5205, Engrossed 1

2017 Legislature

176 Section 8. Paragraph (b) of subsection (1) of section
 177 320.089, Florida Statutes, is amended to read:

178 320.089 Veterans of the United States Armed Forces;
 179 members of National Guard; survivors of Pearl Harbor; Purple
 180 Heart medal recipients; active or retired United States Armed
 181 Forces reservists; Combat Infantry Badge, Combat Medical Badge,
 182 or Combat Action Badge recipients; Combat Action Ribbon
 183 recipients; Air Force Combat Action Medal recipients;
 184 Distinguished Flying Cross recipients; former prisoners of war;
 185 Korean War Veterans; Vietnam War Veterans; Operation Desert
 186 Shield Veterans; Operation Desert Storm Veterans; Operation
 187 Enduring Freedom Veterans; Operation Iraqi Freedom Veterans;
 188 Women Veterans; World War II Veterans; and Navy Submariners;
 189 special license plates; fee.—

190 (1)

191 (b) Notwithstanding any other provision of law to the
 192 contrary, beginning with fiscal year 2002-2003 and annually
 193 thereafter, the first \$100,000 in general revenue generated from
 194 the sale of license plates issued under this section shall be
 195 deposited into the Grants and Donations Trust Fund, as described
 196 in s. 296.38(2), to be used for the purposes established by law
 197 for that trust fund. Any additional general revenue generated
 198 from the sale of such plates shall be deposited into the
 199 Operations and Maintenance State Homes for Veterans Trust Fund
 200 within the Department of Veterans' Affairs and used to support

ENROLLED

HB 5205, Engrossed 1

2017 Legislature

201 program operations that benefit veterans or the operation,
 202 maintenance, or construction of ~~solely to construct, operate,~~
 203 ~~and maintain~~ domiciliary and nursing homes for veterans, subject
 204 to the requirements of chapter 216.

205 Section 9. Subsection (6) of section 320.0891, Florida
 206 Statutes, is amended to read:

207 320.0891 U.S. Paratroopers license plate.—

208 (6) The department shall retain all annual use fee
 209 revenues from the sale of the U.S. Paratroopers license plates
 210 until all startup costs for developing and issuing the plates
 211 are recovered, not to exceed \$60,000. Thereafter, the annual use
 212 fee revenues shall be distributed to the Operations and
 213 Maintenance State Homes for Veterans Trust Fund within the
 214 Department of Veterans' Affairs.

215 Section 10. Paragraph (n) of subsection (8) of section
 216 322.08, Florida Statutes, is amended to read:

217 322.08 Application for license; requirements for license
 218 and identification card forms.—

219 (8) The application form for an original, renewal, or
 220 replacement driver license or identification card must include
 221 language permitting the following:

222 (n) Notwithstanding s. 322.081, a voluntary contribution
 223 of \$1 per applicant to the state homes for veterans, to be
 224 distributed on a quarterly basis by the department to the
 225 Operations and Maintenance State Homes for Veterans Trust Fund

ENROLLED

HB 5205, Engrossed 1

2017 Legislature

226 | within, ~~which is administered by~~ the Department of Veterans'
227 | Affairs.

228

229 | A statement providing an explanation of the purpose of the trust
230 | funds shall also be included. For the purpose of applying the
231 | service charge provided under s. 215.20, contributions received
232 | under paragraphs (b)-(t) are not income of a revenue nature.

233 | Section 11. This act shall take effect July 1, 2017.