

HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

BILL #: HB 323 Fish and Wildlife Conservation Commission Trust Funds

SPONSOR(S): Drake

TIED BILLS: **IDEN./SIM. BILLS:** SB 524

FINAL HOUSE FLOOR ACTION: 115 Y's 0 N's

GOVERNOR'S ACTION: Approved

SUMMARY ANALYSIS

HB 323 passed the House on April 28, 2021, as SB 524.

The Fish and Wildlife Conservation Commission (FWC) invests unobligated cash balances in its agency trust funds and earns interest on these investments. FWC does not currently have explicit statutory authority for the investment of funds in its trust funds.

The bill authorizes FWC to invest and reinvest funds in the following trust funds:

- Florida Panther Research and Management Trust Fund
- Invasive Plant Control Trust Fund
- Marine Resources Conservation Trust Fund
- Nongame Wildlife Trust Fund
- Save the Manatee Trust Fund
- State Game Trust Fund

FWC uses an Administrative Trust Fund to pay for administrative costs that impacts all program areas of the Commission. The Administrative Trust Fund is funded from a cost allocation assessment on its other trust funds for their fair share of administrative costs. FWC does not have explicit statutory authority for all of their trust funds to expend revenues for administrative costs.

The bill authorizes FWC to pay administrative costs with the following trust funds:

- Florida Panther Research and Management Trust Fund
- Invasive Plant Control Trust Fund
- Save the Manatee Trust Fund

The bill may have a positive fiscal impact on state government.

The bill was approved by the Governor on June 4, 2021, ch. 2021-54, L.O.F., and will become effective on July 1, 2021.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Background

Trust Fund Investments

The Fish and Wildlife Conservation Commission (FWC) operates from 13 trust funds and currently invests proceeds and cash balances from those funds.¹ The following trust funds do not have explicit statutory authority for the investment of funds:

- Florida Panther Research and Management Trust Fund
- Invasive Plant Control Trust Fund
- Marine Resources Conservation Trust Fund
- Nongame Wildlife Trust Fund
- Save the Manatee Trust Fund
- State Game Trust Fund

Administrative Costs

FWC uses an Administrative Trust Fund for administrative costs in the Executive Direction and Administrative Support Services program. These costs support all program areas of FWC. The Administrative Trust Fund is funded by a cost allocation assessment on agency trust funds to pay each fund's fair share of administrative costs. The following trust funds do not have clear statutory authority to expend revenues for administrative costs:

- Florida Panther Research and Management Trust Fund
- Invasive Plant Control Trust Fund
- Save the Manatee Trust Fund

Effect of the Bill

The bill authorizes FWC to invest and reinvest funds in the following trust funds:

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II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill may have a positive fiscal impact on state government by allowing FWC to continue to earn revenues by investing and reinvesting funds in its trust funds.

¹ FWC 2021 Agency Bill Analysis on HB 323 (January 22, 2021) on file with the House Agriculture & Natural Resources Appropriations Subcommittee.

2. Expenditures:

The bill may have a positive fiscal impact on state government by allowing FWC to continue using its trust funds to pay for administrative costs.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.