



224394

576-03266-22

Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on Transportation, Tourism, and  
Economic Development)

A bill to be entitled

An act relating to the Broadband Pole Replacement  
Trust Fund; creating s. 288.9965, F.S.; creating the  
trust fund within the Department of Economic  
Opportunity; providing the purpose of the trust fund;  
providing that moneys credited to the trust fund shall  
consist of certain funds; requiring that certain funds  
in the trust fund be used in a manner consistent with  
federal law or grant agreement for use of the funds;  
providing that the balance in the trust fund at the  
end of a fiscal year remains in the trust fund and is  
available for carrying out the purposes of the trust  
fund; providing for future legislative review and  
termination or re-creation of the trust fund;  
providing a directive to the Division of Law Revision;  
providing a contingent effective date.

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

Section 1. Section 288.9965, Florida Statutes, is created  
to read:

288.9965 Broadband Pole Replacement Trust Fund.-

(1) The Broadband Pole Replacement Trust Fund is created  
within the Department of Economic Opportunity for the purpose of  
providing reimbursements to qualified applicants under the  
Broadband Pole Replacement Program pursuant to s. 288.9964 and



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27 for use by the Florida Office of Broadband in the administration  
28 of that program. Moneys credited to the trust fund shall consist  
29 of funds appropriated by the Legislature; funds transferred by  
30 the department; interest earnings; and grants, gifts, and other  
31 contributions made directly to the trust fund. Any funds in the  
32 trust fund appropriated from federal funds must be used in a  
33 manner consistent with federal conditions or regulations, as  
34 applicable, and with any grant agreement entered into by the  
35 department with the federal agency for use of the funds.

36 (2) Notwithstanding s. 216.301 and pursuant to s. 216.351,  
37 any balance in the trust fund at the end of any fiscal year  
38 shall remain in the trust fund at the end of the year and shall  
39 be available for carrying out the purposes of the trust fund.

40 (3) In accordance with s. 19(f)(2), Art. III of the State  
41 Constitution, unless terminated sooner, the Broadband Pole  
42 Replacement Trust Fund shall be terminated 4 years after the  
43 effective date of this act. Before its scheduled termination,  
44 the trust fund shall be reviewed as provided in s. 215.3206(1)  
45 and (2).

46 Section 2. The Division of Law Revision is directed to  
47 replace the phrase "4 years after the effective date of this  
48 act" where it occurs in this act with the date the trust fund  
49 will terminate.

50 Section 3. This act shall take effect on the same date that  
51 SB 1800 or similar legislation takes effect, if such legislation  
52 is adopted in the same legislative session or an extension  
53 thereof and becomes a law.