

By Senator Boyd

21-01529B-22

20221802\_\_

1                   A bill to be entitled  
2           An act relating to the Broadband Pole Replacement  
3           Trust Fund; creating s. 288.9965, F.S.; creating the  
4           trust fund within the Department of Economic  
5           Opportunity; providing the purpose of the trust fund;  
6           providing that moneys credited to the trust fund shall  
7           consist of certain funds; requiring that funds in the  
8           trust fund be used in a manner consistent with federal  
9           law; providing that the balance in the trust fund at  
10          the end of a fiscal year remains in the trust fund and  
11          is available for carrying out the purposes of the  
12          trust fund; providing for future legislative review  
13          and termination or re-creation of the trust fund;  
14          providing a directive to the Division of Law Revision;  
15          providing a contingent effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

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

21           288.9965 Broadband Pole Replacement Trust Fund.-

22           (1) The Broadband Pole Replacement Trust Fund is created  
23 within the Department of Economic Opportunity for the purpose of  
24 providing reimbursements to qualified applicants under the  
25 Broadband Pole Replacement Program pursuant to s. 288.9964 and  
26 for use by the Florida Office of Broadband in the administration  
27 of that program. Moneys credited to the trust fund shall consist  
28 of funds appropriated by the Legislature; federal funds received  
29 from the Coronavirus Capital Projects Fund for the Broadband

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30 Pole Replacement Program; funds transferred by the department;  
31 interest earnings; and grants, gifts, and other contributions  
32 made directly to the trust fund. Funds in the trust fund must be  
33 used in a manner consistent with federal law.

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

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

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

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