

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

BILL: CS/SB 1320

INTRODUCER: Appropriations Committee on Agriculture, Environment, and General Government and Senator Rodriguez

SUBJECT: Resilient Florida Trust Fund/Department of Environmental Protection

DATE: March 20, 2025 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Reagan</u>	<u>Betta</u>	<u>AEG</u>	<u>Fav/CS</u>
2.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1320 re-creates, without modification, the Resilient Florida Trust Fund within the Department of Environmental Protection (DEP) and repeals the scheduled termination of the trust fund.

The bill has no impact on state or local funds. **See Section V. Fiscal Impact Statement.**

The bill has an effective date of July 1, 2025.

II. Present Situation:

Trust Funds

Article III, s. 19(f) of the Florida Constitution requires the termination of a trust fund within four years of the effective date of the act authorizing the initial creation of the trust fund, unless the trust fund is exempted from termination by the Florida Constitution.

Resilient Florida Trust Fund within the Department of Environmental Protection

Article III, s. 19(f) of the Florida Constitution requires that all newly created trust funds terminate not more than four years after the initial creation unless re-created. This provision requires that a trust fund be created or re-created by a three-fifths vote of the membership in each

house of the Legislature in a separate bill for the sole purpose of creating or re-creating that trust fund. The Resilient Florida Trust Fund is available as a funding source for the Resilient Florida Grant Program and the Statewide Flooding and Sea Level Rise Resilience Plan, including costs to operate the grant program, to develop the plan, and to provide grants to regional resilience coalitions. The DEP also uses moneys deposited in the trust fund for administrative and operational costs of the Florida Flood Hub for Applied Research and Innovation and coastal resilience initiatives.¹ Trust Fund monies may only be expended pursuant to a legislative appropriation. Moneys credited to the Trust Fund consist of proceeds from:

- Distribution in documents excise taxes (documentary stamp tax);
- Federal grants;
- Interest earnings; and
- Gaming compact revenues.

In accordance with Art. III, s. 19(f)(2) of the Florida Constitution, the Resilient Florida Trust Fund within the DEP is scheduled to terminate on July 1, 2025, unless terminated sooner. The Legislature must review the Trust Fund before its scheduled termination.

III. Effect of Proposed Changes:

To ensure that the Resilient Florida Trust Fund within the DEP is not terminated, the bill re-creates such trust fund without modification.

The bill repeals the scheduled termination of the trust fund codified in s. 380.0935(3), F.S.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

Article III, s. 19(f)(1) of the Florida Constitution requires bills that create or re-create trust funds to pass by three-fifths vote of the membership of each house of the legislature in a separate bill for that purpose only.

D. State Tax or Fee Increases:

None.

¹ Section [380.0935, F.S.](#)

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of the Florida Statutes.

This bill repeals section 380.0953(3) of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Appropriations Committee on Agriculture, Environment and General Government on March 18, 2025:

The committee substitute removes the Flair number 20-2-055 from the bill.

B. Amendments:

None.