

# CHAPTER 97-115

## House Bill No. 867

An act relating to trust funds; creating s. 20.435(1)(c) and (2), F.S., relating to trust funds of the Department of Health; creating the Grants and Donations Trust Fund within the department; providing for sources of moneys and purposes; providing for annual carryforward of funds; providing for future review and termination or recreation of the trust fund; providing a directive to the Division of Statutory Revision; providing an effective date.

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

Section 1. Paragraph (c) of subsection (1) and subsection (2) of section 20.435, Florida Statutes, are created to read:

20.435 Department of Health; trust funds.—

(1) The following trust funds are hereby created, to be administered by the Department of Health:

(c) Grants and Donations Trust Fund.

1. Funds to be credited to the trust fund shall consist of restricted contractual revenue from public or private sources such as receipts from Medicaid, funds from federal environmental laws such as the Safe Drinking Water Act and the Super Act, funds from other health and environmental programs, and funds from private sources such as foundations. Funds shall be used for the purpose of supporting the activities of the department and shall be expended only pursuant to legislative appropriation or an approved amendment to the department's operating budget pursuant to the provisions of chapter 216.

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

(2) Pursuant to the provisions of s. 19(f)(2), Art. III of the State Constitution, each trust fund listed in subsection (1) shall, unless terminated sooner, be terminated on July 1, 2001. However, prior to its scheduled termination, each trust fund listed in subsection (1) shall be reviewed as provided in s. 215.3206(1) and (2).

Section 2. In editing manuscript for the next edition of the official Florida Statutes, the Division of Statutory Revision of the Joint Legislative Management Committee shall incorporate within section 20.435, Florida Statutes, as created by this act, all trust funds created within the Department of Health by separate legislation, as required by Section 19(f)(1) of Article III of the State Constitution, during the 1997 Regular Session of the Legislature or any extension thereof.

Section 3. This act shall take effect July 1, 1997.

Became a law without the Governor's approval May 24, 1997.

Filed in Office Secretary of State May 23, 1997.