

CHAPTER 97-303

Senate Bill No. 656

An act relating to funding for criminal proceedings; amending ss. 27.38, 27.60, F.S.; revising the budget transfer authority of state attorneys and public defenders; providing an effective date.

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

Section 1. Subsection (1) of section 27.38, Florida Statutes, is amended to read:

27.38 Budget transfer authority.—

(1) Notwithstanding ~~the provisions of~~ s. 216.292, each state attorney, whenever he or she deems it necessary by reason of changed conditions, may transfer appropriations funded from identical funds as prescribed in s. 215.32, except appropriations for fixed capital outlay, and transfer the amounts included within the total original approved budget and releases as furnished pursuant to ss. 216.181 and 216.192, as follows:

(a) Between categories of appropriations within a budget entity, if no category of appropriation is changed ~~increased or decreased~~ by more than \$100,000 ~~\$25,000~~ plus 5 percent of the original approved budget by all action taken under this subsection.

(b) Additionally, between budget entities within identical categories of appropriations, if no category of appropriation is changed ~~increased or decreased~~ by more than \$100,000 ~~\$25,000~~ plus 5 percent of the original approved budget by all action taken under this subsection.

Such authorized revisions, together with related changes, if any, in the plan for release of appropriations, shall be transmitted by the state attorney to the Comptroller for entry in his or her records in the manner and format prescribed by the Executive Office of the Governor in consultation with the Comptroller. A copy of such revision shall be furnished the Executive Office of the Governor, the chairs of the legislative appropriations committees, and the Auditor General.

Section 2. Subsection (1) of section 27.60, Florida Statutes, is amended to read:

27.60 Budget transfer authority.—

(1) Notwithstanding ~~the provisions of~~ s. 216.292, each public defender, whenever he or she deems it necessary by reason of changed conditions, may transfer appropriations funded from identical funds as prescribed in s. 215.32, except appropriations for fixed capital outlay, and transfer the amounts included within the total original approved budget and releases as furnished pursuant to ss. 216.181 and 216.192, as follows:

(a) Between categories of appropriations within a budget entity, if no category of appropriation is changed ~~increased or decreased~~ by more than \$100,000 ~~\$25,000~~ plus 5 percent of the original approved budget by all action taken under this subsection.

(b) Additionally, between budget entities within identical categories of appropriations, if no category of appropriation is changed ~~increased or decreased~~ by more than \$100,000 ~~\$25,000~~ plus 5 percent of the original approved budget by all action taken under this subsection.

Such authorized revisions, together with related changes, if any, in the plan for release of appropriations, shall be transmitted by the public defender to the Comptroller for entry in his or her records in the manner and format prescribed by the Executive Office of the Governor in consultation with the Comptroller. A copy of such revision shall be furnished the Executive Office of the Governor, the chairs of the legislative appropriations committees, and the Auditor General.

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

Became a law without the Governor's approval June 4, 1997.

Filed in Office Secretary of State June 3, 1997.