

Senate Bill No. 912

An act relating to trust funds; creating the Emergency Response Trust Fund within the Department of Military Affairs; providing sources of funds; providing for the use of funds; providing an exemption from certain service charges; providing for an annual carryforward of funds; providing for future legislative review and termination or re-creation of the trust fund; providing a contingent effective date.

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

Section 1. Emergency Response Trust Fund.—

(1) The Emergency Response Trust Fund is created within the Department of Military Affairs.

(2) Funds to be credited to the trust fund shall consist of reimbursements from the Federal Emergency Management Agency for the costs of activating the Florida National Guard and transfers of state funds approved by budget amendments processed as provided in chapter 216, Florida Statutes. Such funds shall be used to pay all operational costs incurred by the Florida National Guard when called to active duty.

(3)(a) The trust fund is exempt from the service charges imposed by section 215.20, Florida Statutes.

(b) Notwithstanding section 216.301, Florida Statutes, and pursuant to section 216.351, Florida Statutes, any balance in the trust fund at the end of the fiscal year shall remain in the trust fund and shall be available for carrying out the purposes of the trust fund.

(4) In accordance with Section 19(f)(2) of Article III of the State Constitution, the Emergency Response Trust Fund shall, unless terminated sooner, be terminated on July 1, 2006. Before its scheduled termination, the trust fund shall be reviewed as provided in section 215.3206(1) and (2), Florida Statutes.

Section 2. This act shall take effect July 1, 2002, but it shall not take effect unless it is enacted by at least a three-fifths vote of the membership of each house of the Legislature.

Approved by the Governor April 24, 2002.

Filed in Office Secretary of State April 24, 2002.