

House Bill No. 19-A

An act relating to hurricane-relief funding; amending s. 252.37, F.S., relating to emergency management; requiring that the state and the affected local government provide certain amounts of matching funds following acceptance of federal public assistance funds that are conditioned upon such match; authorizing the Executive Office of the Governor to waive the requirement under certain circumstances; requiring that the recipient provide a required match before receiving federal hazard-mitigation funds; providing for certain exceptions; providing for retroactive application of the requirements for providing matching funds; providing appropriations; providing requirements for local governments with respect to matching funds; authorizing future payments or a deduction from the local government's revenue-sharing allocation; specifying that the nonrecurring appropriations are to meet needs caused by hurricanes and a tropical storm; requiring that the Executive Office of the Governor provide prior notice to the Legislative Budget Commission of allocations from lump-sum appropriations to appropriation categories; providing an effective date.

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

Section 1. Effective upon this act becoming a law and applying retroactively to July 1, 2004, subsections (5) and (6) are added to section 252.37, Florida Statutes, to read:

252.37 Financing.—

(5) Unless otherwise specified in the General Appropriations Act:

(a) Whenever the state accepts financial assistance from the Federal Government or its agencies under the federal Public Assistance Program and such financial assistance is conditioned upon a requirement for matching funds, the state shall provide the entire match requirement for state agencies and one-half of the required match for grants to local governments. The affected local government shall be required to provide one-half of the required match prior to receipt of such financial assistance.

(b) The Executive Office of the Governor may approve a waiver, subject to the requirement for legislative notice and review under s. 216.177, of all or a portion of the required match for public assistance projects for local governments if the Executive Office of the Governor determines that such a match requirement cannot be provided, or that doing so would impose a documented hardship on the local government, and if the local government applies for the waiver within the first 18 months after the disaster is declared.

(6) Whenever the state accepts financial assistance from the Federal Government or its agencies under the federal Hazard Mitigation Assistance

Grant Program and such financial assistance is conditioned upon a requirement for matching funds, the eligible subgrantee recipient shall be required to provide the full amount of the required match prior to receipt of such financial assistance unless otherwise specified in the General Appropriations Act.

Section 2. For the 2004-2005 fiscal year only, \$55,722,888 is appropriated from the General Revenue Fund for deposit into the Grants and Donations Trust Fund in the Department of Community Affairs and \$55,722,888 is appropriated in lump sum from the Grants and Donations Trust Fund to the Department of Community Affairs for the purpose of meeting the state's portion of the match requirements of the Individuals and Households, Other Needs Assistance Program administered by the Federal Government.

Section 3. (1) For the 2004-2005 fiscal year only, \$578,193,040 is appropriated in lump sum from the U.S. Contributions Trust Fund in the Department of Community Affairs to the Department of Community Affairs to provide supplemental federal disaster grant assistance to eligible recipients.

(2) Prior to the release of the funds appropriated in this section, the department shall ensure that the affected local government has provided a 5-percent local match. Because the location, type of disaster, and severity of the event can materially affect the magnitude of costs, a local government's share of public assistance projects may be initially provided by the state, with future payment being provided by the appropriate local government or deducted from the local government's state revenue-sharing allocation.

Section 4. For the 2004-2005 fiscal year only, \$35,526,935 is appropriated from the General Revenue Fund for deposit into the Grants and Donations Trust Fund in the Department of Community Affairs and \$35,526,935 is appropriated in lump sum from the Grants and Donations Trust Fund to the Department of Community Affairs for the purpose of meeting the state's portion of the match requirements for the public assistance grant program.

Section 5. For the 2004-2005 fiscal year only, \$305,405 is appropriated from the General Revenue Fund for deposit into the Grants and Donations Trust Fund in the Department of Community Affairs, \$305,405 is appropriated in lump sum from the Grants and Donations Trust Fund to the Department of Community Affairs, and \$916,214 is appropriated in lump sum from the U.S. Contributions Trust Fund in the Department of Community Affairs to the Department of Community Affairs for the purpose of paying the state management administrative costs of the Hazard Mitigation Grant Program. The funds appropriated in this section from the General Revenue Fund are provided to meet the state's portion of the match requirements for state management administrative costs of the Hazard Mitigation Grant Program.

Section 6. All appropriations authorized by this act are nonrecurring and are intended to address needs caused by Tropical Storm Bonnie and Hurricanes Charley, Frances, Ivan, and Jeanne.

Section 7. Notwithstanding the provisions of section 216.177, Florida Statutes, requiring a 14-day notice for interim budget actions, and pursuant

to section 216.351, Florida Statutes, the Executive Office of the Governor shall provide notice of the allocation of the lump sum appropriations authorized by this act into traditional appropriation categories to the chair and vice chair of the Legislative Budget Commission at least 3 working days prior to the effective date of such allocation.

Section 8. This act shall take effect upon becoming a law.

Approved by the Governor December 21, 2004.

Filed in Office Secretary of State December 21, 2004.