

Senate Bill No. 2120

An act relating to trust funds of the Department of Veterans' Affairs; creating s. 20.375, F.S.; providing for the administration of the Federal Grants Trust Fund, the Grants and Donations Trust Fund, the Operations and Maintenance Trust Fund, and the State Homes for Veterans Trust Fund by the Department of Veterans' Affairs; providing for sources of funds and purposes; providing for annual carry-forward of funds; amending ss. 296.11 and 296.38, F.S.; specifying an additional use of moneys in the Grants and Donations Trust Fund of the department for the benefit of veterans who are residents of the Veterans' Domiciliary Home of Florida or a veterans' nursing home; providing an effective date.

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

Section 1. Section 20.375, Florida Statutes, is created to read:

20.375 Department of Veterans' Affairs; trust funds.—The following trust funds shall be administered by the Department of Veterans' Affairs:

(1) Federal Grants Trust Fund.

(a) Funds to be credited to and uses of the trust fund shall be administered in accordance with the provisions of s. 215.32.

(b) 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) Grants and Donations Trust Fund.

(a) Funds to be credited to and uses of the trust fund shall be administered in accordance with the provisions of ss. 215.32, 296.11, 296.38, and 320.089.

(b) 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.

(3) Operations and Maintenance Trust Fund.

(a) Funds to be credited to and uses of the trust fund shall be administered in accordance with the provisions of ss. 215.32, 296.11, and 296.38.

(b) 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.

(4) State Homes for Veterans Trust Fund.

(a) Funds to be credited to and uses of the trust fund shall be administered in accordance with the provisions of ss. 320.08058 and 320.0891.

(b) 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.

Section 2. Subsection (2) of section 296.11, Florida Statutes, is amended to read:

296.11 Funds of home and disposition of moneys.—

(2) The home shall deposit all moneys received pursuant to s. 296.15 into the Grants and Donations Trust Fund. Moneys in the Grants and Donations Trust Fund must be expended for the common benefit of the residents of the home, such as improved facilities, recreational equipment, ~~and~~ recreational supplies, and goods and services offered or available to all residents, subject to the requirements of chapter 216.

Section 3. Subsection (2) of section 296.38, Florida Statutes, is amended to read:

296.38 Funds of home and disposition of moneys.—

(2) The home shall be empowered to receive and accept gifts, grants, and endowments in the name of the home. All such gifts, grants, and endowments are to be used for the benefit of the home and its residents. The administrator, together with the director, shall have the authority to determine how these gifts, grants, and endowments could best benefit the home and its residents unless the benefactor requests or instructs that the gift, grant, or endowment be used for a specific purpose. The home shall deposit all moneys received pursuant to this subsection into the Grants and Donations Trust Fund. Moneys in the Grants and Donations Trust Fund shall be expended for the common benefit of the residents of the home, such as recreational equipment, improved facilities, ~~and~~ recreational supplies, and goods and services offered or available to all residents.

Section 4. This act shall take effect July 1, 2008.

Approved by the Governor April 21, 2008.

Filed in Office Secretary of State April 21, 2008.