

CHAPTER 2014-47

Senate Bill No. 686

An act relating to trust funds; terminating specified trust funds within the Department of Economic Opportunity; providing for the disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; amending ss. 17.61 and 420.36, F.S.; conforming provisions to changes made by this act; providing an effective date.

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

Section 1. (1) The following trust funds within the Department of Economic Opportunity are terminated:

(a) The Community Services Block Grant Trust Fund, FLAIR number 40-2-118;

(b) The Energy Consumption Trust Fund, FLAIR number 40-2-174; and

(c) The Low-Income Home Energy Assistance Program Block Grant Trust Fund, FLAIR number 40-2-451.

(2) All current balances remaining in, and all the revenues of, the trust funds shall be transferred to the Federal Grants Trust Fund within the Department of Economic Opportunity.

(3) The Department of Economic Opportunity shall pay any outstanding debts and obligations of the terminated trust funds as soon as practicable, and the Chief Financial Officer shall close out and remove the terminated trust funds from the various state accounting systems using generally accepted accounting principles concerning outstanding warrants, assets, and liabilities.

Section 2. (1) The Economic Development Transportation Trust Fund within the Department of Economic Opportunity, FLAIR number 40-2-175, is terminated.

(2) All current balances remaining in, and all the revenues of, the trust fund shall be transferred to the State Transportation Trust Fund within the Department of Transportation.

(3) The Department of Economic Opportunity shall pay any outstanding debts and obligations of the terminated trust fund as soon as practicable, and the Chief Financial Officer shall close out and remove the terminated trust fund from the various state accounting systems using generally accepted accounting principles concerning outstanding warrants, assets, and liabilities.

Section 3. Paragraph (c) of subsection (3) of section 17.61, Florida Statutes, is amended to read:

17.61 Chief Financial Officer; powers and duties in the investment of certain funds.—

(3)

(c) Except as provided in this paragraph and except for moneys described in paragraph (d), the following agencies may not invest trust fund moneys as provided in this section, but shall retain such moneys in their respective trust funds for investment, with interest appropriated to the General Revenue Fund, pursuant to s. 17.57:

1. The Agency for Health Care Administration, except for the Tobacco Settlement Trust Fund.

2. The Agency for Persons with Disabilities, except for:

a. The Federal Grants Trust Fund.

b. The Tobacco Settlement Trust Fund.

3. The Department of Children and Families ~~Family Services~~, except for:

a. The Alcohol, Drug Abuse, and Mental Health Trust Fund.

b. The Social Services Block Grant Trust Fund.

c. The Tobacco Settlement Trust Fund.

d. The Working Capital Trust Fund.

4. The Department of Corrections.

5. The Department of Elderly Affairs, except for:

a. The Federal Grants Trust Fund.

b. The Tobacco Settlement Trust Fund.

6. The Department of Health, except for:

a. The Federal Grants Trust Fund.

b. The Grants and Donations Trust Fund.

c. The Maternal and Child Health Block Grant Trust Fund.

d. The Tobacco Settlement Trust Fund.

7. The Department of Highway Safety and Motor Vehicles, only for the Security Deposits Trust Fund.

8. The Department of Juvenile Justice.
9. The Department of Law Enforcement.
10. The Department of Legal Affairs.
11. The Department of State, only for:
 - a. The Grants and Donations Trust Fund.
 - b. The Records Management Trust Fund.
12. The Department of Economic Opportunity, only for:
 - a. ~~The Economic Development Transportation Trust Fund.~~
 - b. the Economic Development Trust Fund.
13. The Florida Public Service Commission, only for the Florida Public Service Regulatory Trust Fund.
14. The Justice Administrative Commission.
15. The state courts system.

Section 4. Paragraphs (a) and (c) of subsection (4) of section 420.36, Florida Statutes, are amended to read:

420.36 Low-income Emergency Home Repair Program.—There is established within the Department of Economic Opportunity the Low-income Emergency Home Repair Program to assist low-income persons, especially the elderly and physically disabled, in making emergency repairs which directly affect their health and safety.

(4)(a) Funds appropriated to the department for the program shall be deposited in the ~~Federal Grants Energy Consumption~~ Trust Fund. Administrative and personnel costs incurred by the department in implementing the provisions of this section may be paid from the fund.

(c) Funds shall be distributed to grantees and subgrantees as follows:

1. For each county, a base amount of at least \$3,000 shall be set aside from the total funds available, and such amount shall be deducted from the total amount appropriated by the Legislature.

2. The balance of the funds appropriated by the Legislature shall be divided by the total poverty population of the state, and this quotient shall be multiplied by each county's share of the poverty population. That amount plus the base of at least \$3,000 ~~shall constitute~~ constitutes each county's share. A grantee ~~that~~ which serves more than one county shall receive the base amount plus the poverty population share for each county to be served. Contracts with grantees may be renewed annually.

3. The funds allocated to each county shall be offered first to an existing weatherization assistance program grantee in good standing, as determined by the department, which ~~that~~ can provide services to the target population of low-income persons, low-income elderly persons, and low-income physically disabled persons throughout the county.

4. If a weatherization assistance program grantee is not available to serve the entire county area, the funds shall be distributed through the following process:

a. An announcement of funding availability shall be provided to the county. The county may elect to administer the program.

b. If the county elects not to administer the program, the department shall establish rules to address the selection of one or more public or private not-for-profit agencies that are experienced in weatherization, rehabilitation, or emergency repair to administer the program.

5. If no eligible agency agrees to serve a county, the funds for that county shall be distributed to grantees having the best performance record as determined by department rule. At the end of the contract year, any uncontracted or unexpended funds shall be returned to the Federal Grants Energy Consumption Trust Fund and reallocated under the next year's contracting cycle.

Section 5. This act shall take effect July 1, 2014.

Approved by the Governor June 2, 2014.

Filed in Office Secretary of State June 2, 2014.