

CHAPTER 2022-1

Committee Substitute for Senate Bill No. 96

An act relating to the Emergency Preparedness and Response Fund; amending s. 11.90, F.S.; authorizing the Legislative Budget Commission to convene to transfer or appropriate certain funds to the Emergency Preparedness and Response Fund; amending s. 252.37, F.S.; revising legislative intent; authorizing the Governor to transfer and expend moneys from the Emergency Preparedness and Response Fund; authorizing the Governor to request that additional funds be transferred or appropriated to the Emergency Preparedness and Response Fund, subject to approval by the Legislative Budget Commission, under specified conditions; providing a transfer of funds; providing a contingent effective date.

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

Section 1. Subsection (8) is added to section 11.90, Florida Statutes, to read:

11.90 Legislative Budget Commission.—

(8) The commission may convene to transfer or appropriate unappropriated surplus funds to the Emergency Preparedness and Response Fund created under s. 252.3711.

Section 2. Subsection (2) of section 252.37, Florida Statutes, is amended to read:

252.37 Financing.—

(2)(a) It is the legislative intent that the first recourse be made to funds specifically ~~regularly~~ appropriated to state and local agencies for disaster relief or response.

(b) If the Governor finds that the demands placed upon these funds in coping with a particular disaster declared by the Governor as a state of emergency are unreasonably great, she or he may make funds available by transferring and expending moneys ~~appropriated for other purposes, by transferring and expending moneys out of any unappropriated surplus funds, or from the~~ Emergency Preparedness and Response Budget Stabilization Fund created under s. 252.3711. The Governor may request that additional funds be transferred or appropriated to the Emergency Preparedness and Response Fund by a budget amendment, subject to approval of the Legislative Budget Commission.

(c) Following the expiration or termination of the state of emergency, the Governor may transfer moneys with a budget amendment, subject to approval by the Legislative Budget Commission, to satisfy the budget

authority granted for such emergency. The transfers and expenditures supporting the amendment must be directly related to the declared disaster or emergency.

Section 3. The Chief Financial Officer shall immediately transfer the nonrecurring sum of \$500 million from the General Revenue Fund to the Emergency Preparedness and Response Fund in the Executive Office of the Governor to be used for preparing for or responding to a disaster declared by the Governor as a state of emergency.

Section 4. This act shall take effect on the same date that SB 98 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

Approved by the Governor February 17, 2022.

Filed in Office Secretary of State February 17, 2022.