

CHAPTER 2026-180

Senate Bill No. 7040

An act relating to trust funds; re-creating the Emergency Preparedness and Response Fund within the Executive Office of the Governor; amending s. 252.3711, F.S.; specifying that moneys are appropriated to the Emergency Preparedness and Response Fund by the Legislature or pursuant to a specified provision; authorizing funds to be used for specified emergencies; requiring that budget amendments be submitted in accordance with a specified provision; providing an exception; requiring that federal reimbursements of state emergency expenditures be deposited in a separate account within the fund; providing requirements for such account; prohibiting moneys in the fund from being used to purchase aircraft, boats, or motor vehicles; providing construction; providing for the termination of the fund on a specified date; requiring a certain review of the fund before termination; requiring the Division of Emergency Management to submit a specified report periodically to the Legislature, beginning on a specified date; providing for retroactive application; providing an effective date.

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

Section 1. The Emergency Preparedness and Response Fund within the Executive Office of the Governor, which terminated pursuant to s. 19(f), Article III of the State Constitution on February 17, 2026, is re-created within the Executive Office of the Governor.

Section 2. Section 252.3711, Florida Statutes, is amended to read:

252.3711 Emergency Preparedness and Response Fund.—

(1) The Emergency Preparedness and Response Fund is created within the Executive Office of the Governor.

(2) The fund is established for use as a depository for moneys specifically transferred or appropriated to the fund by the Legislature or pursuant to s. 11.90. The moneys deposited in the fund are available as a primary funding source for the Governor for purposes of preparing or responding to a disaster declared by the Governor as a state of emergency that exceeds regularly appropriated funding sources.

(a) Moneys in the fund may be used for a natural emergency. If such state of emergency has been renewed pursuant to s. 252.36, budget amendments must be submitted in accordance with the notice, review, and objection procedures set forth in s. 216.177, notwithstanding ss. 216.181 and 216.292.

(b) Moneys in the fund may be used for a state of emergency that is a manmade emergency or a technological emergency. If such state of

emergency has been renewed pursuant to s. 252.36, budget amendments must be submitted in accordance with the notice, review, and objection procedures set forth in s. 216.177. However, the chair and the vice chair of the Legislative Budget Commission may authorize such amendment to be approved pursuant to s. 216.177.

(c) Federal reimbursements of state emergency expenditures shall be deposited in a separate account within the fund. Expenditures from this separate account may only be made for invoices that were incurred before the deposit of the federal reimbursement and may not be used for any other purpose until all outstanding prior invoices have been paid.

(d) Moneys in the fund may not be used to purchase aircraft, boats, or motor vehicles; however, nothing in this paragraph shall prohibit the short-term lease of aircraft, boats, or motor vehicles for responding to an emergency.

~~(3) In accordance with s. 19(f)(2), Art. III of the State Constitution, The Emergency Preparedness and Response Fund shall, unless terminated sooner, be terminated July 1, 2028 4 years after the effective date of this act. Before its scheduled termination, the fund shall be reviewed as provided in s. 215.3208 s. 215.3206(1) and (2).~~

(4) Beginning July 15, 2026, and on or before the 15th day of the month following each quarter, the Division of Emergency Management shall submit a report to the President of the Senate and the Speaker of the House of Representatives which includes all of the following:

(a) The projected year-end cash balance of the fund.

(b) An updated cash flow statement for that fiscal year.

(c) An update on all pending and received federal reimbursements.

(d) An accounting of all inventory and assets purchased, itemized by emergency event and agency, for preparing for, responding to, or recovering from a state of emergency and the current status of such assets.

(e) An accounting of all pending invoices, itemized by emergency event and agency, including the date the invoice was received.

Section 3. This act shall operate retroactively to February 17, 2026.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor June 29, 2026.

Filed in Office Secretary of State June 29, 2026.