

HOUSE OF REPRESENTATIVES TRUST FUND RE-CREATION STAFF ANALYSIS

BILL #: PCB GOAS 14-01 Federal Grants Trust Fund/DBPR
SPONSOR(S): Government Operations Appropriations Subcommittee
TIED BILLS: **IDEN./SIM. BILLS:** SB 680

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Government Operations Appropriations Subcommittee		Topp	Topp

I. SUMMARY

Section 19(f), Article III of the State Constitution requires that all newly created trust funds terminate not more than four years after the initial creation unless re-created. This provision also requires that trust funds be created or re-created by a three-fifths vote of the membership in each house of the Legislature in a separate bill for the sole purpose of creating or re-creating that trust fund. The Federal Grants Trust Fund was created in the Department of Business and Professional Regulation (DBPR) effective July 1, 2011 in Ch. 2011-60, Laws of Florida, and is scheduled to terminate on July 1, 2015.

This legislation re-creates the Federal Grants Trust Fund in the Department of Business and Professional Regulation without modification, effective July 1, 2014, provided that it is enacted by three-fifths of the membership of both houses of the Legislature.

This bill has no fiscal impact.

II. SUBSTANTIVE ANALYSIS

A. PRESENT SITUATION:

1. MAJOR STATUTES THAT CONTROL THE TRUST FUND:

Section 19(f), Article III of the State Constitution requires that all newly created trust funds terminate not more than four years after the initial creation unless re-created. This provision also requires that trust funds be created or re-created by a three-fifths vote of the membership in each house of the Legislature in a separate bill for the sole purpose of creating or re-creating that trust fund. The Federal Grants Trust Fund was created within the Department of Business and Professional Regulation effective July 1, 2011 by chapter 2011-60, Laws of Florida in s. 455.1165, F.S. and is scheduled to terminate on July 1, 2015.

2. BRIEF DESCRIPTION OF THE FUND'S USES OR PURPOSES:

The Trust Fund was established for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources.

3. MAJOR SOURCES OF REVENUE FOR THE FUND:

Funds credited to the Federal Grants Trust Fund consist of grants and funding from the federal government, interest earnings and cash advances from other trust funds.

4. TOTAL PROJECTED RECEIPTS INTO THE FUND AND CURRENT YEAR APPROPRIATIONS FROM THE FUND:

In the 2012-2013, fiscal year, receipts into the Federal Grants Trust Fund were \$285,212 and expenditures totaled \$250,532. In the current fiscal year, DBPR has no active federal grant funding; therefore, there are no projected receipts or appropriations for the Federal Grants Trust Fund.

B. EFFECT OF PROPOSED CHANGES:

The bill re-creates the Federal Grants Trust Fund within the Department of Business and Professional Regulation without modification, effective July 1, 2014 and repeals the scheduled termination of the trust fund.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

IV. COMMENTS

V. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES