

# HOUSE OF REPRESENTATIVES TRUST FUND RE-CREATION STAFF ANALYSIS

**BILL #:** PCB TEDAS 13-06 Federal Grants Trust Fund/DEO  
**SPONSOR(S):** Transportation & Economic Development Appropriations Subcommittee  
**TIED BILLS:** **IDEN./SIM. BILLS:** SB 208

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Transportation & Economic Development Appropriations Subcommittee		Lipsky	Davis

## 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 Economic Opportunity effective July 1, 2010, and is scheduled to terminate on July 1, 2014.

This legislation re-creates the Federal Grants Trust Fund within the Department of Economic Opportunity without modification, effective July 1, 2013, 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 in the Department of Community Affairs effective July 1, 2010, by chapter 2010-21, Laws of Florida, in section 20.181, Florida Statutes, and was transferred to the Department of Economic Opportunity by chapter 2011-142, Laws of Florida. It is scheduled to terminate on July 1, 2014.

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

This trust fund serves 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:

Moneys in the 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:

The total projected receipts into this fund for the current year are \$181,266,879, and current year appropriations from the fund are \$148,648,913.

### B. EFFECT OF PROPOSED CHANGES:

This legislation re-creates the Federal Grants Trust Fund within the Department of Economic Opportunity without modification, effective July 1, 2013, 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