

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Budget Committee

BILL: SB 2162 (SPB 7208)

INTRODUCER: Budget Committee

SUBJECT: Welfare Transition Trust Fund

DATE: April 1, 2011

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Martin	Meyer, C.		SPB 7208 Favorable
2.				
3.				
4.				
5.				
6.				

I. Summary:

This bill creates the Welfare Transition Trust Fund within the Department of Education. This trust fund is created in order to implement the transfer of programs to the Department of Education as proposed in legislation before the 2011 legislature.

II. Present Situation:

Section 19(f)(1), Article III of the State Constitution provides that no trust fund of the State of Florida or other public body may be created by law without a three-fifths vote of the membership of each house of the legislature in a separate bill for that purpose only.

There is presently no appropriate trust fund created within the Department of Education for revenues and appropriations of federal funds under the Temporary Assistance for Needy Families Program.

III. Effect of Proposed Changes:

This bill creates the Welfare Transition Trust Fund within the Department of Education. This trust fund is needed in order to implement the transfer of programs to the Department of Education as proposed in legislation before the 2011 legislature. Specifically, the School Readiness Program proposed for transfer from the Agency for Workforce Innovation to the Department of Education as part of the creation of Jobs Florida is currently partially funded with federal funds derived from the Temporary Assistance for Needy Families (TANF) Block Grant.

The trust fund is established for use as a depository for receiving federal funds under the Temporary Assistance for Needy Families Program. Trust fund moneys shall be used exclusively for the purpose of providing services to individuals eligible for Temporary Assistance for Needy Families pursuant to the requirements and limitations of part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Funds credited to the trust fund consist of those funds collected from the Temporary Assistance for Needy Families Block Grant.

All funds transferred to and retained in the trust fund shall be invested pursuant to s. 17.61, Florida Statutes. Notwithstanding s. 216.301, Florida Statutes, and pursuant to s. 216.351, Florida Statutes, any undisbursed balance remaining in the trust fund and interest accruing to the trust fund not distributed at the end of the fiscal year shall remain in the trust fund and shall increase the total funds available for appropriation from the trust fund.

In accordance with s. 19(f)(2), Article III of the State Constitution, the Welfare Transition Trust Fund shall, unless terminated sooner, be terminated on July 1, 2015. Before its scheduled termination, the trust fund shall be reviewed as provided in s. 215.3206(1) and (2), Florida Statutes.

The effective date of the bill is July 1, 2011.

Other Potential Implications:

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

Pursuant to s. 19(f)(1), Article III of the Florida Constitution, creation of the Welfare Transition Trust Fund must pass by a three-fifths vote of the membership of each house of the Legislature.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill has no fiscal impact on state agencies or state funds, or on local governments.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.