

**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.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: SB 206

INTRODUCER: Senator Gardiner

SUBJECT: Federal Grants Trust Fund/Department of State

DATE: January 24, 2013

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Pingree</u>	<u>Hansen</u>	<u>AP</u>	<b>Favorable</b>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

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**I. Summary:**

SB 206 re-creates, without modification, the Federal Grants Trust Fund within the Department of State. The bill is effective July 1, 2013, and has no fiscal impact on state or local funds.

This bill repeals section 20.105(3), Florida Statutes.

**II. Present Situation:**

Article III, s. 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless the trust fund is exempted by the constitution or operation of law.

The Federal Grants Trust Fund within the Department of State, which was created July 1, 2010, by ch. 2010-17, L.O.F., is scheduled to be terminated on July 1, 2014. Pursuant to s. 215.32(2)(b)2.g., F.S., a federal grants trust fund is a depository for funds that must be used for allowable activities funded by restricted program revenues from federal sources, including interest earnings and cash advances from other trust funds.

For Fiscal Year 2012-2013, the Legislature appropriated \$21.8 million from the Federal Grants Trust Fund within the Department of State for various operating categories such as Salaries and Benefits, Expenses, and Other Personal Services, and for various special categories used for elections grants, library grants, historic preservations grants, and cultural and museum grants.

**III. Effect of Proposed Changes:**

The Federal Grants Trust Fund within the Department of State is re-created without modification. Section 20.105(3), F.S., which terminates the trust fund on July 1, 2014, is repealed.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

Pursuant to Art. III, s. 19(f)(1) of the Florida Constitution, a bill that re-creates a trust fund must pass by a three-fifths vote of the membership of each house in a separate bill for that purpose only.

**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, 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.

**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.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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