

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 Committee on Appropriations

BILL: SPB 7060

INTRODUCER: For consideration by the Appropriations Committee

SUBJECT: Working Capital Trust Fund Within the Department of Children and Families/Operations and Maintenance Trust Fund Within the Department of Health

DATE: February 1, 2016 **REVISED:** _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Brown</u>	<u>Kynoch</u>	_____	Pre-meeting

I. Summary:

SPB 7060 (1) terminates one trust fund within the Department of Children and Families: the Working Capital Trust Fund; (2) terminates one trust fund within the Department of Health: the Operations and Maintenance Trust Fund; and (3) conforms Florida Statutes to the termination of the trust funds.

The bill is effective July 1, 2015, and has no fiscal impact on state or local funds.

II. Present Situation:

Section 215.3208, F.S., requires legislative review of each trust fund at least once every four years. The review schedule is included in the legislative budget instructions developed in accordance with s. 216.023, F.S. The review indicated one trust fund within the DCF and one trust fund within the DOH are no longer needed and can be terminated.

The Working Capital Trust Fund within the Department of Children and Families (DCF) originally paid for data processing centers and information technology within the DCF.¹ During its use, the DCF maintained the fund with receipts from data processing sales and indirect recoveries.² Monies in the trust fund were transferred to General Revenue and Federal Grants Trust Fund in Fiscal Year 2013-2014. The trust fund has no funds and no future receipts are anticipated.

The Operations and Maintenance Trust Fund within the Department of Health (DOH) pays for health care services and other uses as deemed appropriate.³ The DOH maintains the fund with

¹ See s. 216.272, F.S.

² See s. 215.31, F.S.

³ See s. 20.435(5), F.S.

receipts from third party payers of health care services such as Medicare and Medicaid.⁴ The trust fund has no funds and no future receipts are anticipated.

In 2012, the Legislature transferred the Nursing Student Loan Forgiveness Trust Fund from the DOH to the Department of Education. However, the Legislature did not remove all statutory references to the trust fund as it existed under DOH administration.⁵

III. Effect of Proposed Changes:

The Working Capital Trust Fund within the DCF is terminated. The trust fund currently has no balance, and any revenues of the trust fund will be transferred to the Federal Grants Trust Fund within the DCF.

The Operations and Maintenance Trust Fund within the DOH is terminated. The trust fund currently has no balance, and any revenues of the trust fund will be transferred to the Federal Grants Trust Fund within the DOH.

The bill amends ss. 17.61(3)(c) and 20.195, F.S., to conform Florida Statutes to the termination of the Working Capital Trust Fund within the DCF.

The bill amends ss. 20.435 and 215.5601, F.S., to conform Florida Statutes to the termination of the Operations and Maintenance Trust Fund within the DOH and the transfer of the Nursing Student Loan Forgiveness Trust Fund from the DOH to the Department of Education.

The bill repeals s. 392.69, F.S., to conform Florida Statutes to the termination of the Operations and Maintenance Trust Fund within the DOH and to delete obsolete statutory provisions related to the trust fund.

The bill's effective date is July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁴ *Id.*

⁵ *See* s. 20.435(16), F.S.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

SPB 7060 has no fiscal impact on state agencies or state funds, local governments as a whole, or the private sector. It simply terminates existing state trust funds that are no longer needed.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 17.61, 20.195, 20.435, and 215.5601.

This bill repeals the following section of the Florida Statutes: 392.69.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

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

None.

B. Amendments:

None.