

By the Appropriations Committee on Health and Human Services

603-02816-23

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A bill to be entitled

An act relating to trust funds; amending s. 20.435, F.S.; creating the State Opioid Settlement Trust Fund within the Department of Health; providing the purpose of the trust fund; specifying the funding source for the trust fund; providing for the reversion of certain funds to the Department of Financial Services Opioid Settlement Clearing Trust Fund; providing for future review and termination or re-creation of the trust fund; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (19) is added to section 20.435, Florida Statutes, to read:

20.435 Department of Health; trust funds.—The following trust funds shall be administered by the Department of Health:

(19) State Opioid Settlement Trust Fund.—

(a) The State Opioid Settlement Trust Fund is created within the Department of Health. The purpose of the trust fund is to abate the opioid epidemic in accordance with the settlement agreements reached by the state in opioid-related litigation or bankruptcy proceedings.

(b) The Department of Financial Services shall annually transfer, by nonoperating transfer, the amount specified in the General Appropriations Act from its Opioid Settlement Clearing Trust Fund to the department's State Opioid Settlement Trust Fund.

(c) Notwithstanding s. 216.301 and pursuant to s. 216.351,

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any unencumbered balance in the trust fund at the end of any
fiscal year and any encumbered balance remaining undisbursed on
September 30 of the same calendar year shall revert to the
Department of Financial Services Opioid Settlement Clearing
Trust Fund.

(d) In accordance with s. 19(f)(2), Art. III of the State
Constitution, the State Opioid Settlement Trust Fund shall be
terminated on July 1, 2027, unless terminated sooner. Before its
scheduled termination, the trust fund shall be reviewed as
provided in s. 215.3206(1) and (2).

Section 2. This act shall take effect July 1, 2023.