

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 5011      PCB APC 13-03    Trust Funds/State Technology Working Capital Trust Fund  
**SPONSOR(S):** Appropriations Committee, McKeel  
**TIED BILLS:** HB 5009      **IDEN./SIM. BILLS:** SB 1506

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<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
Orig. Comm.: Appropriations Committee	23 Y, 0 N	Potvin	Leznoff

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**SUMMARY ANALYSIS**

This legislation creates the State Technology Working Capital Trust Fund within the Agency for State Technology of the Executive Office of the Governor. The trust fund is established for use as a depository for funds received by the state data center from the billing of customer entities for the cost of services provided to the customer entity, funds received by the Agency for State Technology, interest earnings, and cash advances from customer entities. Moneys deposited in the trust fund shall be used to fund operations of the Agency for State Technology and the state data center.

In accordance with s. 19(f)(2), Art. III of the State Constitution, the State Technology Working Capital Trust Fund shall, unless terminated sooner, be terminated on July 1, 2017. Before its scheduled termination, the trust fund shall be reviewed as provided in s. 215.3206(1) and (2).

PCB APC 13-03 will take effect July 1, 2013, if PCB APC 13-02 or similar legislation is adopted in the same legislative session or an extension thereof and becomes law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

The Northwood Shared Resource Center (NSRC) and the Southwood Shared Resource Center (SSRC) are agencies established within the Department of Management Services for administrative purposes only.<sup>1</sup> Both the NSRC and the SSRC are primary data centers as defined by s. 282.0041(17), F.S.

The NSRC and the SSRC provide the statutorily-defined data center services<sup>2</sup> to their customer entities and are required to implement cost-recovery mechanisms and rate structures which recover costs through charges to customer entities.<sup>3</sup> The cost-recovery mechanisms must ensure that no service is subsidizing another service without an affirmative vote of approval by the customer entity providing the subsidy.<sup>4</sup>

Since both the NSRC and the SSRC are administratively housed within the Department of Management Services, the department's Working Capital Trust Fund is used as the depository for funds received by both the NSRC and the SSRC from the billings of customer entities for the cost of services provided by the NSRC and the SSRC.

##### Effect of Changes

PCB APC 13-02, which is the companion bill to PCB APC 13-03, creates the Agency for State Technology as the successor agency for the Agency of Enterprise Information Technology. Additionally, the proposed committee bill authorizes a type two transfer of the NSRC and the SSRC from the Department of Management Services to the Agency for State Technology and repeals ss.282.204 and 282.305 which establish the NSRC and the SSRC within the department. PCB APC 13-02 also establishes the state data center that for purposes of the 2013-2014 fiscal year is comprised of the NSRC, the SSRC, and for purposes of its state agency customers, the Northwest Regional Data Center.

PCB APC 13-03 creates the State Technology Working Capital Trust Fund is needed to serve as the depository for funds received by the state data center from the billing of customer entities for the cost of the services provided to the customer entity, funds received by the Agency for State Technology, interest earnings, and cash advances from customer entities.

#### B. SECTION DIRECTORY:

Section 1 creates s. 282.221, F.S., establishing the State Technology Working Capital Trust Fund

Section 2 provides effective date which is contingent upon PCB APC 13-02 or similar legislation being adopted in the same legislative session or an extension thereof and becoming law.

### II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

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<sup>1</sup> Sections 282.204 and 282.205, Florida Statutes.

<sup>2</sup> Section 282.201(4)(n)1., Florida Statutes.

<sup>3</sup> Section 282.201(2)(b), Florida Statutes.

<sup>4</sup> Section 282.203(3)(e)3., Florida Statutes.

None

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision: None

2. Other: None

B. RULE-MAKING AUTHORITY: None

C. DRAFTING ISSUES OR OTHER COMMENTS: None

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**