

By the Committee on Ways and Means; and Senators Brown-Waite, Grant, Hargrett and Latvala

301-2221-98

1 A bill to be entitled
 2 An act relating to the Cigarette Tax Collection
 3 Trust Fund; amending s. 210.20, F.S.; providing
 4 for a portion of the revenues from the
 5 cigarette tax to be paid monthly to the Board
 6 of Directors of the H. Lee Moffitt Cancer and
 7 Research Institute, for the purpose of
 8 financing a cancer-research facility at the
 9 University of South Florida; providing duties
 10 of the institute's board of directors;
 11 providing for uses of the transferred moneys,
 12 including the issuance of tax-exempt bonds, to
 13 be used as specified; providing that proceeds
 14 of the cigarette tax which are transferred
 15 under this act are pledged to cover the costs
 16 of constructing, furnishing, and equipping the
 17 cancer-research facility; providing an
 18 effective date.

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

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 22 Section 1. Paragraph (c) is added to subsection (2) of
 23 section 210.20, Florida Statutes, to read:

24 210.20 Employees and assistants; distribution of
 25 funds.--

26 (2) As collections are received by the division from
 27 such cigarette taxes, it shall pay the same into a trust fund
 28 in the State Treasury designated "Cigarette Tax Collection
 29 Trust Fund" which shall be paid and distributed as follows:

30 (c) Beginning January 1, 1999, and continuing for 10
 31 years thereafter, the division shall from month to month

1 certify to the Comptroller the amount derived from the
2 cigarette tax imposed by s. 210.02, less the service charges
3 provided for in s. 215.20 and less 0.9 percent of the amount
4 derived from the cigarette tax imposed by s. 210.02, which
5 shall be deposited into the Alcoholic Beverage and Tobacco
6 Trust Fund, specifying an amount equal to 2.59 percent of the
7 net collections, and that amount shall be paid to the Board of
8 Directors of the H. Lee Moffitt Cancer Center and Research
9 Institute, established under s. 240.512, by warrant drawn by
10 the Comptroller upon the State Treasury. These funds are
11 hereby appropriated monthly out of the Cigarette Tax
12 Collection Trust Fund, to be used for the purpose of
13 constructing, furnishing, and equipping a cancer-research
14 facility at the University of South Florida adjacent to the H.
15 Lee Moffitt Center and Research Institute. In fiscal years
16 1999-2000 and thereafter, with the exception of fiscal year
17 2008-2009, the cigarette tax distribution and appropriation to
18 the H. Lee Moffitt Center and Research Institute authorized by
19 this paragraph shall not be less than the amount that would
20 have been paid to the H. Lee Moffitt Cancer Center and
21 Research Institute for fiscal years 1998-1999 had payments
22 been made for the entire fiscal year rather than for a 6-month
23 period thereof.

24 Section 2. The Board of Directors of the H. Lee
25 Moffitt Cancer Center and Research Institute shall construct,
26 furnish, and equip, and shall covenant to complete, the
27 cancer-research facility at the University of South Florida
28 adjacent to the H. Lee Moffitt Cancer Center and Research
29 Institute. Moneys transferred to the Board of Directors of the
30 H. Lee Moffitt Cancer Center and Research Institute shall be
31 used to secure financing to pay costs related to constructing,

1 furnishing, and equipping the cancer-research facility. Such
2 financing may include the issuance of tax-exempt bonds by a
3 local authority, municipality, or county pursuant to parts II
4 and III, chapter 159, Florida Statutes. Such bonds shall not
5 constitute state bonds for purposes of Section 11, Article VII
6 of the State Constitution, but shall constitute bonds of a
7 "local agency," as defined in section 159.27(4), Florida
8 Statutes. The Board of Directors of the H. Lee Moffitt Cancer
9 Center and Research Institute shall administer the funds,
10 manage the project, and provide technical or managerial
11 assistance during the construction of the project and shall
12 operate the facility when construction has been completed.

13 Section 3. This act shall take effect July 1, 1998.

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15 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
16 COMMITTEE SUBSTITUTE FOR
17 SB 1636

18 The bill clarifies that the 2.59 percent of cigarette tax
19 revenues transferred to the Board of Directors of the H. Lee
20 Moffitt Cancer and Research Institute shall be calculated
based on net cigarette tax collections.

21 The bill also guarantees that the annual cigarette tax
22 distribution and appropriation can not be less than the
annualized 1998-99 cigarette tax distribution and
23 appropriation.
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