

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 494

SPONSOR: Fiscal Policy Committee

SUBJECT: Termination of Trust Funds within the Department of Revenue

DATE: January 12, 1999

REVISED: 01/21/99 _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Cohen</u>	<u>Hadi</u>	<u>FP</u>	<u>Fav/1 amendment</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill terminates the Administrative Hearings Cash Bond Trust Fund, the Child Support Depository Trust Fund, the Drug Abuse Education Trust Fund; the Indigent Health Care Tax Clearing Trust Fund; the Property Assessment Loan Trust Fund; the Minerals Trust Fund; the Solid Waste Management Trust Fund; the Special Fuel and Motor Fuel Use Tax Clearing Trust Fund; and the State Agency Revenue Processing Clearing Trust Fund within the Department of Revenue.

II. Present Situation:

The Administrative Hearings Cash Bond Trust Fund:

Established to control and account for cash bonds held by the Department. The fund is no longer used.

The Child Support Depository Trust Fund:

Created to control and account for reimbursements resulting from uncollectible personal checks for support payments. The Department is recommending termination due to minimal activity in this trust fund.

The Drug Abuse Education Trust Fund:

Created to serve as a depository for taxes on illegal drug sales. The trust fund is not longer required. It was found to be unconstitutional.

The Indigent Health Care Tax Clearing Trust Fund:

Created to account for sales surtax for indigent health care that was repealed in March of 1987. A new indigent care sales tax was established; however, those funds are accounted for in the discretionary sales surtax collection trust fund that is being requested for re-enactment..

Property Assessment Loan Trust Fund:

This program has been discontinued.

Minerals Trust Fund:

Created to control and account for Solid Mineral Severance Tax collected pursuant to s. 211.31, F.S., to fund administrative costs of certain programs. According to agency staff, this fund is not used.

The Solid Waste Management Trust Fund:

Created as a clearing fund for a solid waste disposal fees. The Department of Environmental Protection has a similarly named trust fund created for a different purpose. The Department of Revenue is terminating the trust fund to eliminate confusion.

The Special Fuel and Motor Fuel Use Tax Clearing Trust Fund:

Created to account for the money collected by special fuel dealers and the larger ones that filed consolidated taxes. The Department of Revenue is no longer maintaining a separate trust fund.

The State Agency Revenue Processing Clearing Trust Fund:

Fund is no longer used.

III. Effect of Proposed Changes:

This bill terminates the following nine trust funds within the Department of Revenue:

- The Administrative Hearings Cash Bond Trust Fund
- The Child Support Depository Trust Fund
- The Drug Abuse Education Trust Fund
- The Indigent Health Care Tax Clearing Trust Fund
- The Property Assessment Loan Trust Fund
- The Minerals Trust Fund
- The Solid Waste Management Trust Fund
- The Special Fuel and Motor Fuel Use Tax Clearing Trust Fund
- The State Agency Revenue Processing Clearing Trust Fund

The bill also prescribes procedures for the termination of accounts.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

#1 by Fiscal Policy:

Deletes from the list of trust funds to be terminated within the Department of Revenue those funds previously terminated in 1995:

the Administrative Hearings Cash Bond Trust Fund;

the Drug Abuse Education Trust Fund;

the Indigent Health Care Tax Clearing Trust Fund;

the Property Assessment Loan Trust Fund;

the Solid Waste management Trust Fund;

the Special Fuel and Motor Fuel Clearing Trust Fund;

the State Agency Revenue Processing Clearing Trust Fund.

Adds the Security Deposits Trust Fund and the Child Support Trust Fund to list of funds to be terminated.