

By the Committee on Transportation & Economic Development  
Appropriations and Representative Fuller

1                                   A bill to be entitled  
2           An act relating to trust funds; terminating  
3           specified trust funds administered by the  
4           Department of Community Affairs or the  
5           Department of State; providing for disposition  
6           of balances in and revenues of such trust  
7           funds; prescribing procedures for the  
8           termination of such trust funds; providing  
9           finding that specified trust funds within the  
10          Department of Community Affairs are exempt from  
11          constitutionally mandated termination; amending  
12          ss. 189.427, 252.82, and 943.25, F.S.; deleting  
13          obsolete cross references to the Operating  
14          Trust Fund of the Department of Community  
15          Affairs; amending s. 15.09, F.S.; retaining the  
16          Public Access Data Systems Trust Fund as a  
17          source of funds for the operations of the  
18          Department of State; providing an effective  
19          date.

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

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23                   Section 1. (1) The following trust funds administered  
24 by the following agencies are terminated:

25                   (a) Within the Department of Community Affairs:

26                   1. The Hurricane Andrew Disaster Relief Trust Fund,  
27 FLAIR number 52-2-200.

28                   2. The Hurricane Andrew Recovery and Rebuilding Trust  
29 Fund, FLAIR number 52-2-205.

30                   (b) Within the Department of State:  
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1           1. The Hurricane Andrew Disaster Relief Trust Fund,  
2 FLAIR number 45-2-200.

3           2. The Hurricane Andrew Recovery and Rebuilding Trust  
4 Fund, FLAIR number 45-2-205.

5           (2) Unless otherwise provided, all current balances  
6 remaining in, and all revenues of, the trust funds terminated  
7 by this act shall be transferred to the General Revenue Fund.

8           (3) For each trust fund terminated by this act, the  
9 agency that administers the trust fund shall pay any  
10 outstanding debts or obligations of the terminated fund as  
11 soon as practicable, and the Comptroller shall close out and  
12 remove the terminated fund from the various state accounting  
13 systems using generally accepted accounting principles  
14 concerning warrants outstanding, assets, and liabilities.

15           Section 2. The Legislature finds that the following  
16 trust funds within the Department of Community Affairs are  
17 exempt from termination pursuant to Section 19(f), Article III  
18 of the State Constitution:

19           (1) The Florida Preservation 2000 Trust Fund, FLAIR  
20 number 52-2-332.

21           (2) The Florida Forever Trust Fund, FLAIR number  
22 52-2-348.

23           Section 3. Section 189.427, Florida Statutes, is  
24 amended to read:

25           189.427 Fee schedule; Operating Trust Fund.--The  
26 Department of Community Affairs, by rule, shall establish a  
27 schedule of fees to pay one-half of the costs incurred by the  
28 department in administering this act, except that the fee may  
29 not exceed \$175 per district per year. The fees collected  
30 under this section shall be deposited in the Operating Trust  
31 Fund ~~established under s. 290.034~~, which shall be administered

1 by the Department of Community Affairs. Any fee rule must  
2 consider factors such as the dependent and independent status  
3 of the district and district revenues for the most recent  
4 fiscal year as reported to the Department of Banking and  
5 Finance. The department may assess fines of not more than \$25,  
6 with an aggregate total not to exceed \$50, as penalties  
7 against special districts that fail to remit required fees to  
8 the department. It is the intent of the Legislature that  
9 general revenue funds will be made available to the department  
10 to pay one-half of the cost of administering this act.

11 Section 4. Subsection (7) of section 252.82, Florida  
12 Statutes, is amended to read:

13 252.82 Definitions.--As used in this part:

14 (7) "Trust fund" means the Operating Trust Fund of the  
15 Department of Community Affairs ~~established in s. 290.034.~~

16 Section 5. Subsection (1) of section 943.25, Florida  
17 Statutes, is amended to read:

18 943.25 Criminal justice trust funds; source of funds;  
19 use of funds.--

20 (1) The Department of Community Affairs may approve,  
21 for disbursement from its ~~the~~ Operating Trust Fund ~~established~~  
22 ~~pursuant to s. 290.034~~, those appropriated sums necessary and  
23 required by the state for grant matching, implementing,  
24 administering, evaluating, and qualifying for such federal  
25 funds. Disbursements from the trust fund for the purpose of  
26 supplanting state general revenue funds may not be made  
27 without specific legislative appropriation.

28 Section 6. Paragraph (b) of subsection (5) of section  
29 15.09, Florida Statutes, is amended to read:

30 15.09 Fees.--

31 (5)

1           (b) ~~For the 1999-2000 fiscal year only,~~Funds from the  
2 Public Access Data Systems Trust Fund may be appropriated for  
3 the operations of the department. ~~This paragraph expires July~~  
4 ~~1, 2000.~~

5           Section 7. This act shall take effect July 1, 2000.

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HOUSE SUMMARY

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10 Terminates specified trust funds administered by the  
11 Department of Community Affairs or the Department of  
12 State. Provides for disposition of balances in and  
13 revenues of such trust funds and prescribes procedures  
14 for their termination. Provides finding that specified  
15 trust funds within the Department of Community Affairs  
16 are exempt from constitutionally mandated termination.  
17 Updates references to the Operating Trust Fund of the  
18 Department of Community Affairs. Retains the Public  
19 Access Data Systems Trust Fund as a source of funds for  
20 the operations of the Department of State.

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