

By Senator Casas

309-593-00

1 A bill to be entitled
2 An act relating to trust funds; terminating,
3 exempting from termination, or modifying
4 specified trust funds administered by state
5 transportation and economic development
6 agencies; providing an effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

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

12 (a) Within the Department of Community Affairs:

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

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

17 (b) Within the Department of State:

18 1. The Hurricane Andrew Disaster Relief Trust Fund,
19 FLAIR number 45-2-200.

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

22 3. The Historic Pensacola Preservation Board Operating
23 Trust Fund, FLAIR number 45-2-510.

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

27 (3) For each trust fund and fund account terminated by
28 this act, the agency that administers the trust fund or fund
29 account shall pay any outstanding debts or obligations of the
30 terminated fund or account as soon as practicable, and the
31 Comptroller shall close out and remove the terminated fund or

1 account from the various state accounting systems using
2 generally accepted accounting principles concerning warrants
3 outstanding, assets, and liabilities.

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

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

10 (2) The Florida Forever Trust Fund, FLAIR number
11 52-2-348.

12 Section 3. Section 189.427, Florida Statutes, is
13 amended to read:

14 189.427 Fee schedule; Operating Trust Fund.--The
15 Department of Community Affairs, by rule, shall establish a
16 schedule of fees to pay one-half of the costs incurred by the
17 department in administering this act, except that the fee may
18 not exceed \$175 per district per year. The fees collected
19 under this section shall be deposited in the Operating Trust
20 Fund ~~established under s. 290.034~~, which shall be administered
21 by the Department of Community Affairs. Any fee rule must
22 consider factors such as the dependent and independent status
23 of the district and district revenues for the most recent
24 fiscal year as reported to the Department of Banking and
25 Finance. The department may assess fines of not more than \$25,
26 with an aggregate total not to exceed \$50, as penalties
27 against special districts that fail to remit required fees to
28 the department. It is the intent of the Legislature that
29 general revenue funds will be made available to the department
30 to pay one-half of the cost of administering this act.

31

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

3 252.82 Definitions.--As used in this part:

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

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

8 943.25 Criminal justice trust funds; source of funds;
9 use of funds.--

10 (1) The Department of Community Affairs may approve,
11 for disbursement from its ~~the~~ Operating Trust Fund ~~established~~
12 ~~pursuant to s. 290.034~~, those appropriated sums necessary and
13 required by the state for grant matching, implementing,
14 administering, evaluating, and qualifying for such federal
15 funds. Disbursements from the trust fund for the purpose of
16 supplanting state general revenue funds may not be made
17 without specific legislative appropriation.

18 Section 6. Paragraph (b) of subsection (5) of section
19 15.09, Florida Statutes, is amended to read:

20 15.09 Fees.--

21 (5)

22 (b) ~~For the 1999-2000 fiscal year only~~, Funds from the
23 Public Access Data Systems Trust Fund may be appropriated for
24 the operations of the department. ~~This paragraph expires July~~
25 ~~1, 2000.~~

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

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29 SENATE SUMMARY

30 Terminates, exempts from termination, or modifies
31 specified trust funds administered by state
transportation and economic development agencies.