

By Representative Gannon

1 A bill to be entitled
2 An act relating to trust funds; creating the
3 Closed Estate Fund Trust Account within the
4 Department of Insurance; providing for sources
5 of moneys and purposes; providing for future
6 review and termination or re-creation of the
7 trust account; providing a contingent effective
8 date.

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

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12 Section 1. The Closed Estate Fund Trust Account is
13 hereby created, to be administered by the Department of
14 Insurance. Funds shall be credited to the trust account as
15 provided in HB ... or similar legislation, to be used for the
16 purposes set forth therein.

17 Section 2. (1) Pursuant to the provisions of s.
18 19(f)(2), Art. III of the State Constitution, the Closed
19 Estate Fund Trust Account shall, unless terminated sooner, be
20 terminated on July 1, 2005.

21 (2) Prior to the regular legislative session
22 immediately preceding the date on which the trust account is
23 scheduled to be terminated, the Department of Insurance and
24 the Governor shall recommend to the President of the Senate
25 and the Speaker of the House of Representatives whether the
26 trust account should be allowed to terminate or should be
27 re-created. These recommendations shall be based on a review
28 of the purpose and use of the trust account and a
29 determination of whether the trust account will continue to be
30 necessary. A recommendation to re-create the trust account
31 may include suggested modifications to the purposes, sources

1 of receipts, and allowable expenditures for the trust account.
2 The department's recommendation shall be made as a part of its
3 legislative budget request to the Legislature pursuant to s.
4 216.023, Florida Statutes. The Governor's recommendation
5 shall be made as a part of the recommended budget presented to
6 the Legislature pursuant to s. 216.162, Florida Statutes.

7 (3) If the trust account is terminated, the Department
8 of Insurance shall pay any outstanding debts or obligations of
9 the trust account as soon as practicable and the Comptroller
10 shall close out and remove the trust account from the various
11 state accounting systems, using generally accepted accounting
12 practices concerning warrants outstanding, assets, and
13 liabilities.

14 Section 3. This act shall take effect July 1, 2001, if
15 HB or similar legislation is adopted in the same
16 legislative session or an extension thereof and becomes law.

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19 HOUSE SUMMARY

20 Creates the Closed Estate Fund Trust Account within the
21 Department of Insurance, and provides for its sources of
22 moneys and purposes. Provides for future review and
23 termination or re-creation of the trust account.

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