

By the Committee on Finance and Taxation; and Senator Burt

314-1903-01

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A bill to be entitled
An act relating to proceeds from the tobacco settlement; amending s. 569.21, F.S.; requiring that the Comptroller receive representations from the tobacco industry which are used to calculate the annual payments; requiring the Comptroller to verify such representations; requiring that the Auditor General review the verification of representations from the tobacco industry; redesignating the Comptroller as the Chief Financial Officer to conform to a revision of the State Constitution; providing effective dates.

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

Section 1. Present subsections (2) through (12) of section 569.21, Florida Statutes, are redesignated as subsections (3) through (13), respectively, and a new subsection (2) is added to that section, to read:

569.21 Expenditure of tobacco settlement proceeds.--The following guidelines shall be applied to the expenditure of all funds paid to the State of Florida as a result of litigation entitled The State of Florida et al. v. American Tobacco Company et al., Case #95-1466AH, in the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County:

(2) The Comptroller shall receive representations from the tobacco industry with respect to calculating the annual tobacco-settlement payments. The Comptroller, in consultation with the Governor's Office of Planning and Budgeting, shall

1 verify the representations from the tobacco industry and
2 appropriately resolve inconsistencies. The Comptroller may
3 obtain contractual services, funded by the Tobacco Settlement
4 Trust Fund, necessary to verify the representations from the
5 tobacco industry. The Auditor General shall annually review
6 the Comptroller's verification of the representations from the
7 tobacco industry.

8 Section 2. Effective January 7, 2003, subsection (2)
9 of section 569.21, Florida Statutes, as amended by this act,
10 is amended to read:

11 569.21 Expenditure of tobacco settlement
12 proceeds.--The following guidelines shall be applied to the
13 expenditure of all funds paid to the State of Florida as a
14 result of litigation entitled The State of Florida et al. v.
15 American Tobacco Company et al., Case #95-1466AH, in the
16 Circuit Court of the Fifteenth Judicial Circuit, in and for
17 Palm Beach County:

18 (2) The Chief Financial Officer ~~Comptroller~~ shall
19 receive representations from the tobacco industry with respect
20 to calculating the annual tobacco-settlement payments. The
21 Chief Financial Officer ~~Comptroller~~, in consultation with the
22 Governor's Office of Planning and Budgeting, shall verify the
23 representations from the tobacco industry and appropriately
24 resolve inconsistencies. The Chief Financial Officer
25 ~~Comptroller~~ may obtain contractual services, funded by the
26 Tobacco Settlement Trust Fund, necessary to verify the
27 representations from the tobacco industry. The Auditor General
28 shall annually review the Chief Financial Officer's
29 ~~Comptroller's~~ verification of the representations from the
30 tobacco industry.

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1 Section 3. Except as otherwise expressly provided in
2 this act, this act shall take effect upon becoming a law.

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4 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
5 COMMITTEE SUBSTITUTE FOR
6 SB 1580

7 Removes the requirement that the Comptroller consult with the
8 Attorney General to verify "representations" submitted by the
9 tobacco industry.

10 Authorizes the Comptroller to obtain contractual services,
11 funded by the Tobacco Settlement Trust Fund, necessary to
12 verify the representations from the tobacco industry.

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