

By the Committee on Information Technology and  
 Representatives Hart, Mack, Meador, Jennings, Harrell, Green,  
 Wallace and Fiorentino

1                                   A bill to be entitled  
 2           An act relating to trust funds; amending s.  
 3           282.1095, F.S.; creating the Law Enforcement  
 4           Radio Operating Trust Fund within the State  
 5           Technology Office; providing sources of moneys;  
 6           providing purposes and requirements; providing  
 7           for transfer of funds from the State Agency Law  
 8           Enforcement Radio System Trust Fund to the Law  
 9           Enforcement Radio Operating Trust Fund;  
 10          providing for future review and termination or  
 11          re-creation of the trust fund; providing an  
 12          effective date.

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 14           WHEREAS, the Florida Legislature has established a  
 15          policy of fiscal accountability that encourages distinct and  
 16          straightforward accounting of all funds received and expended  
 17          by or for state agencies to support performance of authorized  
 18          activities, and

19           WHEREAS, this policy is best served by creating  
 20          separate accounts for recording the receipt of all funds  
 21          collected for a particular purpose and for recording the  
 22          disposition made of those funds, and by assigning authority  
 23          and responsibility for administering each such account to the  
 24          state agency assigned authority and responsibility to  
 25          administer performance of the activities for which such funds  
 26          are collected and designated to support, and

27           WHEREAS, the Florida Legislature has assigned authority  
 28          and responsibility to the State Technology Office to design,  
 29          engineer, acquire, and implement the State Agency Law  
 30          Enforcement Radio System, and to provide technical support for  
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1 the Joint Task Force on State Agency Law Enforcement  
2 Communications, and

3 WHEREAS, the Florida Legislature created the State  
4 Agency Law Enforcement Radio System Trust Fund and provided  
5 several means to generate revenues for deposit in the trust  
6 fund to provide the source of funds needed to cover the costs  
7 the State Technology Office incurs in carrying out the  
8 authority and responsibility to design, engineer, acquire, and  
9 implement the State Agency Law Enforcement Radio System, and  
10 to provide technical support for the Joint Task Force on State  
11 Agency Law Enforcement Communications, and

12 WHEREAS, greater accountability of the State Technology  
13 Office will be facilitated by establishing and providing the  
14 means to fund a separate trust account for the purpose of  
15 receiving and disposing of revenues generated for the purpose  
16 of covering the operating costs the State Technology Office  
17 incurs in designing, engineering, acquiring, and implementing  
18 the State Agency Law Enforcement Radio System, and providing  
19 technical support for the Joint Task Force on State Agency Law  
20 Enforcement Communications, NOW, THEREFORE,

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

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24 Section 1. Paragraph (h) is added to subsection (2) of  
25 section 282.1095, Florida Statutes, to read:

26 282.1095 State agency law enforcement radio system.--  
27 (2)

28 (h)1. The Law Enforcement Radio Operating Trust Fund  
29 is created within the State Technology Office for the purpose  
30 of receiving and disposing of revenues generated to cover the  
31 operating costs incurred by the office in designing,

1 engineering, acquiring, and implementing the State Agency Law  
2 Enforcement Radio System and providing technical support for  
3 the Joint Task Force on State Agency Law Enforcement  
4 Communications. The Law Enforcement Radio Operating Trust Fund  
5 within the State Technology Office shall be funded by:  
6       a. Transfer from the State Agency Law Enforcement  
7 Radio System Trust Fund, FLAIR number 72-2-432, to the Law  
8 Enforcement Radio Operating Trust Fund, effective July 1,  
9 2001, of all funds then in the State Agency Law Enforcement  
10 Radio System Trust Fund, FLAIR number 72-2-432, that were not  
11 expended or obligated during fiscal year 2000-2001;  
12       b. Deposit of all moneys payable to the office on and  
13 after July 1, 2001, for rent, lease, sublease, revenue  
14 sharing, or sale of any right, title, or interest in any land,  
15 airspace, facility, building, or other structure the office  
16 holds or acquires in the course of designing, engineering,  
17 implementing, operating, or maintaining the system; and  
18       c. Rent, lease, sublease, revenue sharing, or sale of  
19 any right, title, or interest in any tangible or intangible  
20 personal property the office holds or acquires in the course  
21 of designing, engineering, implementing, operating, or  
22 maintaining the system.  
23       2. Notwithstanding the provisions of s. 216.301 and  
24 pursuant to s. 216.351, any balance in the trust fund at the  
25 end of any fiscal year shall remain in the trust fund at the  
26 end of the year and shall be available for carrying out the  
27 purposes of the trust fund.  
28       3. Pursuant to the provisions of s. 19(f)(2), Art. III  
29 of the State Constitution, the Law Enforcement Radio Operating  
30 Trust Fund within the State Technology Office shall terminate  
31 effective June 30, 2005, unless sooner terminated or extended

1 by subsequent legislative action that takes effect before that  
2 date. Prior to its scheduled termination, the Law Enforcement  
3 Radio Operating Trust Fund within the State Technology Office  
4 shall be reviewed as provided in s. 215.3206(1) and (2).

5 Section 2. This act shall take effect July 1, 2001.

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8 HOUSE SUMMARY

9  
10 Creates the Law Enforcement Radio Operating Trust Fund  
11 within the State Technology Office. Provides sources of  
12 moneys, purposes, and requirements of the trust fund.  
13 Provides duties of the department. Provides for annual  
14 carryforward of funds. Provides for future review and  
15 termination or re-creation of the trust fund.  
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