

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; creating the  
 3           Technology Enterprise Operating Trust Fund  
 4           within the State Technology Office; providing  
 5           for sources of moneys and purposes; providing  
 6           for future review and termination or  
 7           re-creation of the trust fund; amending s.  
 8           215.22, F.S.; changing the name of the  
 9           Communications Working Capital Trust Fund to  
 10          the Technology Enterprise Operating Trust Fund;  
 11          providing for termination of Technology  
 12          Enterprise Operating Trust Fund; providing an  
 13          effective date.

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 15           WHEREAS, the State Technology Office is charged with  
 16          the authority and responsibility of designing, engineering,  
 17          implementing, managing, and operating facilities and equipment  
 18          necessary to establish and maintain a state communications  
 19          system to provide local and long distance communications  
 20          services to state agencies, political subdivisions of the  
 21          state, municipalities, and nonprofit corporations, and

22           WHEREAS, the State Technology Office is charged with  
 23          the authority and responsibility of charging and collecting  
 24          equitable fees from the agencies and other entities that use  
 25          the state communications system, and

26           WHEREAS, the fees that the State Technology Office  
 27          collects from agencies and other entities for use of the state  
 28          communications system are deposited into the Communications  
 29          Working Capital Trust Fund, and

30           WHEREAS, a Working Capital Trust Fund has been created  
 31          for each state agency that operates a data processing center

1 and each such trust fund is funded by the moneys each state  
2 agency served by the center pays to the agency that operates  
3 the center for deposit into the trust fund from the moneys  
4 budgeted and appropriated to each such agency for data  
5 processing services and equipment to pay each such agency's  
6 proportionate share of the cost of operating the center, and

7 WHEREAS, the communications elements of information  
8 technology projects administered by the State Technology  
9 Office are funded by revenues deposited in the Communications  
10 Working Capital Trust Fund, and the data processing elements  
11 of such projects are funded by revenues deposited in Working  
12 Capital Trust Funds, and

13 WHEREAS, because most information technology projects  
14 administered by the State Technology Office include elements  
15 of communications and data processing and require expenditure  
16 of moneys deposited in both the Communications Working Capital  
17 Trust Fund and in Working Capital Trust Funds created to fund  
18 operation of data processing centers in state agencies for  
19 which the State Technology Office is responsible, principles  
20 of efficiency and economy would be better served if all such  
21 trust funds are consolidated into a single trust fund, NOW,  
22 THEREFORE,

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26 Section 1. The Technology Enterprise Operating Trust  
27 Fund is created in the State Technology Office for the purpose  
28 of providing a single trust fund to replace the several trust  
29 funds that presently exist to facilitate funding the  
30 information technology activities that the State Technology  
31 Office is charged with authority and responsibility to perform

1 or administer and for the purpose of simplifying the means by  
2 which funding of those activities is accounted for in  
3 planning, budgeting, and appropriating the funds necessary to  
4 support performance and administration of such activities.  
5 Notwithstanding any other provision of law, effective July 1,  
6 2001, the Communications Working Capital Trust Fund in the  
7 Department of Management Services, FLAIR #72-2-105, shall be  
8 terminated, all funds in said trust fund that were not  
9 expended or obligated in fiscal year 2000-2001 shall be  
10 transferred to the Technology Enterprise Operating Trust Fund  
11 in the State Technology Office, and all revenues thereafter  
12 payable or collectible for the purposes for which the  
13 Communications Working Capital Trust Fund of the Department of  
14 Management Services, FLAIR #72-2-105, was created shall be  
15 paid or collected for deposit into the Technology Enterprise  
16 Operating Trust Fund in the State Technology Office.  
17 Notwithstanding any other provision of law, the date positions  
18 and appropriations for performance of information technology  
19 activities are transferred from a state agency to the State  
20 Technology Office, any Working Capital Trust Fund created by  
21 s. 216.272, Florida Statutes, that is then in such agency  
22 shall terminate, and all funds in such trust fund that were  
23 not expended or obligated before the date such positions and  
24 appropriations are transferred shall then be transferred to  
25 the Technology Enterprise Operating Trust Fund in the State  
26 Technology Office and all revenues thereafter payable or  
27 collectible for the purposes for which the Working Capital  
28 Trust Fund was created shall be paid or collected for deposit  
29 in the Technology Enterprise Operating Trust Fund in the State  
30 Technology Office; provided that, effective July 1, 2001, the  
31 Working Capital Trust Fund in the Department of Management

1 Services, FLAIR number 72-2-792, shall terminate and all funds  
2 in such trust fund that were not expended or obligated during  
3 fiscal year 2000-2001 shall be transferred to the Technology  
4 Enterprise Operating Trust Fund in the State Technology  
5 Office. Pursuant to the provisions of s. 19(f)(2), Art. III  
6 of the State Constitution, the Technology Enterprise Operating  
7 Trust Fund in the State Technology Office shall terminate on  
8 July 1, 2005, unless sooner terminated or extended by  
9 subsequent legislative action taken and effective before that  
10 date. Prior to the date of its scheduled termination, the  
11 Technology Enterprise Operating Trust Fund in the State  
12 Technology Office shall be reviewed as provided in s.  
13 215.3206(1) and (2), Florida Statutes.

14 Section 2. Paragraph (q) of subsection (1) of section  
15 215.22, Florida Statutes, is amended to read:

16 215.22 Certain income and certain trust funds  
17 exempt.--

18 (1) The following income of a revenue nature or the  
19 following trust funds shall be exempt from the deduction  
20 required by s. 215.20(1):

21 (q) The Technology Enterprise Operating ~~Communications~~  
22 ~~Working Capital~~ Trust Fund in the State Technology Office of  
23 ~~the Department of Management Services.~~

24 Section 3. This act shall take effect on July 1, 2001,  
25 or upon becoming a law, whichever first occurs.

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HOUSE SUMMARY

Creates the Technology Enterprise Operating Trust Fund as a single trust fund to replace several trust funds that presently exist to facilitate funding information technology activities of the State Technology Office. Provides for the trust fund's sources of moneys and purposes. Provides for future review and termination or re-creation of the trust fund.