

1 A bill to be entitled
2 An act relating to cigarette taxes; amending s.
3 210.20, F.S.; providing for the payment of a
4 portion of cigarette taxes to the Board of
5 Directors of the H. Lee Moffitt Cancer Center
6 and Research Institute to be used for certain
7 purposes; amending s. 210.201, F.S.; providing
8 for a cross reference; abrogating the repeal of
9 s. 240.512, F.S., relating to the H. Lee
10 Moffitt Cancer Center and Research Institute;
11 providing an effective date.

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

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15 Section 1. Paragraph (c) of subsection (2) of section
16 210.20, Florida Statutes, is amended to read:

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18 210.20 Employees and assistants; distribution of
19 funds.--

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21 (2) As collections are received by the division from
22 such cigarette taxes, it shall pay the same into a trust fund
23 in the State Treasury designated "Cigarette Tax Collection
24 Trust Fund" which shall be paid and distributed as follows:

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26 (c)1. Beginning January 1, 1999, and continuing for 10
27 years thereafter, the division shall from month to month
28 certify to the Comptroller the amount derived from the
29 cigarette tax imposed by s. 210.02, less the service charges
30 provided for in s. 215.20 and less 0.9 percent of the amount
31 derived from the cigarette tax imposed by s. 210.02 which
32 shall be deposited into the Alcoholic Beverage and Tobacco
33 Trust Fund, specifying an amount equal to 2.59 percent of the
34 net collections, and that amount shall be paid to the Board of

1 Directors of the H. Lee Moffitt Cancer Center and Research
2 Institute, established under s. 240.512, by warrant drawn by
3 the Comptroller upon the State Treasury. These funds are
4 hereby appropriated monthly out of the Cigarette Tax
5 Collection Trust Fund, to be used for the purpose of
6 constructing, furnishing, and equipping a cancer research
7 facility at the University of South Florida adjacent to the H.
8 Lee Moffitt Cancer Center and Research Institute. In fiscal
9 years 1999-2000 and thereafter with the exception of fiscal
10 year 2008-2009, the appropriation to the H. Lee Moffitt Cancer
11 Center and Research Institute authorized by this subparagraph
12 ~~paragraph~~ shall not be less than the amount which would have
13 been paid to the H. Lee Moffitt Cancer Center and Research
14 Institute for fiscal year 1998-1999 had payments been made for
15 the entire fiscal year rather than for a 6-month period
16 thereof.

17 2. Beginning July 1, 2001, and continuing through June
18 30, 2011, the division shall, in addition to the distribution
19 authorized above, from month to month certify to the
20 Comptroller the amount derived from the cigarette tax imposed
21 by s. 210.02, less the service charges provided for in s.
22 215.20 and less 0.9 percent of the amount derived from the
23 cigarette tax imposed by s. 210.02 which shall be deposited
24 into the Alcoholic Beverage and Tobacco Trust Fund, specifying
25 an amount equal to 1.47 percent of the net collections, and
26 that amount shall be paid to the Board of Directors of the H.
27 Lee Moffitt Cancer Center and Research Institute, established
28 under s. 240.512 by warrant drawn by the Comptroller upon the
29 State Treasury. These funds are hereby appropriated monthly
30 out of the Cigarette Tax Collection Trust Fund, to be used for
31 the purpose of constructing, furnishing, and equipping a

1 cancer research facility at the University of South Florida
2 adjacent to the H. Lee Moffitt Cancer Center and Research
3 Institute. In fiscal years 2002-2003 and thereafter, the
4 appropriation to the H. Lee Moffitt Cancer Center and Research
5 Institute authorized by this subparagraph shall not be less
6 than the amount paid to the H. Lee Moffitt Cancer Center and
7 Research Institute in fiscal year 2001-2002.

8 Section 2. Section 210.201, Florida Statutes, is
9 amended to read:

10 210.201 Cancer research facility at the University of
11 South Florida; establishment; funding.--The Board of Directors
12 of the H. Lee Moffitt Cancer Center and Research Institute
13 shall construct, furnish, and equip, and shall covenant to
14 complete, the cancer research facility at the University of
15 South Florida adjacent to the H. Lee Moffitt Cancer Center and
16 Research Institute. Moneys transferred to the Board of
17 Directors of the H. Lee Moffitt Cancer Center and Research
18 Institute pursuant to s. 210.20 shall be used to secure
19 financing to pay costs related to constructing, furnishing,
20 and equipping the cancer research facility. Such financing
21 may include the issuance of tax exempt bonds by a local
22 authority, municipality, or county pursuant to parts II and
23 III of chapter 159. Such bonds shall not constitute state
24 bonds for purposes of s. 11, Art. VII of the State
25 Constitution, but shall constitute bonds of a "local agency,"
26 as defined in s. 159.27(4). The cigarette tax dollars pledged
27 to this facility pursuant to s. 210.20 ~~may~~ shall be replaced
28 annually by the Legislature from tobacco litigation settlement
29 proceeds.

30 Section 3. Notwithstanding subsection (7) of section 3
31 of chapter 2000-321, Laws of Florida, section 240.512, Florida

1 Statutes, shall not stand repealed on January 7, 2003, as
2 scheduled by that subsection, but such section is revived and
3 readopted.

4 Section 4. This act shall take effect July 1, 2001.
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