

By Representatives Hart, Henriquez, Joyner, Bilirakis, Littlefield, Alexander, Murman, Byrd, Romeo, Peterman, Cantens, Waters and Mack

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A bill to be entitled  
An act relating to cigarette taxes; amending s. 210.20, F.S.; providing for the payment of a portion of cigarette taxes to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute to be used for certain purposes; amending s. 210.201, F.S.; providing for a cross reference; providing an effective date.

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

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

210.20 Employees and assistants; distribution of funds.--

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

(c)1. Beginning January 1, 1999, and continuing for 10 years thereafter, the division shall from month to month certify to the Comptroller the amount derived from the cigarette tax imposed by s. 210.02, less the service charges provided for in s. 215.20 and less 0.9 percent of the amount derived from the cigarette tax imposed by s. 210.02 which shall be deposited into the Alcoholic Beverage and Tobacco Trust Fund, specifying an amount equal to 2.59 percent of the net collections, and that amount shall be paid to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute, established under s. 240.512, by warrant drawn by

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

15 2. Beginning July 1, 2001, and continuing through June  
16 30, 2011, the division shall, in addition to the distribution  
17 authorized above, from month to month certify to the  
18 Comptroller the amount derived from the cigarette tax imposed  
19 by s. 210.02, less the service charges provided for in s.  
20 215.20 and less 0.9 percent of the amount derived from the  
21 cigarette tax imposed by s. 210.02 which shall be deposited  
22 into the Alcoholic Beverage and Tobacco Trust Fund, specifying  
23 an amount equal to 1.47 percent of the net collections, and  
24 that amount shall be paid to the Board of Directors of the H.  
25 Lee Moffitt Cancer Center and Research Institute, established  
26 under s. 240.512 by warrant drawn by the Comptroller upon the  
27 State Treasury. These funds are hereby appropriated monthly  
28 out of the Cigarette Tax Collection Trust Fund, to be used for  
29 the purpose of constructing, furnishing, and equipping a  
30 cancer research facility at the University of South Florida  
31 adjacent to the H. Lee Moffitt Cancer Center and Research

1 Institute. In fiscal years 2002-2003 and thereafter, the  
2 appropriation to the H. Lee Moffitt Cancer Center and Research  
3 Institute authorized by this subparagraph shall not be less  
4 than the amount paid to the H. Lee Moffitt Cancer Center and  
5 Research Institute in fiscal year 2001-2002.

6 Section 2. Section 210.201, Florida Statutes, is  
7 amended to read:

8 210.201 Cancer research facility at the University of  
9 South Florida; establishment; funding.--The Board of Directors  
10 of the H. Lee Moffitt Cancer Center and Research Institute  
11 shall construct, furnish, and equip, and shall covenant to  
12 complete, the cancer research facility at the University of  
13 South Florida adjacent to the H. Lee Moffitt Cancer Center and  
14 Research Institute. Moneys transferred to the Board of  
15 Directors of the H. Lee Moffitt Cancer Center and Research  
16 Institute pursuant to s. 210.20 shall be used to secure  
17 financing to pay costs related to constructing, furnishing,  
18 and equipping the cancer research facility. Such financing  
19 may include the issuance of tax exempt bonds by a local  
20 authority, municipality, or county pursuant to parts II and  
21 III of chapter 159. Such bonds shall not constitute state  
22 bonds for purposes of s. 11, Art. VII of the State  
23 Constitution, but shall constitute bonds of a "local agency,"  
24 as defined in s. 159.27(4). The cigarette tax dollars pledged  
25 to this facility pursuant to s. 210.20 shall be replaced  
26 annually by the Legislature from tobacco litigation settlement  
27 proceeds.

28 Section 3. This act shall take effect July 1, 2001.  
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HOUSE SUMMARY

Provides for a payment of a portion of the moneys in the Cigarette Tax Collection Trust Fund to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute for the purpose of constructing, furnishing, and equipping a cancer research facility at the University of South Florida. See bill for details.