

By Senator King

8-105A-01

1 A bill to be entitled
2 An act relating to trust funds; creating s.
3 261.11, F.S.; creating the Off-Highway-Vehicle
4 Revolving Trust Fund; providing for future
5 review and repeal; providing an effective date.
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7 Be It Enacted by the Legislature of the State of Florida:

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9 Section 1. Section 261.11, Florida Statutes, is
10 created to read:

11 261.11 The Off-Highway-Vehicle Revolving Trust
12 Fund.--There is created the Off-Highway-Vehicle Revolving
13 Trust Fund to be administered by the Division of Forestry
14 within the Department of Agriculture and Consumer Services.

15 (1) The trust fund shall consist of deposits from the
16 following sources:

17 (a) Fees paid to the Department of Highway Safety and
18 Motor Vehicles for the titling and registration of off-highway
19 vehicles.

20 (b) Revenues and income from any other source required
21 by law or as appropriated by the Legislature to be deposited
22 into the fund.

23 (c) Donations from private sources.

24 (d) Interest earned on moneys on deposit in the fund.

25 (2) Moneys in the fund shall be available for
26 recommended allocation by the Off-Highway-Vehicle Recreation
27 Advisory Committee and the Department of Agriculture and
28 Consumer Services and upon annual appropriation by the
29 Legislature, exclusively for the following:

30 (a) Implementation of the Off-Highway-Vehicle
31 Recreation Program by the Department of Agriculture and

1 Consumer Services, which includes personnel and other related
2 expenses, administrative and operating expenses, expenses
3 related to safety, training, rider-education programs,
4 management, maintenance and rehabilitation of lands in the
5 Off-Highway-Vehicle Recreation Program's system of lands and
6 trails, and, if funds are available, acquisition of lands to
7 be included in the system and the management, maintenance, and
8 rehabilitation of such lands.

9 (b) Approved grants to governmental agencies or
10 entities or non-governmental entities that wish to provide or
11 improve off-highway-vehicle recreation areas or trails for
12 public use on public lands, provide environmental protection
13 and restoration to affected natural areas in the system, or
14 provide education in the operation of off-highway vehicles.

15 (c) Matching funds to be used to match grant funds
16 available from other sources.

17 (3) Notwithstanding s. 216.301 and pursuant to s.
18 216.351, any balance in the trust fund at the end of any
19 fiscal year shall remain therein and shall be available for
20 the purposes set out in this section and as otherwise provided
21 by law.

22 (4) Pursuant to s. 19(f)(2), Art. III of the State
23 Constitution, the Off-Highway-Vehicle Revolving Trust Fund,
24 unless terminated sooner, shall be terminated on July 1, 2005.
25 However, before its scheduled termination, the
26 Off-Highway-Vehicle Revolving Trust Fund shall be reviewed as
27 provided in s. 215.3206(1) and (2).

28 Section 2. This act shall take effect on the effective
29 date of SB ____, but it shall not take effect unless it is
30 enacted by at least a three-fifths vote of the membership of
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1 each house of the Legislature and unless SB _____, 2001 Regular
2 Session, becomes a law.

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SENATE SUMMARY

Creates the Off-Highway-Vehicle Revolving Trust Fund to be administered by the Department of Agriculture and Consumer Services. Provides for review and termination or re-creation of the trust fund.