

By Senator Clary

7-481A-02

1                                   A bill to be entitled  
2           An act relating to the General Inspection Trust  
3           Fund; amending ss. 496.405, 496.409, 496.410,  
4           496.419, F.S.; eliminating restrictions on the  
5           use of funds deposited into the General  
6           Inspection Trust Fund of the Department of  
7           Agriculture and Consumer Services; providing an  
8           effective date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

11  
12           Section 1. Subsection (4) of section 496.405, Florida  
13 Statutes, is amended to read:

14           496.405 Registration statements by charitable  
15 organizations and sponsors.--

16           (4)(a) Every charitable organization, sponsor, or  
17 parent organization filing on behalf of one or more chapters,  
18 branches, or affiliates that is required to register under  
19 this section must pay a single registration fee. A parent  
20 organization filing on behalf of one or more chapters,  
21 branches, or affiliates shall total all contributions received  
22 by the chapters, branches, or affiliates included in the  
23 registration statement to determine registration fees. Fees  
24 shall be assessed as follows:

25           1.a. Ten dollars, if the contributions received for  
26 the last fiscal or calendar year were less than \$5,000; or

27           b. Ten dollars, if the contributions actually raised  
28 or received from the public during the immediately preceding  
29 fiscal year by such organization or sponsor are no more than  
30 \$25,000 and the fundraising activities of such organization or  
31 sponsor are carried on by volunteers, members, officers, or

1 permanent employees, who are not compensated, primarily to  
2 solicit such contributions, provided no part of the assets or  
3 income of such organization or sponsor inures to the benefit  
4 of or is paid to any officer or member of such organization or  
5 sponsor or to any professional fundraising consultant,  
6 professional solicitor, or commercial co-venturer;

7         2. Seventy-five dollars, if the contributions received  
8 for the last fiscal year were \$5,000 or more, but less than  
9 \$100,000;

10         3. One hundred twenty-five dollars, if the  
11 contributions received for the last fiscal year were \$100,000  
12 or more, but less than \$200,000;

13         4. Two hundred dollars, if the contributions received  
14 for the last fiscal year were \$200,000 or more, but less than  
15 \$500,000;

16         5. Three hundred dollars, if the contributions  
17 received for the last fiscal year were \$500,000 or more, but  
18 less than \$1 million;

19         6. Three hundred fifty dollars, if the contributions  
20 received for the last fiscal year were \$1 million or more, but  
21 less than \$10 million;

22         7. Four hundred dollars, if the contributions received  
23 for the last fiscal year were \$10 million or more.

24         (b) A charitable organization or sponsor which fails  
25 to file a registration statement by the due date may be  
26 assessed an additional fee for such late filing. The late  
27 filing fee shall be \$25 for each month or part of a month  
28 after the date on which the annual renewal statement and  
29 financial report were due to be filed with the department.

30         (c) All registration fees must be paid to the  
31 department and deposited into the General Inspection Trust

1 ~~Fund to be used to pay the costs incurred in administering and~~  
2 ~~enforcing ss. 496.401-496.424. Money deposited in the fund and~~  
3 ~~allocated for the purposes of ss. 496.401-496.424 must be~~  
4 ~~disbursed by the department for the funding of activities~~  
5 ~~conducted by the department pursuant to ss. 496.401-496.424,~~  
6 ~~inclusive.~~

7 Section 2. Subsection (7) of section 496.409, Florida  
8 Statutes, is amended to read:

9 496.409 Registration and duties of professional  
10 fundraising consultant.--

11 (7) All registration fees must be paid to the  
12 department and deposited into the General Inspection Trust  
13 ~~Fund to be used to pay the costs incurred in administering and~~  
14 ~~enforcing ss. 496.401-496.424. Money deposited in the fund~~  
15 ~~and allocated for the purposes of ss. 496.401-496.424 shall be~~  
16 ~~disbursed by the department for the funding of activities~~  
17 ~~conducted by the department pursuant to ss. 496.401-496.424,~~  
18 ~~inclusive.~~

19 Section 3. Subsection (15) of section 496.410, Florida  
20 Statutes, is amended to read:

21 496.410 Registration and duties of professional  
22 solicitors.--

23 (15) All registration fees must be paid to the  
24 department and deposited into the General Inspection Trust  
25 ~~Fund to be used to pay the costs incurred in administering and~~  
26 ~~enforcing ss. 496.401-496.424. Money deposited in the fund~~  
27 ~~and allocated for the purposes of ss. 496.401-496.424 must be~~  
28 ~~disbursed by the department for the funding of activities~~  
29 ~~conducted by the department pursuant to ss. 496.401-496.424,~~  
30 ~~inclusive.~~

31

1           Section 4. Subsection (9) of section 496.419, Florida  
2 Statutes, is amended to read:

3           496.419 Powers of the department.--

4           (9) All fines collected by the department under  
5 subsection (5) must be paid into the General Inspection Trust  
6 Fund to be used to pay the costs incurred in administering and  
7 enforcing ~~ss. 496.401-496.424 or s. 496.426~~. Money deposited  
8 ~~in the fund and allocated for the purposes of ss.~~  
9 ~~496.401-496.424 or s. 496.426~~ must be disbursed by the  
10 department for the funding of activities conducted by the  
11 department pursuant to ~~ss. 496.401-496.424 or s. 496.426,~~  
12 ~~inclusive.~~

13           Section 5. This act shall take effect January 1, 2002.

14  
15                                   \*\*\*\*\*

16                                   SENATE SUMMARY

17           Eliminates restrictions on the use of funds deposited  
18 into the General Inspection Trust Fund of the Department  
of Agriculture and Consumer Services.