

Bill No. CS for CS for SB 1564, 1st Eng.

Amendment No. (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Byrd offered the following:

Amendment to Amendment (394497) (with title amendment)

On page 1763, between lines 5 & 6, of the amendment

insert:

Section 1064. Paragraph (b) 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:

(b)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

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1 Trust Fund, specifying an amount equal to 2.59 percent of the
2 net collections, and that amount shall be paid to the Board of
3 Directors of the H. Lee Moffitt Cancer Center and Research
4 Institute, established under s. 1004.43 ~~240.512~~, by warrant
5 drawn by the Comptroller upon the State Treasury. These funds
6 are hereby appropriated monthly out of the Cigarette Tax
7 Collection Trust Fund, to be used for the purpose of
8 constructing, furnishing, and equipping a cancer research
9 facility at the University of South Florida adjacent to the H.
10 Lee Moffitt Cancer Center and Research Institute. In fiscal
11 years 1999-2000 and thereafter with the exception of fiscal
12 year 2008-2009, the appropriation to the H. Lee Moffitt Cancer
13 Center and Research Institute authorized by this subparagraph
14 paragraph shall not be less than the amount that ~~which~~ would
15 have been paid to the H. Lee Moffitt Cancer Center and
16 Research Institute for fiscal year 1998-1999 had payments been
17 made for the entire fiscal year rather than for a 6-month
18 period thereof.

19 2. Beginning July 1, 2002, and continuing through June
20 30, 2004, the division shall, in addition to the distribution
21 authorized in subparagraph 1., from month to month certify to
22 the Comptroller the amount derived from the cigarette tax
23 imposed by s. 210.02, less the service charges provided for in
24 s. 215.20 and less 0.9 percent of the amount derived from the
25 cigarette tax imposed by s. 210.02, which shall be deposited
26 into the Alcoholic Beverage and Tobacco Trust Fund, specifying
27 an amount equal to 0.2632 percent of the net collections, and
28 that amount shall be paid to the Board of Directors of the H.
29 Lee Moffitt Cancer Center and Research Institute, established
30 under s. 1004.43, by warrant drawn by the Comptroller.
31 Beginning July 1, 2004, and continuing through June 30, 2016,

1 the division shall, in addition to the distribution authorized
2 in subparagraph 1., from month to month certify to the
3 Comptroller the amount derived from the cigarette tax imposed
4 by s. 210.02, less the service charges provided for in s.
5 215.20 and less 0.9 percent of the amount derived from the
6 cigarette tax imposed by s. 210.02, which shall be deposited
7 into the Alcoholic Beverage and Tobacco Trust Fund, specifying
8 an amount equal to 1.47 percent of the net collections, and
9 that amount shall be paid to the Board of Directors of the H.
10 Lee Moffitt Cancer Center and Research Institute, established
11 under s. 1004.43, by warrant drawn by the Comptroller. These
12 funds are appropriated monthly out of the Cigarette Tax
13 Collection Trust Fund, to be used for the purpose of
14 constructing, furnishing, and equipping a cancer research
15 facility at the University of South Florida adjacent to the H.
16 Lee Moffitt Cancer Center and Research Institute. In fiscal
17 years 2004-2005 and thereafter, the appropriation to the H.
18 Lee Moffitt Cancer Center and Research Institute authorized by
19 this subparagraph shall not be less than the amount that would
20 have been paid to the H. Lee Moffitt Cancer Center and
21 Research Institute in fiscal year 2001-2002, had this
22 subparagraph been in effect.

23 Section 1065. Section 210.201, Florida Statutes, is
24 renumbered as section 1004.436, Florida Statutes, and amended
25 to read:

26 1004.436 ~~210.201~~ Cancer research facility at the
27 University of South Florida; establishment; funding.--The
28 Board of Directors of the H. Lee Moffitt Cancer Center and
29 Research Institute shall construct, furnish, and equip, and
30 shall covenant to complete, the cancer research facility at
31 the University of South Florida adjacent to the H. Lee Moffitt

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1 Cancer Center and Research Institute. Moneys transferred to
 2 the Board of Directors of the H. Lee Moffitt Cancer Center and
 3 Research Institute pursuant to s. 210.20 shall be used to
 4 secure financing to pay costs related to constructing,
 5 furnishing, and equipping the cancer research facility. Such
 6 financing may include the issuance of tax exempt bonds by a
 7 local authority, municipality, or county pursuant to parts II
 8 and III of chapter 159. Such bonds shall not constitute state
 9 bonds for purposes of s. 11, Art. VII of the State
 10 Constitution, but shall constitute bonds of a "local agency,"
 11 as defined in s. 159.27(4). The cigarette tax dollars pledged
 12 to this facility pursuant to s. 210.20 may ~~shall~~ be replaced
 13 annually by the Legislature from tobacco litigation settlement
 14 proceeds.

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17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 On page 1768, line 24, of the amendment after the
20 semicolon

21

22 after "references;" insert:

23 amending s. 210.20, F.S.; increasing that
 24 portion of the revenues from the cigarette tax
 25 to be paid monthly to the Board of Directors of
 26 the H. Lee Moffitt Cancer Center and Research
 27 Institute to finance a cancer research facility
 28 at the University of South Florida; amending
 29 and renumbering s. 210.201, F.S.; providing for
 30 the use of the transferred moneys; authorizing,
 31 rather than requiring, replacement of such

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moneys by tobacco settlement proceeds;