

By Senators Sullivan, Miller, Lee, Campbell and Crist

22-1413-02

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A bill to be entitled
An act relating to cigarette taxes; amending s.
210.20, F.S.; providing for a portion of the
revenues from the cigarette tax to be paid
monthly to the Board of Directors of the H. Lee
Moffitt Cancer Center and Research Institute,
to finance a cancer research facility at the
University of South Florida; amending s.
210.201, F.S.; providing for the use of the
transferred moneys; providing an effective
date.

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

Section 1. 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
Trust Fund, specifying an amount equal to 2.59 percent of the
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 that ~~which~~ would
13 have been paid to the H. Lee Moffitt Cancer Center and
14 Research Institute for fiscal year 1998-1999 had payments been
15 made for the entire fiscal year rather than for a 6-month
16 period thereof.

17 2. Beginning July 1, 2002, and continuing through June
18 30, 2004, the division shall, in addition to the distribution
19 authorized in subparagraph 1., from month to month certify to
20 the Comptroller the amount derived from the cigarette tax
21 imposed by s. 210.02, less the service charges provided 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 0.2632 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.
29 Beginning July 1, 2004, and continuing through June 30, 2016,
30 the division shall, in addition to the distribution authorized
31 in subparagraph 1., from month to month certify to the

1 Comptroller the amount derived from the cigarette tax imposed
2 by s. 210.02, less the service charges provided in s. 215.20
3 and less 0.9 percent of the amount derived from the cigarette
4 tax imposed by s. 210.02, which shall be deposited into the
5 Alcoholic Beverage and Tobacco Trust Fund, specifying an
6 amount equal to 1.47 percent of the net collections, and that
7 amount shall be paid to the Board of Directors of the H. Lee
8 Moffitt Cancer Center and Research Institute, established
9 under s. 240.512, by warrant drawn by the Comptroller. These
10 funds are appropriated monthly out of the Cigarette Tax
11 Collection Trust Fund, to be used for the purpose of
12 constructing, furnishing, and equipping a cancer research
13 facility at the University of South Florida adjacent to the H.
14 Lee Moffitt Cancer Center and Research Institute. In fiscal
15 year 2004-2005 and thereafter, the appropriation to the H. Lee
16 Moffitt Cancer Center and Research Institute authorized by
17 this subparagraph shall not be less than the amount that would
18 have been paid to the H. Lee Moffitt Cancer Center and
19 Research Institute in fiscal year 2001-2002 if this
20 subparagraph had been in effect.

21 Section 2. Section 210.201, Florida Statutes, is
22 amended to read:

23 210.201 Cancer research facility at the University of
24 South Florida; establishment; funding.--The Board of Directors
25 of the H. Lee Moffitt Cancer Center and Research Institute
26 shall construct, furnish, and equip, and shall covenant to
27 complete, the cancer research facility at the University of
28 South Florida adjacent to the H. Lee Moffitt Cancer Center and
29 Research Institute. Moneys transferred to the Board of
30 Directors of the H. Lee Moffitt Cancer Center and Research
31 Institute pursuant to s. 210.20 shall be used to secure

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

12 Section 3. This act shall take effect upon becoming a
13 law.

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15 SENATE SUMMARY

16 Provides for a portion of the revenues from the cigarette
17 tax to be paid monthly to the Board of Directors of the
18 H. Lee Moffitt Cancer Center and Research Institute, to
19 finance a cancer research facility at the University of
20 South Florida. Provides for the use of the transferred
21 moneys.
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