

STORAGE NAME: h0625a.frc.doc
DATE: February 20, 2002

HOUSE OF REPRESENTATIVES
FISCAL RESPONSIBILITY COUNCIL
ANALYSIS

BILL #: HB 625
RELATING TO: Digital Divide Trust Fund
SPONSOR(S): Representative(s) Jennings
TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) INFORMATION TECHNOLOGY YEAS 11 NAYS 0
- (2) FISCAL RESPONSIBILITY COUNCIL YEAS 20 NAYS 0
- (3) READY INFRASTRUCTURE COUNCIL
- (4)
- (5)

I. SUMMARY:

This bill creates the Digital Divide Trust Fund in the State Technology Office, effective July 1, 2002. The Digital Divide Trust Fund is created for the purpose of receiving and disbursing funds to pay part or all the cost of facilitating design and implementation of one or more programs that use information technology to educate and train members of economically disadvantaged families to become qualified to compete for high-skill, high-wage employment opportunities in the information technology industry in Florida.

The bill authorizes the Digital Divide Council to administer the Trust Fund and provides that the Trust Fund is to be funded from, but not limited to, appropriations from the state and gifts, donations, and matching contributions from other public agencies and private persons and entities.

The bill also provides that, pursuant to Section 19(f)(2), Article III of the State Constitution, the Trust Fund will terminate on July 1, 2006 if not re-created by law at an earlier date. If the trust Fund is terminated, the bill provides that the State Technology Office will pay any outstanding debts or obligations of the Trust Fund and that the Comptroller will close out and remove the Trust Fund from the state accounting systems.

At its February 22, 2002, meeting, the Fiscal Responsibility Council adopted two amendments which are traveling with the bill. These amendments eliminate the requirements that the State Technology Office and the Governor make recommendations regarding the modification of the trust fund and eliminate a restriction on the purpose of the trust fund.

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

Pursuant to section 282.005, F.S., the State Technology Office has the primary responsibility and accountability for the planning, budgeting, acquisition, development, implementation, use, and management of information technology within the state. The Digital Divide Council was created within the State Technology Office pursuant to section 445.049, F.S. The Digital Divide Council has the purpose of providing families with inadequate access to information technology with the resources necessary to achieve such access.

C. EFFECT OF PROPOSED CHANGES:

This bill creates the Digital Divide Trust Fund in the State Technology Office, effective July 1, 2002. The revenue sources for this trust fund will include appropriations from the state and gifts, donations, and matching contributions from other public agencies and private persons and entities.

The Digital Divide Trust Fund would enable the State Technology Office, through the Digital Divide Council, to provide funding in order to design and implement programs that use information technology to educate and train members of economically disadvantaged families to become qualified to compete for high-skill, high-wage employment opportunities in the information technology industry in Florida.

D. SECTION-BY-SECTION ANALYSIS:

See Effect of Proposed Changes section above.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The revenue sources in the Digital Divide Trust Fund will be appropriations from the state and gifts, donations, and matching contributions from other public agencies and private persons and entities.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require a county or municipality to spend funds or take any action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the revenue raising authority of counties or municipalities.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of state tax shared with counties and municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

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VII. SIGNATURES:

COMMITTEE ON HOUSE INFORMATION TECHNOLOGY:

John A. Barley

Charles Davidson

AS REVISED BY THE FISCAL RESPONSIBILITY COUNCIL:

Melissa Engle

David Coburn