

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 868

SPONSOR: Senator Clary

SUBJECT: Florida Public Service Regulatory Trust Fund

DATE: January 7, 2002      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Barrett	Hayes	AGG	Favorable
2.	_____	_____	AP	Withdrawn: Favorable
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

This legislation re-creates the Florida Public Service Regulatory Trust Fund without modification, effective upon becoming a law. The Florida Public Service Regulatory Trust Fund (FLAIR # 61-2-573), is administered by the Florida Public Service Commission and was re-created in Chapter 2000-84, Laws of Florida.

**II. Present Situation:**

Section 350.113, F.S., creates the “Florida Public Service Regulatory Trust Fund” and provides that all fees, licenses and other charges collected by the Commission must be used to perform the various utility regulatory functions and duties assigned to the Commission by law. Penalties and interest assessed and collected by the Commission, however, must be deposited in the General Revenue Fund. This trust fund is subject to a 7.3% General Revenue surcharge as described in section 215.20, F.S.

In addition to funding the operations of the Commission, this trust fund also supports the operations of the Florida Public Service Commission Nominating Council (s. 350.031, F.S.).

Re-creating the Florida Public Service Regulatory Trust Fund enables the Florida Public Service Commission to receive, spend and account for assessment fees collected to fund the costs of regulating Communications, Public Electric and Gas Utilities and Water and Wastewater companies in Florida.

**III. Effect of Proposed Changes:**

This bill re-creates the trust fund without modification.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

This bill does not have a fiscal impact on state agencies or state funds, on local governments as a whole, or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.