

By Representative Byrd

1 A bill to be entitled
2 An act relating to cigarette taxes; amending s.
3 210.20, F.S.; increasing that portion of the
4 revenues from the cigarette tax to be paid
5 monthly to the Board of Directors of the H. Lee
6 Moffitt Cancer Center and Research Institute to
7 finance a cancer research facility at the
8 University of South Florida; amending s.
9 210.201, F.S.; providing for the use of the
10 transferred moneys; authorizing, rather than
11 requiring, replacement of such moneys by
12 tobacco settlement proceeds; providing an
13 effective date.

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

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17 Section 1. Paragraph (b) of subsection (2) of section
18 210.20, Florida Statutes, is amended to read:

19 210.20 Employees and assistants; distribution of
20 funds.--

21 (2) As collections are received by the division from
22 such cigarette taxes, it shall pay the same into a trust fund
23 in the State Treasury designated "Cigarette Tax Collection
24 Trust Fund" which shall be paid and distributed as follows:

25 (b)1. Beginning January 1, 1999, and continuing for 10
26 years thereafter, the division shall from month to month
27 certify to the Comptroller the amount derived from the
28 cigarette tax imposed by s. 210.02, less the service charges
29 provided for in s. 215.20 and less 0.9 percent of the amount
30 derived from the cigarette tax imposed by s. 210.02, which
31 shall be deposited into the Alcoholic Beverage and Tobacco

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. 240.512, by warrant drawn by
5 the Comptroller upon the State Treasury. These funds are
6 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. 240.512, 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. 240.512, 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 2. Section 210.201, Florida Statutes, is
24 amended to read:

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

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

14 Section 3. This act shall take effect upon becoming a
15 law.

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18 HOUSE SUMMARY

19 Increases that portion of the revenues from the cigarette
20 tax to be paid monthly to the Board of Directors of the
21 H. Lee Moffitt Cancer Center and Research Institute to
22 finance a cancer research facility at the University of
23 South Florida. Provides for the use of the transferred
24 moneys. Authorizes, rather than requires, replacement of
25 such moneys by tobacco settlement proceeds.
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