

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

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

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18           Section 1. This act may be cited as the "James L.  
19 Stevens Act."

20           Section 2. Paragraph (b) of subsection (2) of section  
21 210.20, Florida Statutes, is amended to read:

22           210.20 Employees and assistants; distribution of  
23 funds.--

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

28           (b)1. Beginning January 1, 1999, and continuing for 10  
29 years thereafter, the division shall from month to month  
30 certify to the Comptroller the amount derived from the  
31 cigarette tax imposed by s. 210.02, less the service charges

1 provided for in s. 215.20 and less 0.9 percent of the amount  
 2 derived from the cigarette tax imposed by s. 210.02, which  
 3 shall be deposited into the Alcoholic Beverage and Tobacco  
 4 Trust Fund, specifying an amount equal to 2.59 percent of the  
 5 net collections, and that amount shall be paid to the Board of  
 6 Directors of the H. Lee Moffitt Cancer Center and Research  
 7 Institute, established under s. 240.512, by warrant drawn by  
 8 the Comptroller upon the State Treasury. These funds are  
 9 hereby appropriated monthly out of the Cigarette Tax  
 10 Collection Trust Fund, to be used for the purpose of  
 11 constructing, furnishing, and equipping a cancer research  
 12 facility at the University of South Florida adjacent to the H.  
 13 Lee Moffitt Cancer Center and Research Institute. In fiscal  
 14 years 1999-2000 and thereafter with the exception of fiscal  
 15 year 2008-2009, the appropriation to the H. Lee Moffitt Cancer  
 16 Center and Research Institute authorized by this subparagraph  
 17 ~~paragraph~~ shall not be less than the amount that ~~which~~ would  
 18 have been paid to the H. Lee Moffitt Cancer Center and  
 19 Research Institute for fiscal year 1998-1999 had payments been  
 20 made for the entire fiscal year rather than for a 6-month  
 21 period thereof.

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

1 Lee Moffitt Cancer Center and Research Institute, established  
 2 under s. 240.512, by warrant drawn by the Comptroller.  
 3 Beginning July 1, 2004, and continuing through June 30, 2016,  
 4 the division shall, in addition to the distribution authorized  
 5 in subparagraph 1., from month to month certify to the  
 6 Comptroller the amount derived from the cigarette tax imposed  
 7 by s. 210.02, less the service charges provided for in s.  
 8 215.20 and less 0.9 percent of the amount derived from the  
 9 cigarette tax imposed by s. 210.02, which shall be deposited  
 10 into the Alcoholic Beverage and Tobacco Trust Fund, specifying  
 11 an amount equal to 1.47 percent of the net collections, and  
 12 that amount shall be paid to the Board of Directors of the H.  
 13 Lee Moffitt Cancer Center and Research Institute, established  
 14 under s. 240.512, by warrant drawn by the Comptroller. These  
 15 funds are appropriated monthly out of the Cigarette Tax  
 16 Collection Trust Fund, to be used for the purpose of  
 17 constructing, furnishing, and equipping a cancer research  
 18 facility at the University of South Florida adjacent to the H.  
 19 Lee Moffitt Cancer Center and Research Institute. In fiscal  
 20 years 2004-2005 and thereafter, the appropriation to the H.  
 21 Lee Moffitt Cancer Center and Research Institute authorized by  
 22 this subparagraph shall not be less than the amount that would  
 23 have been paid to the H. Lee Moffitt Cancer Center and  
 24 Research Institute in fiscal year 2001-2002, had this  
 25 subparagraph been in effect.

26 Section 3. Section 210.201, Florida Statutes, is  
 27 amended to read:

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

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

17 Section 4. This act shall take effect upon becoming a  
18 law.

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