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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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