

## HOUSE OF REPRESENTATIVES TRUST FUND RE-CREATION STAFF ANALYSIS

**BILL #:** HB 1737 Trust Fund  
**SPONSOR(S):** Robaina  
**TIED BILLS:** HB 859 **IDEN./SIM. BILLS:**

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| REFERENCE                           | ACTION   | ANALYST | STAFF DIRECTOR |
|-------------------------------------|----------|---------|----------------|
| 1) Highway Safety (Sub)             | 8 Y, 0 N | Garner  | Miller         |
| 2) Transportation                   |          | Garner  | Miller         |
| 3) Public Safety & Crime Prevention |          |         |                |
| 4) Finance & Tax                    |          |         |                |
| 5) Appropriations                   |          |         |                |

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### I. SUMMARY

HB 1737 creates the State Law Enforcement Officer Recruitment and Retention Trust Fund. Deposited into the new trust fund will be the proceeds of various DUI and driver's license-related fine and fee increases, and increases in certain court costs, as specified in HB 859. Notwithstanding s. 216.301, F.S., and pursuant to s. 216.351, F.S., any balance in the trust fund at the end of the year shall be available for carrying out the purposes of the trust fund. The trust fund shall, unless terminated sooner, be terminated on July 1, 2007, subject to review as provided in s. 215.3206(1) and (2), F.S.

HB 1737 will take effect only if HB 859, or similar legislation, becomes law in the 2003 session.

### II. SUBSTANTIVE ANALYSIS

#### A. PRESENT SITUATION:

##### 1. MAJOR STATUTES THAT CONTROL THE TRUST FUND:

The State Law Enforcement Recruitment and Retention Trust Fund is created by HB 1737, which creates s. 20.2101, F.S. In general, the trust fund is controlled by ch. 216, F.S., and by section 19, Article III of the Florida Constitution.

##### 2. BRIEF DESCRIPTION OF THE FUND'S USES OR PURPOSES:

The funds credited to the trust fund are to be used for the purpose of recruiting and retaining law enforcement officers in Florida.

##### 3. MAJOR SOURCES OF REVENUE FOR THE FUND:

Revenue for the fund will be generated by the increased amount added to penalties, fines, and/or fees as provided in HB 859.

##### 4. TOTAL PROJECTED RECEIPTS INTO THE FUND AND CURRENT YEAR APPROPRIATIONS FROM THE FUND:

There are no current-year appropriations since this would be a newly created trust fund.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

**STORAGE NAME:** h1737a.tr.doc  
**DATE:** April 2, 2003

**B. EFFECT OF PROPOSED CHANGES:**

HB 1737 creates the State Law Enforcement Officer Recruitment and Retention Trust Fund. Deposited into the new trust fund will be the proceeds of various DUI and driver's license-related fine and fee increases, and increases in certain court costs, as specified in HB 859. Notwithstanding s. 216.301, F.S., and pursuant to s. 216.351, F.S., any balance in the trust fund at the end of the year shall be available for carrying out the purposes of the trust fund. The trust fund shall, unless terminated sooner, be terminated on July 1, 2007, subject to review as provided in s. 215.3206(1) and (2), F.S.

**III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

It is difficult to estimate the amount of receipts to be deposited into the trust fund, since that depends on the number of DUI offenses, proof of compliance violations, certain driver's licensing-related infractions, and applications for reinstatement of a driver's license that occur each year. However, DHSMV estimates that approximately \$47.2 million would be generated for deposit into the trust fund if the number of these violations and applications remained the same as those in 2002.

**IV. COMMENTS**

HB 859 is purportedly linked to HB 1737 which creates the State Law Enforcement Officer Recruitment and Retention Trust Fund. However, the fee and fine increases provided for in HB 859 are to be deposited into a trust fund named the Florida Highway Patrol Recruitment and Retention Trust Fund.

**V. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**