

By the Committee on Appropriations; and Senator Pruitt

309-2208B-03

1 A bill to be entitled
2 An act relating to state financial matters;
3 amending s. 11.045, F.S., relating to the
4 Legislative Lobbyist Registration Trust Fund;
5 removing an exemption from a service charge;
6 amending s. 14.2015, F.S.; deleting provisions
7 authorizing the Office of Tourism, Trade, and
8 Economic Development to expend the interest
9 earned from specified trust funds; repealing s.
10 17.43(2), F.S., relating to the carryforward of
11 funds in the Comptroller's Federal Equitable
12 Sharing Trust Fund; amending s. 18.125, F.S.;
13 requiring that certain trust fund moneys be
14 invested pursuant to s. 18.10, F.S., relating
15 to deposits and investments of state money;
16 limiting the interest earnings that are
17 deposited in trust funds; providing exceptions;
18 repealing s. 20.2553(2), F.S., relating to the
19 carryforward of funds in the Federal Law
20 Enforcement Trust Fund within the Department of
21 Environmental Protection; repealing s.
22 20.3315(2), F.S., relating to the carryforward
23 of funds in the Florida Forever Program Trust
24 Fund; repealing s. 20.435(1)(a)2., (b)2.,
25 (c)2., (d)2., (e)2., (f)2., F.S., relating to
26 the carryforward of funds in Department of
27 Health trust funds; repealing s. 20.505(3),
28 F.S., relating to the carryforward of funds in
29 the Administrative Trust Fund of the Agency for
30 Workforce Innovation; repealing s. 61.1812(2),
31 F.S., relating to the carryforward of funds in

1 the Child Support Incentive Trust Fund;
2 repealing s. 61.1816(2), F.S., relating to the
3 carryforward of funds in the Child Support
4 Clearing Trust Fund; amending s. 112.3215,
5 F.S., relating to the Executive Branch Lobby
6 Registration Trust Fund; removing an exemption
7 from a service charge; repealing s. 202.193(2),
8 F.S., relating to the carryforward of funds in
9 the Local Communications Services Tax Clearing
10 Trust Fund; amending s. 206.46, F.S., relating
11 to the State Transportation Trust Fund;
12 limiting the interest deposited into the fund;
13 amending s. 211.31, F.S.; limiting the interest
14 deposited into certain trust funds created for
15 the tax on solid minerals; amending s. 215.20,
16 F.S.; reducing the rate of the general revenue
17 service charge; applying the service charge
18 uniformly to trust funds; deleting certain
19 exceptions; amending s. 215.22, F.S.; deleting
20 certain exemptions from the general revenue
21 service charge; providing for exemptions under
22 certain conditions and procedures; requiring
23 legislative review of certain exemptions;
24 providing intent; amending s. 215.24, F.S.;
25 providing for exemptions from the general
26 revenue service charge under certain conditions
27 and procedures; repealing s. 250.175(2), F.S.,
28 relating to the carryforward of funds in the
29 Federal Law Enforcement Trust Fund within the
30 Department of Military Affairs; repealing s.
31 250.601(3)(b), F.S., relating to the

1 carryforward of funds in the Emergency Response
2 Trust Fund; repealing s. 261.12(1)(d) and (3),
3 F.S., relating to interest and the carryforward
4 of funds in the Incidental Trust Fund of the
5 Division of Forestry of the Department of
6 Agriculture and Consumer Services; repealing s.
7 288.063(10), F.S., relating to the reversion of
8 funds in contracts for transportation projects;
9 repealing s. 288.065(4), F.S., relating to the
10 reversion of funds in the Rural Community
11 Development Revolving Loan Fund; repealing s.
12 288.0655(5), F.S., relating to the reversion of
13 funds in the Rural Infrastructure Fund;
14 amending s. 288.95155, F.S.; removing interest
15 earnings and limiting the reversion and use of
16 moneys in the Florida Technology Research
17 Investment Fund; amending s. 288.9607, F.S.,
18 relating to the State Transportation Trust
19 Fund; limiting the interest deposited into the
20 fund; amending s. 320.781, F.S., relating to
21 the Mobile Home and Recreational Vehicle
22 Protection Trust Fund; limiting the interest
23 deposited into the fund; repealing s.
24 338.2216(3)(b), F.S., relating to the
25 carryforward of funds by the Florida Turnpike
26 Enterprise; amending s. 339.08, F.S.; limiting
27 the interest deposited into the State
28 Transportation Trust Fund; repealing s.
29 339.082(2), F.S., relating to the carryforward
30 of funds in the Federal Law Enforcement Trust
31 Fund within the Department of Transportation;

1 amending s. 339.135, F.S.; limiting the
2 interest deposited into the State
3 Transportation Trust Fund; amending s. 365.173,
4 F.S., relating to the Wireless Emergency
5 Telephone System Fund; removing an exemption
6 from the service charge; amending s. 372.105,
7 F.S.; limiting the interest deposited into the
8 Lifetime Fish and Wildlife Trust Fund;
9 repealing s. 372.106(3), F.S., relating to an
10 exemption from the service charge for the
11 Dedicated License Trust Fund; repealing s.
12 372.107(2), F.S., relating to the carryforward
13 of funds in the Federal Law Enforcement Trust
14 Fund within the Fish and Wildlife Conservation
15 Commission; repealing s. 372.127(2), F.S.,
16 relating to the carryforward of funds in the
17 Conservation and Recreation Lands Program Trust
18 Fund; amending s. 373.4137, F.S.; limiting the
19 interest deposited into the State
20 Transportation Trust Fund; amending s. 376.11,
21 F.S.; limiting the interest deposited into the
22 Florida Coastal Protection Trust Fund;
23 repealing s. 376.121(11)(b), F.S., relating to
24 the use of interest from the investment of
25 moneys recovered by the Department of
26 Environmental Protection; amending s. 376.307,
27 F.S.; limiting the interest deposited into the
28 Florida Coastal Protection Trust Fund; amending
29 s. 376.3071, F.S.; limiting the interest
30 deposited into the Inland Protection Trust
31 Fund; amending s. 376.40, F.S.; limiting the

1 interest deposited into the Minerals Trust
2 Fund; amending s. 378.035, F.S.; limiting the
3 interest deposited into the Nonmandatory Land
4 Reclamation Trust Fund; repealing s.
5 380.5115(2), F.S., relating to the carryforward
6 of funds in the Florida Forever Program Trust
7 Fund; amending s. 385.207, F.S.; limiting the
8 interest deposited into the Epilepsy Services
9 Trust Fund; repealing s. 400.0239(4), F.S.,
10 relating to the carryforward of funds in the
11 Quality of Long-Term Care Facility Improvement
12 Trust Fund; amending s. 420.9079, F.S.;
13 limiting the interest deposited into the Local
14 Government Housing Trust Fund; repealing s.
15 430.41(2), F.S., relating to the carryforward
16 of funds in the Grants and Donations Trust Fund
17 of the Department of Elderly Affairs; amending
18 s. 440.50, F.S.; limiting the interest
19 deposited into the Workers' Compensation
20 Administration Trust Fund; repealing s.
21 440.501(2), F.S., relating to the carryforward
22 of funds in the Workers' Compensation
23 Administration Trust Fund; amending s.
24 445.0325, F.S.; limiting the interest deposits
25 and carryforward of funds in the Welfare
26 Transition Trust Fund; amending s. 464.0198,
27 F.S.; limiting the interest deposits and
28 carryforward of funds in the Florida Center for
29 Nursing Trust Fund; amending s. 468.392, F.S.;
30 limiting the interest deposited into the
31 Auctioneer Recovery Fund; amending s. 473.3065,

1 F.S.; limiting the interest deposited into a
2 program account of the Professional Regulation
3 Trust Fund; amending s. 527.23, F.S.; limiting
4 the interest deposited into the General
5 Inspection Trust Fund; repealing s. 561.027(2),
6 F.S., relating to the carryforward of funds in
7 the Federal Law Enforcement Trust Fund within
8 the Department of Business and Professional
9 Regulation; repealing s. 570.205(2), F.S.,
10 relating to the carryforward of funds in the
11 Federal Law Enforcement Trust Fund within the
12 Department of Agriculture and Consumer
13 Services; repealing s. 570.207(2), F.S.,
14 relating to the carryforward of funds in the
15 Conservation and Recreation Lands Program Trust
16 Fund within the Department of Agriculture and
17 Consumer Services; amending s. 576.045, F.S.,
18 relating to the General Inspection Trust Fund;
19 removing an exemption from a service charge;
20 amending s. 597.010, F.S.; limiting the
21 interest deposited into the General Inspection
22 Trust Fund; amending s. 601.15, F.S.; limiting
23 the interest deposited into trust funds of the
24 Department of Citrus; amending s. 601.28, F.S.;
25 limiting the interest deposited into trust
26 funds of the Department of Agriculture and
27 Consumer Services; repealing s.
28 932.705(1)(b)2., F.S., relating to the
29 carryforward of funds in the Federal Law
30 Enforcement Trust Fund within the Department of
31 Highway Safety and Motor Vehicles; amending s.

1 938.01, F.S.; limiting the interest deposited
2 into certain trust funds of the Department of
3 Law Enforcement and the Department of Children
4 and Family Services; repealing s. 943.365(2),
5 F.S., relating to the carryforward of funds in
6 the Federal Law Enforcement Trust Fund within
7 the Department of Law Enforcement; repealing s.
8 944.72(2), F.S., relating to the carryforward
9 of funds in the Privately Operated Institutions
10 Inmate Welfare Trust Fund; repealing s.
11 945.21502(2), F.S., relating to the
12 carryforward of funds in the Inmate Welfare
13 Trust Fund; repealing s. 946.522(3) and (4),
14 F.S., relating to the services charge and the
15 carryforward of funds in the Prison Industries
16 Trust Fund; repealing s. 985.4041(2), F.S.,
17 relating to the carryforward of funds in the
18 Juvenile Welfare Trust Fund; repealing s.
19 985.4042(2), F.S., relating to the carryforward
20 of funds in the Juvenile Care and Maintenance
21 Trust Fund; repealing s. 1004.41(3)(b), F.S.,
22 relating to the carryforward of funds in the
23 University of Florida Health Center Operations
24 and Maintenance Trust Fund; amending s.
25 1009.50, 1009.51, and 1009.52, F.S.; deleting
26 provisions authorizing the carryforward of
27 funds in the State Student Financial Assistance
28 Trust Fund; amending s. 1009.68, 1009.72, and
29 1009.73, F.S.; limiting the interest deposited
30 into the State Student Financial Assistance
31 Trust Fund; amending s. 1009.86, F.S.; removing

1 an exemption from a service charge and deleting
2 provisions authorizing the carryforward of
3 funds in the Student Loan Operating Trust Fund;
4 amending s. 1009.89, F.S.; deleting provisions
5 authorizing the carryforward of funds in the
6 State Student Financial Assistance Trust Fund;
7 repealing s. 1010.73(3), F.S., relating to the
8 carryforward of funds in the State Student
9 Financial Assistance Trust Fund; amending s.
10 1010.86, F.S.; limiting the interest deposited
11 into certain funds of the State Board of
12 Education; repealing s. 1010.87(2), F.S.,
13 relating to the carryforward of funds in the
14 Workers' Compensation Administration Trust Fund
15 within the Department of Education; amending s.
16 1011.51, F.S.; deleting provisions authorizing
17 the carryforward of funds in the Grants and
18 Donations Trust Fund of the Department of
19 Education; repealing s. 1011.57(4), F.S.,
20 relating to the carryforward of funds
21 appropriated for the Florida School for the
22 Deaf and the Blind; amending s. 1011.94, F.S.;
23 deleting provisions authorizing the
24 carryforward of funds in the Trust Fund for
25 University Major Gifts; amending s. 1013.79,
26 F.S.; limiting the interest deposited into the
27 Alec P. Courtelis Capital Facilities Matching
28 Trust Fund; providing an effective date.

29
30 Be It Enacted by the Legislature of the State of Florida:
31

1 Section 1. Subsection (8) of section 11.045, Florida
2 Statutes, is amended to read:

3 11.045 Lobbyists; registration and reporting;
4 exemptions; penalties.--

5 (8) There is hereby created the Legislative Lobbyist
6 Registration Trust Fund, to be used for the purpose of funding
7 any office established for the administration of the
8 registration of lobbyist lobbying the Legislature, including
9 the payment of salaries and other expenses, and for the
10 purpose of paying the expenses incurred by the Legislature in
11 providing services to lobbyists. ~~The trust fund is not~~
12 ~~subject to the service charge to general revenue provisions of~~
13 ~~chapter 215.~~Fees collected pursuant to rules established in
14 accordance with subsection (2) shall be deposited into the
15 Legislative Lobbyist Registration Trust Fund.

16 Section 2. Paragraph (f) of subsection (2) of section
17 14.2015, Florida Statutes, as amended by section 69 of chapter
18 2002-402, Laws of Florida, is amended to read:

19 14.2015 Office of Tourism, Trade, and Economic
20 Development; creation; powers and duties.--

21 (2) The purpose of the Office of Tourism, Trade, and
22 Economic Development is to assist the Governor in working with
23 the Legislature, state agencies, business leaders, and
24 economic development professionals to formulate and implement
25 coherent and consistent policies and strategies designed to
26 provide economic opportunities for all Floridians. To
27 accomplish such purposes, the Office of Tourism, Trade, and
28 Economic Development shall:

29 (f)1. Administer the Florida Enterprise Zone Act under
30 ss. 290.001-290.016, the community contribution tax credit
31 program under ss. 220.183 and 624.5105, the tax refund program

1 for qualified target industry businesses under s. 288.106, the
2 tax-refund program for qualified defense contractors under s.
3 288.1045, contracts for transportation projects under s.
4 288.063, the sports franchise facility program under s.
5 288.1162, the professional golf hall of fame facility program
6 under s. 288.1168, the expedited permitting process under s.
7 403.973, the Rural Community Development Revolving Loan Fund
8 under s. 288.065, the Regional Rural Development Grants
9 Program under s. 288.018, the Certified Capital Company Act
10 under s. 288.99, the Florida State Rural Development Council,
11 the Rural Economic Development Initiative, and other programs
12 that are specifically assigned to the office by law, by the
13 appropriations process, or by the Governor. ~~Notwithstanding~~
14 ~~any other provisions of law, the office may expend interest~~
15 ~~earned from the investment of program funds deposited in the~~
16 ~~Economic Development Trust Fund, the Grants and Donations~~
17 ~~Trust Fund, the Brownfield Property Ownership Clearance~~
18 ~~Assistance Revolving Loan Trust Fund, and the Economic~~
19 ~~Development Transportation Trust Fund to contract for the~~
20 ~~administration of the programs, or portions of the programs,~~
21 ~~enumerated in this paragraph or assigned to the office by law,~~
22 ~~by the appropriations process, or by the Governor. Such~~
23 ~~expenditures shall be subject to review under chapter 216.~~

24 2. The office may enter into contracts in connection
25 with the fulfillment of its duties concerning the Florida
26 First Business Bond Pool under chapter 159, tax incentives
27 under chapters 212 and 220, tax incentives under the Certified
28 Capital Company Act in chapter 288, foreign offices under
29 chapter 288, the Enterprise Zone program under chapter 290,
30 the Seaport Employment Training program under chapter 311, the
31 Florida Professional Sports Team License Plates under chapter

1 320, Spaceport Florida under chapter 331, Expedited Permitting
2 under chapter 403, and in carrying out other functions that
3 are specifically assigned to the office by law, by the
4 appropriations process, or by the Governor.

5 Section 3. Subsection (2) of section 17.43, Florida
6 Statutes, is repealed.

7 Section 4. Subsection (3) of section 18.125, Florida
8 Statutes, as amended by section 67 of chapter 2002-402, Laws
9 of Florida, is amended to read:

10 18.125 Treasurer; powers and duties in the investment
11 of certain funds.--

12 (3)(a) Except as otherwise provided in this
13 subsection, it is the duty of each state agency, and of the
14 judicial branch, now or hereafter charged with the
15 administration of the funds referred to in subsection (1) to
16 make such moneys available for investment as fully as is
17 consistent with the cash requirements of the particular fund
18 and to authorize investment of such moneys by the Treasurer,
19 when such moneys in the trust fund meet the requirements of
20 this subsection.

21 (b) Monthly, and more often as circumstances require,
22 such agency or judicial branch shall notify the Treasurer of
23 the amount available for investment; and the moneys shall be
24 invested by the Treasurer. Such notification shall include
25 the name and number of the fund for which the investments are
26 to be made and the life of the investment if the principal sum
27 is to be required for meeting obligations. This subsection,
28 however, shall not be construed to make available for
29 investment any funds other than those referred to in
30 subsection (1).

31

1 (c) Except for the moneys described in paragraph (d),
2 the agencies shall retain trust fund moneys in their
3 respective trust funds for investment pursuant to s. 18.10.

4 (d) Moneys shall be invested pursuant to this
5 subsection only if:

6 1. Investment of such moneys and retention of interest
7 is required by federal programs or mandates;

8 2. Investment of such moneys and the retention of
9 interest is required by bond covenants, indentures, or
10 resolutions;

11 3. Such moneys are held by the state in a trustee
12 capacity as an agent or fiduciary for individuals, private
13 organization, or other governmental units;

14 4. The Executive Office of the Governor, with the
15 approval of the Legislature Budget Commission, determines that
16 federal matching funds or contributions or private grants to
17 any trust fund would be lost to the state; or

18 5. Such moneys are held and invested by the State
19 Board of Administration.

20 Section 5. Subsection (2) of section 20.2553, Florida
21 Statutes, is repealed.

22 Section 6. Subsection (2) of section 20.3315, Florida
23 Statutes, is repealed.

24 Section 7. Subparagraph 2. of paragraph (a),
25 subparagraph 2. of paragraph (b), subparagraph 2. of paragraph
26 (c), subparagraph 2. of paragraph (d), subparagraph 2. of
27 paragraph (e), and subparagraph 2. of paragraph (f) of
28 subsection (1) of section 20.435, Florida Statutes, are
29 repealed.

30 Section 8. Subsection (3) of section 20.505, Florida
31 Statutes, is repealed.

1 Section 9. Subsection (2) of section 61.1812, Florida
2 Statutes, is repealed.

3 Section 10. Subsection (2) of section 61.1816, Florida
4 Statutes, is repealed.

5 Section 11. Subsection (2) of section 112.3215,
6 Florida Statutes, is amended to read:

7 112.3215 Lobbyists before the executive branch or the
8 Constitution Revision Commission; registration and reporting;
9 investigation by commission.--

10 (2) The Executive Branch Lobby Registration Trust Fund
11 is hereby created within the commission to be used for the
12 purpose of funding any office established to administer the
13 registration of lobbyists lobbying an agency, including the
14 payment of salaries and other expenses. ~~The trust fund is not~~
15 ~~subject to the service charge to General Revenue provisions of~~
16 ~~chapter 215.~~All annual registration fees collected pursuant
17 to this section shall be deposited into such fund.

18 Section 12. Subsection (2) of section 202.193, Florida
19 Statutes, is repealed.

20 Section 13. Subsection (4) of section 206.46, Florida
21 Statutes, is amended to read:

22 206.46 State Transportation Trust Fund.--

23 (4) The department may authorize the investment of the
24 earnings accrued and collected upon the investment of the
25 minimum balance of funds required to be maintained in the
26 State Transportation Trust Fund pursuant to s. 339.135(6)(b).
27 The investment of such minimum balance shall be subject to the
28 limitations of s. 18.125.Such investment shall be limited as
29 provided in s. 288.9607(7).

30 Section 14. Subsection (3) of section 211.31, Florida
31 Statutes, is amended to read:

1 211.31 Levy of tax on severance of certain solid
2 minerals; rate, basis, and distribution of tax.--

3 (3) Interest earned on funds within any trust fund
4 created under this part shall be invested ~~and reinvested to~~
5 ~~the credit of such trust fund~~ in accordance with s. 18.125.

6 Section 15. Section 215.20, Florida Statutes, as
7 amended by section 61 of chapter 2002-402, Laws of Florida, is
8 amended to read:

9 215.20 Certain income and certain trust funds to
10 contribute to the General Revenue Fund.--

11 (1) A service charge of 6 7 percent, representing the
12 estimated pro rata share of the cost of general government
13 paid from the General Revenue Fund, shall be deducted from all
14 income of a revenue nature deposited in all trust funds except
15 those enumerated in s. 215.22. Income of a revenue nature
16 shall include all earnings received or credited by such trust
17 funds, including the interest or benefit received from the
18 investment of the principal of such trust funds as may be
19 permitted by law. This provision shall be construed in favor
20 of the General Revenue Fund in each instance. All such
21 deductions shall be deposited in the General Revenue Fund.

22 ~~(2) Notwithstanding the provisions of subsection (1),~~
23 ~~funds collected for peanut, soybean, or tobacco marketing~~
24 ~~orders pursuant to chapter 570 and the Florida Citrus~~
25 ~~Advertising Trust Fund shall be subject to a 3-percent service~~
26 ~~charge, to be deposited in the General Revenue Fund.~~

27 ~~(3) A service charge of 0.3 percent shall be deducted~~
28 ~~from income of a revenue nature deposited in the trust funds~~
29 ~~enumerated in subsection (4). Income of a revenue nature shall~~
30 ~~include all earnings received or credited by such trust funds,~~
31 ~~including the interest or benefit received from the investment~~

1 ~~of the principal of such trust funds as may be permitted by~~
2 ~~law. This provision shall be construed in favor of the General~~
3 ~~Revenue Fund in each instance. All such deductions shall be~~
4 ~~deposited in the General Revenue Fund.~~

5 ~~(4) The income of a revenue nature deposited in the~~
6 ~~following described trust funds, by whatever name designated,~~
7 ~~is that from which the deductions authorized by subsection (3)~~
8 ~~shall be made:~~

9 ~~(a) The Fuel Tax Collection Trust Fund created by s.~~
10 ~~206.875.~~

11 ~~(b) All income derived from outdoor advertising and~~
12 ~~overweight violations which is deposited in the State~~
13 ~~Transportation Trust Fund created by s. 206.46.~~

14 ~~(c) All taxes levied on motor fuels other than~~
15 ~~gasoline levied pursuant to the provisions of s. 206.87(1)(a).~~

16 ~~(d) The State Alternative Fuel User Fee Clearing Trust~~
17 ~~Fund established pursuant to s. 206.879(1).~~

18 ~~(e) The Local Alternative Fuel User Fee Clearing Trust~~
19 ~~Fund established pursuant to s. 206.879(2).~~

20 ~~(f) The Cigarette Tax Collection Trust Fund created by~~
21 ~~s. 210.20.~~

22 ~~(g) The Nonmandatory Land Reclamation Trust Fund~~
23 ~~established pursuant to s. 211.3103.~~

24 ~~(h) The Phosphate Research Trust Fund established~~
25 ~~pursuant to s. 211.3103.~~

26 ~~(i) The Land Reclamation Trust Fund established~~
27 ~~pursuant to s. 211.32(1)(f).~~

28 ~~(j) The Educational Certification and Service Trust~~
29 ~~Fund created by s. 1012.59.~~

30 ~~(k) The trust funds administered by the Division of~~
31 ~~Historical Resources of the Department of State.~~

1 ~~(l) The Marine Resources Conservation Trust Fund~~
2 ~~created by s. 370.0603, with the exception of those fees~~
3 ~~collected for recreational saltwater fishing licenses as~~
4 ~~provided in s. 372.57.~~

5 ~~(m) The Local Option Fuel Tax Trust Fund created~~
6 ~~pursuant to s. 336.025.~~

7 ~~(n) The Florida Public Service Regulatory Trust Fund~~
8 ~~established pursuant to s. 350.113.~~

9 ~~(o) The State Game Trust Fund established by s.~~
10 ~~372.09.~~

11 ~~(p) The Special Disability Trust Fund created by s.~~
12 ~~440.49.~~

13 ~~(q) The Workers' Compensation Administration Trust~~
14 ~~Fund created by s. 440.50(1)(a).~~

15 ~~(r) The Employment Security Administration Trust Fund~~
16 ~~created by s. 443.211(1).~~

17 ~~(s) The Special Employment Security Administration~~
18 ~~Trust Fund created by s. 443.211(2).~~

19 ~~(t) The Professional Regulation Trust Fund established~~
20 ~~pursuant to s. 455.219.~~

21 ~~(u) The Speech-Language Pathology and Audiology Trust~~
22 ~~Fund.~~

23 ~~(v) The Division of Licensing Trust Fund established~~
24 ~~pursuant to s. 493.6117.~~

25 ~~(w) The Division of Florida Land Sales, Condominiums,~~
26 ~~and Mobile Homes Trust Fund established pursuant to s.~~
27 ~~498.019.~~

28 ~~(x) The trust fund of the Division of Hotels and~~
29 ~~Restaurants, as defined in s. 509.072, with the exception of~~
30 ~~those fees collected for the purpose of funding of the~~
31 ~~hospitality education program as stated in s. 509.302.~~

1 ~~(y) The trust funds administered by the Division of~~
2 ~~Pari-mutuel Wagering and the Florida Quarter Horse Racing~~
3 ~~Promotion Trust Fund.~~

4 ~~(z) The General Inspection Trust Fund and subsidiary~~
5 ~~accounts thereof, unless a different percentage is authorized~~
6 ~~by s. 570.20.~~

7 ~~(aa) The Florida Citrus Advertising Trust Fund created~~
8 ~~by s. 601.15(7), including transfers from any subsidiary~~
9 ~~accounts thereof, unless a different percentage is authorized~~
10 ~~in that section.~~

11 ~~(bb) The Agents and Solicitors County Tax Trust Fund~~
12 ~~created by s. 624.506.~~

13 ~~(cc) The Insurance Commissioner's Regulatory Trust~~
14 ~~Fund created by s. 624.523.~~

15 ~~(dd) The Financial Institutions' Regulatory Trust Fund~~
16 ~~established pursuant to s. 655.049.~~

17 ~~(ee) The Crimes Compensation Trust Fund established~~
18 ~~pursuant to s. 960.21.~~

19 ~~(ff) The Records Management Trust Fund established~~
20 ~~pursuant to s. 257.375.~~

21 ~~(gg) The Alcoholic Beverage and Tobacco Trust Fund~~
22 ~~established pursuant to s. 561.025.~~

23 ~~(hh) The Health Care Trust Fund established pursuant~~
24 ~~to s. 408.16.~~

25 ~~(ii) The Police and Firefighters' Premium Tax Trust~~
26 ~~Fund established within the Department of Management Services.~~

27
28 ~~The enumeration of the foregoing moneys or trust funds shall~~
29 ~~not prohibit the applicability thereto of s. 215.24 should the~~
30 ~~Governor determine that for the reasons mentioned in s. 215.24~~
31 ~~the money or trust funds should be exempt herefrom, as it is~~

1 ~~the purpose of this law to exempt income from its force and~~
2 ~~effect when, by the operation of this law, federal matching~~
3 ~~funds or contributions or private grants to any trust fund~~
4 ~~would be lost to the state.~~

5 (2)~~(5)~~ There is appropriated from the proper
6 respective trust funds from time to time such sums as may be
7 necessary to pay to the General Revenue Fund the service
8 charge ~~charges~~ imposed by this section.

9 Section 16. Subsections (1) and (3) of section 215.22,
10 Florida Statutes, as amended by section 63 of chapter
11 2002-402, Laws of Florida, are amended, and subsection (5) is
12 added to that section, to read:

13 215.22 Certain income and certain trust funds
14 exempt.--

15 (1) The following income of a revenue nature or the
16 following trust funds shall be exempt from the deduction
17 required by s. 215.20(1):

18 (a) Student financial aid or prepaid tuition receipts.

19 (b) Trust funds administered by the Department of the
20 Lottery.

21 (c) Departmental administrative assessments for
22 administrative divisions.

23 (d) Funds charged by a state agency for services
24 provided to another state agency, by a state agency for
25 services provided to the judicial branch, or by the judicial
26 branch for services provided to a state agency.

27 (e) State, agency, or political subdivision
28 investments by the Chief Financial Officer ~~Treasurer~~.

29 (f) Retirement or employee benefit funds.

30 (g) Self-insurance programs administered by the Chief
31 Financial Officer ~~Treasurer~~.

1 ~~(h) Funds held for the payment of citrus canker~~
2 ~~eradication and compensation.~~

3 (h)(i) Medicaid, Medicare, or third-party receipts for
4 client custodial care.

5 (i)(j) Bond proceeds or revenues dedicated for bond
6 repayment, except for the Documentary Stamp Clearing Trust
7 Fund administered by the Department of Revenue.

8 (j)(k) Trust funds administered by the Department of
9 Education.

10 ~~(l) Trust funds administered by the Department of~~
11 ~~Transportation.~~

12 ~~(m) Trust funds administered by the Department of~~
13 ~~Agriculture and Consumer Services.~~

14 ~~(n) The Motor Vehicle License Clearing Trust Fund.~~

15 ~~(o) The Solid Waste Management Trust Fund.~~

16 ~~(p) The Coconut Grove Playhouse Trust Fund.~~

17 ~~(q) The Communications Working Capital Trust Fund of~~
18 ~~the Department of Management Services.~~

19 (k)(r) The Camp Blanding Management Trust Fund.

20 ~~(s) The Indigent Criminal Defense Trust Fund.~~

21 ~~(t) That portion of the Highway Safety Operating Trust~~
22 ~~Fund funded by the motorcycle safety education fee collected~~
23 ~~pursuant to s. 320.08(1)(c).~~

24 ~~(u) The Save the Manatee Trust Fund.~~

25 (l)(v) Tobacco Settlement Trust Funds administered by
26 any agency.

27 (m)(w) The Save Our Everglades Trust Fund.

28 (n)(x) The Florida Center for Nursing Trust Fund.

29 (3) In addition to the exemptions enumerated in
30 subsections (1) and (2), the Executive Office of the Governor,
31 with the approval of the Legislative Budget Commission, is

1 authorized to exempt any income when, by the operation of this
2 law and pursuant to s. 215.24, federal matching funds or
3 contributions or private grants to any trust fund would be
4 lost to the state or when such income is pledged to pay debt
5 service on bonds, to the extent that the amount of the service
6 charge is required to pay any amounts relating to the bonds.

7 (5) It is the intent of the Legislature that if trust
8 funds or trust funds revenues are exempted from the provisions
9 of s. 215.20 by law, the rate of the service charge specified
10 in s. 215.20(1) shall be increased for all nonexempt trust
11 funds by an amount sufficient to offset the reduction of
12 deposits to the General Revenue Fund from such exemption.

13 Section 17. Section 215.24, Florida Statutes, is
14 amended to read:

15 215.24 Exemptions where federal contributions, or
16 private grants, debt service on bonds, or constitutional
17 limitations.--

18 (1)(a) Should any state fund be the recipient of
19 federal contributions or private grants, either by the
20 matching of state funds or by a general donation to state
21 funds, and the payment of moneys into the General Revenue Fund
22 under s. 215.20 should cause such fund to lose federal or
23 private assistance, the Governor, with the approval of the
24 Legislative Budget Commission, shall certify to the Chief
25 Financial Officer ~~Department of Banking and Finance and to the~~
26 ~~State Treasurer~~ that said income is for that reason exempt
27 from the force and effect of s. 215.20.

28 (b) Should any state fund be the recipient of revenues
29 pledged to pay debt service on bonds, and to the extent that
30 the amount of the service charge is required to pay any
31 amounts relating to the bonds, the Governor, with the approval

1 of the Legislative Budget Commission, shall certify to the
2 Chief Financial Officer that said income is for that reason
3 exempt from the force and effect of s. 215.20.

4 (c) If the revenues of any state fund are limited
5 pursuant to the State Constitution in a manner inconsistent
6 with the payment of moneys into the General Revenue Fund under
7 s. 215.20, the Governor, with the approval of the Legislative
8 Budget Commission, shall certify to the Chief Financial
9 Officer that such revenues are for that reason exempt from the
10 force and effect of s. 215.20.

11 (2)(a) Should it be determined by the Governor that by
12 reason of payments already made into the General Revenue Fund
13 by any fund under this law, such fund is subject to the loss
14 of federal or private assistance, then the Governor, with the
15 approval of the Legislative Budget Commission, shall certify
16 to the Chief Financial Officer ~~Department of Banking and~~
17 ~~Finance and to the State Treasurer~~ that the income from such
18 assistance is exempt from the provisions of this law, and the
19 Chief Financial Officer ~~Department of Banking and Finance or~~
20 ~~the State Treasurer, as the case may be, shall thereupon~~
21 refund and pay over to such fund any amount previously paid
22 into the General Revenue Fund from such income.

23 (b) Should it be determined by the Governor that
24 payments already made into the General Revenue Fund by any
25 fund under this law were from revenues pledged to pay debt
26 service on bonds, and to the extent that the amount of the
27 service charge is required to pay any amounts relating to the
28 bonds, the Governor, with the approval of the Legislative
29 Budget Commission, shall certify to the Chief Financial
30 Officer that such payments are exempt from the provisions of
31 this law, and the Chief Financial Officer shall refund and pay

1 over to such fund any amount previously paid into the General
2 Revenue Fund from such income.

3 Section 18. Subsection (2) of section 250.175, Florida
4 Statutes, is repealed.

5 Section 19. Paragraph (b) of subsection (3) of section
6 250.601, Florida Statutes, is repealed.

7 Section 20. Paragraph (d) of subsection (1) and
8 subsection (3) of section 261.12, Florida Statutes, are
9 repealed.

10 Section 21. Subsection (10) of section 288.063,
11 Florida Statutes, is repealed.

12 Section 22. Subsection (4) of section 288.065, Florida
13 Statutes, is repealed.

14 Section 23. Subsection (5) of section 288.0655,
15 Florida Statutes, is repealed.

16 Section 24. Subsections (2) and (3) of section
17 288.95155, Florida Statutes, are amended to read:

18 288.95155 Florida Small Business Technology Growth
19 Program.--

20 (2) Enterprise Florida, Inc., shall establish a
21 separate small business technology growth account in the
22 Florida Technology Research Investment Fund for purposes of
23 this section. Moneys in the account shall consist of
24 appropriations by the Legislature, proceeds of any collateral
25 used to secure such assistance, transfers, fees assessed for
26 providing or processing such financial assistance, grants,
27 ~~interest earnings,~~ earnings on financial assistance, and any
28 moneys transferred to the account by the Department of
29 Community Affairs from the Economic Opportunity Trust Fund for
30 use in qualifying energy projects.

31

1 (3) ~~Pursuant to s. 216.351, the amount of any moneys~~
2 ~~appropriated to the account which are unused at the end of the~~
3 ~~fiscal year shall not be subject to reversion under s.~~
4 ~~216.301. All moneys in the account are continuously~~
5 ~~appropriated to the account and may be used for loan~~
6 ~~guarantees, letter of credit guarantees, cash reserves for~~
7 ~~loan and letter of credit guarantees, payments of claims~~
8 ~~pursuant to contracts for guarantees, subordinated loans,~~
9 ~~loans with warrants, royalty investments, equity investments,~~
10 ~~and operations of the program.~~ Any claim against the program
11 shall be paid solely from the account. Neither the credit nor
12 the taxing power of the state shall be pledged to secure the
13 account or moneys in the account, other than from moneys
14 appropriated or assigned to the account, and the state shall
15 not be liable or obligated in any way for any claims against
16 the account or against Enterprise Florida, Inc.

17 Section 25. Subsection (7) of section 288.9607,
18 Florida Statutes, is amended to read:

19 288.9607 Guaranty of bond issues.--

20 (7)(a) The corporation is authorized to enter into an
21 investment agreement with the Department of Transportation and
22 the State Board of Administration concerning the investment of
23 the earnings accrued and collected upon the investment of the
24 minimum balance of funds required to be maintained in the
25 State Transportation Trust Fund pursuant to s. 339.135(6)(b).
26 The investment of such minimum balance shall be subject to the
27 limitations of s. 18.125. Such investment shall be limited as
28 follows:

29 1. Not more than \$4 million of the investment earnings
30 earned on the investment of the minimum balance of the State
31 Transportation Trust Fund in a fiscal year shall be at risk at

1 any time on one or more bonds or series of bonds issued by the
2 corporation.

3 2. The investment earnings shall not be used to
4 guarantee any bonds issued after June 30, 1998, and in no
5 event shall the investment earnings be used to guarantee any
6 bond issued for a maturity longer than 15 years.

7 3. The corporation shall pay a reasonable fee, set by
8 the State Board of Administration, in return for the
9 investment of such funds. The fee shall not be less than the
10 comparable rate for similar investments in terms of size and
11 risk.

12 4. The proceeds of bonds, or portions thereof, issued
13 by the corporation for which a guaranty has been or will be
14 issued pursuant to s. 288.9606, s. 288.9608, or this section
15 used to make loans to any one person, including any related
16 interests, as defined in s. 658.48, of such person, shall not
17 exceed 20 percent of the principal of all such outstanding
18 bonds of the corporation issued prior to the first composite
19 bond issue of the corporation, or December 31, 1995, whichever
20 comes first, and shall not exceed 15 percent of the principal
21 of all such outstanding bonds of the corporation issued
22 thereafter, in each case determined as of the date of issuance
23 of the bonds for which such determination is being made and
24 taking into account the principal amount of such bonds to be
25 issued. The provisions of this subparagraph shall not apply
26 when the total amount of all such outstanding bonds issued by
27 the corporation is less than \$10 million. For the purpose of
28 calculating the limits imposed by the provisions of this
29 subparagraph, the first \$10 million of bonds issued by the
30 corporation shall be taken into account.

31

1 5. The corporation shall establish a debt service
2 reserve account which contains not less than 6 months' debt
3 service reserves from the proceeds of the sale of any bonds,
4 or portions thereof, guaranteed by the corporation.

5 6. The corporation shall establish an account known as
6 the Revenue Bond Guaranty Reserve Account, the Guaranty Fund.
7 The corporation shall deposit a sum of money or other cash
8 equivalents into this fund and maintain a balance of money or
9 cash equivalents in this fund, from sources other than the
10 investment of earnings accrued and collected upon the
11 investment of the minimum balance of funds required to be
12 maintained in the State Transportation Trust Fund, not less
13 than a sum equal to 1 year of maximum debt service on all
14 outstanding bonds, or portions thereof, of the corporation for
15 which a guaranty has been issued pursuant to ss. 288.9606,
16 288.9607, and 288.9608. In the event the corporation fails to
17 maintain the balance required pursuant to this subparagraph
18 for any reason other than a default on a bond issue of the
19 corporation guaranteed pursuant to this section or because of
20 the use by the corporation of any such funds to pay insurance,
21 maintenance, or other costs which may be required for the
22 preservation of any project or other collateral security for
23 any bond issued by the corporation, or to otherwise protect
24 the Revenue Bond Guaranty Reserve Account from loss while the
25 applicant is in default on amortization payments, or to
26 minimize losses to the reserve account in each case in such
27 manner as may be deemed necessary or advisable by the
28 corporation, the corporation shall immediately notify the
29 Department of Transportation of such deficiency. Any
30 supplemental funding authorized by an investment agreement
31 entered into with the Department of Transportation and the

1 State Board of Administration concerning the use of investment
2 earnings of the minimum balance of funds is void unless such
3 deficiency of funds is cured by the corporation within 90 days
4 after the corporation has notified the Department of
5 Transportation of such deficiency.

6 (b) Unless specifically prohibited in the General
7 Appropriations Act and to the extent permitted by s. 18.125,
8 the earnings accrued and collected upon the investment of the
9 minimum balance of funds required to be maintained in the
10 State Transportation Trust Fund may continue to be used
11 pursuant to paragraph (a).

12 (c) The guaranty shall not be a general obligation of
13 the corporation or of the state, but shall be a special
14 obligation, which constitutes the investment of a public trust
15 fund. In no event shall the guaranty constitute an
16 indebtedness of the corporation, the State of Florida, or any
17 political subdivision thereof within the meaning of any
18 constitutional or statutory limitation. Each guaranty
19 agreement shall have plainly stated on the face thereof that
20 it has been entered into under the provisions of this act and
21 that it does not constitute an indebtedness of the
22 corporation, the state, or any political subdivision thereof
23 within any constitutional or statutory limitation, and that
24 neither the full faith and credit of the State of Florida nor
25 any of its revenues is pledged to meet any of the obligations
26 of the corporation under such guaranty agreement. Each such
27 agreement shall state that the obligation of the corporation
28 under the guaranty shall be limited to the funds available in
29 the Revenue Bond Guaranty Reserve Account as authorized by
30 this section.

31

1 The corporation shall include, as part of the annual report
2 prepared pursuant to s. 288.9610, a detailed report concerning
3 the use of guaranteed bond proceeds for loans guaranteed or
4 issued pursuant to any agreement with the Florida Black
5 Business Investment Board, including the percentage of such
6 loans guaranteed or issued and the total volume of such loans
7 guaranteed or issued.

8 Section 26. Subsection (2) of section 320.781, Florida
9 Statutes, is amended to read:

10 320.781 Mobile Home and Recreational Vehicle
11 Protection Trust Fund.--

12 (2) Beginning October 1, 1990, the department shall
13 charge and collect an additional fee of \$1 for each new mobile
14 home and new recreational vehicle title transaction for which
15 it charges a fee. This additional fee shall be deposited into
16 the trust fund. The Department of Highway Safety and Motor
17 Vehicles shall charge a fee of \$40 per annual dealer and
18 manufacturer license and license renewal, which shall be
19 deposited into the trust fund. The sums deposited in the trust
20 fund shall be used exclusively for carrying out the purposes
21 of this section. These sums may be invested and reinvested by
22 the Treasurer under the same limitations as apply to
23 investment of other state funds, ~~with all interest from these~~
24 ~~investments deposited to the credit of the trust fund.~~

25 Section 27. Paragraph (b) of subsection (3) of section
26 338.2216, Florida Statutes, is repealed.

27 Section 28. Subsection (4) of section 339.08, Florida
28 Statutes, is amended to read:

29 339.08 Use of moneys in State Transportation Trust
30 Fund.--

31

1 (4) The department may authorize the investment of the
2 earnings accrued and collected upon the investment of the
3 minimum balance of funds required to be maintained in the
4 State Transportation Trust Fund pursuant to s. 339.135(6)(b).
5 The investment of such minimum balance shall be subject to the
6 limitations of s. 18.125.Such investment shall be limited as
7 provided in s. 288.9607(7).

8 Section 29. Subsection (2) of section 339.082, Florida
9 Statutes, is repealed.

10 Section 30. Paragraph (b) of subsection (6) and
11 paragraph (f) of subsection (7) of section 339.135, Florida
12 Statutes, are amended to read:

13 339.135 Work program; legislative budget request;
14 definitions; preparation, adoption, execution, and
15 amendment.--

16 (6) EXECUTION OF THE BUDGET.--

17 (b) In the operation of the State Transportation Trust
18 Fund, the department shall have on hand at the close of
19 business, which closing shall not be later than the 10th
20 calendar day of the month following the end of each quarter of
21 the fiscal year, an available cash balance (which shall
22 include cash on deposit with the treasury pursuant to the
23 provisions of s. 18.125 and short-term investments of the
24 department) equivalent to not less than \$50 million, or 5
25 percent of the unpaid balance of all State Transportation
26 Trust Fund obligations at the close of such quarter, whichever
27 amount is less. In the event that this cash position is not
28 maintained, no further contracts or other fund commitments
29 shall be approved, entered into, awarded, or executed until
30 the cash balance, as defined above, has been regained.

31 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.--

1 (f) The department may authorize the investment of the
2 earnings accrued and collected upon the investment of the
3 minimum balance of funds required to be maintained in the
4 State Transportation Trust Fund pursuant to paragraph (b). The
5 investment of such minimum balance shall be subject to the
6 limitations of s. 18.125.Such investment shall be limited as
7 provided in s. 288.9607(7).

8 Section 31. Subsection (1) of section 365.173, Florida
9 Statutes, is amended to read:

10 365.173 Wireless Emergency Telephone System Fund.--

11 (1) All revenues derived from the E911 fee levied on
12 subscribers under s. 365.172 must be paid into the State
13 Treasury on or before the 15th day of each month. Such moneys
14 must be accounted for in a special fund to be designated as
15 the Wireless Emergency Telephone System Fund, a fund created
16 in the State Technology Office and must be invested by the
17 State Treasurer pursuant to s. 18.125. All moneys in such fund
18 are to be expended by the State Technology Office for the
19 purposes provided in this section and s. 365.172. ~~These funds~~
20 ~~are not subject to s. 215.20.~~

21 Section 32. Subsection (3) of section 372.105, Florida
22 Statutes, is amended to read:

23 372.105 Lifetime Fish and Wildlife Trust Fund.--

24 (3) The fund is declared to constitute a special trust
25 derived from a contractual relationship between the state and
26 the members of the public whose investments contribute to the
27 fund. In recognition of such special trust, the following
28 limitations and restrictions are placed on expenditures from
29 the funds:

30 (a) No expenditure or disbursement shall be made from
31 the principal of the fund.

1 (b) The interest income received and accruing from the
2 investments of proceeds from the sale of lifetime freshwater
3 fishing licenses and lifetime hunting licenses, which sale
4 occurred prior to July 1, 2004, shall be spent in furtherance
5 of the commission's management, protection, and conservation
6 of wild animal life and freshwater aquatic life as set forth
7 in s. 9, Art. IV of the State Constitution and this chapter
8 and as otherwise authorized by the Legislature. Interest
9 income from sales on or after July 1, 2004, shall be deposited
10 pursuant to s. 18.125.

11 (c) The interest income received and accruing from the
12 investments of proceeds from the sale of lifetime saltwater
13 fishing licenses, which sale occurred prior to July 1, 2004,
14 shall be expended for marine law enforcement, marine research,
15 and marine fishery enhancement. Interest income from sales on
16 or after July 1, 2004, shall be deposited pursuant to s.
17 18.125.

18 (d) No expenditures or disbursements from the interest
19 income derived from the sale of lifetime licenses shall be
20 made for any purpose until the respective holders of such
21 licenses attain the age of 16 years. The Fish and Wildlife
22 Conservation Commission as administrator of the fund shall
23 determine actuarially on an annual basis the amounts of
24 interest income within the fund which may be disbursed
25 pursuant to this paragraph. The director shall cause deposits
26 of proceeds from the sale of lifetime licenses to be
27 identifiable by the ages of the license recipients.

28 (e) Any limitations or restrictions specified by the
29 donors on the uses of the interest income derived from gifts,
30 grants, and voluntary contributions shall be respected but
31 shall not be binding.

1 ~~(f) The fund shall be exempt from the provisions of s.~~
2 ~~215.20.~~

3 Section 33. Subsection (3) of section 372.106, Florida
4 Statutes, is repealed.

5 Section 34. Subsection (2) of section 372.107, Florida
6 Statutes, is repealed.

7 Section 35. Subsection (2) of section 372.127, Florida
8 Statutes, is repealed.

9 Section 36. Paragraph (a) of subsection (3) of section
10 373.4137, is amended to read:

11 373.4137 Mitigation requirements.--

12 (3)(a) To fund the mitigation plan for the projected
13 impacts identified in the inventory described in subsection
14 (2), the Department of Transportation shall identify funds
15 quarterly in an escrow account within the State Transportation
16 Trust Fund for the environmental mitigation phase of projects
17 budgeted by the Department of Transportation for the current
18 fiscal year. The escrow account shall be maintained by the
19 Department of Transportation for the benefit of the Department
20 of Environmental Protection and the water management
21 districts. ~~Any interest earnings from the escrow account shall~~
22 ~~remain with the Department of Transportation.~~

23 Section 37. Subsections (3) and (4) of section 376.11,
24 Florida Statutes, are amended to read:

25 376.11 Florida Coastal Protection Trust Fund.--

26 (3) Moneys in the fund that are not needed currently
27 to meet the obligations of the department in the exercise of
28 its responsibilities under ss. 376.011-376.21 shall be
29 deposited with the Treasurer to the credit of the fund and may
30 be invested in such manner as is provided for by statute.

31

1 ~~Interest received on such investment shall be credited to the~~
2 ~~fund, except as otherwise specified herein.~~

3 (4) Moneys in the Florida Coastal Protection Trust
4 Fund shall be disbursed for the following purposes and no
5 others:

6 (a) Administrative expenses, personnel expenses, and
7 equipment costs of the department and the Fish and Wildlife
8 Conservation Commission related to the enforcement of ss.
9 376.011-376.21.

10 (b) All costs involved in the prevention and abatement
11 of pollution related to the discharge of pollutants covered by
12 ss. 376.011-376.21 and the abatement of other potential
13 pollution hazards as authorized herein.

14 (c) All costs and expenses of the cleanup,
15 restoration, and rehabilitation of waterfowl, wildlife, and
16 all other natural resources damaged by the discharge of
17 pollutants, including the costs of assessing and recovering
18 damages to natural resources, whether performed or authorized
19 by the department or any other state or local agency.

20 (d) All provable costs and damages which are the
21 proximate results of the discharge of pollutants covered by
22 ss. 376.011-376.21.

23 (e) Loans to the Inland Protection Trust Fund created
24 in s. 376.3071.

25 ~~(f) The interest earned from investments of the~~
26 ~~balance in the Florida Coastal Protection Trust Fund shall be~~
27 ~~used for funding the administrative expenses, personnel~~
28 ~~expenses, and equipment costs of the department relating to~~
29 ~~the enforcement of ss. 376.011-376.21.~~

30 (f)(g) The funding of a grant program to coastal local
31 governments, pursuant to s. 376.15(2)(b) and (c), for the

1 removal of derelict vessels from the public waters of the
2 state.

3 (g)~~(h)~~ The department may spend up to \$1 million per
4 year from the principal of the fund to acquire, design, train,
5 and maintain emergency cleanup response teams and equipment
6 located at appropriate ports throughout the state for the
7 purpose of cleaning oil and other toxic materials from coastal
8 waters. When the teams and equipment are not needed for these
9 purposes they may be used for any other valid purpose of the
10 department.

11 (h)~~(i)~~ To provide a temporary transfer of funds in an
12 amount not to exceed \$10 million to the Minerals Trust Fund as
13 set forth in s. 376.40.

14 (i)~~(j)~~ Funding for marine law enforcement.

15 Section 38. Paragraph (b) of subsection (11) of
16 section 376.121, Florida Statutes, is repealed.

17 Section 39. Subsections (4) and (6) of section
18 376.307, Florida Statutes, are amended to read:

19 376.307 Water Quality Assurance Trust Fund.--

20 (4) The trust fund shall be funded as follows:

21 ~~(a) An annual transfer of interest funds from the~~
22 ~~Florida Coastal Protection Trust Fund pursuant to s.~~
23 ~~376.11(4)(f).~~

24 (a)~~(b)~~ All excise taxes levied, collected, and
25 credited to the Water Quality Assurance Trust Fund in
26 accordance with the provisions of ss. 206.9935(2) and
27 206.9945(1)(b).

28 (b)~~(c)~~ All penalties, judgments, recoveries,
29 reimbursements, and other fees and charges related to the
30 enforcement of ss. 376.30-376.319, other than penalties,
31

1 judgments, and other fees and charges related to the
2 enforcement of ss. 376.3071 and 376.3073.

3 (c)~~(d)~~ The fee on the retail sale of lead-acid
4 batteries credited to the Water Quality Assurance Trust Fund
5 under s. 403.7185.

6 (d)~~(e)~~ All penalties, judgments, recoveries,
7 reimbursements, loans, and other fees and charges collected
8 under s. 376.3078; tax revenues levied, collected, and
9 credited under ss. 376.70 and 376.75; and registration fees
10 collected under s. 376.303(1)(d).

11 (6) Moneys in the fund which are not needed currently
12 to meet the obligations of the department in the exercise of
13 its responsibilities under this section shall be deposited
14 with the Treasurer ~~to the credit of the fund~~ and may be
15 invested in such manner as is provided for by statute. ~~The~~
16 ~~interest received on such investment shall be credited to the~~
17 ~~fund. Any provisions of law to the contrary notwithstanding,~~
18 ~~such interest may be freely transferred between this trust~~
19 ~~fund and the Inland Protection Trust Fund, in the discretion~~
20 ~~of the department.~~

21 Section 40. Subsection (8) of section 376.3071,
22 Florida Statutes, is amended to read:

23 376.3071 Inland Protection Trust Fund; creation;
24 purposes; funding.--

25 (8) INVESTMENTS; ~~INTEREST~~.--Moneys in the fund which
26 are not needed currently to meet the obligations of the
27 department in the exercise of its responsibilities under this
28 section and s. 376.3073 shall be deposited with the Treasurer
29 ~~to the credit of the fund~~ and may be invested in such manner
30 as is provided for by statute. ~~The interest received on such~~
31 ~~investment shall be credited to the fund. Any provisions of~~

1 ~~law to the contrary notwithstanding, such interest may be~~
2 ~~freely transferred between this trust fund and the Water~~
3 ~~Quality Assurance Trust Fund, in the discretion of the~~
4 ~~department.~~

5 Section 41. Subsection (6) of section 376.40, Florida
6 Statutes, is amended to read:

7 376.40 Petroleum exploration and production; purposes;
8 funding.--

9 (6) ~~INVESTMENTS; INTEREST.~~--Moneys in the trust fund
10 which are not needed currently to meet the obligations of the
11 department in the exercise of its responsibilities under this
12 section shall be deposited with the Treasurer ~~to the credit of~~
13 ~~the trust fund~~ and may be invested as provided by law.

14 Section 42. Subsections (4) and (6) of section
15 378.035, Florida Statutes, are amended to read:

16 378.035 Department responsibilities and duties with
17 respect to Nonmandatory Land Reclamation Trust Fund.--

18 (4) ~~Interest on~~ Moneys deposited in the Nonmandatory
19 Land Reclamation Trust Fund shall be invested pursuant to the
20 provisions of s. 18.125 ~~accrue to that fund.~~

21 (6)(a) Contingent on specific appropriation, moneys in
22 the fund ~~Up to one-half of the interest income accruing to the~~
23 ~~funds reserved by subsection (5)~~ shall be available to the
24 department annually for the purpose of funding basic
25 management or protection of reclaimed, restored, or preserved
26 phosphate lands:

27 1. Which have wildlife habitat value as determined by
28 the Bureau of Mine Reclamation;

29 2. Which have been transferred by the landowner to a
30 public agency or a private, nonprofit land conservation and
31

1 management entity in fee simple, or which have been made
2 subject to a conservation easement pursuant to s. 704.06; and
3 3. For which other management funding options are not
4 available.

5
6 These funds may, after the basic management or protection has
7 been assured for all such lands, be combined with other
8 available funds to provide a higher level of management for
9 such lands.

10 (b) Contingent on specific appropriation, moneys in
11 the fund ~~Up to one-half of the interest income accruing to the~~
12 ~~funds reserved by subsection (5)~~ shall be available to the
13 department annually for the sole purpose of funding the
14 department's implementation of:

15 1. The NPDES permitting program authorized by s.
16 403.0885, as it applies to phosphate mining and beneficiation
17 facilities, phosphate fertilizer production facilities, and
18 phosphate loading and handling facilities;

19 2. The regulation of dams in accordance with
20 department rule 62-672, Florida Administrative Code; and

21 3. The phosphogypsum management program pursuant to s.
22 403.4154 and department rule 62-673, Florida Administrative
23 Code.

24
25 ~~On or before August 1 of each fiscal year, the department~~
26 ~~shall prepare a report presenting the expenditures using the~~
27 ~~interest income allocated by this section made by the~~
28 ~~department during the immediately preceding fiscal year, which~~
29 ~~report shall be available to the public upon request.~~

30 Section 43. Subsection (2) of section 380.5115,
31 Florida Statutes, is repealed.

1 Section 44. Subsection (3) of section 385.207, Florida
2 Statutes, as amended by section 73 of chapter 2002-402, Laws
3 of Florida, is amended to read:

4 385.207 Care and assistance of persons with epilepsy;
5 establishment of programs in epilepsy control.--

6 (3) Revenue for statewide implementation of programs
7 for epilepsy prevention and education pursuant to this section
8 shall be derived pursuant to the provisions of s. 318.21(6)
9 and shall be deposited in the Epilepsy Services Trust Fund,
10 which is hereby established to be administered by the
11 Department of Health. All funds deposited into the trust fund
12 shall be invested pursuant to the provisions of s. 18.125.
13 ~~Interest income accruing to such invested funds shall increase~~
14 ~~the total funds available under this subsection.~~

15 Section 45. Subsection (4) of section 400.0239,
16 Florida Statutes, is repealed.

17 Section 46. Subsection (1) of section 420.9079,
18 Florida Statutes, is amended to read:

19 420.9079 Local Government Housing Trust Fund.--

20 (1) There is created in the State Treasury the Local
21 Government Housing Trust Fund, which shall be administered by
22 the corporation on behalf of the department according to the
23 provisions of ss. 420.907-420.9078 and this section. There
24 shall be deposited into the fund a portion of the documentary
25 stamp tax revenues as provided in s. 201.15, moneys received
26 from any other source for the purposes of ss. 420.907-420.9078
27 and this section, and all proceeds derived from the investment
28 of such moneys. Moneys in the fund that are not currently
29 needed for the purposes of the programs administered pursuant
30 to ss. 420.907-420.9078 and this section shall be deposited to
31 the credit of the fund and may be invested as provided by law.

1 ~~The interest received on any such investment shall be credited~~
2 ~~to the fund.~~

3 Section 47. Subsection (2) of section 430.41, Florida
4 Statutes, is repealed.

5 Section 48. Subsection (3) of section 440.50, Florida
6 Statutes, is amended to read:

7 440.50 Workers' Compensation Administration Trust
8 Fund.--

9 (3) The Treasurer shall deposit any moneys paid into
10 such fund into such depository banks as the department may
11 designate and is authorized to invest any portion of the fund
12 which, in the opinion of the department, is not needed for
13 current requirements, in the same manner and subject to all
14 the provisions of the law with respect to the deposit of state
15 funds by such Treasurer. ~~All interest earned by such portion~~
16 ~~of the fund as may be invested by the Treasurer shall be~~
17 ~~collected by him or her and placed to the credit of such fund.~~

18 Section 49. Subsection (2) of section 440.501, Florida
19 Statutes, is repealed.

20 Section 50. Subsection (4) of section 445.0325,
21 Florida Statutes, is amended to read:

22 445.0325 Welfare Transition Trust Fund.--

23 (4) All funds transferred to and retained in the trust
24 fund shall be invested pursuant to s. 18.125. ~~Any interest~~
25 ~~accruing to the trust fund shall be for the benefit of the~~
26 ~~welfare transition program. Notwithstanding s. 216.301 and~~
27 ~~pursuant to s. 216.351, any undisbursed balance remaining in~~
28 ~~the trust fund and interest accruing to the trust fund not~~
29 ~~distributed at the end of the fiscal year shall remain in the~~
30 ~~trust fund and shall increase the total funds available to~~
31 ~~implement the welfare transition program.~~

1 Section 51. Section 464.0198, Florida Statutes, is
2 amended to read:

3 464.0198 Florida Center for Nursing Trust Fund.--

4 (1) There is created the Florida Center for Nursing
5 Trust Fund to be administered by the Department of Health.
6 Funds provided pursuant to s. 464.0195(3) for the Florida
7 Center for Nursing shall be deposited into this trust fund.
8 Other funds from grants and donations, federal funds, or other
9 funds from other sources specified by law may be deposited
10 into this trust fund and used for purposes of the Florida
11 Center for Nursing. Moneys deposited into this trust fund
12 shall be used as provided in s. 464.0195. ~~The trust fund is~~
13 ~~exempt from the service charges imposed by s. 215.20.~~

14 ~~(2) Notwithstanding the provisions of s. 216.301 and~~
15 ~~pursuant to s. 216.351, any balance in the trust fund at the~~
16 ~~end of any fiscal year shall remain in the trust fund at the~~
17 ~~end of the year and shall be available for carrying out the~~
18 ~~purposes of the trust fund.~~

19 (2)(3) In accordance with s. 19(f)(2), Art. III of the
20 State Constitution, the Florida Center for Nursing Trust Fund
21 shall, unless terminated sooner, be terminated on July 1,
22 2006. Before its scheduled termination, the trust fund shall
23 be reviewed as provided in s. 215.3206(1) and (2).

24 Section 52. Subsection (1) of section 468.392, Florida
25 Statutes, is amended to read:

26 468.392 Auctioneer Recovery Fund.--There is created
27 the Auctioneer Recovery Fund as a separate account in the
28 Professional Regulation Trust Fund. The fund shall be
29 administered by the Florida Board of Auctioneers.

30 (1) The Treasurer shall invest the money not currently
31 needed to meet the obligations of the fund in the same manner

1 as other public funds may be invested. ~~Interest that accrues~~
2 ~~from these investments shall be deposited to the credit of the~~
3 ~~Auctioneer Recovery Fund and shall be available for the same~~
4 ~~purposes as other moneys deposited in the Auctioneer Recovery~~
5 ~~Fund.~~

6 Section 53. Subsection (2) of section 473.3065,
7 Florida Statutes, is amended to read:

8 473.3065 Certified Public Accountant Education
9 Minority Assistance Program; advisory council.--

10 (2) All moneys used to provide scholarships under the
11 program shall be funded by a portion of existing license fees,
12 as set by the board, not to exceed \$10 per license. Such
13 moneys shall be deposited into the Professional Regulation
14 Trust Fund in a separate account maintained for that purpose.
15 The department is authorized to spend up to \$100,000 per year
16 for the program from this program account, but may not
17 allocate overhead charges to it. Moneys for scholarships
18 shall be disbursed annually upon recommendation of the
19 advisory council and approval by the board, based on the
20 adopted eligibility criteria and comparative evaluation of all
21 applicants. Funds in the program account may be invested by
22 the Treasurer under the same limitations as apply to
23 investment of other state funds, ~~and all interest earned~~
24 ~~thereon shall be credited to the program account.~~

25 Section 54. Paragraph (b) of subsection (9) of section
26 527.23, Florida Statutes, is amended to read:

27 527.23 Marketing orders; referendum requirements;
28 assessments.--

29 (9)

30 (b) The collected assessments shall be deposited into
31 the General Inspection Trust Fund and shall be used for the

1 sole purpose of implementing the marketing order for which the
2 assessment was collected. Three percent of all income of a
3 revenue nature deposited in this fund, including transfers
4 from any subsidiary accounts thereof, and all ~~any~~ interest
5 income, shall be deposited in the General Revenue Fund
6 pursuant to chapter 215. The department is not subject to the
7 procedures found in s. 287.057 in the expenditure of these
8 funds. However, the director of the Division of Marketing and
9 Development shall file with the internal auditor of the
10 department a certification of conditions and circumstances
11 justifying each contract or agreement entered into without
12 competitive bidding.

13 Section 55. Subsection (2) of section 561.027, Florida
14 Statutes, is repealed.

15 Section 56. Subsection (2) of section 570.205, Florida
16 Statutes, is repealed.

17 Section 57. Subsection (2) of section 570.207, Florida
18 Statutes, is repealed.

19 Section 58. Paragraph (c) of subsection (2) of section
20 576.045, Florida Statutes, is amended to read:

21 576.045 Nitrate; findings and intent; fees; purpose;
22 best-management practices; waiver of liability; compliance;
23 rules; report; exclusions; expiration.--

24 (2) FEES.--

25 (c) All fees paid under this section must be deposited
26 into the General Inspection Trust Fund ~~and are exempt from the~~
27 ~~provisions of s. 215.20~~. These funds are to be appropriated
28 annually to the department and allocated according to a
29 memorandum of understanding between the department and the
30 Department of Environmental Protection to be adopted by
31

1 October 1, 1994. The allocation of indirect costs to these
2 funds by any state agency is specifically prohibited.

3 Section 59. Paragraph (a) of subsection (7) of section
4 597.010, Florida Statutes, is amended to read:

5 597.010 Shellfish regulation; leases.--

6 (7) SURCHARGE FOR IMPROVEMENT OR REHABILITATION.--A
7 surcharge of \$10 per acre, or any fraction of an acre, per
8 annum shall be levied upon each lease, other than a perpetual
9 lease granted pursuant to chapter 370 prior to 1985, and
10 deposited into the General Inspection Trust Fund. The purpose
11 of the surcharge is to provide a mechanism to have financial
12 resources immediately available for improvement of lease areas
13 and for cleanup and rehabilitation of abandoned or vacated
14 lease sites. The department is authorized to adopt rules
15 necessary to carry out the provisions of this subsection.

16 (a) Moneys in the fund that are not needed currently
17 for cleanup and rehabilitation of abandoned or vacated lease
18 sites shall be deposited with the Treasurer to the credit of
19 the fund and may be invested in such manner as is provided for
20 by statute. ~~Interest received on such investment shall be~~
21 ~~credited to the fund.~~

22 Section 60. Subsection (1) of section 601.15, Florida
23 Statutes, is amended to read:

24 601.15 Advertising campaign; methods of conducting;
25 excise tax; emergency reserve fund; citrus research.--

26 (1) The administration of this section shall be vested
27 in the Department of Citrus, which shall prescribe suitable
28 and reasonable rules and regulations for the enforcement
29 hereof, and the Department of Citrus shall administer the
30 taxes levied and imposed hereby. All funds collected under
31 this section and the interest accrued on such funds collected

1 prior to July 1, 2004,are consideration for a social contract
2 between the state and the citrus growers of the state whereby
3 the state must hold such funds in trust and inviolate and use
4 them only for the purposes prescribed in this chapter.
5 Interest income on funds collected on or after July 1, 2004,
6 shall be deposited pursuant to s. 18.125.The Department of
7 Citrus shall have power to cause its duly authorized agent or
8 representative to enter upon the premises of any handler of
9 citrus fruits and to examine or cause to be examined any
10 books, papers, records, or memoranda bearing on the amount of
11 taxes payable and to secure other information directly or
12 indirectly concerned in the enforcement hereof. Any person
13 who is required to pay the taxes levied and imposed and who by
14 any practice or evasion makes it difficult to enforce the
15 provisions hereof by inspection, or any person who, after
16 demand by the Department of Citrus or any agent or
17 representative designated by it for that purpose, refuses to
18 allow full inspection of the premises or any part thereof or
19 any books, records, documents, or other instruments in any
20 manner relating to the liability of the taxpayer for the tax
21 imposed or hinders or in anywise delays or prevents such
22 inspection, is guilty of a misdemeanor of the second degree,
23 punishable as provided in s. 775.082 or s. 775.083.

24 Section 61. Paragraph (a) of subsection (1) of section
25 601.28, Florida Statutes, is amended to read:

26 601.28 Inspection fees.--

27 (1) There is hereby levied upon citrus fruit and
28 processed citrus products the following inspection fees:

29 (a) Upon each standard-packed box or equivalent,
30 including hourly rate equivalent, thereof of citrus fruit
31 inspected and certified for shipment in fresh form other than

1 fruit on which a fee is imposed by paragraph (b), such fee, to
2 be fixed annually promptly following the release by the United
3 States Department of Agriculture of the October citrus crop
4 estimate, as is determined by the Department of Agriculture to
5 be necessary to pay:

6 1. The costs expected to be incurred during the
7 then-current shipping season by the Bureau of Citrus
8 Inspection in performing its duties with respect to such
9 citrus fruit and by the Bureau of Citrus Technical Control in
10 performing its duties with respect to such citrus fruit;

11 2. A pro rata portion of the costs expected to be
12 incurred during the then-current shipping season by the Bureau
13 of Citrus License and Bond;

14 3. A pro rata portion of the costs expected to be
15 incurred during the then-current shipping season, by the
16 Department of Agriculture through its cooperative agreement
17 with the United States Department of Agriculture, which are
18 directly attributable to the estimation of the size of the
19 citrus crop in Florida; and

20 4. The amount, if any, by which the costs actually
21 incurred with respect to the foregoing during the preceding
22 shipping season may have exceeded the income received during
23 that season, or less the amounts, if any, by which the income
24 received during the preceding shipping season may have
25 exceeded the costs actually incurred with respect to the
26 foregoing during that season. For the purpose of this
27 subparagraph, income received during the preceding season
28 shall be deemed to include all fees collected under this
29 paragraph, plus a pro rata portion of all fees collected under
30 s. 601.59, plus a pro rata portion of all fines and penalties
31 collected pursuant to this chapter, and plus all interest

1 earned on the investment of the foregoing funds if such funds
2 were collected prior to July 1, 2004.

3 Section 62. Subparagraph 2. of paragraph (b) of
4 subsection (1) of section 932.705, Florida Statutes, is
5 repealed.

6 Section 63. Paragraph (b) of subsection (1) of section
7 938.01, Florida Statutes, as amended by section 77 of chapter
8 2002-402, Laws of Florida, is amended to read:

9 938.01 Additional Court Cost Clearing Trust Fund.--

10 (1) All courts created by Art. V of the State
11 Constitution shall, in addition to any fine or other penalty,
12 assess \$3 as a court cost against every person convicted for
13 violation of a state penal or criminal statute or convicted
14 for violation of a municipal or county ordinance. Any person
15 whose adjudication is withheld pursuant to the provisions of
16 s. 318.14(9) or (10) shall also be assessed such cost. In
17 addition, \$3 from every bond estreature or forfeited bail bond
18 related to such penal statutes or penal ordinances shall be
19 remitted to the Department of Revenue as described in this
20 subsection. However, no such assessment may be made against
21 any person convicted for violation of any state statute,
22 municipal ordinance, or county ordinance relating to the
23 parking of vehicles.

24 (b) The funds deposited in the Department of Law
25 Enforcement Criminal Justice Standards and Training Trust
26 Fund, the Department of Law Enforcement Operating Trust Fund,
27 and the Department of Children and Family Services Domestic
28 Violence Trust Fund may be invested. Any ~~interest earned from~~
29 ~~investing such funds and any~~ unencumbered funds remaining at
30 the end of the budget cycle shall remain in the respective
31 trust fund.

1 Section 64. Subsection (2) of section 943.365, Florida
2 Statutes, is repealed.

3 Section 65. Subsection (2) of section 944.72, Florida
4 Statutes, is repealed.

5 Section 66. Subsection (2) of section 945.21502,
6 Florida Statutes, is repealed.

7 Section 67. Subsections (3) and (4) of section
8 946.522, Florida Statutes, are repealed.

9 Section 68. Subsection (2) of section 985.4041,
10 Florida Statutes, is repealed.

11 Section 69. Subsection (2) of section 985.4042,
12 Florida Statutes, is repealed.

13 Section 70. Paragraph (b) of subsection (3) of section
14 1004.41, Florida Statutes, is repealed.

15 Section 71. Subsection (5) of section 1009.50, Florida
16 Statutes, is amended to read:

17 1009.50 Florida Public Student Assistance Grant
18 Program; eligibility for grants.--

19 (5) Funds appropriated by the Legislature for state
20 student assistance grants shall be deposited in the State
21 Student Financial Assistance Trust Fund. ~~Notwithstanding the~~
22 ~~provisions of s. 216.301 and pursuant to s. 216.351, any~~
23 ~~balance in the trust fund at the end of any fiscal year that~~
24 ~~has been allocated to the Florida Public Student Assistance~~
25 ~~Grant Program shall remain therein and shall be available for~~
26 ~~carrying out the purposes of this section.~~

27 Section 72. Subsection (5) of section 1009.51, Florida
28 Statutes, is amended to read:

29 1009.51 Florida Private Student Assistance Grant
30 Program; eligibility for grants.--

31

1 (5) Funds appropriated by the Legislature for Florida
2 private student assistance grants shall be deposited in the
3 State Student Financial Assistance Trust Fund. ~~Notwithstanding~~
4 ~~the provisions of s. 216.301 and pursuant to s. 216.351, any~~
5 ~~balance in the trust fund at the end of any fiscal year that~~
6 ~~has been allocated to the Florida Private Student Assistance~~
7 ~~Grant Program shall remain therein and shall be available for~~
8 ~~carrying out the purposes of this section and as otherwise~~
9 ~~provided by law.~~

10 Section 73. Subsection (6) of section 1009.52, Florida
11 Statutes, is amended to read:

12 1009.52 Florida Postsecondary Student Assistance Grant
13 Program; eligibility for grants.--

14 (6) Funds appropriated by the Legislature for Florida
15 postsecondary student assistance grants shall be deposited in
16 the State Student Financial Assistance Trust Fund.

17 ~~Notwithstanding the provisions of s. 216.301 and pursuant to~~
18 ~~s. 216.351, any balance in the trust fund at the end of any~~
19 ~~fiscal year that has been allocated to the Florida~~
20 ~~Postsecondary Student Assistance Grant Program shall remain~~
21 ~~therein and shall be available for carrying out the purposes~~
22 ~~of this section and as otherwise provided by law.~~

23 Section 74. Subsection (5) of section 1009.68, Florida
24 Statutes, is amended to read:

25 1009.68 Florida Minority Medical Education Program.--

26 (5) Funds appropriated by the Legislature for the
27 program shall be deposited in the State Student Financial
28 Assistance Trust Fund. ~~Interest income accruing to the program~~
29 ~~from funds of the program in the trust fund not allocated~~
30 ~~shall increase the funds available for scholarships.~~Any
31 balance in the trust fund at the end of any fiscal year that

1 has been allocated to the program shall remain in the trust
2 fund and shall be available for carrying out the purposes of
3 this section.

4 Section 75. Subsection (3) of section 1009.72, Florida
5 Statutes, is amended to read:

6 1009.72 Jose Marti Scholarship Challenge Grant
7 Program.--

8 (3) The Legislature shall designate funds to be
9 transferred to the trust fund for the program from the General
10 Revenue Fund. Such funds shall be divided into challenge
11 grants to be administered by the Department of Education. All
12 appropriated funds deposited into the trust fund for the
13 program shall be invested pursuant to the provisions of s.
14 ~~18.125. Interest income accruing to that portion of the funds~~
15 ~~that are allocated to the program in the trust fund and not~~
16 ~~matched shall increase the total funds available for the~~
17 ~~program.~~

18 Section 76. Subsections (2) and (3) of section
19 1009.73, Florida Statutes, are amended to read:

20 1009.73 Mary McLeod Bethune Scholarship Program.--

21 (2) Funds appropriated by the Legislature for the
22 program shall be deposited in the State Student Financial
23 Assistance Trust Fund. The Comptroller shall authorize
24 expenditures from the trust fund upon receipt of vouchers
25 approved by the Department of Education. The Department of
26 Education shall receive all moneys collected from private
27 sources for the purposes of this section and shall deposit
28 such moneys into the trust fund. ~~Notwithstanding the~~
29 ~~provisions of s. 216.301 and pursuant to s. 216.351, any~~
30 ~~balance in the trust fund at the end of any fiscal year that~~
31 ~~has been allocated to the program shall remain in the trust~~

1 ~~fund and shall be available for carrying out the purposes of~~
2 ~~the program.~~

3 (3) The Legislature shall appropriate moneys to the
4 trust fund for the program from the General Revenue Fund. Such
5 moneys shall be applied to scholarships to be administered by
6 the Department of Education. All moneys deposited into the
7 trust fund for the program shall be invested pursuant to the
8 provisions of s. 18.125. ~~Interest income accruing to the~~
9 ~~program shall be expended to increase the total moneys~~
10 ~~available for scholarships.~~

11 Section 77. Section 1009.86, Florida Statutes, is
12 amended to read:

13 1009.86 Student Loan Operating Trust Fund.--

14 (1) The Student Loan Operating Trust Fund is hereby
15 created, to be administered by the Department of Education.
16 Funds shall be credited to the trust fund pursuant to the
17 Higher Education Act of 1965, as amended, from loan processing
18 and issuance fees, administrative cost allowances, account
19 maintenance fees, default aversion fees, amounts remaining
20 from collection of defaulted loans, amounts borrowed from the
21 Student Loan Guaranty Reserve Fund, and other amounts
22 specified in federal regulation. The purpose of the trust fund
23 is to segregate funds used for administration of the
24 guaranteed student loan program from the reserve funds used to
25 guarantee student loans contained in the Student Loan Guaranty
26 Reserve Fund. ~~The fund is exempt from the service charges~~
27 ~~imposed by s. 215.20.~~

28 ~~(2) Notwithstanding the provisions of s. 216.301 and~~
29 ~~pursuant to s. 216.351, any balance in the trust fund at the~~
30 ~~end of any fiscal year shall remain in the trust fund at the~~
31

1 ~~end of the year and shall be available for carrying out the~~
2 ~~purposes of the trust fund.~~

3 (2)~~(3)~~ Pursuant to the provisions of s. 19(f)(2), Art.
4 III of the State Constitution, the trust fund shall, unless
5 terminated sooner, be terminated on July 1, 2003. However,
6 prior to its scheduled termination, the trust fund shall be
7 reviewed as provided in s. 215.3206(1) and (2).

8 Section 78. Subsection (6) of section 1009.89, Florida
9 Statutes, is amended to read:

10 1009.89 The William L. Boyd, IV, Florida resident
11 access grants.--

12 (6) Funds appropriated by the Legislature for the
13 William L. Boyd, IV, Florida Resident Access Grant Program
14 shall be deposited in the State Student Financial Assistance
15 Trust Fund. ~~Notwithstanding the provisions of s. 216.301 and~~
16 ~~pursuant to s. 216.351, any balance in the trust fund at the~~
17 ~~end of any fiscal year which has been allocated to the William~~
18 ~~L. Boyd, IV, Florida Resident Access Grant Program shall~~
19 ~~remain therein and shall be available for carrying out the~~
20 ~~purposes of this section.~~If the number of eligible students
21 exceeds the total authorized in the General Appropriations
22 Act, an institution may use its own resources to assure that
23 each eligible student receives the full benefit of the grant
24 amount authorized.

25 Section 79. Subsection (3) of section 1010.73, Florida
26 Statutes, is repealed.

27 Section 80. Section 1010.86, Florida Statutes, is
28 amended to read:

29 1010.86 Administration of capital improvement and
30 building fees trust funds.--The State Board of Education shall
31 administer the Capital Improvement Fee Trust Fund and the

1 Building Fee Trust Fund which include receipts from capital
2 improvement and building student fee assessments, ~~interest~~
3 ~~earnings,~~ and subsidy grants, along with interest earnings
4 associated with subsidy grants. All funds, except those to be
5 used for debt service payments, reserve requirements, and
6 educational research centers for child development, pursuant
7 to s. 1011.48, shall be used to fund projects appropriated by
8 the Legislature. Projects funded pursuant to this section may
9 be expanded by the use of supplemental funds such as grants,
10 auxiliary enterprises, private donations, and other nonstate
11 sources.

12 Section 81. Subsection (2) of section 1010.87, Florida
13 Statutes, is repealed.

14 Section 82. Subsection (2) of section 1011.51, Florida
15 Statutes, is amended to read:

16 1011.51 Independent postsecondary endowment grants.--

17 (2) There is established the Florida Postsecondary
18 Endowment Grants Program to be administered by the Department
19 of Education. The program shall provide matching endowment
20 grants to independent nonprofit colleges and universities in
21 Florida that meet the requirements of this section. The
22 Legislature shall designate funds for the program to be
23 transferred to the Grants and Donations Trust Fund from
24 available sources. All funds transferred to the trust fund,
25 or retained in the trust fund, shall be invested in accordance
26 with the provisions of chapter 215. ~~Notwithstanding the~~
27 ~~provisions of s. 216.301 and pursuant to s. 216.351, any~~
28 ~~undisbursed balance remaining in the trust fund for the~~
29 ~~program and income from investments and interest related~~
30 ~~thereto shall remain in the trust fund and shall increase the~~
31 ~~total funds available for such matching endowment grants.~~

1 Section 83. Subsection (4) of section 1011.57, Florida
2 Statutes, is repealed.

3 Section 84. Subsection (1) of section 1011.94, Florida
4 Statutes, is amended to read:

5 1011.94 Trust Fund for University Major Gifts.--

6 (1) There is established a Trust Fund for University
7 Major Gifts. The purpose of the trust fund is to enable each
8 university and New College to provide donors with an incentive
9 in the form of matching grants for donations for the
10 establishment of permanent endowments and sales tax exemption
11 matching funds received pursuant to s. 212.08(5)(j), which
12 must be invested, with the proceeds of the investment used to
13 support libraries and instruction and research programs, as
14 defined by the State Board of Education. All funds
15 appropriated for the challenge grants, new donors, major
16 gifts, sales tax exemption matching funds pursuant to s.
17 212.08(5)(j), or eminent scholars program must be deposited
18 into the trust fund and invested pursuant to s. 18.125 until
19 the State Board of Education allocates the funds to
20 universities to match private donations. ~~Notwithstanding s.~~
21 ~~216.301 and pursuant to s. 216.351, any undisbursed balance~~
22 ~~remaining in the trust fund and interest income accruing to~~
23 ~~the portion of the trust fund which is not matched and~~
24 ~~distributed to universities must remain in the trust fund and~~
25 ~~be used to increase the total funds available for challenge~~
26 ~~grants.~~Funds deposited in the trust fund for the sales tax
27 exemption matching program authorized in s. 212.08(5)(j), and
28 interest earnings thereon, shall be maintained in a separate
29 account within the Trust Fund for University Major Gifts, and
30 may be used only to match qualified sales tax exemptions that
31 a certified business designates for use by state universities

1 and community colleges to support research and development
2 projects requested by the certified business. The State Board
3 of Education may authorize any university to encumber the
4 state matching portion of a challenge grant from funds
5 available under s. 1011.45.

6 Section 85. Subsection (3) of section 1013.79, Florida
7 Statutes, is amended to read:

8 1013.79 University Facility Enhancement Challenge
9 Grant Program.--

10 (3) There is established the Alec P. Courtelis Capital
11 Facilities Matching Trust Fund for the purpose of providing
12 matching funds from private contributions for the development
13 of high priority instructional and research-related capital
14 facilities, including common areas connecting such facilities,
15 within a university. The Legislature shall appropriate funds
16 to be transferred to the trust fund. The Public Education
17 Capital Outlay and Debt Service Trust Fund, Capital
18 Improvement Trust Fund, Division of Sponsored Research Trust
19 Fund, and Contracts and Grants Trust Fund shall not be used as
20 the source of the state match for private contributions. All
21 appropriated funds deposited into the trust fund shall be
22 invested pursuant to the provisions of s. 18.125. ~~Interest~~
23 ~~income accruing to that portion of the trust fund shall~~
24 ~~increase the total funds available for the challenge grant~~
25 ~~program.~~ Interest income accruing from the private donations
26 shall be returned to the participating foundation upon
27 completion of the project. The State Board of Education shall
28 administer the trust fund and all related construction
29 activities.

30 Section 86. This act shall take effect July 1, 2004.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 418

The Committee Substitute 1) reduces the rate of the General Revenue service charge to 6% and applies it to more trust funds, 2) adjusts the split of interest on commingled trust fund moneys between the General Revenue Fund and individual trust funds, and 3) repeals exemptions to the requirement in s. 216.301, F.S., that unspent moneys revert at the end of the fiscal year to the fund from which they were appropriated. The bill is effective July 1, 2004.