

By Senator Carlton

23-788-03

1 A bill to be entitled
 2 An act relating to trust funds; amending s.
 3 1013.63, F.S.; creating the University
 4 Concurrency Trust Fund within the Department of
 5 Education; providing for sources of funds and
 6 purposes; exempting the trust fund from service
 7 charges; providing for an annual carryforward
 8 of funds; providing for future legislative
 9 review and termination or re-creation of the
 10 trust fund; providing legislative intent with
 11 respect to identifying the trust fund and its
 12 source of revenue; providing a contingent
 13 effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Section 1013.63, Florida Statutes, is
 18 amended to read:

19 1013.63 University Concurrency Trust Fund.--

20 (1) The University Concurrency Trust Fund is created
 21 within the Department of Education.

22 (2) Notwithstanding any other provision of law, the
 23 general revenue service charge deducted pursuant to s. 215.20
 24 on revenues raised by any local option motor fuel tax levied
 25 pursuant to s. 336.025(1)(b), as created by chapter 93-206,
 26 Laws of Florida, shall be deposited in the University
 27 Concurrency Trust Fund, which is administered by the State
 28 Board of Education. Moneys in such trust fund shall be for the
 29 purpose of funding university offsite improvements required to
 30 meet concurrency standards adopted under part II of chapter
 31 163. In addition, in any year in which campus master plans are

1 updated pursuant to s. 1013.30, but no more frequently than
2 once every 5 years, up to 25 percent of the balance in the
3 trust fund for that year may be used to defray the costs
4 incurred in updating those campus master plans.

5 (3)(a) The trust fund is exempt from the service
6 charges imposed by s. 215.20.

7 (b) Notwithstanding s. 216.301 and pursuant to s.
8 216.351, any balance in the trust fund at the end of the
9 fiscal year shall remain in the trust fund and shall be
10 available for carrying out the purposes of the trust fund.

11 (4) In accordance with s. 19(f)(2), Art. III of the
12 State Constitution, the University Concurrency Trust Fund
13 shall, unless terminated sooner, be terminated on July 1,
14 2007. Before its scheduled termination, the trust fund shall
15 be reviewed as provided in s. 215.3206(1) and (2).

16 Section 2. The University Concurrency Trust Fund
17 created by this act shall be identified by FLAIR number
18 48-2-682. The existing University Concurrency Trust Fund,
19 FLAIR number 49-2-682, within the Division of Colleges and
20 Universities of the Department of Education is not affected by
21 this act. It is the intent of the Legislature to clarify that
22 the trust fund created by this act shall receive the revenues
23 identified in section 1013.63, Florida Statutes, and that the
24 trust fund within the Division of Colleges and Universities
25 shall be retained for the purpose of completing previously
26 authorized projects.

27 Section 3. This act shall take effect July 1, 2003,
28 but it shall not take effect unless it is enacted by at least
29 a three-fifths vote of the membership of each house of the
30 Legislature.

31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

SENATE SUMMARY

Creates the University Concurrency Trust Fund within the Department of Education. Provides for sources of funds and purposes. Provides for an annual carryforward of funds. Provides for future legislative review and termination or re-creation of the trust fund.