

By the Committee on Appropriations; and Senator Webster

309-2083-03

1 A bill to be entitled
2 An act relating to trust funds; terminating a
3 specified trust fund within the Department of
4 State and the Department of Transportation;
5 providing for disposition of balances in and
6 revenues of that trust fund; declaring the
7 findings of the Legislature that specified
8 trust funds within the Executive Office of the
9 Governor, the Department of Transportation, and
10 the Department of Highway Safety and Motor
11 Vehicles are exempt from the termination
12 requirements of s. 19(f), Art. III of the State
13 Constitution; repealing s. 15.09(4) and (5),
14 F.S., relating to the Corporations Trust Fund
15 and the Public Access Data Systems Trust Fund;
16 repealing ss. 607.1901 and 607.19011, F.S.,
17 relating to the Corporations Trust Fund;
18 amending ss. 607.193, 617.1901, 620.183, and
19 865.09, F.S; deleting references to the
20 Corporations Trust Fund; providing for deposit
21 of certain moneys into the General Revenue
22 Fund; repealing s. 320.8249(16), F.S., relating
23 to obsolete provisions in chapter 96-394, Laws
24 of Florida, appropriating funds; providing an
25 effective date.

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

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29 Section 1. (1) The following trust funds within the
30 following departments are terminated:

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(a) Within the Department of State:

1 1. The Corporations Trust Fund, FLAIR number 45-2-130.

2 2. The Public Access Data Systems Trust Fund, FLAIR
3 number 45-2-542.

4 (b) Within the Department of Transportation, the
5 Turnpike Controlled Access Trust Fund, FLAIR number 55-2-334.

6 (2) Unless otherwise provided, all current balances
7 remaining in, and all revenues of, each trust fund terminated
8 by this act shall be transferred to the General Revenue Fund.

9 (3) For each trust fund terminated by this act, the
10 agency that administers the trust fund shall pay any
11 outstanding debts and obligations of the terminated fund as
12 soon as practicable, and the Chief Financial Officer shall
13 close out and remove the terminated fund from the various
14 state accounting systems using generally accepted accounting
15 principles concerning warrants outstanding, assets, and
16 liabilities.

17 Section 2. The Legislature finds that the following
18 trust funds are exempt from termination pursuant to Section
19 19(f), Article III of the State Constitution:

20 (1) Within the Executive Office of the Governor, the
21 Administered Funds Trust Fund, FLAIR number 31-2-732. This
22 trust fund, created by section 216.273, Florida Statutes, was
23 previously known as the Trust Funds Trust Fund.

24 (2) Within the Department of Transportation:

25 (a) The Central Florida Beltway Trust Fund, FLAIR
26 number 55-2-074.

27 (b) The Everglades Parkway Construction Trust Fund,
28 FLAIR number 55-2-199.

29 (c) The Turnpike Renewals and Replacement Trust Fund,
30 FLAIR number 55-2-324.

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1 (d) The Turnpike General Reserve Trust Fund, FLAIR
2 number 55-2-326.

3 (e) The Turnpike Bond Construction Trust Fund, FLAIR
4 number 55-2-340.

5 (f) The Jacksonville Transportation Authority Project
6 Construction Trust Fund, FLAIR number 55-2-413.

7 (g) The Jefferson County 1992 Project Construction
8 Trust Fund, FLAIR number 55-2-418.

9 (h) State Transportation Trust Fund, FLAIR number
10 55-2-540.

11 (i) The Right-of-Way Acquisition and Bridge
12 Construction Trust Fund, FLAIR number 55-2-586.

13 (3) Within the Department of Highway Safety and Motor
14 Vehicles:

15 (a) The Civil Fines Clearing Trust Fund, FLAIR number
16 76-2-094.

17 (b) The International Registration Clearing Trust
18 Fund, FLAIR number 76-2-410.

19 (c) The License Tax Collection Trust Fund, FLAIR
20 number 76-2-452.

21 (d) The Motor Vehicle License Clearing Trust Fund,
22 FLAIR number 76-2-488.

23 (e) The Security Deposits Trust Fund, FLAIR number
24 76-2-625.

25 Section 3. Subsections (4) and (5) of section 15.09,
26 Florida Statutes, are repealed.

27 Section 4. Sections 607.1901 and 607.19011, Florida
28 Statutes, are repealed.

29 Section 5. Subsection (3) of section 607.193, Florida
30 Statutes, is amended to read:

31 607.193 Supplemental corporate fee.--

1 (3) The Department of State shall adopt rules and
2 prescribe forms necessary to carry out the purposes of this
3 section. ~~Notwithstanding s. 607.1901,~~ Proceeds from the
4 supplemental corporate fee, including any late charges, shall
5 be deposited into the General Revenue Fund.

6 Section 6. Section 617.1901, Florida Statutes, is
7 amended to read:

8 617.1901 Distributions ~~Corporations Trust Fund.~~--All
9 funds required to be paid to the Division of Corporations
10 under this act shall be deposited into the General Revenue
11 ~~Corporations Trust Fund as created by s. 607.1901, and shall~~
12 ~~be administered and disposed of in accordance therewith.~~

13 Section 7. Section 620.183, Florida Statutes, is
14 amended to read:

15 620.183 Disposition of moneys collected.--The
16 Department of State shall pay into the General Revenue
17 ~~Corporations Trust Fund~~ all moneys collected under the
18 provisions of this act.

19 Section 8. Subsection (13) of section 865.09, Florida
20 Statutes, is amended to read:

21 865.09 Fictitious name registration.--

22 (13) DEPOSIT OF FUNDS.--All funds required to be paid
23 to the Department of State pursuant to this section shall be
24 collected and deposited into the General Revenue ~~Corporations~~
25 ~~Trust Fund.~~

26 Section 9. Subsection (16) of section 320.8249,
27 Florida Statutes, is repealed.

28 Section 10. This act shall take effect July 1, 2003.
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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 934
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5 1. Corrects errors in the original bill which incorrectly
6 included the Black Contractors Bond and the Florida
7 Investment Incentive Trust Funds as meeting the exemption
8 criteria of s. 19(f), Art. III of the State Constitution.
9 2. Terminates the Corporations Trust Fund and the Public
10 Access Data Systems Trust Fund in the Department of
11 State.
12 3. Repeals provisions which created the Corporations and
13 Public Access Data Systems Trust Funds, and directs
14 receipts from all corporate filing fees to the General
15 Revenue fund.
16 4. Repeals obsolete provisions relating to appropriations in
17 the Department of Highway Safety & Motor Vehicles.
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