

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 936
 SPONSOR: Senator Smith
 SUBJECT: Capital Collateral Trust Fund
 DATE: February 17, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hendon	Martin	AAV	Favorable
2.	_____	_____	AP	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This legislation re-creates the Capital Collateral Trust Fund (FLAIR #212072) without modification, effective November 4, 2004. Federal reimbursement for work performed by the Capital Collateral Regional Counsels is deposited in this trust fund and appropriated to the counsels. This fund was created by Chapter 98-350, Laws of Florida, and is referenced in section 27.702 (3), F.S.

II. Present Situation:

The Capital Collateral Trust Fund receives payments from the federal government for defense of indigent inmates in federal death penalty proceedings. Section 27.702(3), F.S. directs such payments to be deposited in the Capital Collateral Trust Fund. A total of \$201,131 is appropriated from this trust fund in the current fiscal year to pay for the expenses and overtime costs for the three Capital Collateral Regional Counsels. See below for more information.

	2002-03 Fiscal Year	2003-04 Fiscal Year
Balance at July 1 (beginning of year)	118,678	4,082
Revenues	86,535	197,049
Total Available Funds	205,213	201,131
Less Expenses	201,131	201,131
Balance at June 30 (end of year)	4,082	0

If no action is taken by the Legislature, this trust fund will expire November 4, 2004.

III. Effect of Proposed Changes:

This bill re-creates the trust fund without modification. This would allow the federal reimbursement for death penalty proceedings to continue to be deposited into the Capital Collateral Trust Fund for use by the three Capital Collateral Regional Councils.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

See text of bill.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.