

By Senator Webster

9-2563B-03

1                                   A bill to be entitled  
 2           An act relating to trust funds; terminating  
 3           specified trust funds within the Department of  
 4           State and the Department of Transportation;  
 5           providing for disposition of balances in and  
 6           revenues of those trust funds; repealing s.  
 7           15.09(4) and (5), F.S., relating to the  
 8           Corporations Trust Fund and the Public Access  
 9           Data Systems Trust Fund; repealing ss. 607.1901  
 10          and 607.19011, F.S., relating to the  
 11          Corporations Trust Fund; amending ss. 607.193,  
 12          617.1901, 620.183, and 865.09, F.S; deleting  
 13          references to the Corporations Trust Fund;  
 14          providing for deposit of certain moneys into  
 15          the General Revenue Fund; providing for  
 16          construction of the act in pari materia with  
 17          laws enacted during the Regular Session of the  
 18          Legislature; providing an effective date.

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

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 22           Section 1. (1) The following trust funds within the  
 23 following departments are terminated:

- 24           (a) Within the Department of State:  
 25           1. The Corporations Trust Fund, FLAIR number 45-2-130.  
 26           2. The Public Access Data Systems Trust Fund, FLAIR  
 27 number 45-2-542.

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

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

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

12           Section 2. Subsections (4) and (5) of section 15.09,  
13 Florida Statutes, are repealed.

14           Section 3. Sections 607.1901 and 607.19011, Florida  
15 Statutes, are repealed.

16           Section 4. Subsection (3) of section 607.193, Florida  
17 Statutes, is amended to read:

18           607.193 Supplemental corporate fee.--

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

24           Section 5. Section 617.1901, Florida Statutes, is  
25 amended to read:

26           617.1901 Distributions Corporations Trust Fund.--All  
27 funds required to be paid to the Division of Corporations  
28 under this act shall be deposited into the General Revenue  
29 ~~Corporations Trust Fund as created by s. 607.1901,~~ and shall  
30 ~~be administered and disposed of in accordance therewith.~~

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1                   Section 6.   Section 620.183, Florida Statutes, is  
2 amended to read:  
3                   620.183   Disposition of moneys collected.--The  
4 Department of State shall pay into the General Revenue  
5 ~~Corporations Trust~~ Fund all moneys collected under the  
6 provisions of this act.

7                   Section 7.   Subsection (13) of section 865.09, Florida  
8 Statutes, is amended to read:

9                   865.09   Fictitious name registration.--

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

14                   Section 8.   If any law that is amended by this act was  
15 also amended by a law enacted at the 2003 Regular Session of  
16 the Legislature, such laws shall be construed as if they had  
17 been enacted during the same session of the Legislature, and  
18 full effect should be given to each if that is possible.

19                   Section 9.   This act shall take effect July 1, 2003.

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SENATE SUMMARY

Terminates certain trust funds within the Department of  
State and the Department of Transportation. Provides for  
disposition of the balances in the trust funds. (See bill  
for details.)

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.