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1 A bill to be entitled

2 An act relating to trust funds; amending s. 215.20, F.S.;
3 revising the formula for contribution by certain trust
4 funds to the General Revenue Fund; amending s. 215.22,
5 F.S.; exempting certain trust funds and revenues from the
6 appropriation required by s. 215.20, F.S.; updating
7 references to the Treasurer; renumbering and amending s.
8 18.10, F.S.; appropriating certain earnings on investments
9 to the General Revenue Fund; renumbering and amending s.
10 18.125, F.S.; providing for the method of investment, and
11 the disposition of interest earned on such investment, of
12 certain trust fund moneys of specified agencies; updating
13 references to the Treasurer; amending s. 14.2015, F.S.;
14 revising disposition of certain interest earned by the
15 Office of Tourism, Trade, and Economic Development;
16 amending s. 1009.66, F.S.; revising disposition of
17 interest earned on Nursing Student Loan Forgiveness Trust
18 Fund moneys; amending s. 385.207, F.S.; revising
19 disposition of interest earned on Epilepsy Services Trust
20 Fund moneys; amending s. 938.01, F.S.; revising
21 disposition of interest earned on specified trust funds of
22 the Department of Law Enforcement and Department of
23 Children and Family Services; reenacting and amending s.
24 215.32(2)(b), F.S., relating to segregation of state
25 funds; updating references to the Comptroller; providing
26 for construction of the act in pari materia with laws
27 enacted during the 2003 Regular Session of the
28 Legislature; providing an effective date.

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



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Section 1. Section 215.20, Florida Statutes, as amended by section 61 of chapter 2002-402, Laws of Florida, is amended to read:

(Substantial rewording of section. See s. 215.20, F.S., for present text.)

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

(1) A service charge of 7 percent, representing the estimated pro rata share of the cost of general government paid from the General Revenue Fund, is hereby appropriated from all income of a revenue nature deposited in all trust funds except those enumerated in s. 215.22. Income of a revenue nature shall include all earnings received or credited by such trust funds, including the interest or benefit received from the investment of the principal of such trust funds as may be permitted by law. This provision shall be construed in favor of the General Revenue Fund in each instance. All such appropriations shall be deposited in the General Revenue Fund.

(2) Notwithstanding the provisions of subsection (1):

(a) The trust funds of the Department of Citrus and the Department of Agriculture and Consumer Services, including funds collected in the General Inspection Trust Fund for marketing orders and in the Florida Citrus Advertising Trust Fund, shall be subject to a 3-percent service charge, which is hereby appropriated to the General Revenue Fund. This paragraph does not apply to the Conservation and Recreation Lands Program Trust Fund, the Florida Quarter Horse Racing Promotion Trust Fund, the Citrus Inspection Trust Fund, the Florida Forever Program Trust Fund, the Florida Preservation 2000 Trust Fund, the Market



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61 Improvements Working Capital Trust Fund, the Pest Control Trust
 62 Fund, the Plant Industry Trust Fund, or other funds collected in
 63 the General Inspection Trust Fund in the Department of
 64 Agriculture and Consumer Services.

65 (b) The Save the Manatee Trust Fund in the Fish and
 66 Wildlife Conservation Commission shall be subject to a 3-percent
 67 service charge, which is hereby appropriated to the General
 68 Revenue Fund.

69 (3) A service charge of 0.3 percent is hereby appropriated
 70 from income of a revenue nature deposited in the trust funds
 71 enumerated in subsection (4). Income of a revenue nature shall
 72 include all earnings received or credited by such trust funds,
 73 including the interest or benefit received from the investment
 74 of the principal of such trust funds as may be permitted by law.
 75 This provision shall be construed in favor of the General
 76 Revenue Fund in each instance. All such appropriations shall be
 77 deposited in the General Revenue Fund.

78 (4) The income of a revenue nature deposited in the
 79 following described trust funds, by whatever name designated, is
 80 that from which the appropriations authorized by subsection (3)
 81 shall be made:

82 (a) Within the Agency for Health Care Administration:

83 1. The Florida Organ and Tissue Donor Education and
 84 Procurement Trust Fund.

85 2. The Health Care Trust Fund.

86 3. The Resident Protection Trust Fund.

87 (b) Within the Agency for Workforce Innovation, the
 88 Employment Security Administration Trust Fund.

89 (c) Within the Department of Agriculture and Consumer
 90 Services:



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91 1. The Conservation and Recreation Lands Program Trust
 92 Fund.

93 2. The Florida Quarter Horse Racing Promotion Trust Fund.

94 3. The General Inspection Trust Fund and subsidiary
 95 accounts thereof, unless a different percentage is authorized by
 96 s. 570.20.

97 (d) Within the Department of Business and Professional
 98 Regulation:

99 1. The Administrative Trust Fund.

100 2. The Alcoholic Beverage and Tobacco Trust Fund.

101 3. The Cigarette Tax Collection Trust Fund.

102 4. The Division of Florida Land Sales, Condominiums, and
 103 Mobile Homes Trust Fund.

104 5. The Hotel and Restaurant Trust Fund, with the exception
 105 of those fees collected for the purpose of funding of the
 106 hospitality education program as stated in s. 509.302.

107 6. The Professional Regulation Trust Fund.

108 7. The trust funds administered by the Division of Pari-
 109 mutuel Wagering.

110 (e) Within the Department of Children and Family Services:

111 1. The Administrative Trust Fund.

112 2. The Child Welfare Training Trust Fund.

113 3. The Children and Adolescents Substance Abuse Trust
 114 Fund.

115 4. The Domestic Violence Trust Fund.

116 5. The Grants and Donations Trust Fund.

117 6. The Operations and Maintenance Trust Fund.

118 (f) Within the Department of Citrus, the Florida Citrus
 119 Advertising Trust Fund, including transfers from any subsidiary



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120 accounts thereof, unless a different percentage is authorized in
 121 s. 601.15(7).

122 (g) Within the Department of Community Affairs, the
 123 Operating Trust Fund.

124 (h) Within the Department of Education:

125 1. The Educational Certification and Service Trust Fund.

126 2. The Phosphate Research Trust Fund.

127 (i) Within the Department of Elderly Affairs:

128 1. The Administrative Trust Fund.

129 2. The Federal Grants Trust Fund.

130 3. The Grants and Donations Trust Fund.

131 4. The Operations and Maintenance Trust Fund.

132 (j) Within the Department of Environmental Protection:

133 1. The Administrative Trust Fund.

134 2. The Air Pollution Control Trust Fund.

135 3. The Conservation and Recreation Lands Trust Fund.

136 4. The Ecosystem Management and Restoration Trust Fund.

137 5. The Environmental Laboratory Trust Fund.

138 6. The Florida Coastal Protection Trust Fund.

139 7. The Florida Permit Fee Trust Fund.

140 8. The Forfeited Property Trust Fund.

141 9. The Grants and Donations Trust Fund.

142 10. The Inland Protection Trust Fund.

143 11. The Internal Improvement Trust Fund.

144 12. The Land Acquisition Trust Fund.

145 13. The Minerals Trust Fund.

146 14. The Nonmandatory Land Reclamation Trust Fund.

147 15. The State Park Trust Fund.

148 16. The Water Quality Assurance Trust Fund.

149 17. The Working Capital Trust Fund.



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- 150 (k) Within the Department of Financial Services:
 151 1. The Agents and Solicitors County Tax Trust Fund.
 152 2. The Insurance Regulatory Trust Fund.
 153 3. The Special Disability Trust Fund.
 154 4. The Special Employment Security Administration Trust
 155 Fund.

- 156 5. The Workers' Compensation Administration Trust Fund.

157 (l) Within the Department of Health:

- 158 1. The Administrative Trust Fund.
 159 2. The Brain and Spinal Cord Injury Program Trust Fund.
 160 3. The Donations Trust Fund.
 161 4. The Emergency Medical Services Trust Fund.
 162 5. The Epilepsy Services Trust Fund.
 163 6. The Florida Drug, Device, and Cosmetic Trust Fund.
 164 7. The Grants and Donations Trust Fund.
 165 8. The Medical Quality Assurance Trust Fund.
 166 9. The Nursing Student Loan Forgiveness Trust Fund.
 167 10. The Planning and Evaluation Trust Fund.
 168 11. The Radiation Protection Trust Fund.

169 (m) Within the Department of Highway Safety and Motor
 170 Vehicles, the DUI Programs Coordination Trust Fund.

171 (n) Within the Department of Legal Affairs, the Crimes
 172 Compensation Trust Fund.

173 (o) Within the Department of Management Services:

- 174 1. The Administrative Trust Fund.
 175 2. The Architects Incidental Trust Fund.
 176 3. The Bureau of Aircraft Trust Fund.
 177 4. The Florida Facilities Pool Working Capital Trust Fund.
 178 5. The Grants and Donations Trust Fund.
 179 6. The Motor Vehicle Operating Trust Fund.



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- 180 7. The Police and Firefighters' Premium Tax Trust Fund.
- 181 8. The Public Employees Relations Commission Trust Fund.
- 182 9. The State Personnel System Trust Fund.
- 183 10. The Supervision Trust Fund.
- 184 11. The Working Capital Trust Fund.
- 185 (p) Within the Department of Revenue:
- 186 1. The Additional Court Cost Clearing Trust Fund.
- 187 2. The Administrative Trust Fund.
- 188 3. The Apalachicola Bay Oyster Surcharge Clearing Trust
- 189 Fund.
- 190 4. The Certification Program Trust Fund.
- 191 5. The Fuel Tax Collection Trust Fund.
- 192 6. The Land Reclamation Trust Fund.
- 193 7. The Local Alternative Fuel User Fee Clearing Trust
- 194 Fund.
- 195 8. The Local Option Fuel Tax Trust Fund.
- 196 9. The Motor Vehicle Rental Surcharge Clearing Trust Fund.
- 197 10. The Motor Vehicle Warranty Trust Fund.
- 198 11. The Oil and Gas Tax Trust Fund.
- 199 12. The Secondhand Dealer and Secondary Metals Recycler
- 200 Clearing Trust Fund.
- 201 13. The Severance Tax Solid Mineral Trust Fund.
- 202 14. The State Alternative Fuel User Fee Clearing Trust
- 203 Fund.
- 204 15. All taxes levied on motor fuels other than gasoline
- 205 levied pursuant to the provisions of s. 206.87(1)(a).
- 206 (q) Within the Department of State:
- 207 1. The Division of Licensing Trust Fund.
- 208 2. The Records Management Trust Fund.



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209 3. The trust funds administered by the Division of
 210 Historical Resources.

211 (r) Within the Department of Transportation, all income
 212 derived from outdoor advertising and overweight violations which
 213 is deposited in the State Transportation Trust Fund.

214 (s) Within the Department of Veterans' Affairs:

215 1. The Grants and Donations Trust Fund.

216 2. The Operations and Maintenance Trust Fund.

217 3. The State Homes for Veterans Trust Fund.

218 (t) Within the Division of Administrative Hearings, the
 219 Administrative Trust Fund.

220 (u) Within the Fish and Wildlife Conservation Commission:

221 1. The Conservation and Recreation Lands Program Trust
 222 Fund.

223 2. The Florida Panther Research and Management Trust Fund.

224 3. The Land Acquisition Trust Fund.

225 4. The Marine Resources Conservation Trust Fund, with the
 226 exception of those fees collected for recreational saltwater
 227 fishing licenses as provided in s. 372.57.

228 (v) Within the Florida Public Service Commission, the
 229 Florida Public Service Regulatory Trust Fund.

230 (w) Within the Justice Administrative Commission, the
 231 Indigent Criminal Defense Trust Fund.

232 (x) Within the Office of Financial Regulation of the
 233 Financial Services Commission:

234 1. The Administrative Trust Fund.

235 2. The Anti-Fraud Trust Fund.

236 3. The Financial Institutions' Regulatory Trust Fund.

237 4. The Mortgage Brokerage Guaranty Fund.

238 5. The Regulatory Trust Fund.



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240 The enumeration of the foregoing moneys or trust funds shall not
241 prohibit the applicability thereto of s. 215.24 should the
242 Governor determine that for the reasons mentioned in s. 215.24
243 the money or trust funds should be exempt herefrom, as it is the
244 purpose of this law to exempt income from its force and effect
245 when, by the operation of this law, federal matching funds or
246 contributions or private grants to any trust fund would be lost
247 to the state.

248 (5) There is appropriated from the proper respective trust
249 funds from time to time such sums as may be necessary to pay to
250 the General Revenue Fund the service charges imposed by this
251 section.

252 Section 2. Subsection (1) of section 215.22, Florida
253 Statutes, as amended by section 63 of chapter 2002-402, Laws of
254 Florida, is amended to read:

255 215.22 Certain income and certain trust funds exempt.--

256 (1) The following income of a revenue nature or the
257 following trust funds shall be exempt from the appropriation
258 ~~deduction~~ required by s. 215.20(1):

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

260 (b) Trust funds administered by the Department of the
261 Lottery.

262 (c) Departmental administrative assessments for
263 administrative divisions.

264 (d) Funds charged by a state agency for services provided
265 to another state agency, by a state agency for services provided
266 to the judicial branch, or by the judicial branch for services
267 provided to a state agency.



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

270 (f) Retirement or employee benefit funds.

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

273 (h) Funds held for the payment of citrus canker
 274 eradication and compensation.

275 (i) Medicaid, Medicare, or third-party receipts for client
 276 custodial care.

277 (j) Bond proceeds or revenues dedicated for bond
 278 repayment, except for the Documentary Stamp Clearing Trust Fund
 279 administered by the Department of Revenue.

280 (k) Trust funds administered by the Department of
 281 Education.

282 (l) Trust funds administered by the Department of
 283 Transportation.

284 (m) The following trust funds administered by the
 285 Department of Agriculture and Consumer Services:-

- 286 1. The Citrus Inspection Trust Fund.
- 287 2. The Florida Forever Program Trust Fund.
- 288 3. The Florida Preservation 2000 Trust Fund.
- 289 4. The Market Improvements Working Capital Trust Fund.
- 290 5. The Pest Control Trust Fund.
- 291 6. The Plant Industry Trust Fund.

292 (n) The Motor Vehicle License Clearing Trust Fund.

293 (o) The Solid Waste Management Trust Fund.

294 (p) The Coconut Grove Playhouse Trust Fund.

295 (q) The Communications Working Capital Trust Fund of the
 296 Department of Management Services.

297 (r) The Camp Blanding Management Trust Fund.



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

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

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

303 (t)~~(v)~~ Tobacco Settlement Trust Funds administered by any
 304 agency.

305 (u)~~(w)~~ The Save Our Everglades Trust Fund.

306 (v)~~(x)~~ The Florida Center for Nursing Trust Fund.

307 Section 3. Section 18.10, Florida Statutes, is renumbered
 308 as section 17.57, Florida Statutes, and subsection (4) of said
 309 section, as amended by section 65 of chapter 2002-402, Laws of
 310 Florida, is amended to read:

311 17.57 ~~18.10~~ Deposits and investments of state money.--

312 (4) All earnings on any investments made pursuant to this
 313 section are hereby appropriated ~~shall be credited~~ to the General
 314 Revenue Fund, except that earnings attributable to moneys made
 315 available pursuant to s. 17.61(3)(a) and (b) ~~s. 18.125(3)~~ shall
 316 be credited pro rata to the funds from which such moneys were
 317 made available.

318 Section 4. Section 18.125, Florida Statutes, is renumbered
 319 as section 17.61, Florida Statutes, and subsection (3) of said
 320 section, as amended by section 67 of chapter 2002-402, Laws of
 321 Florida, is amended to read:

322 17.61 ~~18.125~~ Chief Financial Officer ~~Treasurer~~; powers and
 323 duties in the investment of certain funds.--

324 (3)(a) Except as otherwise provided in this subsection, it
 325 is the duty of each state agency, and of the judicial branch,
 326 now or hereafter charged with the administration of the funds
 327 referred to in subsection (1) to make such moneys available for



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328 investment as fully as is consistent with the cash requirements
 329 of the particular fund and to authorize investment of such
 330 moneys by the Chief Financial Officer ~~Treasurer~~.

331 (b) Monthly, and more often as circumstances require, such
 332 agency or judicial branch shall notify the Chief Financial
 333 Officer ~~Treasurer~~ of the amount available for investment; and
 334 the moneys shall be invested by the Chief Financial Officer
 335 ~~Treasurer~~. Such notification shall include the name and number
 336 of the fund for which the investments are to be made and the
 337 life of the investment if the principal sum is to be required
 338 for meeting obligations. This subsection, however, shall not be
 339 construed to make available for investment any funds other than
 340 those referred to in subsection (1).

341 (c) Except as provided in this paragraph and except for
 342 moneys described in paragraph (d), the following agencies shall
 343 not invest trust fund moneys as provided in this section, but
 344 shall retain such moneys in their respective trust funds for
 345 investment, with interest appropriated to the General Revenue
 346 Fund, pursuant to s. 17.57:

347 1. The Agency for Health Care Administration, except for
 348 the Tobacco Settlement Trust Fund.

349 2. The Department of Children and Family Services, except
 350 for:

351 a. The Alcohol, Drug Abuse, and Mental Health Trust Fund.

352 b. The Community Resources Development Trust Fund.

353 c. The Refugee Assistance Trust Fund.

354 d. The Social Services Block Grant Trust Fund.

355 e. The Tobacco Settlement Trust Fund.

356 f. The Working Capital Trust Fund.



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- 357 3. The Department of Community Affairs, only for the
- 358 Operating Trust Fund.
- 359 4. The Department of Corrections.
- 360 5. The Department of Elderly Affairs, except for:
- 361 a. The Federal Grants Trust Fund.
- 362 b. The Tobacco Settlement Trust Fund.
- 363 6. The Department of Health, except for:
- 364 a. The Federal Grants Trust Fund.
- 365 b. The Grants and Donations Trust Fund.
- 366 c. The Maternal and Child Health Block Grant Trust Fund.
- 367 d. The Tobacco Settlement Trust Fund.
- 368 7. The Department of Highway Safety and Motor Vehicles,
- 369 only for:
- 370 a. The DUI Programs Coordination Trust Fund.
- 371 b. The Security Deposits Trust Fund.
- 372 8. The Department of Juvenile Justice.
- 373 9. The Department of Law Enforcement.
- 374 10. The Department of Legal Affairs.
- 375 11. The Department of State, only for:
- 376 a. The Grants and Donations Trust Fund.
- 377 b. The Records Management Trust Fund.
- 378 12. The Executive Office of the Governor, only for:
- 379 a. The Economic Development Transportation Trust Fund.
- 380 b. The Economic Development Trust Fund.
- 381 13. The Florida Public Service Commission, only for the
- 382 Florida Public Service Regulatory Trust Fund.
- 383 14. The Justice Administrative Commission.
- 384 15. The state courts system.



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385 (d) Moneys in any trust funds of the agencies in paragraph
 386 (c) may be invested pursuant to the provisions of this section
 387 if:

388 1. Investment of such moneys and the retention of interest
 389 is required by federal programs or mandates;

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

392 3. Such moneys are held by the state in a trustee capacity
 393 as an agent or fiduciary for individuals, private organizations,
 394 or other governmental units; or

395 4. The Executive Office of the Governor determines, after
 396 consultation with the Legislature pursuant to the procedures of
 397 s. 216.177, that federal matching funds or contributions or
 398 private grants to any trust fund would be lost to the state.

399 Section 5. Paragraph (f) of subsection (2) of section
 400 14.2015, Florida Statutes, as amended by section 69 of chapter
 401 2002-402, Laws of Florida, is amended to read:

402 14.2015 Office of Tourism, Trade, and Economic
 403 Development; creation; powers and duties.--

404 (2) The purpose of the Office of Tourism, Trade, and
 405 Economic Development is to assist the Governor in working with
 406 the Legislature, state agencies, business leaders, and economic
 407 development professionals to formulate and implement coherent
 408 and consistent policies and strategies designed to provide
 409 economic opportunities for all Floridians. To accomplish such
 410 purposes, the Office of Tourism, Trade, and Economic Development
 411 shall:

412 (f)1. Administer the Florida Enterprise Zone Act under ss.
 413 290.001-290.016, the community contribution tax credit program
 414 under ss. 220.183 and 624.5105, the tax refund program for



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415 qualified target industry businesses under s. 288.106, the tax-
 416 refund program for qualified defense contractors under s.
 417 288.1045, contracts for transportation projects under s.
 418 288.063, the sports franchise facility program under s.
 419 288.1162, the professional golf hall of fame facility program
 420 under s. 288.1168, the expedited permitting process under s.
 421 403.973, the Rural Community Development Revolving Loan Fund
 422 under s. 288.065, the Regional Rural Development Grants Program
 423 under s. 288.018, the Certified Capital Company Act under s.
 424 288.99, the Florida State Rural Development Council, the Rural
 425 Economic Development Initiative, and other programs that are
 426 specifically assigned to the office by law, by the
 427 appropriations process, or by the Governor. Notwithstanding any
 428 other provisions of law, the office may expend interest earned
 429 from the investment of program funds deposited in the ~~Economic~~
 430 ~~Development Trust Fund~~, the Grants and Donations Trust Fund and,
 431 the Brownfield Property Ownership Clearance Assistance Revolving
 432 Loan Trust Fund, ~~and the Economic Development Transportation~~
 433 ~~Trust Fund~~ to contract for the administration of the programs,
 434 or portions of the programs, enumerated in this paragraph or
 435 assigned to the office by law, by the appropriations process, or
 436 by the Governor. Such expenditures shall be subject to review
 437 under chapter 216.

438 2. The office may enter into contracts in connection with
 439 the fulfillment of its duties concerning the Florida First
 440 Business Bond Pool under chapter 159, tax incentives under
 441 chapters 212 and 220, tax incentives under the Certified Capital
 442 Company Act in chapter 288, foreign offices under chapter 288,
 443 the Enterprise Zone program under chapter 290, the Seaport
 444 Employment Training program under chapter 311, the Florida



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445 Professional Sports Team License Plates under chapter 320,
 446 Spaceport Florida under chapter 331, Expedited Permitting under
 447 chapter 403, and in carrying out other functions that are
 448 specifically assigned to the office by law, by the
 449 appropriations process, or by the Governor.

450 Section 6. Subsection (7) of section 1009.66, Florida
 451 Statutes, as amended by section 71 of chapter 2002-402, Laws of
 452 Florida, by section 3 of chapter 2002-400, Laws of Florida, and
 453 by chapter 2003-1, Laws of Florida, is amended to read:

454 1009.66 Nursing Student Loan Forgiveness Program.--

455 ~~(7)(a)~~ Funds contained in the Nursing Student Loan
 456 Forgiveness Trust Fund which are to be used for loan forgiveness
 457 for those nurses employed by hospitals, birth centers, and
 458 nursing homes must be matched on a dollar-for-dollar basis by
 459 contributions from the employing institutions, except that this
 460 provision shall not apply to state-operated medical and health
 461 care facilities, public schools, county health departments,
 462 federally sponsored community health centers, teaching hospitals
 463 as defined in s. 408.07, family practice teaching hospitals as
 464 defined in s. 395.805, or specialty hospitals for children as
 465 used in s. 409.9119. An estimate of the annual trust fund
 466 dollars shall be made at the beginning of the fiscal year based
 467 on historic expenditures from the trust fund. Applicant requests
 468 shall be reviewed on a quarterly basis, and applicant awards
 469 shall be based on the following priority of employer until all
 470 such estimated trust funds are awarded: state-operated medical
 471 and health care facilities; public schools; county health
 472 departments; federally sponsored community health centers;
 473 teaching hospitals as defined in s. 408.07; family practice
 474 teaching hospitals as defined in s. 395.805; specialty hospitals



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475 for children as used in s. 409.9119; and other hospitals, birth
476 centers, and nursing homes.

477 ~~(b) All Nursing Student Loan Forgiveness Trust Fund moneys~~
478 ~~shall be invested pursuant to s. 18.125. Interest income~~
479 ~~accruing to that portion of the trust fund not matched shall~~
480 ~~increase the total funds available for loan forgiveness and~~
481 ~~scholarships. Pledged contributions shall not be eligible for~~
482 ~~matching prior to the actual collection of the total private~~
483 ~~contribution for the year.~~

484 Section 7. Subsection (3) of section 385.207, Florida
485 Statutes, as amended by section 73 of chapter 2002-402, Laws of
486 Florida, is amended to read:

487 385.207 Care and assistance of persons with epilepsy;
488 establishment of programs in epilepsy control.--

489 (3) Revenue for statewide implementation of programs for
490 epilepsy prevention and education pursuant to this section shall
491 be derived pursuant to the provisions of s. 318.21(6) and shall
492 be deposited in the Epilepsy Services Trust Fund, which is
493 hereby established to be administered by the Department of
494 Health. ~~All funds deposited into the trust fund shall be~~
495 ~~invested pursuant to the provisions of s. 18.125. Interest~~
496 ~~income accruing to such invested funds shall increase the total~~
497 ~~funds available under this subsection.~~

498 Section 8. Subsection (1) of section 938.01, Florida
499 Statutes, as amended by section 77 of chapter 2002-402, Laws of
500 Florida, is amended to read:

501 938.01 Additional Court Cost Clearing Trust Fund.--

502 (1) All courts created by Art. V of the State Constitution
503 shall, in addition to any fine or other penalty, assess \$3 as a
504 court cost against every person convicted for violation of a



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505 state penal or criminal statute or convicted for violation of a
 506 municipal or county ordinance. Any person whose adjudication is
 507 withheld pursuant to the provisions of s. 318.14(9) or (10)
 508 shall also be assessed such cost. In addition, \$3 from every
 509 bond estreature or forfeited bail bond related to such penal
 510 statutes or penal ordinances shall be remitted to the Department
 511 of Revenue as described in this subsection. However, no such
 512 assessment may be made against any person convicted for
 513 violation of any state statute, municipal ordinance, or county
 514 ordinance relating to the parking of vehicles.

515 (a) All costs collected by the courts pursuant to this
 516 subsection shall be remitted to the Department of Revenue in
 517 accordance with administrative rules adopted by the executive
 518 director of the Department of Revenue for deposit in the
 519 Additional Court Cost Clearing Trust Fund. These funds and the
 520 funds deposited in the Additional Court Cost Clearing Trust Fund
 521 pursuant to s. 318.21(2)(c) shall be distributed as follows:

522 1. Ninety-two percent to the Department of Law Enforcement
 523 Criminal Justice Standards and Training Trust Fund.

524 2. Six and three-tenths percent to the Department of Law
 525 Enforcement Operating Trust Fund for the Criminal Justice Grant
 526 Program.

527 3. One and seven-tenths percent to the Department of
 528 Children and Family Services Domestic Violence Trust Fund for
 529 the domestic violence program pursuant to s. 39.903(3).

530 ~~(b) The funds deposited in the Department of Law~~
 531 ~~Enforcement Criminal Justice Standards and Training Trust Fund,~~
 532 ~~the Department of Law Enforcement Operating Trust Fund, and the~~
 533 ~~Department of Children and Family Services Domestic Violence~~
 534 ~~Trust Fund may be invested. Any interest earned from investing~~



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535 ~~such funds and any unencumbered funds remaining at the end of~~
536 ~~the budget cycle shall remain in the respective trust fund.~~

537 (b)~~(e)~~ All funds in the Department of Law Enforcement
538 Criminal Justice Standards and Training Trust Fund shall be
539 disbursed only in compliance with s. 943.25(9).

540 Section 9. Paragraph (b) of subsection (2) of section
541 215.32, Florida Statutes, is reenacted and amended to read:

542 215.32 State funds; segregation.--

543 (2) The source and use of each of these funds shall be as
544 follows:

545 (b)1. The trust funds shall consist of moneys received by
546 the state which under law or under trust agreement are
547 segregated for a purpose authorized by law. The state agency or
548 branch of state government receiving or collecting such moneys
549 shall be responsible for their proper expenditure as provided by
550 law. Upon the request of the state agency or branch of state
551 government responsible for the administration of the trust fund,
552 the Chief Financial Officer ~~Comptroller~~ may establish accounts
553 within the trust fund at a level considered necessary for proper
554 accountability. Once an account is established within a trust
555 fund, the Chief Financial Officer ~~Comptroller~~ may authorize
556 payment from that account only upon determining that there is
557 sufficient cash and releases at the level of the account.

558 2. In order to maintain a minimum number of trust funds in
559 the State Treasury, each state agency or the judicial branch may
560 consolidate, if permitted under the terms and conditions of
561 their receipt, the trust funds administered by it; provided,
562 however, the agency or judicial branch employs effectively a
563 uniform system of accounts sufficient to preserve the integrity



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564 of such trust funds; and provided, further, that consolidation
 565 of trust funds is approved by the Governor or the Chief Justice.

566 3. All such moneys are hereby appropriated to be expended
 567 in accordance with the law or trust agreement under which they
 568 were received, subject always to the provisions of chapter 216
 569 relating to the appropriation of funds and to the applicable
 570 laws relating to the deposit or expenditure of moneys in the
 571 State Treasury.

572 4.a. Notwithstanding any provision of law restricting the
 573 use of trust funds to specific purposes, unappropriated cash
 574 balances from selected trust funds may be authorized by the
 575 Legislature for transfer to the Budget Stabilization Fund and
 576 Working Capital Fund in the General Appropriations Act.

577 b. This subparagraph does not apply to trust funds
 578 required by federal programs or mandates; trust funds
 579 established for bond covenants, indentures, or resolutions whose
 580 revenues are legally pledged by the state or public body to meet
 581 debt service or other financial requirements of any debt
 582 obligations of the state or any public body; the State
 583 Transportation Trust Fund; the trust fund containing the net
 584 annual proceeds from the Florida Education Lotteries; the
 585 Florida Retirement System Trust Fund; trust funds under the
 586 management of the Board of Regents, where such trust funds are
 587 for auxiliary enterprises, self-insurance, and contracts,
 588 grants, and donations, as those terms are defined by general
 589 law; trust funds that serve as clearing funds or accounts for
 590 the Chief Financial Officer ~~Comptroller~~ or state agencies; trust
 591 funds that account for assets held by the state in a trustee
 592 capacity as an agent or fiduciary for individuals, private



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593 organizations, or other governmental units; and other trust
594 funds authorized by the State Constitution.

595 Section 10. If any law amended by this act was also
596 amended by a law enacted at the 2003 Regular Session of the
597 Legislature, such laws shall be construed as if they had been
598 enacted at the same session of the Legislature, and full effect
599 shall be given to each if possible.

600 Section 11. This act shall take effect July 1, 2003.