

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Kyle offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause

and insert:

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

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28 those enumerated in s. 215.22. Income of a revenue nature shall  
29 include all earnings received or credited by such trust funds,  
30 including the interest or benefit received from the investment  
31 of the principal of such trust funds as may be permitted by law.  
32 This provision shall be construed in favor of the General  
33 Revenue Fund in each instance. All such appropriations shall be  
34 deposited in the General Revenue Fund.

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

36 (a) The trust funds of the Department of Citrus and the  
37 Department of Agriculture and Consumer Services, including funds  
38 collected in the General Inspection Trust Fund for marketing  
39 orders and in the Florida Citrus Advertising Trust Fund, shall  
40 be subject to a 3-percent service charge, which is hereby  
41 appropriated to the General Revenue Fund. This paragraph does  
42 not apply to the Conservation and Recreation Lands Program Trust  
43 Fund, the Florida Quarter Horse Racing Promotion Trust Fund, the  
44 Citrus Inspection Trust Fund, the Florida Forever Program Trust  
45 Fund, the Florida Preservation 2000 Trust Fund, the Market  
46 Improvements Working Capital Trust Fund, the Pest Control Trust  
47 Fund, the Plant Industry Trust Fund, or other funds collected in  
48 the General Inspection Trust Fund in the Department of  
49 Agriculture and Consumer Services.

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

54 (3) A service charge of 0.3 percent is hereby appropriated  
55 from income of a revenue nature deposited in the trust funds  
56 enumerated in subsection (4). Income of a revenue nature shall

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57 include all earnings received or credited by such trust funds,  
58 including the interest or benefit received from the investment  
59 of the principal of such trust funds as may be permitted by law.  
60 This provision shall be construed in favor of the General  
61 Revenue Fund in each instance. All such appropriations shall be  
62 deposited in the General Revenue Fund.

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

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

68 1. The Florida Organ and Tissue Donor Education and  
69 Procurement Trust Fund.

70 2. The Health Care Trust Fund.

71 3. The Resident Protection Trust Fund.

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

74 (c) Within the Department of Agriculture and Consumer  
75 Services:

76 1. The Conservation and Recreation Lands Program Trust  
77 Fund.

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

79 3. The General Inspection Trust Fund and subsidiary  
80 accounts thereof, unless a different percentage is authorized by  
81 s. 570.20.

82 (d) Within the Department of Business and Professional  
83 Regulation:

84 1. The Administrative Trust Fund.

85 2. The Alcoholic Beverage and Tobacco Trust Fund.

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86 3. The Cigarette Tax Collection Trust Fund.

87 4. The Division of Florida Land Sales, Condominiums, and  
88 Mobile Homes Trust Fund.

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

92 6. The Professional Regulation Trust Fund.

93 7. The trust funds administered by the Division of Pari-  
94 mutuel Wagering.

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

96 1. The Administrative Trust Fund.

97 2. The Child Welfare Training Trust Fund.

98 3. The Children and Adolescents Substance Abuse Trust  
99 Fund.

100 4. The Domestic Violence Trust Fund.

101 5. The Grants and Donations Trust Fund.

102 6. The Operations and Maintenance Trust Fund.

103 (f) Within the Department of Citrus, the Florida Citrus  
104 Advertising Trust Fund, including transfers from any subsidiary  
105 accounts thereof, unless a different percentage is authorized in  
106 s. 601.15(7).

107 (g) Within the Department of Community Affairs, the  
108 Operating Trust Fund.

109 (h) Within the Department of Education:

110 1. The Educational Certification and Service Trust Fund.

111 2. The Phosphate Research Trust Fund.

112 (i) Within the Department of Elderly Affairs:

113 1. The Administrative Trust Fund.

114 2. The Federal Grants Trust Fund.

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- 115        3. The Grants and Donations Trust Fund.
- 116        4. The Operations and Maintenance Trust Fund.
- 117        (j) Within the Department of Environmental Protection:
- 118        1. The Administrative Trust Fund.
- 119        2. The Air Pollution Control Trust Fund.
- 120        3. The Conservation and Recreation Lands Trust Fund.
- 121        4. The Ecosystem Management and Restoration Trust Fund.
- 122        5. The Environmental Laboratory Trust Fund.
- 123        6. The Florida Coastal Protection Trust Fund.
- 124        7. The Florida Permit Fee Trust Fund.
- 125        8. The Forfeited Property Trust Fund.
- 126        9. The Grants and Donations Trust Fund.
- 127        10. The Inland Protection Trust Fund.
- 128        11. The Internal Improvement Trust Fund.
- 129        12. The Land Acquisition Trust Fund.
- 130        13. The Minerals Trust Fund.
- 131        14. The Nonmandatory Land Reclamation Trust Fund.
- 132        15. The State Park Trust Fund.
- 133        16. The Water Quality Assurance Trust Fund.
- 134        17. The Working Capital Trust Fund.
- 135        (k) Within the Department of Financial Services:
- 136        1. The Agents and Solicitors County Tax Trust Fund.
- 137        2. The Insurance Regulatory Trust Fund.
- 138        3. The Special Disability Trust Fund.
- 139        4. The Special Employment Security Administration Trust
- 140 Fund.
- 141        5. The Workers' Compensation Administration Trust Fund.
- 142        (l) Within the Department of Health:
- 143        1. The Administrative Trust Fund.

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- 144        2. The Brain and Spinal Cord Injury Program Trust Fund.
- 145        3. The Donations Trust Fund.
- 146        4. The Emergency Medical Services Trust Fund.
- 147        5. The Epilepsy Services Trust Fund.
- 148        6. The Florida Drug, Device, and Cosmetic Trust Fund.
- 149        7. The Grants and Donations Trust Fund.
- 150        8. The Medical Quality Assurance Trust Fund.
- 151        9. The Nursing Student Loan Forgiveness Trust Fund.
- 152        10. The Planning and Evaluation Trust Fund.
- 153        11. The Radiation Protection Trust Fund.
- 154        (m) Within the Department of Highway Safety and Motor
- 155 Vehicles, the DUI Programs Coordination Trust Fund.
- 156        (n) Within the Department of Legal Affairs, the Crimes
- 157 Compensation Trust Fund.
- 158        (o) Within the Department of Management Services:
- 159        1. The Administrative Trust Fund.
- 160        2. The Architects Incidental Trust Fund.
- 161        3. The Bureau of Aircraft Trust Fund.
- 162        4. The Florida Facilities Pool Working Capital Trust Fund.
- 163        5. The Grants and Donations Trust Fund.
- 164        6. The Motor Vehicle Operating Trust Fund.
- 165        7. The Police and Firefighters' Premium Tax Trust Fund.
- 166        8. The Public Employees Relations Commission Trust Fund.
- 167        9. The State Personnel System Trust Fund.
- 168        10. The Supervision Trust Fund.
- 169        11. The Working Capital Trust Fund.
- 170        (p) Within the Department of Revenue:
- 171        1. The Additional Court Cost Clearing Trust Fund.
- 172        2. The Administrative Trust Fund.

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- 173       3. The Apalachicola Bay Oyster Surcharge Clearing Trust  
174 Fund.
- 175       4. The Certification Program Trust Fund.
- 176       5. The Fuel Tax Collection Trust Fund.
- 177       6. The Land Reclamation Trust Fund.
- 178       7. The Local Alternative Fuel User Fee Clearing Trust  
179 Fund.
- 180       8. The Local Option Fuel Tax Trust Fund.
- 181       9. The Motor Vehicle Rental Surcharge Clearing Trust Fund.
- 182       10. The Motor Vehicle Warranty Trust Fund.
- 183       11. The Oil and Gas Tax Trust Fund.
- 184       12. The Secondhand Dealer and Secondary Metals Recycler  
185 Clearing Trust Fund.
- 186       13. The Severance Tax Solid Mineral Trust Fund.
- 187       14. The State Alternative Fuel User Fee Clearing Trust  
188 Fund.
- 189       15. All taxes levied on motor fuels other than gasoline  
190 levied pursuant to the provisions of s. 206.87(1)(a).
- 191       (q) Within the Department of State:
- 192       1. The Division of Licensing Trust Fund.
- 193       2. The Records Management Trust Fund.
- 194       3. The trust funds administered by the Division of  
195 Historical Resources.
- 196       (r) Within the Department of Transportation, all income  
197 derived from outdoor advertising and overweight violations which  
198 is deposited in the State Transportation Trust Fund.
- 199       (s) Within the Department of Veterans' Affairs:
- 200       1. The Grants and Donations Trust Fund.
- 201       2. The Operations and Maintenance Trust Fund.

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202 3. The State Homes for Veterans Trust Fund.

203 (t) Within the Division of Administrative Hearings, the  
204 Administrative Trust Fund.

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

206 1. The Conservation and Recreation Lands Program Trust  
207 Fund.

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

209 3. The Land Acquisition Trust Fund.

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

213 (v) Within the Florida Public Service Commission, the  
214 Florida Public Service Regulatory Trust Fund.

215 (w) Within the Justice Administrative Commission, the  
216 Indigent Criminal Defense Trust Fund.

217 (x) Within the Office of Financial Regulation of the  
218 Financial Services Commission:

219 1. The Administrative Trust Fund.

220 2. The Anti-Fraud Trust Fund.

221 3. The Financial Institutions' Regulatory Trust Fund.

222 4. The Mortgage Brokerage Guaranty Fund.

223 5. The Regulatory Trust Fund.

224  
225 The enumeration of the foregoing moneys or trust funds shall not  
226 prohibit the applicability thereto of s. 215.24 should the  
227 Governor determine that for the reasons mentioned in s. 215.24  
228 the money or trust funds should be exempt herefrom, as it is the  
229 purpose of this law to exempt income from its force and effect  
230 when, by the operation of this law, federal matching funds or



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231 contributions or private grants to any trust fund would be lost  
232 to the state.

233 (5) There is appropriated from the proper respective trust  
234 funds from time to time such sums as may be necessary to pay to  
235 the General Revenue Fund the service charges imposed by this  
236 section.

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

240 215.22 Certain income and certain trust funds exempt.--

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

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

245 (b) Trust funds administered by the Department of the  
246 Lottery.

247 (c) Departmental administrative assessments for  
248 administrative divisions.

249 (d) Funds charged by a state agency for services provided  
250 to another state agency, by a state agency for services provided  
251 to the judicial branch, or by the judicial branch for services  
252 provided to a state agency.

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

255 (f) Retirement or employee benefit funds.

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

258 (h) Funds held for the payment of citrus canker  
259 eradication and compensation.

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

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

265 (k) Trust funds administered by the Department of  
266 Education.

267 (l) Trust funds administered by the Department of  
268 Transportation.

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

271 1. The Citrus Inspection Trust Fund.

272 2. The Florida Forever Program Trust Fund.

273 3. The Florida Preservation 2000 Trust Fund.

274 4. The Market Improvements Working Capital Trust Fund.

275 5. The Pest Control Trust Fund.

276 6. The Plant Industry Trust Fund.

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

278 (o) The Solid Waste Management Trust Fund.

279 (p) The Coconut Grove Playhouse Trust Fund.

280 (q) The Communications Working Capital Trust Fund of the  
281 Department of Management Services.

282 (r) The Camp Blanding Management Trust Fund.

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

284 (s)(t) That portion of the Highway Safety Operating Trust  
285 Fund funded by the motorcycle safety education fee collected  
286 pursuant to s. 320.08(1)(c).

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

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288        ~~(t)(v)~~ Tobacco Settlement Trust Funds administered by any  
289 agency.

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

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

292        Section 3. Section 18.10, Florida Statutes, is renumbered  
293 as section 17.57, Florida Statutes, and subsection (4) of said  
294 section, as amended by section 65 of chapter 2002-402, Laws of  
295 Florida, is amended to read:

296        17.57 ~~18.10~~ Deposits and investments of state money.--

297        (4) All earnings on any investments made pursuant to this  
298 section are hereby appropriated ~~shall be credited~~ to the General  
299 Revenue Fund, except that earnings attributable to moneys made  
300 available pursuant to s. 17.61(3)(a) and (b) ~~s. 18.125(3)~~ shall  
301 be credited pro rata to the funds from which such moneys were  
302 made available.

303        Section 4. Section 18.125, Florida Statutes, is renumbered  
304 as section 17.61, Florida Statutes, and subsection (3) of said  
305 section, as amended by section 67 of chapter 2002-402, Laws of  
306 Florida, is amended to read:

307        17.61 ~~18.125~~ Chief Financial Officer ~~Treasurer~~; powers and  
308 duties in the investment of certain funds.--

309        (3)(a) Except as otherwise provided in this subsection, it  
310 is the duty of each state agency, and of the judicial branch,  
311 now or hereafter charged with the administration of the funds  
312 referred to in subsection (1) to make such moneys available for  
313 investment as fully as is consistent with the cash requirements  
314 of the particular fund and to authorize investment of such  
315 moneys by the Chief Financial Officer ~~Treasurer~~.

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316 (b) Monthly, and more often as circumstances require, such  
317 agency or judicial branch shall notify the Chief Financial  
318 Officer ~~Treasurer~~ of the amount available for investment; and  
319 the moneys shall be invested by the Chief Financial Officer  
320 ~~Treasurer~~. Such notification shall include the name and number  
321 of the fund for which the investments are to be made and the  
322 life of the investment if the principal sum is to be required  
323 for meeting obligations. This subsection, however, shall not be  
324 construed to make available for investment any funds other than  
325 those referred to in subsection (1).

326 (c) Except as provided in this paragraph and except for  
327 moneys described in paragraph (d), the following agencies shall  
328 not invest trust fund moneys as provided in this section, but  
329 shall retain such moneys in their respective trust funds for  
330 investment, with interest appropriated to the General Revenue  
331 Fund, pursuant to s. 17.57:

332 1. The Agency for Health Care Administration, except for  
333 the Tobacco Settlement Trust Fund.

334 2. The Department of Children and Family Services, except  
335 for:

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

337 b. The Community Resources Development Trust Fund.

338 c. The Refugee Assistance Trust Fund.

339 d. The Social Services Block Grant Trust Fund.

340 e. The Tobacco Settlement Trust Fund.

341 f. The Working Capital Trust Fund.

342 3. The Department of Community Affairs, only for the  
343 Operating Trust Fund.

344 4. The Department of Corrections.

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- 345 5. The Department of Elderly Affairs, except for:  
346 a. The Federal Grants Trust Fund.  
347 b. The Tobacco Settlement Trust Fund.  
348 6. The Department of Health, except for:  
349 a. The Federal Grants Trust Fund.  
350 b. The Grants and Donations Trust Fund.  
351 c. The Maternal and Child Health Block Grant Trust Fund.  
352 d. The Tobacco Settlement Trust Fund.  
353 7. The Department of Highway Safety and Motor Vehicles,  
354 only for:  
355 a. The DUI Programs Coordination Trust Fund.  
356 b. The Security Deposits Trust Fund.  
357 8. The Department of Juvenile Justice.  
358 9. The Department of Law Enforcement.  
359 10. The Department of Legal Affairs.  
360 11. The Department of State, only for:  
361 a. The Grants and Donations Trust Fund.  
362 b. The Records Management Trust Fund.  
363 12. The Executive Office of the Governor, only for:  
364 a. The Economic Development Transportation Trust Fund.  
365 b. The Economic Development Trust Fund.  
366 13. The Florida Public Service Commission, only for the  
367 Florida Public Service Regulatory Trust Fund.  
368 14. The Justice Administrative Commission.  
369 15. The state courts system.  
370 (d) Moneys in any trust funds of the agencies in paragraph  
371 (c) may be invested pursuant to the provisions of this section  
372 if:

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

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

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

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

384 Section 5. Paragraph (f) of subsection (2) of section  
385 14.2015, Florida Statutes, as amended by section 69 of chapter  
386 2002-402, Laws of Florida, is amended to read:

387 14.2015 Office of Tourism, Trade, and Economic  
388 Development; creation; powers and duties.--

389 (2) The purpose of the Office of Tourism, Trade, and  
390 Economic Development is to assist the Governor in working with  
391 the Legislature, state agencies, business leaders, and economic  
392 development professionals to formulate and implement coherent  
393 and consistent policies and strategies designed to provide  
394 economic opportunities for all Floridians. To accomplish such  
395 purposes, the Office of Tourism, Trade, and Economic Development  
396 shall:

397 (f)1. Administer the Florida Enterprise Zone Act under ss.  
398 290.001-290.016, the community contribution tax credit program  
399 under ss. 220.183 and 624.5105, the tax refund program for  
400 qualified target industry businesses under s. 288.106, the tax-  
401 refund program for qualified defense contractors under s.

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402 288.1045, contracts for transportation projects under s.  
403 288.063, the sports franchise facility program under s.  
404 288.1162, the professional golf hall of fame facility program  
405 under s. 288.1168, the expedited permitting process under s.  
406 403.973, the Rural Community Development Revolving Loan Fund  
407 under s. 288.065, the Regional Rural Development Grants Program  
408 under s. 288.018, the Certified Capital Company Act under s.  
409 288.99, the Florida State Rural Development Council, the Rural  
410 Economic Development Initiative, and other programs that are  
411 specifically assigned to the office by law, by the  
412 appropriations process, or by the Governor. Notwithstanding any  
413 other provisions of law, the office may expend interest earned  
414 from the investment of program funds deposited in the ~~Economic~~  
415 ~~Development Trust Fund~~, the Grants and Donations Trust Fund and,  
416 the Brownfield Property Ownership Clearance Assistance Revolving  
417 Loan Trust Fund, ~~and the Economic Development Transportation~~  
418 ~~Trust Fund~~ to contract for the administration of the programs,  
419 or portions of the programs, enumerated in this paragraph or  
420 assigned to the office by law, by the appropriations process, or  
421 by the Governor. Such expenditures shall be subject to review  
422 under chapter 216.

423 2. The office may enter into contracts in connection with  
424 the fulfillment of its duties concerning the Florida First  
425 Business Bond Pool under chapter 159, tax incentives under  
426 chapters 212 and 220, tax incentives under the Certified Capital  
427 Company Act in chapter 288, foreign offices under chapter 288,  
428 the Enterprise Zone program under chapter 290, the Seaport  
429 Employment Training program under chapter 311, the Florida  
430 Professional Sports Team License Plates under chapter 320,

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431 Spaceport Florida under chapter 331, Expedited Permitting under  
432 chapter 403, and in carrying out other functions that are  
433 specifically assigned to the office by law, by the  
434 appropriations process, or by the Governor.

435 Section 6. Subsection (7) of section 1009.66, Florida  
436 Statutes, as amended by section 71 of chapter 2002-402, Laws of  
437 Florida, by section 3 of chapter 2002-400, Laws of Florida, and  
438 by chapter 2003-1, Laws of Florida, is amended to read:

439 1009.66 Nursing Student Loan Forgiveness Program.--

440 (7)(a) Funds contained in the Nursing Student Loan  
441 Forgiveness Trust Fund which are to be used for loan forgiveness  
442 for those nurses employed by hospitals, birth centers, and  
443 nursing homes must be matched on a dollar-for-dollar basis by  
444 contributions from the employing institutions, except that this  
445 provision shall not apply to state-operated medical and health  
446 care facilities, public schools, county health departments,  
447 federally sponsored community health centers, teaching hospitals  
448 as defined in s. 408.07, family practice teaching hospitals as  
449 defined in s. 395.805, or specialty hospitals for children as  
450 used in s. 409.9119. An estimate of the annual trust fund  
451 dollars shall be made at the beginning of the fiscal year based  
452 on historic expenditures from the trust fund. Applicant requests  
453 shall be reviewed on a quarterly basis, and applicant awards  
454 shall be based on the following priority of employer until all  
455 such estimated trust funds are awarded: state-operated medical  
456 and health care facilities; public schools; county health  
457 departments; federally sponsored community health centers;  
458 teaching hospitals as defined in s. 408.07; family practice  
459 teaching hospitals as defined in s. 395.805; specialty hospitals

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

462 ~~(b) All Nursing Student Loan Forgiveness Trust Fund moneys~~  
463 ~~shall be invested pursuant to s. 18.125. Interest income~~  
464 ~~accruing to that portion of the trust fund not matched shall~~  
465 ~~increase the total funds available for loan forgiveness and~~  
466 ~~scholarships. Pledged contributions shall not be eligible for~~  
467 ~~matching prior to the actual collection of the total private~~  
468 ~~contribution for the year.~~

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

472 385.207 Care and assistance of persons with epilepsy;  
473 establishment of programs in epilepsy control.--

474 (3) Revenue for statewide implementation of programs for  
475 epilepsy prevention and education pursuant to this section shall  
476 be derived pursuant to the provisions of s. 318.21(6) and shall  
477 be deposited in the Epilepsy Services Trust Fund, which is  
478 hereby established to be administered by the Department of  
479 Health. ~~All funds deposited into the trust fund shall be~~  
480 ~~invested pursuant to the provisions of s. 18.125. Interest~~  
481 ~~income accruing to such invested funds shall increase the total~~  
482 ~~funds available under this subsection.~~

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

486 938.01 Additional Court Cost Clearing Trust Fund.--

487 (1) All courts created by Art. V of the State Constitution  
488 shall, in addition to any fine or other penalty, assess \$3 as a

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489 court cost against every person convicted for violation of a  
490 state penal or criminal statute or convicted for violation of a  
491 municipal or county ordinance. Any person whose adjudication is  
492 withheld pursuant to the provisions of s. 318.14(9) or (10)  
493 shall also be assessed such cost. In addition, \$3 from every  
494 bond estreature or forfeited bail bond related to such penal  
495 statutes or penal ordinances shall be remitted to the Department  
496 of Revenue as described in this subsection. However, no such  
497 assessment may be made against any person convicted for  
498 violation of any state statute, municipal ordinance, or county  
499 ordinance relating to the parking of vehicles.

500 (a) All costs collected by the courts pursuant to this  
501 subsection shall be remitted to the Department of Revenue in  
502 accordance with administrative rules adopted by the executive  
503 director of the Department of Revenue for deposit in the  
504 Additional Court Cost Clearing Trust Fund. These funds and the  
505 funds deposited in the Additional Court Cost Clearing Trust Fund  
506 pursuant to s. 318.21(2)(c) shall be distributed as follows:

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

509 2. Six and three-tenths percent to the Department of Law  
510 Enforcement Operating Trust Fund for the Criminal Justice Grant  
511 Program.

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

515 ~~(b) The funds deposited in the Department of Law~~  
516 ~~Enforcement Criminal Justice Standards and Training Trust Fund,~~  
517 ~~the Department of Law Enforcement Operating Trust Fund, and the~~

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518 ~~Department of Children and Family Services Domestic Violence~~  
519 ~~Trust Fund may be invested. Any interest earned from investing~~  
520 ~~such funds and any unencumbered funds remaining at the end of~~  
521 ~~the budget cycle shall remain in the respective trust fund.~~

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

525 Section 9. Paragraph (b) of subsection (2) of section  
526 215.32, Florida Statutes, is reenacted and amended to read:

527 215.32 State funds; segregation.--

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

530 (b)1. The trust funds shall consist of moneys received by  
531 the state which under law or under trust agreement are  
532 segregated for a purpose authorized by law. The state agency or  
533 branch of state government receiving or collecting such moneys  
534 shall be responsible for their proper expenditure as provided by  
535 law. Upon the request of the state agency or branch of state  
536 government responsible for the administration of the trust fund,  
537 the Chief Financial Officer ~~Comptroller~~ may establish accounts  
538 within the trust fund at a level considered necessary for proper  
539 accountability. Once an account is established within a trust  
540 fund, the Chief Financial Officer ~~Comptroller~~ may authorize  
541 payment from that account only upon determining that there is  
542 sufficient cash and releases at the level of the account.

543 2. In order to maintain a minimum number of trust funds in  
544 the State Treasury, each state agency or the judicial branch may  
545 consolidate, if permitted under the terms and conditions of  
546 their receipt, the trust funds administered by it; provided,

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547 however, the agency or judicial branch employs effectively a  
548 uniform system of accounts sufficient to preserve the integrity  
549 of such trust funds; and provided, further, that consolidation  
550 of trust funds is approved by the Governor or the Chief Justice.

551 3. All such moneys are hereby appropriated to be expended  
552 in accordance with the law or trust agreement under which they  
553 were received, subject always to the provisions of chapter 216  
554 relating to the appropriation of funds and to the applicable  
555 laws relating to the deposit or expenditure of moneys in the  
556 State Treasury.

557 4.a. Notwithstanding any provision of law restricting the  
558 use of trust funds to specific purposes, unappropriated cash  
559 balances from selected trust funds may be authorized by the  
560 Legislature for transfer to the Budget Stabilization Fund and  
561 Working Capital Fund in the General Appropriations Act.

562 b. This subparagraph does not apply to trust funds  
563 required by federal programs or mandates; trust funds  
564 established for bond covenants, indentures, or resolutions whose  
565 revenues are legally pledged by the state or public body to meet  
566 debt service or other financial requirements of any debt  
567 obligations of the state or any public body; the State  
568 Transportation Trust Fund; the trust fund containing the net  
569 annual proceeds from the Florida Education Lotteries; the  
570 Florida Retirement System Trust Fund; trust funds under the  
571 management of the Board of Regents, where such trust funds are  
572 for auxiliary enterprises, self-insurance, and contracts,  
573 grants, and donations, as those terms are defined by general  
574 law; trust funds that serve as clearing funds or accounts for  
575 the Chief Financial Officer ~~Comptroller~~ or state agencies; trust

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576 funds that account for assets held by the state in a trustee  
577 capacity as an agent or fiduciary for individuals, private  
578 organizations, or other governmental units; and other trust  
579 funds authorized by the State Constitution.

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

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

586  
587 ===== T I T L E A M E N D M E N T =====

588 Remove the entire title

589  
590 and insert:

591 A bill to be entitled  
592 An act relating to trust funds; amending s. 215.20, F.S.;  
593 revising the formula for contribution by certain trust  
594 funds to the General Revenue Fund; amending s. 215.22,  
595 F.S.; exempting certain trust funds and revenues from the  
596 appropriation required by s. 215.20, F.S.; updating  
597 references to the Treasurer; renumbering and amending s.  
598 18.10, F.S.; appropriating certain earnings on investments  
599 to the General Revenue Fund; renumbering and amending s.  
600 18.125, F.S.; providing for the method of investment, and  
601 the disposition of interest earned on such investment, of  
602 certain trust fund moneys of specified agencies; updating  
603 references to the Treasurer; amending s. 14.2015, F.S.;  
604 revising disposition of certain interest earned by the

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605 Office of Tourism, Trade, and Economic Development;  
606 amending s. 1009.66, F.S.; revising disposition of  
607 interest earned on Nursing Student Loan Forgiveness Trust  
608 Fund moneys; amending s. 385.207, F.S.; revising  
609 disposition of interest earned on Epilepsy Services Trust  
610 Fund moneys; amending s. 938.01, F.S.; revising  
611 disposition of interest earned on specified trust funds of  
612 the Department of Law Enforcement and Department of  
613 Children and Family Services; reenacting and amending s.  
614 215.32(2)(b), F.S., relating to segregation of state  
615 funds; updating references to the Comptroller; providing  
616 for construction of the act in pari materia with laws  
617 enacted during the 2003 Regular Session of the  
618 Legislature; providing an effective date.  
619