

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

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

2

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

6 (Substantial rewording of section. See

7 s. 215.20, F.S., for present text.)

8 215.20 Certain income and certain trust funds to  
9 contribute to the General Revenue Fund.--

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

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

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

1 Florida Forever Program Trust Fund, the Florida Preservation  
2 2000 Trust Fund, the Market Improvements Working Capital Trust  
3 Fund, the Pest Control Trust Fund, the Plant Industry Trust  
4 Fund, or other funds collected in the General Inspection Trust  
5 Fund in the Department of Agriculture and Consumer Services.

6 (b) The Save the Manatee Trust Fund in the Fish and  
7 Wildlife Conservation Commission shall be subject to a  
8 3-percent service charge, which is hereby appropriated to the  
9 General Revenue Fund.

10 (3) A service charge of 0.3 percent is hereby  
11 appropriated from income of a revenue nature deposited in the  
12 trust funds enumerated in subsection (4). Income of a revenue  
13 nature shall include all earnings received or credited by such  
14 trust funds, including the interest or benefit received from  
15 the investment of the principal of such trust funds as may be  
16 permitted by law. This provision shall be construed in favor  
17 of the General Revenue Fund in each instance. All such  
18 appropriations shall be deposited in the General Revenue Fund.

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

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

24 1. The Florida Organ and Tissue Donor Education and  
25 Procurement Trust Fund.

26 2. The Health Care Trust Fund.

27 3. The Resident Protection Trust Fund.

28 (b) Within the Agency for Workforce Innovation:

29 1. The Employment Security Administration Trust Fund.

30 2. The Special Employment Security Administration  
31 Trust Fund.

1           (c) Within the Department of Agriculture and Consumer  
2 Services:

3           1. The Conservation and Recreation Lands Program Trust  
4 Fund.

5           2. The Florida Quarter Horse Racing Promotion Trust  
6 Fund.

7           3. The General Inspection Trust Fund and subsidiary  
8 accounts thereof, unless a different percentage is authorized  
9 by s. 570.20.

10           4. The Division of Licensing Trust Fund.

11           (d) Within the Department of Business and Professional  
12 Regulation:

13           1. The Administrative Trust Fund.

14           2. The Alcoholic Beverage and Tobacco Trust Fund.

15           3. The Cigarette Tax Collection Trust Fund.

16           4. The Division of Florida Land Sales, Condominiums,  
17 and Mobile Homes Trust Fund.

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

21           6. The Professional Regulation Trust Fund.

22           7. The trust funds administered by the Division of  
23 Pari-mutuel Wagering.

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

26           1. The Administrative Trust Fund.

27           2. The Child Welfare Training Trust Fund.

28           3. The Children and Adolescents Substance Abuse Trust  
29 Fund.

30           4. The Domestic Violence Trust Fund.

31           5. The Grants and Donations Trust Fund.

- 1           6. The Operations and Maintenance Trust Fund.  
2           (f) Within the Department of Citrus, the Florida  
3 Citrus Advertising Trust Fund, including transfers from any  
4 subsidiary accounts thereof, unless a different percentage is  
5 authorized in s. 601.15(7).  
6           (g) Within the Department of Community Affairs, the  
7 Operating Trust Fund.  
8           (h) Within the Department of Education:  
9           1. The Educational Certification and Service Trust  
10 Fund.  
11           2. The Phosphate Research Trust Fund.  
12           (i) Within the Department of Elderly Affairs:  
13           1. The Administrative Trust Fund.  
14           2. The Federal Grants Trust Fund.  
15           3. The Grants and Donations Trust Fund.  
16           4. The Operations and Maintenance Trust Fund.  
17           (j) Within the Department of Environmental Protection:  
18           1. The Administrative Trust Fund.  
19           2. The Air Pollution Control Trust Fund.  
20           3. The Conservation and Recreation Lands Trust Fund.  
21           4. The Ecosystem Management and Restoration Trust  
22 Fund.  
23           5. The Environmental Laboratory Trust Fund.  
24           6. The Florida Coastal Protection Trust Fund.  
25           7. The Florida Permit Fee Trust Fund.  
26           8. The Forfeited Property Trust Fund.  
27           9. The Grants and Donations Trust Fund.  
28           10. The Inland Protection Trust Fund.  
29           11. The Internal Improvement Trust Fund.  
30           12. The Land Acquisition Trust Fund.  
31           13. The Minerals Trust Fund.

- 1           14. The Nonmandatory Land Reclamation Trust Fund.
- 2           15. The State Park Trust Fund.
- 3           16. The Water Quality Assurance Trust Fund.
- 4           17. The Working Capital Trust Fund.
- 5           (k) Within the Department of Financial Services:
- 6           1. The Agents and Solicitors County Tax Trust Fund.
- 7           2. The Insurance Regulatory Trust Fund.
- 8           3. The Special Disability Trust Fund.
- 9           4. The Workers' Compensation Administration Trust
- 10 Fund.
- 11           (l) Within the Department of Health:
- 12           1. The Administrative Trust Fund.
- 13           2. The Brain and Spinal Cord Injury Program Trust
- 14 Fund.
- 15           3. The Donations Trust Fund.
- 16           4. The Emergency Medical Services Trust Fund.
- 17           5. The Epilepsy Services Trust Fund.
- 18           6. The Florida Drug, Device, and Cosmetic Trust Fund.
- 19           7. The Grants and Donations Trust Fund.
- 20           8. The Medical Quality Assurance Trust Fund.
- 21           9. The Nursing Student Loan Forgiveness Trust Fund.
- 22           10. The Planning and Evaluation Trust Fund.
- 23           11. The Radiation Protection Trust Fund.
- 24           (m) Within the Department of Highway Safety and Motor
- 25 Vehicles, the DUI Programs Coordination Trust Fund.
- 26           (n) Within the Department of Legal Affairs, the Crimes
- 27 Compensation Trust Fund.
- 28           (o) Within the Department of Management Services:
- 29           1. The Administrative Trust Fund.
- 30           2. The Architects Incidental Trust Fund.
- 31           3. The Bureau of Aircraft Trust Fund.

- 1           4. The Florida Facilities Pool Working Capital Trust  
 2 Fund.
- 3           5. The Grants and Donations Trust Fund.
- 4           6. The Motor Vehicle Operating Trust Fund.
- 5           7. The Police and Firefighters' Premium Tax Trust  
 6 Fund.
- 7           8. The Public Employees Relations Commission Trust  
 8 Fund.
- 9           9. The State Personnel System Trust Fund.
- 10          10. The Supervision Trust Fund.
- 11          11. The Working Capital Trust Fund.
- 12          (p) Within the Department of Revenue:
- 13           1. The Additional Court Cost Clearing Trust Fund.
- 14           2. The Administrative Trust Fund.
- 15           3. The Apalachicola Bay Oyster Surcharge Clearing  
 16 Trust Fund.
- 17           4. The Certification Program Trust Fund.
- 18           5. The Fuel Tax Collection Trust Fund.
- 19           6. The Land Reclamation Trust Fund.
- 20           7. The Local Alternative Fuel User Fee Clearing Trust  
 21 Fund.
- 22           8. The Local Option Fuel Tax Trust Fund.
- 23           9. The Motor Vehicle Rental Surcharge Clearing Trust  
 24 Fund.
- 25           10. The Motor Vehicle Warranty Trust Fund.
- 26           11. The Oil and Gas Tax Trust Fund.
- 27           12. The Secondhand Dealer and Secondary Metals  
 28 Recycler Clearing Trust Fund.
- 29           13. The Severance Tax Solid Mineral Trust Fund.
- 30           14. The State Alternative Fuel User Fee Clearing Trust  
 31 Fund.

1           15. All taxes levied on motor fuels other than  
2 gasoline levied pursuant to the provisions of s. 206.87(1)(a).

3           (q) Within the Department of State:

4           1. The Records Management Trust Fund.

5           2. The trust funds administered by the Division of  
6 Historical Resources.

7           (r) Within the Department of Transportation, all  
8 income derived from outdoor advertising and overweight  
9 violations which is deposited in the State Transportation  
10 Trust Fund.

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

12           1. The Grants and Donations Trust Fund.

13           2. The Operations and Maintenance Trust Fund.

14           3. The State Homes for Veterans Trust Fund.

15           (t) Within the Division of Administrative Hearings,  
16 the Administrative Trust Fund.

17           (u) Within the Fish and Wildlife Conservation  
18 Commission:

19           1. The Conservation and Recreation Lands Program Trust  
20 Fund.

21           2. The Florida Panther Research and Management Trust  
22 Fund.

23           3. The Land Acquisition Trust Fund.

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

27           (v) Within the Florida Public Service Commission, the  
28 Florida Public Service Regulatory Trust Fund.

29           (w) Within the Justice Administrative Commission, the  
30 Indigent Criminal Defense Trust Fund.

31



1           (x) Within the Office of Financial Regulation of the  
2 Financial Services Commission:

- 3           1. The Administrative Trust Fund.
- 4           2. The Anti-Fraud Trust Fund.
- 5           3. The Financial Institutions' Regulatory Trust Fund.
- 6           4. The Mortgage Brokerage Guaranty Fund.
- 7           5. The Regulatory Trust Fund.

8  
9 The enumeration of the foregoing moneys or trust funds shall  
10 not prohibit the applicability thereto of s. 215.24 should the  
11 Governor determine that for the reasons mentioned in s. 215.24  
12 the money or trust funds should be exempt herefrom, as it is  
13 the purpose of this law to exempt income from its force and  
14 effect when, by the operation of this law, federal matching  
15 funds or contributions or private grants to any trust fund  
16 would be lost to the state.

17           (5) There is appropriated from the proper respective  
18 trust funds from time to time such sums as may be necessary to  
19 pay to the General Revenue Fund the service charges imposed by  
20 this section.

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

24           215.22 Certain income and certain trust funds  
25 exempt.--

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

- 29           (a) Student financial aid or prepaid tuition receipts.
- 30           (b) Trust funds administered by the Department of the  
31 Lottery.

- 1 (c) Departmental administrative assessments for  
2 administrative divisions.
- 3 (d) Funds charged by a state agency for services  
4 provided to another state agency, by a state agency for  
5 services provided to the judicial branch, or by the judicial  
6 branch for services provided to a state agency.
- 7 (e) State, agency, or political subdivision  
8 investments by the Chief Financial Officer ~~Treasurer~~.
- 9 (f) Retirement or employee benefit funds.
- 10 (g) Self-insurance programs administered by the Chief  
11 Financial Officer ~~Treasurer~~.
- 12 (h) Funds held for the payment of citrus canker  
13 eradication and compensation.
- 14 (i) Medicaid, Medicare, or third-party receipts for  
15 client custodial care.
- 16 (j) Bond proceeds or revenues dedicated for bond  
17 repayment, except for the Documentary Stamp Clearing Trust  
18 Fund administered by the Department of Revenue.
- 19 (k) Trust funds administered by the Department of  
20 Education.
- 21 (l) Trust funds administered by the Department of  
22 Transportation.
- 23 (m) The following trust funds administered by the  
24 Department of Agriculture and Consumer Services:-  
25 1. The Citrus Inspection Trust Fund.  
26 2. The Florida Forever Program Trust Fund.  
27 3. The Florida Preservation 2000 Trust Fund.  
28 4. The Market Improvements Working Capital Trust Fund.  
29 5. The Pest Control Trust Fund.  
30 6. The Plant Industry Trust Fund.  
31 (n) The Motor Vehicle License Clearing Trust Fund.

- 1 (o) The Solid Waste Management Trust Fund.  
 2 (p) The Coconut Grove Playhouse Trust Fund.  
 3 (q) The Communications Working Capital Trust Fund of  
 4 the Department of Management Services.  
 5 (r) The Camp Blanding Management Trust Fund.  
 6 ~~(s) The Indigent Criminal Defense Trust Fund.~~  
 7 (s)~~(t)~~ That portion of the Highway Safety Operating  
 8 Trust Fund funded by the motorcycle safety education fee  
 9 collected pursuant to s. 320.08(1)(c).  
 10 ~~(u) The Save the Manatee Trust Fund.~~  
 11 (t)~~(v)~~ Tobacco Settlement Trust Funds administered by  
 12 any agency.  
 13 (u)~~(w)~~ The Save Our Everglades Trust Fund.  
 14 (v)~~(x)~~ The Florida Center for Nursing Trust Fund.

15 Section 3. Subsection (4) of section 18.10, Florida  
 16 Statutes, as amended by section 65 of chapter 2002-402, Laws  
 17 of Florida, is amended to read:

18 18.10 Deposits and investments of state money.--  
 19 (4) All earnings on any investments made pursuant to  
 20 this section are hereby appropriated ~~shall be credited~~ to the  
 21 General Revenue Fund, except that earnings attributable to  
 22 moneys made available pursuant to s. 18.125(3)(a) and (b) ~~s.~~  
 23 ~~18.125(3)~~ shall be credited pro rata to the funds from which  
 24 such moneys were made available.

25 Section 4. Subsection (3) of section 18.125, Florida  
 26 Statutes, as amended by section 67 of chapter 2002-402, Laws  
 27 of Florida, is amended to read:

28 18.125 Treasurer; powers and duties in the investment  
 29 of certain funds.--

30 (3)(a) Except as otherwise provided in this  
 31 subsection, it is the duty of each state agency, and of the

1 judicial branch, now or hereafter charged with the  
2 administration of the funds referred to in subsection (1) to  
3 make such moneys available for investment as fully as is  
4 consistent with the cash requirements of the particular fund  
5 and to authorize investment of such moneys by the Chief  
6 Financial Officer ~~Treasurer~~.

7 (b) Monthly, and more often as circumstances require,  
8 such agency or judicial branch shall notify the Chief  
9 Financial Officer ~~Treasurer~~ of the amount available for  
10 investment; and the moneys shall be invested by the Chief  
11 Financial Officer ~~Treasurer~~. Such notification shall include  
12 the name and number of the fund for which the investments are  
13 to be made and the life of the investment if the principal sum  
14 is to be required for meeting obligations. This subsection,  
15 however, shall not be construed to make available for  
16 investment any funds other than those referred to in  
17 subsection (1).

18 (c) Except as provided in this paragraph and except  
19 for moneys described in paragraph (d), the following agencies  
20 shall not invest trust fund moneys as provided in this  
21 section, but shall retain such moneys in their respective  
22 trust funds for investment, with interest appropriated to the  
23 General Revenue Fund, pursuant to s. 18.10:

24 1. The Agency for Health Care Administration, except  
25 for the Tobacco Settlement Trust Fund.

26 2. The Department of Children and Family Services,  
27 except for:

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

30 b. The Community Resources Development Trust Fund.

31 c. The Refugee Assistance Trust Fund.

- 1           d. The Social Services Block Grant Trust Fund.  
2           e. The Tobacco Settlement Trust Fund.  
3           f. The Working Capital Trust Fund.  
4           3. The Department of Community Affairs, only for the  
5 Operating Trust Fund.  
6           4. The Department of Corrections.  
7           5. The Department of Elderly Affairs, except for:  
8           a. The Federal Grants Trust Fund.  
9           b. The Tobacco Settlement Trust Fund.  
10          6. The Department of Health, except for:  
11          a. The Federal Grants Trust Fund.  
12          b. The Grants and Donations Trust Fund.  
13          c. The Maternal and Child Health Block Grant Trust  
14 Fund.  
15          d. The Tobacco Settlement Trust Fund.  
16          7. The Department of Highway Safety and Motor  
17 Vehicles, only for:  
18          a. The DUI Programs Coordination Trust Fund.  
19          b. The Security Deposits Trust Fund.  
20          8. The Department of Juvenile Justice.  
21          9. The Department of Law Enforcement.  
22          10. The Department of Legal Affairs.  
23          11. The Department of State, only for:  
24          a. The Grants and Donations Trust Fund.  
25          b. The Records Management Trust Fund.  
26          12. The Executive Office of the Governor, only for:  
27          a. The Economic Development Transportation Trust Fund.  
28          b. The Economic Development Trust Fund.  
29          13. The Florida Public Service Commission, only for  
30 the Florida Public Service Regulatory Trust Fund.  
31          14. The Justice Administrative Commission.

1           15. The state courts system.

2           (d) Moneys in any trust funds of the agencies in  
3 paragraph (c) may be invested pursuant to the provisions of  
4 this section if:

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

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

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

13           4. The Executive Office of the Governor determines,  
14 after consultation with the Legislature pursuant to the  
15 procedures of s. 216.177, that federal matching funds or  
16 contributions or private grants to any trust fund would be  
17 lost to the state.

18           Section 5. Paragraph (f) of subsection (2) of section  
19 14.2015, Florida Statutes, as amended by section 69 of chapter  
20 2002-402, Laws of Florida, is amended to read:

21           14.2015 Office of Tourism, Trade, and Economic  
22 Development; creation; powers and duties.--

23           (2) The purpose of the Office of Tourism, Trade, and  
24 Economic Development is to assist the Governor in working with  
25 the Legislature, state agencies, business leaders, and  
26 economic development professionals to formulate and implement  
27 coherent and consistent policies and strategies designed to  
28 provide economic opportunities for all Floridians. To  
29 accomplish such purposes, the Office of Tourism, Trade, and  
30 Economic Development shall:

31

1 (f)1. Administer the Florida Enterprise Zone Act under  
2 ss. 290.001-290.016, the community contribution tax credit  
3 program under ss. 220.183 and 624.5105, the tax refund program  
4 for qualified target industry businesses under s. 288.106, the  
5 tax-refund program for qualified defense contractors under s.  
6 288.1045, contracts for transportation projects under s.  
7 288.063, the sports franchise facility program under s.  
8 288.1162, the professional golf hall of fame facility program  
9 under s. 288.1168, the expedited permitting process under s.  
10 403.973, the Rural Community Development Revolving Loan Fund  
11 under s. 288.065, the Regional Rural Development Grants  
12 Program under s. 288.018, the Certified Capital Company Act  
13 under s. 288.99, the Florida State Rural Development Council,  
14 the Rural Economic Development Initiative, and other programs  
15 that are specifically assigned to the office by law, by the  
16 appropriations process, or by the Governor. Notwithstanding  
17 any other provisions of law, the office may expend interest  
18 earned from the investment of program funds deposited in the  
19 ~~Economic Development Trust Fund, the Grants and Donations~~  
20 Trust Fund ~~and~~ the Brownfield Property Ownership Clearance  
21 Assistance Revolving Loan Trust Fund, ~~and the Economic~~  
22 ~~Development Transportation Trust Fund~~ to contract for the  
23 administration of the programs, or portions of the programs,  
24 enumerated in this paragraph or assigned to the office by law,  
25 by the appropriations process, or by the Governor. Such  
26 expenditures shall be subject to review under chapter 216.

27 2. The office may enter into contracts in connection  
28 with the fulfillment of its duties concerning the Florida  
29 First Business Bond Pool under chapter 159, tax incentives  
30 under chapters 212 and 220, tax incentives under the Certified  
31 Capital Company Act in chapter 288, foreign offices under

1 chapter 288, the Enterprise Zone program under chapter 290,  
2 the Seaport Employment Training program under chapter 311, the  
3 Florida Professional Sports Team License Plates under chapter  
4 320, Spaceport Florida under chapter 331, Expedited Permitting  
5 under chapter 403, and in carrying out other functions that  
6 are specifically assigned to the office by law, by the  
7 appropriations process, or by the Governor.

8 Section 6. Subsection (7) of section 1009.66, Florida  
9 Statutes, as amended by section 71 of chapter 2002-402, Laws  
10 of Florida, by section 3 of chapter 2002-400, Laws of Florida,  
11 and by chapter 2003-1, Laws of Florida, is amended to read:

12 1009.66 Nursing Student Loan Forgiveness Program.--

13 (7)~~(a)~~ Funds contained in the Nursing Student Loan  
14 Forgiveness Trust Fund which are to be used for loan  
15 forgiveness for those nurses employed by hospitals, birth  
16 centers, and nursing homes must be matched on a  
17 dollar-for-dollar basis by contributions from the employing  
18 institutions, except that this provision shall not apply to  
19 state-operated medical and health care facilities, public  
20 schools, county health departments, federally sponsored  
21 community health centers, teaching hospitals as defined in s.  
22 408.07, family practice teaching hospitals as defined in s.  
23 395.805, or specialty hospitals for children as used in s.  
24 409.9119. An estimate of the annual trust fund dollars shall  
25 be made at the beginning of the fiscal year based on historic  
26 expenditures from the trust fund. Applicant requests shall be  
27 reviewed on a quarterly basis, and applicant awards shall be  
28 based on the following priority of employer until all such  
29 estimated trust funds are awarded: state-operated medical and  
30 health care facilities; public schools; county health  
31 departments; federally sponsored community health centers;



1 teaching hospitals as defined in s. 408.07; family practice  
2 teaching hospitals as defined in s. 395.805; specialty  
3 hospitals for children as used in s. 409.9119; and other  
4 hospitals, birth centers, and nursing homes.

5 ~~(b) All Nursing Student Loan Forgiveness Trust Fund~~  
6 ~~moneys shall be invested pursuant to s. 18.125. Interest~~  
7 ~~income accruing to that portion of the trust fund not matched~~  
8 ~~shall increase the total funds available for loan forgiveness~~  
9 ~~and scholarships. Pledged contributions shall not be eligible~~  
10 ~~for matching prior to the actual collection of the total~~  
11 ~~private contribution for the year.~~

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

15 385.207 Care and assistance of persons with epilepsy;  
16 establishment of programs in epilepsy control.--

17 (3) Revenue for statewide implementation of programs  
18 for epilepsy prevention and education pursuant to this section  
19 shall be derived pursuant to the provisions of s. 318.21(6)  
20 and shall be deposited in the Epilepsy Services Trust Fund,  
21 which is hereby established to be administered by the  
22 Department of Health. ~~All funds deposited into the trust fund~~  
23 ~~shall be invested pursuant to the provisions of s. 18.125.~~  
24 ~~Interest income accruing to such invested funds shall increase~~  
25 ~~the total funds available under this subsection.~~

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

29 938.01 Additional Court Cost Clearing Trust Fund.--

30 (1) All courts created by Art. V of the State  
31 Constitution shall, in addition to any fine or other penalty,

1 assess \$3 as a court cost against every person convicted for  
2 violation of a state penal or criminal statute or convicted  
3 for violation of a municipal or county ordinance. Any person  
4 whose adjudication is withheld pursuant to the provisions of  
5 s. 318.14(9) or (10) shall also be assessed such cost. In  
6 addition, \$3 from every bond estreature or forfeited bail bond  
7 related to such penal statutes or penal ordinances shall be  
8 remitted to the Department of Revenue as described in this  
9 subsection. However, no such assessment may be made against  
10 any person convicted for violation of any state statute,  
11 municipal ordinance, or county ordinance relating to the  
12 parking of vehicles.

13 (a) All costs collected by the courts pursuant to this  
14 subsection shall be remitted to the Department of Revenue in  
15 accordance with administrative rules adopted by the executive  
16 director of the Department of Revenue for deposit in the  
17 Additional Court Cost Clearing Trust Fund. These funds and the  
18 funds deposited in the Additional Court Cost Clearing Trust  
19 Fund pursuant to s. 318.21(2)(c) shall be distributed as  
20 follows:

21 1. Ninety-two percent to the Department of Law  
22 Enforcement Criminal Justice Standards and Training Trust  
23 Fund.

24 2. Six and three-tenths percent to the Department of  
25 Law Enforcement Operating Trust Fund for the Criminal Justice  
26 Grant Program.

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

30 ~~(b) The funds deposited in the Department of Law~~  
31 ~~Enforcement Criminal Justice Standards and Training Trust~~

1 ~~Fund, the Department of Law Enforcement Operating Trust Fund,~~  
2 ~~and the Department of Children and Family Services Domestic~~  
3 ~~Violence Trust Fund may be invested. Any interest earned from~~  
4 ~~investing such funds and any unencumbered funds remaining at~~  
5 ~~the end of the budget cycle shall remain in the respective~~  
6 ~~trust fund.~~

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

10 Section 9. Paragraph (b) of subsection (2) of section  
11 215.32, Florida Statutes, is reenacted to read:

12 215.32 State funds; segregation.--

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

15 (b)1. The trust funds shall consist of moneys received  
16 by the state which under law or under trust agreement are  
17 segregated for a purpose authorized by law. The state agency  
18 or branch of state government receiving or collecting such  
19 moneys shall be responsible for their proper expenditure as  
20 provided by law. Upon the request of the state agency or  
21 branch of state government responsible for the administration  
22 of the trust fund, the Chief Financial Officer ~~Comptroller~~ may  
23 establish accounts within the trust fund at a level considered  
24 necessary for proper accountability. Once an account is  
25 established within a trust fund, the Chief Financial Officer  
26 ~~Comptroller~~ may authorize payment from that account only upon  
27 determining that there is sufficient cash and releases at the  
28 level of the account.

29 2. In order to maintain a minimum number of trust  
30 funds in the State Treasury, each state agency or the judicial  
31 branch may consolidate, if permitted under the terms and

1 conditions of their receipt, the trust funds administered by  
2 it; provided, however, the agency or judicial branch employs  
3 effectively a uniform system of accounts sufficient to  
4 preserve the integrity of such trust funds; and provided,  
5 further, that consolidation of trust funds is approved by the  
6 Governor or the Chief Justice.

7           3. All such moneys are hereby appropriated to be  
8 expended in accordance with the law or trust agreement under  
9 which they were received, subject always to the provisions of  
10 chapter 216 relating to the appropriation of funds and to the  
11 applicable laws relating to the deposit or expenditure of  
12 moneys in the State Treasury.

13           4.a. Notwithstanding any provision of law restricting  
14 the use of trust funds to specific purposes, unappropriated  
15 cash balances from selected trust funds may be authorized by  
16 the Legislature for transfer to the Budget Stabilization Fund  
17 and Working Capital Fund in the General Appropriations Act.

18           b. This subparagraph does not apply to trust funds  
19 required by federal programs or mandates; trust funds  
20 established for bond covenants, indentures, or resolutions  
21 whose revenues are legally pledged by the state or public body  
22 to meet debt service or other financial requirements of any  
23 debt obligations of the state or any public body; the State  
24 Transportation Trust Fund; the trust fund containing the net  
25 annual proceeds from the Florida Education Lotteries; the  
26 Florida Retirement System Trust Fund; trust funds under the  
27 management of the Board of Regents, where such trust funds are  
28 for auxiliary enterprises, self-insurance, and contracts,  
29 grants, and donations, as those terms are defined by general  
30 law; trust funds that serve as clearing funds or accounts for  
31 the Chief Financial Officer ~~Comptroller~~ or state agencies;

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

5           Section 10. If any law that is amended by this act was  
6 also amended by a law enacted at the 2003 Regular Session of  
7 the Legislature, such laws shall be construed as if they had  
8 been enacted during the same session of the Legislature, and  
9 full effect should be given to each if that is possible.

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

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