

HB 0005E

2003

A bill to be entitled

An act relating to the Biomedical Research Trust Fund; providing legislative findings and intent; re-creating the Biomedical Research Trust Fund within the Department of Health; carrying forward current balances and continuing current sources and uses thereof; providing for future review and termination; amending s. 20.435, F.S.; respecifying a future termination provision; providing a contingent effective date.

WHEREAS, the Legislature wishes to extend the life of the Biomedical Research Trust Fund within the Department of Health, which is otherwise scheduled to be terminated pursuant to the constitutional mandate, and

WHEREAS, the Legislature has reviewed the trust fund before its scheduled termination date and has found that it continues to meet an important public purpose, and

WHEREAS, the Legislature has found that existing public policy concerning the trust fund sets adequate parameters for its use, NOW, THEREFORE,

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

Section 1. (1) The Biomedical Research Trust Fund, administered by the Department of Health, FLAIR number 64-2-245, which is to be terminated pursuant to s. 19(f), Art. III of the State Constitution on July 1, 2004, is re-created.

(2) All current balances of the trust fund are carried forward and all current sources and uses of the trust fund are continued as provided by law.

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31 (3) Pursuant to the provisions of s. 19(f)(2), Art. III of
 32 the State Constitution, the trust fund shall, unless terminated
 33 sooner, be terminated 4 years from the effective date of this
 34 act. Prior to its scheduled termination, the trust fund shall be
 35 reviewed as provided in s. 215.3206(1) and (2).

36 Section 2. Paragraph (h) of subsection (1) of section
 37 20.435, Florida Statutes, is amended to read:

38 20.435 Department of Health; trust funds.--

39 (1) The following trust funds are hereby created, to be
 40 administered by the Department of Health:

41 (h) Biomedical Research Trust Fund.

42 1. Funds to be credited to the trust fund shall consist of
 43 funds deposited pursuant to s. 215.5601. Funds shall be used for
 44 the purposes of the James and Esther King Biomedical Research
 45 Program as specified in s. 215.5602. The trust fund is exempt
 46 from the service charges imposed by s. 215.20.

47 2. Notwithstanding the provisions of s. 216.301 and
 48 pursuant to s. 216.351, any balance in the trust fund at the end
 49 of any fiscal year shall remain in the trust fund at the end of
 50 the year and shall be available for carrying out the purposes of
 51 the trust fund.

52 3. The trust fund shall, unless terminated sooner, be
 53 terminated on July 1, 2008 ~~2004~~.

54 Section 3. This act shall take effect July 1, 2004, if
 55 House Bill 1E or similar legislation is adopted in the same
 56 legislative session or an extension thereof and becomes law.