

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1054
 SPONSOR: Smith
 SUBJECT: Public Records Modernization Trust Fund
 DATE: February 11, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Martin</u>	<u>Martin</u>	<u>AAV</u>	<u>Favorable</u>
2.	<u> </u>	<u> </u>	<u>AP</u>	<u>Withdrawn: Favorable</u>
3.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
4.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
5.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
6.	<u> </u>	<u> </u>	<u> </u>	<u> </u>

I. Summary:

This legislation re-creates the Public Records Modernization Trust Fund without modification, effective November 4, 2004. The Public Records Modernization Trust Fund is administered by the Office of the Clerk of the Circuit Court. This fund was last re-created November 4, 2000, by Chapter 2000-144, Laws of Florida.

II. Present Situation:

The Public Records Modernization Trust Fund is used exclusively for equipment and maintenance of equipment, personnel training, and technical assistance in modernizing the public records system of the Office of the Clerk of the Circuit Court. Revenue for the fund is derived from a service charge on each instrument listed in s. 28.222, Florida Statutes (deeds, leases, bills of sale, mortgages, lien notices, tax notices, etc.), except judgments received from the courts and lis pendens, recorded by the clerk of the circuit court in the official records. The service charge is \$1 for the first page and \$0.50 for each additional page.

Revenues deposited into this trust fund are not received in the state treasury and expenditures from this trust fund are not appropriated by the Legislature. Instead, revenues and expenditures are managed by the clerks of the circuit court.

According to the December 1, 2003 report submitted by The Florida Association of Court Clerks, Inc. to the Florida Legislature in compliance with the provisions of s. 28.24(15)(d), F.S., the annual revenue collections for the local fiscal year 2002-03 were \$22.8 million, and revenues for the local fiscal years 2003-04 through 2007-08 are projected to exceed \$93 million. Expenditures for the local fiscal year 2002-03 were \$14.3 million and projected expenditures for

the local fiscal years 2003-04 through 2007-08 are \$127.8 million (using both projected revenues and a fund balance from prior years).

III. Effect of Proposed Changes:

Senate Bill 1054 re-creates the trust fund without modification to its' purpose or function.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing trust fund and continues the current use of the fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
