

By the Committee on Education; and Senators Clary, Lynn, Bennett and Wilson

304-2310-04

1 A bill to be entitled
2 An act relating to the state lottery; amending
3 s. 24.115, F.S.; providing for the deposit of a
4 percentage of unclaimed prize money in the
5 Educational Enhancement Trust Fund; amending s.
6 24.121, F.S.; revising provisions relating to
7 the allocation of revenues for public
8 education; amending s. 1010.70, F.S.;
9 conforming provisions; providing an effective
10 date.

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

14 Section 1. Subsection (2) of section 24.115, Florida
15 Statutes, is amended to read:

16 24.115 Payment of prizes.--

17 (2) Eighty percent of all unclaimed prize money shall
18 be deposited in the Educational Enhancement Trust Fund
19 consistent with the provisions of s. 24.121(2). The remaining
20 20 percent of ~~All~~ unclaimed prize money shall be added to the
21 pool from which future prizes are to be awarded or used for
22 special prize promotions.

23 Section 2. Subsections (1) and (2) of section 24.121,
24 Florida Statutes, are amended to read:

25 24.121 Allocation of revenues and expenditure of funds
26 for public education.--

27 (1) Variable percentages ~~As nearly as practical, at~~
28 ~~least 50 percent~~ of the gross revenue from the sale of on-line
29 and instant lottery tickets and variable percentages, as
30 ~~determined by the department, of the gross revenue from the~~
31 ~~sale of instant lottery tickets~~ shall be returned to the

1 public in the form of prizes paid by the department or
2 retailers as authorized by this act. The variable percentages
3 of gross revenue from the sale of on-line and instant lottery
4 tickets returned to the public in the form of prizes shall be
5 established by the department in a manner designed to maximize
6 the amount of funds deposited under subsection (2).

7 (2) Each fiscal year, ~~at least 39 percent of the gross~~
8 ~~revenue from the sale of on-line lottery tickets,~~ variable
9 percentages of the gross revenue from the sale of on-line and
10 instant lottery tickets as determined by the department
11 consistent with subsection (1), and other earned revenue,
12 excluding application processing fees, shall be deposited in
13 the Educational Enhancement Trust Fund, which is hereby
14 created in the State Treasury to be administered by the
15 Department of Education. The Department of the Lottery shall
16 transfer moneys to the Educational Enhancement Trust Fund at
17 least once each quarter. Funds in the Educational Enhancement
18 Trust Fund shall be used to the benefit of public education in
19 accordance with the provisions of this act. Notwithstanding
20 any other provision of law, lottery revenues transferred to
21 the Educational Enhancement Trust Fund shall be reserved as
22 needed and used to meet the requirements of the documents
23 authorizing the bonds issued by the state pursuant to s.
24 1013.68, s. 1013.70, or s. 1013.737 or distributed to school
25 districts for the Classrooms First Program as provided in s.
26 1013.68. Such lottery revenues are hereby pledged to the
27 payment of debt service on bonds issued by the state pursuant
28 to s. 1013.68, s. 1013.70, or s. 1013.737. Debt service
29 payable on bonds issued by the state pursuant to s. 1013.68,
30 s. 1013.70, or s. 1013.737 shall be payable from, and is
31 secured by a first lien on, the first lottery revenues

1 transferred to the Educational Enhancement Trust Fund in each
2 fiscal year. Amounts distributable to school districts that
3 request the issuance of bonds pursuant to s. 1013.68(3) are
4 hereby pledged to such bonds pursuant to s. 11(d), Art. VII of
5 the State Constitution.

6 Section 3. Section 1010.70, Florida Statutes, is
7 amended to read:

8 1010.70 Educational Enhancement Trust Fund.--Each
9 fiscal year, ~~at least 39 percent of the gross revenue from the~~
10 ~~sale of lottery tickets,~~ variable percentages of the gross
11 revenue from the sale of on-line and instant lottery tickets
12 as determined by the department, and other earned revenue,
13 excluding application processing fees, shall be deposited in
14 the Educational Enhancement Trust Fund as provided in s.
15 24.121.

16 Section 4. This act shall take effect July 1, 2004.

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18 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
19 COMMITTEE SUBSTITUTE FOR
20 Senate Bill 174

21 The Committee Substitute requires that eighty percent of all
22 unclaimed prize money be deposited in the Educational
23 Enhancement Trust Fund. The remaining twenty percent of
24 unclaimed prize money shall be added to the pool from which
25 future prizes are to be awarded or used for special prize
26 promotions.

27 The Committee Substitute authorizes the Department of the
28 Lottery to pay variable percentages of receipts from the sale
29 of on-line and instant lottery tickets to the public in the
30 form of prizes and to the Educational Enhancement Trust Fund.
31 The Committee Substitute removes language guaranteeing certain
percentages must be returned as prizes to the public and
certain percentages must be deposited in the Educational
Enhancement Trust Fund.

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