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1                                   A bill to be entitled  
 2           An act relating to trust fund investments; amending s.  
 3           215.47, F.S.; requiring the State Board of Administration  
 4           to regularly review investments in limited partnerships  
 5           and limited liability companies to determine whether the  
 6           investments should be continued; reenacting ss.  
 7           215.5601(4)(a), 215.69(4), 218.407(2), 766.315(5)(e),  
 8           1009.70(6), 1009.972(4), and 1010.619, F.S., to  
 9           incorporate the amendment to s. 215.47, F.S., in  
 10          references thereto; providing an effective date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

13  
 14           Section 1. Subsection (14) of section 215.47, Florida  
 15 Statutes, is amended to read:

16           215.47 Investments; authorized securities; loan of  
 17 securities.--Subject to the limitations and conditions of the  
 18 State Constitution or of the trust agreement relating to a trust  
 19 fund, moneys available for investments under ss. 215.44-215.53  
 20 may be invested as follows:

21           (14) With no more than 5 percent of any fund in private  
 22 equity through participation in limited partnerships and limited  
 23 liability companies. The board shall regularly review all  
 24 investments made pursuant to this subsection and determine  
 25 whether to continue the investment based on the standards set  
 26 forth in subsection (6) as well as the consequences to the state  
 27 which would result from divestiture.

28           Section 2. For the purpose of incorporating the amendment  
 29 to section 215.47, Florida Statutes, in a reference thereto,

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30 paragraph (a) of subsection (4) of section 215.5601, Florida  
 31 Statutes, is reenacted to read:

32 215.5601 Lawton Chiles Endowment Fund.--

33 (4) ADMINISTRATION.--

34 (a) The board may invest and reinvest funds of the  
 35 endowment in accordance with s. 215.47 and consistent with an  
 36 investment plan developed by the executive director and approved  
 37 by the board.

38 Section 3. For the purpose of incorporating the amendment  
 39 to section 215.47, Florida Statutes, in a reference thereto,  
 40 subsection (4) of section 215.69, Florida Statutes, is reenacted  
 41 to read:

42 215.69 State Board of Administration to administer  
 43 funds.--

44 (4) The State Board of Administration shall also be the  
 45 agent of the division for the investment of all funds of the  
 46 division, including all reserve funds, and the State Board of  
 47 Administration shall invest all such funds in the securities  
 48 provided in the proceedings which authorized the issuance of  
 49 such bonds, or, if no provisions for such investments are  
 50 provided in such proceedings, then such funds shall be invested  
 51 in the manner provided in s. 215.47.

52 Section 4. For the purpose of incorporating the amendment  
 53 to section 215.47, Florida Statutes, in a reference thereto,  
 54 subsection (2) of section 218.407, Florida Statutes, is  
 55 reenacted to read:

56 218.407 Local government investment authority.--

57 (2) The State Board of Administration shall, upon the  
 58 filing of the resolution, invest the moneys in the trust fund in

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59 the same manner and subject to the same restrictions as are set  
 60 forth in s. 215.47. Except when authorized by the board, all  
 61 units of local government which qualify to be participants in  
 62 the Local Government Surplus Funds Trust Fund after January 1,  
 63 1982, will normally have surplus funds deposited into a pooled  
 64 investment account.

65 Section 5. For the purpose of incorporating the amendment  
 66 to section 215.47, Florida Statutes, in a reference thereto,  
 67 paragraph (e) of subsection (5) of section 766.315, Florida  
 68 Statutes, is reenacted to read:

69 766.315 Florida Birth-Related Neurological Injury  
 70 Compensation Association; board of directors.--

71 (5)

72 (e) Funds held on behalf of the plan are funds of the  
 73 State of Florida. The association may only invest plan funds in  
 74 the investments and securities described in s. 215.47, and shall  
 75 be subject to the limitations on investments contained in that  
 76 section. All income derived from such investments will be  
 77 credited to the plan.

78 Section 6. For the purpose of incorporating the amendment  
 79 to section 215.47, Florida Statutes, in a reference thereto,  
 80 subsection (6) of section 1009.70, Florida Statutes, is  
 81 reenacted to read:

82 1009.70 Florida Education Fund.--

83 (6) The board of directors is authorized to establish a  
 84 trust fund from the proceeds of the Florida Education Fund. All  
 85 funds deposited into the trust fund shall be invested pursuant  
 86 to the provisions of s. 215.47. Interest income accruing to the  
 87 unused portion of the trust fund shall increase the total funds

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88 available for endowments. The Department of Education may, at  
 89 the request of the board of directors, administer the fund for  
 90 investment purposes.

91 Section 7. For the purpose of incorporating the amendment  
 92 to section 215.47, Florida Statutes, in a reference thereto,  
 93 subsection (4) of section 1009.972, Florida Statutes, is  
 94 reenacted to read:

95 1009.972 Florida Prepaid College Trust Fund.--

96 (4) Any balance contained within the trust fund, and  
 97 within each fund in the trust fund, at the end of a fiscal year  
 98 shall remain therein and shall be available for carrying out the  
 99 purposes of each respective program and the direct-support  
 100 organization established pursuant to s. 1009.983. Moneys  
 101 contained within the trust fund shall be exempt from the  
 102 investment requirements of s. 17.57. All funds deposited in the  
 103 prepaid fund may be invested pursuant to s. 215.47. Any funds of  
 104 a direct-support organization created pursuant to s. 1009.983  
 105 shall be exempt from the provisions of this section.

106 Section 8. For the purpose of incorporating the amendment  
 107 to section 215.47, Florida Statutes, in a reference thereto,  
 108 section 1010.619, Florida Statutes, is reenacted to read:

109 1010.619 Board of Administration to act as fiscal  
 110 agent.--Prior to the issuance of any revenue certificates, the  
 111 State Board of Education may request the State Board of  
 112 Administration to advise the State Board of Education as to the  
 113 fiscal sufficiency of the proposed issue. Upon sale and delivery  
 114 of any revenue certificates and disbursement of the proceeds  
 115 thereof pursuant to this part, the State Board of Administration  
 116 may upon request of the State Board of Education take over the

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117 management, control, administration, custody, and payment of any  
118 or all debt services or funds or assets now or hereafter  
119 available for any revenue certificates issued pursuant to this  
120 part. The State Board of Administration shall upon request of  
121 the State Board of Education invest all funds, including reserve  
122 funds, available for any revenue certificates issued pursuant to  
123 this part in the manner provided in s. 215.47. The State Board  
124 of Education may from time to time provide by its duly adopted  
125 resolution the duties the State Board of Administration shall  
126 perform, and such duties may be changed, modified, or repealed  
127 by subsequent resolution as the State Board of Education may  
128 deem appropriate.

129 Section 9. This act shall take effect July 1, 2004.