

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 826

SPONSOR: Senator Clary

SUBJECT: Preneed Funeral Contract Consumer Protection Trust Fund

DATE: February 6, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Kynoch</u>	<u>Hayes</u>	<u>AGG</u>	<u>Favorable</u>
2.	_____	_____	<u>AP</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This legislation re-creates the Preneed Funeral Contract Consumer Protection Trust Fund without modification. The Preneed Funeral Contract Consumer Protection Trust Fund, FLAIR #43-2-536, is administered by the Department of Financial Services. This fund was last re-created effective November 4, 2000, by Chapter 99-80, Laws of Florida.

II. Present Situation:

Section 497.413, F.S., creates and provides revenue sources for the Preneed Funeral Contract Consumer Protection Trust Fund. This fund was established to receive fees from Certificate of Authority (COA) licensees funding preneed funeral contracts by the sale of insurance or by the establishment of a trust. Revenues are based on the number of preneed contracts executed by COA licensees. According to LAS/PBS data, receipts to this fund for FY 2002-2003 were \$1 million.

III. Effect of Proposed Changes:

This bill re-creates the trust fund without modification.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

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 state trust fund and continues the current use of the fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.