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A bill to be entitled
 An act relating to distribution and use of cigarette tax
 proceeds; amending s. 210.20, F.S.; providing for an
 additional portion of the revenues from the cigarette tax
 to be paid monthly to the Board of Directors of the H. Lee
 Moffitt Cancer Center and Research Institute to develop
 and maintain a technology-based clinical care and research
 network; providing a minimum appropriation requirement;
 amending s. 210.201, F.S.; providing for the use of the
 transferred moneys; requiring the board of directors to
 develop and pay costs for a technology-based clinical care
 and research network; authorizing issuance of tax exempt
 bonds for certain purposes; authorizing, rather than
 requiring, replacement of such moneys by tobacco
 settlement proceeds; providing an effective date.

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

Section 1. Paragraph (b) of subsection (2) of section
 210.20, Florida Statutes, is amended to read:

210.20 Employees and assistants; distribution of funds.--

(2) As collections are received by the division from such
 cigarette taxes, it shall pay the same into a trust fund in the
 State Treasury designated "Cigarette Tax Collection Trust Fund"
 which shall be paid and distributed as follows:

(b)1. Beginning January 1, 1999, and continuing for 10
 years thereafter, the division shall from month to month certify
 to the Chief Financial Officer the amount derived from the

29 cigarette tax imposed by s. 210.02, less the service charges
30 provided for in s. 215.20 and less 0.9 percent of the amount
31 derived from the cigarette tax imposed by s. 210.02, which shall
32 be deposited into the Alcoholic Beverage and Tobacco Trust Fund,
33 specifying an amount equal to 2.59 percent of the net
34 collections, and that amount shall be paid to the Board of
35 Directors of the H. Lee Moffitt Cancer Center and Research
36 Institute, established under s. 1004.43, by warrant drawn by the
37 Chief Financial Officer upon the State Treasury. These funds are
38 hereby appropriated monthly out of the Cigarette Tax Collection
39 Trust Fund, to be used for the purpose of constructing,
40 furnishing, and equipping a cancer research facility at the
41 University of South Florida adjacent to the H. Lee Moffitt
42 Cancer Center and Research Institute. In fiscal years 1999-2000
43 and thereafter with the exception of fiscal year 2008-2009, the
44 appropriation to the H. Lee Moffitt Cancer Center and Research
45 Institute authorized by this subparagraph shall not be less than
46 the amount that would have been paid to the H. Lee Moffitt
47 Cancer Center and Research Institute for fiscal year 1998-1999
48 had payments been made for the entire fiscal year rather than
49 for a 6-month period thereof.

50 2. Beginning July 1, 2002, and continuing through June 30,
51 2004, the division shall, in addition to the distribution
52 authorized in subparagraph 1., from month to month certify to
53 the Chief Financial Officer the amount derived from the
54 cigarette tax imposed by s. 210.02, less the service charges
55 provided for in s. 215.20 and less 0.9 percent of the amount
56 derived from the cigarette tax imposed by s. 210.02, which shall

57 | be deposited into the Alcoholic Beverage and Tobacco Trust Fund,
58 | specifying an amount equal to 0.2632 percent of the net
59 | collections, and that amount shall be paid to the Board of
60 | Directors of the H. Lee Moffitt Cancer Center and Research
61 | Institute, established under s. 1004.43, by warrant drawn by the
62 | Chief Financial Officer. Beginning July 1, 2004, and continuing
63 | through June 30, 2016, the division shall, in addition to the
64 | distribution authorized in subparagraph 1., from month to month
65 | certify to the Chief Financial Officer the amount derived from
66 | the cigarette tax imposed by s. 210.02, less the service charges
67 | provided for in s. 215.20 and less 0.9 percent of the amount
68 | derived from the cigarette tax imposed by s. 210.02, which shall
69 | be deposited into the Alcoholic Beverage and Tobacco Trust Fund,
70 | specifying an amount equal to 1.47 percent of the net
71 | collections, and that amount shall be paid to the Board of
72 | Directors of the H. Lee Moffitt Cancer Center and Research
73 | Institute, established under s. 1004.43, by warrant drawn by the
74 | Chief Financial Officer. These funds are appropriated monthly
75 | out of the Cigarette Tax Collection Trust Fund, to be used for
76 | the purpose of constructing, furnishing, and equipping a cancer
77 | research facility at the University of South Florida adjacent to
78 | the H. Lee Moffitt Cancer Center and Research Institute. In
79 | fiscal years 2004-2005 and thereafter, the appropriation to the
80 | H. Lee Moffitt Cancer Center and Research Institute authorized
81 | by this subparagraph shall not be less than the amount that
82 | would have been paid to the H. Lee Moffitt Cancer Center and
83 | Research Institute in fiscal year 2001-2002, had this
84 | subparagraph been in effect.

85 3. Beginning July 1, 2005, the division shall, in addition
 86 to the distributions authorized in subparagraphs 1. and 2., from
 87 month to month certify to the Chief Financial Officer the amount
 88 derived from the cigarette tax imposed by s. 210.02, less the
 89 service charges provided for in s. 215.20 and less 0.9 percent
 90 of the amount derived from the cigarette tax imposed by s.
 91 210.02, which shall be deposited into the Alcoholic Beverage and
 92 Tobacco Trust Fund, specifying an amount equal to 2.10 percent
 93 of the net collections, and that amount shall be paid to the
 94 Board of Directors of the H. Lee Moffitt Cancer Center and
 95 Research Institute, established under s. 1004.43, by warrant
 96 drawn by the Chief Financial Officer. These funds are
 97 appropriated monthly out of the Cigarette Tax Collection Trust
 98 Fund, to be used for the research and treatment mission of the
 99 H. Lee Moffitt Cancer Center and Research Institute and to
 100 develop and maintain a technology-based clinical care and
 101 research network with the H. Lee Moffitt Cancer Center and
 102 Research Institute designated affiliate hospitals and providers.
 103 In fiscal year 2005-2006 and thereafter, the appropriation to
 104 the H. Lee Moffitt Cancer Center and Research Institute
 105 authorized by this subparagraph shall not be less than the
 106 amount that would have been paid to the H. Lee Moffitt Cancer
 107 Center and Research Institute in fiscal year 2003-2004 had this
 108 subparagraph been in effect.

109 Section 2. Section 210.201, Florida Statutes, is amended
 110 to read:

111 210.201 Cancer research facility at the University of
 112 South Florida; establishment; funding.--

113 (1) The Board of Directors of the H. Lee Moffitt Cancer
 114 Center and Research Institute shall construct, furnish, and
 115 equip, and shall covenant to complete, the cancer research
 116 facility at the University of South Florida adjacent to the H.
 117 Lee Moffitt Cancer Center and Research Institute. Moneys
 118 transferred to the Board of Directors of the H. Lee Moffitt
 119 Cancer Center and Research Institute pursuant to s.
 120 210.20(2)(b)1. and 2. shall be used to secure financing to pay
 121 costs related to constructing, furnishing, and equipping the
 122 cancer research facility. Such financing may include the
 123 issuance of tax exempt bonds by a local authority, municipality,
 124 or county pursuant to parts II and III of chapter 159. Such
 125 bonds shall not constitute state bonds for purposes of s. 11,
 126 Art. VII of the State Constitution, but shall constitute bonds
 127 of a "local agency," as defined in s. 159.27(4). The cigarette
 128 tax dollars pledged to this facility pursuant to s. 210.20 may
 129 be replaced annually by the Legislature from tobacco litigation
 130 settlement proceeds.

131 (2) The Board of Directors of the H. Lee Moffitt Cancer
 132 Center and Research Institute shall pursue the development of a
 133 technology-based clinical care and research network. Any amount
 134 of such moneys transferred to the Board of Directors of the H.
 135 Lee Moffitt Cancer Center and Research Institute pursuant to s.
 136 210.20(2)(b)3. may be used to secure financing to pay costs
 137 related to the development and maintenance of a technology-based
 138 clinical care and research network. Such financing may include
 139 the issuance of tax exempt bonds by a local authority,
 140 municipality, or county pursuant to parts II and III of chapter

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141 159. Such bonds shall not constitute state bonds for purposes of
142 s. 11, Art. VII of the State Constitution, but shall constitute
143 bonds of a local agency, as defined in s. 159.27(4). The
144 cigarette tax dollars pledged to this program pursuant to s.
145 210.20 may be replaced annually by the Legislature from tobacco
146 litigation settlement proceeds.

147 Section 3. This act shall take effect July 1, 2005.