

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 1905 (PCB BR 05-02) Slot Machine Administrative Trust Fund  
**SPONSOR(S):** Business Regulation Committee and Representative Attkisson  
**TIED BILLS:** HB 1901 **IDEN./SIM. BILLS:**

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
<u>Orig. Comm.: Business Regulation Committee</u>	<u>14 Y, 0 N</u>	<u>Morris</u>	<u>Liepshutz</u>
<u>1) Fiscal Council</u>	<u>16 Y, 0 N</u>	<u>Belcher</u>	<u>Kelly</u>
<u>2)</u>	<u></u>	<u></u>	<u></u>
<u>3)</u>	<u></u>	<u></u>	<u></u>
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<u>5)</u>	<u></u>	<u></u>	<u></u>

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**I. SUMMARY**

This bill creates the Slot Machine Administrative Trust Fund in the Department of Business and Professional Regulation. Funds to be deposited into the Slot Machine Administrative Trust Fund will consist of the various license fees and administrative and civil penalties collected as a result of the regulation of slot machine gambling in the state. These funds will be used by the agency to cover the cost of administrative and regulatory oversight by the Division of Slot Machine Gaming and for other appropriate purposes.

## **II. SUBSTANTIVE ANALYSIS**

### **A. PRESENT SITUATION:**

Article III, Section 19(f), of the State Constitution provides that trust funds may only be created by law with a three-fifths vote of the membership of each house and must pass in a bill that contains no other substantive issue. The constitution also requires that trust funds terminate four years after their creation.

Section 215.3206(1), Florida Statutes, provides specific review requirements prior to a trust fund's termination or re-creation. The Governor and the agency responsible for the administration of the trust fund must make a recommendation to the Legislature whether the trust fund should be re-created or terminated. The recommendation must be based on a review of the purpose and use of the trust fund and a determination of whether the trust fund will continue to be necessary and must be included as part of the Governor's recommended budget.

### **B. EFFECT OF PROPOSED CHANGES:**

The bill creates the Slot Machine Administrative Trust Fund contingent upon approval by the Legislature of linked legislation implementing a regulatory structure for slot machine gambling in the state.

Passage of this legislation requires a three-fifths vote.

## **III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

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 creates a state trust fund with appropriations to or expenditures from the trust fund dependent upon legislative approval of a linked bill.

## **IV. COMMENTS**

## **V. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES**