By the Committee on Government Efficiency Appropriations

593-1054A-06

1	A bill to be entitled
2	An act relating to governmental operations;
3	creating s. 216.0236, F.S.; providing
4	legislative intent that the fees charged by
5	state agencies for providing a service or
6	regulating a profession or business cover the
7	costs of the service or regulatory oversight;
8	requiring that each state agency review its
9	fees; providing criteria for the review;
10	requiring that each agency, as part of its
11	legislative budget request, provide to the
12	Governor and Legislature a proposal for making
13	a service or regulatory program self-sufficient
14	or provide justification for a subsidy from
15	other state funds; providing an effective date.
16	
17	Be It Enacted by the Legislature of the State of Florida:
18	
19	Section 1. Section 216.0236, Florida Statutes, is
20	created to read:
21	216.0236 Agency fees for services or oversight;
22	criteria
23	(1) It is the intent of the Legislature that all costs
24	of providing a service or regulating a profession or business
25	be borne solely by those who receive the service or who are
26	subject to regulation. It is also the intent of the
27	Legislature that the fees charged for providing a service or
28	regulating a profession or business be reasonable and take
29	into account the differences between the types of professions
30	or businesses being regulated. Moreover, it is the intent of
31	the Legislature that state agencies operate as efficiently as

2.7

2.8

2930

31

possible and regularly report to the Legislature additional 2 methods by which to streamline their operational costs. (2) In accordance with the instructions for 3 4 legislative budget requests, each state agency shall examine 5 the fees it charges for providing services and regulatory 6 oversight. The annual examination shall determine whether 7 operational efficiencies can be achieved in the underlying 8 program, whether the regulatory activity is an appropriate function that the agency should continue at its current level, 9 10 and whether the fees charged for each regulatory program are: (a) Based on revenue projections that are prepared 11 12 using generally accepted governmental accounting procedures or 13 official estimates by the Revenue Estimating Conference, if applicable; 14 (b) Adequate to cover both the direct and indirect 15 costs of providing the service or regulatory oversight; and 16 17 (c) Reasonable and take into account differences 18 between the types of professions or businesses that are regulated. 19 (3) If the agency determines that the fees charged for 2.0 21 services or regulatory oversight are not adequate to cover 2.2 program costs and that an appropriation from other state funds 23 is necessary to supplement the direct or indirect costs of providing a service or regulating a program, the agency shall 2.4 present to the Governor and the Legislature as part of its 2.5 legislative budget request a proposal for changes in fees or 26

which justify a partial subsidy from other state funds. The

laws which are necessary to make the service or regulatory

program totally self-sufficient or shall demonstrate that the service or program provides substantial benefits to the public

1	Legislature shall review the proposal during the next regular
2	session.
3	Section 2. This act shall take effect July 1, 2006.
4	
5	***********
6	SENATE SUMMARY
7	Requires that state agencies review the fees charged for providing services or regulating businesses and
8	professions. Requires each agency, as part of its legislative budget request, to provide to the Governor
9	and Legislature a proposal for making a service or regulatory program self-sufficient or provide
10	justification for a subsidy from other state funds.
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28 29	
30	
31	