Florida Senate - 2006

By the Committee on Government Efficiency Appropriations

593-1840-06

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 regulatory
6	service or regulating a profession or business
7	cover the costs of the regulatory service or
8	oversight; requiring that each state agency
9	review its fees; providing criteria for the
10	review; requiring that each agency, as part of
11	its legislative budget request, provide to the
12	Governor and Legislature a proposal for making
13	a regulatory service or 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:
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19	Section 1. Section 216.0236, Florida Statutes, is
20	created to read:
21	216.0236 Agency fees for regulatory services or
22	<u>oversight; criteria</u>
23	(1) It is the intent of the Legislature that all costs
24	of providing a regulatory service or regulating a profession
25	or business be borne solely by those who receive the service
26	or who are subject to regulation. It is also the intent of the
27	Legislature that the fees charged for providing a regulatory
28	service or requlating a profession or business be reasonable
29	and take into account the differences between the types of
30	professions or businesses being regulated. Moreover, it is the
31	intent of the Legislature that state agencies operate as

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

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CS for SB 1678

other state funds. The Legislature shall review the proposal during the next regular session. Section 2. This act shall take effect July 1, 2006. STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR <u>SB 1678</u> The committee substitute clarifies that the bill only applies to fees charged for regulatory services and oversight.

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