

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Ensure lower taxes—This bill does not modify the level of fee collections in the Department of Children and Family Services and the Department of Health. Fees would remain the same and be subject to appropriation by the Legislature or the budget amendment process pursuant to Chapter 216, F. S.

B. EFFECT OF PROPOSED CHANGES:

Section 402.33(10)(a), F. S., contains provisions regarding fee collections in the Department of Children and Family Services and the Department of Health in excess of fee-supported appropriations. The law states that, unless otherwise specified by the Legislature, such excess fees may be used in conformance with the provisions of Chapter 216, F. S., to fund nonrecurring expenditures for direct client services and to fund administrative costs of improving the fee collections.

The law limits the amount of the collections that can be used for improvements in the fee collections programs, provides for priority consideration for the expenditure of excess collections, and specifies the a plan for the use of excess collections not spent in the fiscal year in which collected. Such collections shall be subject to approval by the Executive Office of the Governor within 90 days for the end of the state fiscal year in which the excess occurs.

The 2004 and 2005 implementing bills¹ for the General Appropriations Act suspended the provisions of s. 402.33(10)(a), F.S. The bill permanently repeals s. 402.33(10)(a). Any excess fees collected by either the Department of Children and Family Services or the Department of Health would be appropriated through the General Appropriations Act or the budget amendment process pursuant to Chapter 216, F. S.

C. SECTION DIRECTORY:

Section 1. Repeals s. 402.33(10), F. S., regarding excess fee collections in the Department of Children and Family Services and the Department of Health.

Section 2. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

¹ Chapter 2004-269, LOF and Chapter 2005-71, LOF.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

If the Department of Children and Family Services or the Department of Health collect any fees in excess of fee-supported appropriations, these funds would need to be appropriated through the General Appropriations Act or through a budget amendment pursuant the Chapter 216, F. S.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES