

1 | Research Institute, established under s. 1004.43, by warrant
2 | drawn by the Chief Financial Officer upon the State Treasury.
3 | These funds are hereby appropriated monthly out of the
4 | Cigarette Tax Collection Trust Fund, to be used for the
5 | purpose of constructing, furnishing, and equipping a cancer
6 | research facility at the University of South Florida adjacent
7 | to the H. Lee Moffitt Cancer Center and Research Institute. In
8 | fiscal years 1999-2000 and thereafter with the exception of
9 | fiscal year 2008-2009, the appropriation to the H. Lee Moffitt
10 | Cancer Center and Research Institute authorized by this
11 | subparagraph may ~~shall~~ not be less than the amount that would
12 | have been paid to the H. Lee Moffitt Cancer Center and
13 | Research Institute for fiscal year 1998-1999 had payments been
14 | made for the entire fiscal year rather than for a 6-month
15 | period thereof.

16 | 2. Beginning July 1, 2002, and continuing through June
17 | 30, 2004, the division shall, in addition to the distribution
18 | authorized in subparagraph 1., from month to month certify to
19 | the Chief Financial Officer the amount derived from the
20 | cigarette tax imposed by s. 210.02, less the service charges
21 | provided for in s. 215.20 and less 0.9 percent of the amount
22 | derived from the cigarette tax imposed by s. 210.02, which
23 | shall be deposited into the Alcoholic Beverage and Tobacco
24 | Trust Fund, specifying an amount equal to 0.2632 percent of
25 | the net collections, and that amount shall be paid to the
26 | Board of Directors of the H. Lee Moffitt Cancer Center and
27 | Research Institute, established under s. 1004.43, by warrant
28 | drawn by the Chief Financial Officer. Beginning July 1, 2004,
29 | and continuing through June 30, 2016, the division shall, in
30 | addition to the distribution authorized in subparagraph 1.,
31 | from month to month certify to the Chief Financial Officer the

1 amount derived from the cigarette tax imposed by s. 210.02,
2 less the service charges provided for in s. 215.20 and less
3 0.9 percent of the amount derived from the cigarette tax
4 imposed by s. 210.02, which shall be deposited into the
5 Alcoholic Beverage and Tobacco Trust Fund, specifying an
6 amount equal to 1.47 percent of the net collections, and that
7 amount shall be paid to the Board of Directors of the H. Lee
8 Moffitt Cancer Center and Research Institute, established
9 under s. 1004.43, by warrant drawn by the Chief Financial
10 Officer. These funds are appropriated monthly out of the
11 Cigarette Tax Collection Trust Fund, to be used for the
12 purpose of constructing, furnishing, and equipping a cancer
13 research facility at the University of South Florida adjacent
14 to the H. Lee Moffitt Cancer Center and Research Institute. In
15 fiscal years 2004-2005 and thereafter, the appropriation to
16 the H. Lee Moffitt Cancer Center and Research Institute
17 authorized by this subparagraph ~~may shall~~ not be less than the
18 amount that would have been paid to the H. Lee Moffitt Cancer
19 Center and Research Institute in fiscal year 2001-2002, had
20 this subparagraph been in effect.

21 3. Beginning January 1, 2009, and continuing through
22 June 30, 2016, the division shall, in addition to the
23 distribution authorized in subparagraph 2., from month to
24 month certify to the Chief Financial Officer the amount
25 derived from the cigarette tax imposed by s. 210.02 less the
26 service charges provided in s. 215.20 and less 0.9 percent of
27 the amount derived from the cigarette tax imposed by s.
28 210.02, which shall be deposited into the Alcoholic Beverage
29 and Tobacco Trust Fund, specifying an amount equal to 2.59
30 percent of the net collections, and that amount shall be paid
31 to the Board of Directors of the H. Lee Moffitt Cancer Center

1 and Research Institute by warrant drawn by the Chief Financial
2 Officer. Beginning on July 1, 2016, and continuing through
3 June 30, 2037, the division shall from month to month certify
4 to the Chief Financial Officer the amount derived from the
5 cigarette tax imposed by s. 210.02 less the service charges
6 provided in s. 215.20 and less 0.9 percent of the amount
7 derived from the cigarette tax imposed by s. 210.02, which
8 shall be deposited into the Alcoholic Beverage and Tobacco
9 Trust Fund, specifying an amount equal to 4.06 percent of the
10 net collections, and that amount shall be paid to the Board of
11 Directors of the H. Lee Moffitt Cancer Center and Research
12 Institute by warrant drawn by the Chief Financial Officer.
13 These funds are appropriated monthly out of the Cigarette Tax
14 Collection Trust Fund, to be used for the purpose of
15 constructing, furnishing, and equipping cancer research,
16 treatment, and related facilities. In the 2007-2008 fiscal
17 year and thereafter, the appropriation authorized by this
18 subparagraph may not be less than the amount that would have
19 been paid to the H. Lee Moffitt Cancer Center and Research
20 Institute in the 2005-2006 fiscal year had this subparagraph
21 been in effect. The funds to be paid to the H. Lee Moffitt
22 Cancer Center and Research Institute under this section may be
23 pledged to pay bonds issued to fund the cost of the cancer
24 research and treatment facilities described above. It is the
25 intent of the Legislature that to the extent the cigarette tax
26 is amended or repealed in a manner that would adversely affect
27 bonds issued for such purpose, the Legislature will provide
28 alternative funding sources in an amount sufficient to pay any
29 deficit in the amount required for such debt service.

30 Section 2. Section 210.201, Florida Statutes, is
31 amended to read:

1 210.201 Cancer research facility at the University of
2 South Florida; establishment; funding.--The Board of Directors
3 of the H. Lee Moffitt Cancer Center and Research Institute
4 shall construct, furnish, and equip, and shall covenant to
5 complete, the cancer research facility at the University of
6 South Florida adjacent to the H. Lee Moffitt Cancer Center and
7 Research Institute described in s. 210.20(2)(b)1. and 2. and
8 the research, treatment and related facilities described in s.
9 210.20(2)(b)3. Moneys transferred to the Board of Directors of
10 the H. Lee Moffitt Cancer Center and Research Institute
11 pursuant to s. 210.20 shall be used to secure financing to pay
12 costs related to constructing, furnishing, and equipping the
13 cancer research facility and related facilities. Such
14 financing may include the issuance of tax exempt bonds by a
15 local authority, municipality, or county pursuant to parts II
16 and III of chapter 159. Such bonds shall not constitute state
17 bonds for purposes of s. 11, Art. VII of the State
18 Constitution, but shall constitute bonds of a "local agency,"
19 as defined in s. 159.27(4). The cigarette tax dollars pledged
20 to the facilities ~~this facility~~ pursuant to s. 210.20 may be
21 replaced annually by the Legislature from tobacco litigation
22 settlement proceeds.

23 Section 3. This act shall take effect upon becoming a
24 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 946

The committee substitute requires the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to continue, beyond the current statutory time limits, to distribute on a monthly basis to the H. Lee Moffitt Cancer Center and Research Institute a percentage of the net collections of cigarette taxes deposited into the Cigarette Tax Collection Trust Fund. The existing distributions are extended until 2037. The committee substitute expands the use of the funds to include any "related facilities." The committee substitute provides legislative intent that the Legislature will provide alternative funding sources if the cigarette tax is repealed or amended in a manner that would adversely affect the bonds.