

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Health and Human Services Appropriations Committee

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BILL: SB 2106

INTRODUCER: Senator Peaden

SUBJECT: Tobacco Settlement Trust Fund/APD

DATE: March 12, 2008

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fabricant	Peters	HA	<b>Favorable</b>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

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**I. Summary:**

This bill re-creates the Agency for Persons with Disabilities Tobacco Settlement Trust Fund, FLAIR #67-2-122, without modification effective July 1, 2008. This fund was created effective July 1, 2005, by chapter 2005-142, Laws of Florida.

This bill amends section 20.1971, Florida Statutes.

**II. Present Situation:**

Section 19(f), Article III of the State Constitution requires that every trust fund be created or re-created by a three-fifths vote of the membership in each house of the Legislature in a separate bill for the sole purpose of creating that trust fund. The Constitution also provides that all newly created trust funds terminate not more than four years after the initial creation unless re-created.

The fund consists of Department of Financial Services Tobacco Settlement Clearing Trust Fund non-operating transfers equal to the annual appropriations made from this trust fund.

**III. Effect of Proposed Changes:**

This bill re-creates the trust fund without modification and repeals the termination date.

Provides for an effective date of July 1, 2008.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

## A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

## B. Amendments:

None.