

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.)

Prepared By: The Professional Staff of the General Government Appropriations Committee

BILL: SB 2134

INTRODUCER: Senator Alexander

SUBJECT: Department of Financial Services Working Capital Trust Fund

DATE: March 13, 2008 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Kynoch	DeLoach	GA	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill creates the Working Capital Trust Fund within the Department of Financial Services, effective July 1, 2008. This trust fund is established for the purpose of depositing the revenues received as payment for data center services and for the disbursement of funds for operational costs as authorized in section 216.272, Florida Statutes.

II. Present Situation:

Section 215.3208, F.S. requires the legislative review of all state trust funds at least once every four years. Upon review of the Department of Financial Services' trust funds, it was determined the department had sufficient need for the establishment of a Working Capitol Trust Fund. The department operates multiple data centers and provides information technology services to several distinct entities such as the Office of Financial Regulation and the Office of Insurance Regulation.

Section 19(f), Art. III of the State Constitution requires that trust funds be created by a three-fifths vote of the membership in each house and be in a separate bill for the sole purpose of creating that trust fund.

III. Effect of Proposed Changes:

The creation of this trust fund will enable the department to align its financial accounts used for the day-to-day operations of its data centers, consistent with the requirements of s. 215.32, F.S. Under 216.272, F.S., the department is authorized to recoup its operating costs from entities receiving information technology services.

The trust fund will terminate in four years, on July 1, 2012, pursuant to s. 19 (f)(2), Art. III of the State Constitution, unless terminated sooner or recreated by the Legislature.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

This bill, creating a new trust fund, must pass by a three-fifths vote of the membership of each house to become law pursuant to s. 19 (f), Art. III of the State Constitution.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Creating the Working Capital Trust Fund within the department should result in improved financial accounting for the billing and collection processes associated with the provision of information technology services to the department and to other entities. In addition, it will improve the ability to analyze the revenues and expenditures of the data centers.

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.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
