

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 Criminal and Civil Justice Appropriations Committee

BILL: SB 1106

INTRODUCER: Senator Crist

SUBJECT: Operating Trust Fund/State Courts System

DATE: February 3, 2009 REVISED: 02/19/09 _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Toms	Sadberry	JA	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill re-creates the Operating Trust Fund within the state courts system without modification, and repeals the provisions that would have terminated the trust fund. This bill amends s. 25.3844, Florida Statutes.

II. Present Situation:

Currently, the Operating Trust Fund within the state courts system is scheduled to be terminated on July 1, 2010. Article III, Section 19(f) of the Florida Constitution requires the termination of all state trust funds within four years of their initial creation, unless exempt by the Constitution or operation of law. This trust fund was created for use as a depository of fees and related revenue for the purpose of supporting the program operations of the judicial branch and for such other purposes as may be appropriate, and shall be expended only pursuant to legislative appropriation or an approved amendment to the agency's operating budget pursuant to the provisions of chapter 216.

The Operating Trust Fund pays for operations in all levels of the state courts system. For the current fiscal year, the Legislature has appropriated \$10 million from this trust fund.

III. Effect of Proposed Changes:

This bill re-creates the trust fund without modification.

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:

This bill has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

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.