

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 Agriculture Committee

BILL: CS/SB 1158

INTRODUCER: Agriculture Committee and Senator Dean

SUBJECT: Department of Agriculture and Consumer Services

DATE: February 16, 2010

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Akhavein	Poole	AG	Fav/CS
2. _____	_____	GO	_____
3. _____	_____	GA	_____
4. _____	_____	WPSC	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|--|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="checked" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

This committee substitute exempts the Division of Licensing Trust Fund from the Legislature's authority to transfer unappropriated cash balances to the Budget Stabilization Fund and the General Revenue Fund in the General Appropriations Act.

This committee substitute amends section 215.32 of the Florida Statutes.

II. Present Situation:

The Division of Licensing Trust Fund, FLAIR #42-2-163, is administered by the Department of Agriculture and Consumer Services. It was transferred from the Department of State by Chapter 2002-295, Laws of Florida. The purpose of the Division of Licensing Trust Fund is to fund activities associated with the regulation of private security, investigative and recovery industries, and weapons and firearms. The funds are available via a fee structure regulating licensees, as well as individuals and businesses engaging in private security, private investigations and recovery of properties.

Unless a law restricts the use of trust funds for specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the Budget Stabilization Fund and General Revenue Fund in the General Appropriations Act.

III. Effect of Proposed Changes:

Section 1 amends s. 215.32, F.S., to exempt the Department of Agriculture and Consumer Services' Division of Licensing Trust Fund from a provision authorizing the Legislature to transfer unappropriated cash balances in the fund to the General Revenue Fund or the Budget Stabilization Fund.

Section 2 provides that this act shall take effect 48 hours after becoming a law.

Other Potential Implications: None.

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:

The Department of Agriculture and Consumer Services has indicated that passage of this act would help stabilize the operation of the Division of Licensing in light of the tremendous increase in the number of individuals seeking concealed weapons licenses.

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.)

CS by Agriculture Committee on February 16, 2010:

The Committee Substitute changes the effective date from effective upon becoming a law to effective 48 hours after becoming a law.

- B. **Amendments:**

None.

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