

1 A bill to be entitled
 2 An act relating to trust funds; creating s. 494.00173,
 3 F.S.; creating the Mortgage Guaranty Trust Fund within the
 4 Office of Financial Regulation of the Department of
 5 Financial Services; providing for sources of funds and
 6 purposes; providing for annual carryforward of funds;
 7 providing for future review and termination or re-creation
 8 of the trust fund; providing an effective date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. Section 494.00173, Florida Statutes, is created
 13 to read:

14 494.00173 Mortgage Guaranty Trust Fund; creation.—

15 (1) The Mortgage Guaranty Trust Fund is created within,
 16 and shall be administered by, the Office of Financial
 17 Regulation.

18 (2) Funds to be credited to the trust fund shall consist
 19 of the fee imposed pursuant to s. 494.00172 on loan originators,
 20 mortgage brokers, and mortgage lenders licensed under this
 21 chapter. Moneys in the trust fund shall be used to pay claims
 22 against loan originators, mortgage brokers, and mortgage lenders
 23 pursuant to s. 494.00172.

24 (3) Notwithstanding s. 216.301 and pursuant to s. 216.351,
 25 any balance in the trust fund at the end of any fiscal year
 26 shall remain in the trust fund at the end of the year and shall
 27 be available for carrying out the purposes of the trust fund.

28 (4) In accordance with s. 19(f)(2), Art. III of the State

HB 7019

2010

29 Constitution, the Mortgage Guaranty Trust Fund shall, unless
30 terminated sooner, be terminated on July 1, 2014. Before its
31 scheduled termination, the trust fund shall be reviewed as
32 provided in s. 215.3206(1) and (2).

33 Section 2. This act shall take effect July 1, 2010.