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1 A bill to be entitled
 2 An act relating to trust funds; creating s. 17.45, F.S.;
 3 creating the Department of Financial Services Oil Spill
 4 Mitigation Clearing Trust Fund; providing for sources of
 5 moneys and purposes; providing for exemption from various
 6 service charges; providing for disbursement of funds to
 7 the oil spill mitigation trust funds of the various
 8 agencies; providing for the annual carryforward of funds;
 9 providing that the trust fund is exempt from
 10 constitutional termination; providing an effective date.

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

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 14 Section 1. Section 17.45, Florida Statutes, is created to
 15 read:

16 17.45 Department of Financial Services Oil Spill
 17 Mitigation Clearing Trust Fund.-

18 (1) The Department of Financial Services Oil Spill
 19 Mitigation Clearing Trust Fund is created within the Department
 20 of Financial Services. Funds to be credited to the trust fund
 21 shall consist of all payments received by the state to mitigate
 22 the financial impact to the state which results from the oil
 23 spill in the Gulf of Mexico following the April 20, 2010,
 24 explosion and subsequent fire on the Deepwater Horizon
 25 semisubmersible Mobile Offshore Drilling Unit. Such payments may
 26 include, but are not limited to, funds received under any
 27 settlement agreement entered into between the state and BP,
 28 p.l.c.; Transocean Ltd.; or any other person or any financial

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29 assistance provided to the state by the Federal Government.
30 Funds received pursuant to individual claims or grant
31 applications submitted by any state agency, county,
32 municipality, or political subdivision or by any person may not
33 be credited to the trust fund. Moneys deposited into the trust
34 fund are exempt from the service charges imposed under s.
35 215.20.

36 (2) The department shall disburse funds, by nonoperating
37 transfer, from the Department of Financial Services Oil Spill
38 Mitigation Clearing Trust Fund to the oil spill mitigation trust
39 funds of the various agencies in amounts equal to the annual
40 appropriations made from those agencies' trust funds in the
41 General Appropriations Act.

42 (3) Notwithstanding s. 216.301, and pursuant to s.
43 216.351, any balance in the Department of Financial Services Oil
44 Spill Mitigation Clearing Trust Fund at the end of any fiscal
45 year shall remain in the trust fund at the end of the fiscal
46 year and shall be available for carrying out the purposes of the
47 trust fund.

48 (4) In accordance with s. 19(f)(3), Art. III of the State
49 Constitution, the Department of Financial Services Oil Spill
50 Mitigation Clearing Trust Fund is exempt from the termination
51 provisions of s. 19(f)(2), Art. III of the State Constitution.

52 Section 2. This act shall take effect upon becoming a law.