

By Senator Storms

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1 A bill to be entitled
2 An act relating to the use of cigarette tax proceeds;
3 amending s. 210.20, F.S.; revising the payment and
4 distribution of funds in the Cigarette Tax Collection
5 Trust Fund; providing specified purposes for the use
6 of funds that are appropriated out of the trust fund;
7 amending s. 210.201, F.S.; authorizing moneys
8 transferred to the Board of Directors of the H. Lee
9 Moffitt Cancer Center and Research Institute to be
10 used to secure financing to pay costs related to
11 constructing, furnishing, equipping, and maintaining
12 clinical facilities for cancer research; providing an
13 effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Paragraph (b) of subsection (2) of section
18 210.20, Florida Statutes, is amended to read:

19 210.20 Employees and assistants; distribution of funds.—

20 (2) As collections are received by the division from such
21 cigarette taxes, it shall pay the same into a trust fund in the
22 State Treasury designated "Cigarette Tax Collection Trust Fund"
23 which shall be paid and distributed as follows:

24 (b)1. Beginning January 1, 1999, and continuing for 10
25 years thereafter, the division shall from month to month certify
26 to the Chief Financial Officer the amount derived from the
27 cigarette tax imposed by s. 210.02, less the service charges
28 provided for in s. 215.20 and less 0.9 percent of the amount
29 derived from the cigarette tax imposed by s. 210.02, which shall

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30 be deposited into the Alcoholic Beverage and Tobacco Trust Fund,
31 specifying an amount equal to 2.59 percent of the net
32 collections, and that amount shall be paid to the Board of
33 Directors of the H. Lee Moffitt Cancer Center and Research
34 Institute, established under s. 1004.43, by warrant drawn by the
35 Chief Financial Officer upon the State Treasury. These funds are
36 hereby appropriated monthly out of the Cigarette Tax Collection
37 Trust Fund, to be used for the purpose of constructing,
38 furnishing, and equipping a cancer research facility at the
39 University of South Florida adjacent to the H. Lee Moffitt
40 Cancer Center and Research Institute. In fiscal years 1999-2000
41 and thereafter with the exception of fiscal year 2008-2009, the
42 appropriation to the H. Lee Moffitt Cancer Center and Research
43 Institute authorized by this subparagraph shall not be less than
44 the amount that would have been paid to the H. Lee Moffitt
45 Cancer Center and Research Institute for fiscal year 1998-1999
46 had payments been made for the entire fiscal year rather than
47 for a 6-month period thereof.

48 2. Beginning July 1, 2002, and continuing through June 30,
49 2004, the division shall, in addition to the distribution
50 authorized in subparagraph 1., from month to month certify to
51 the Chief Financial Officer the amount derived from the
52 cigarette tax imposed by s. 210.02, less the service charges
53 provided for in s. 215.20 and less 0.9 percent of the amount
54 derived from the cigarette tax imposed by s. 210.02, which shall
55 be deposited into the Alcoholic Beverage and Tobacco Trust Fund,
56 specifying an amount equal to 0.2632 percent of the net
57 collections, and that amount shall be paid to the Board of
58 Directors of the H. Lee Moffitt Cancer Center and Research

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59 Institute, established under s. 1004.43, by warrant drawn by the
60 Chief Financial Officer. Beginning July 1, 2004, and continuing
61 through June 30, 2013 ~~2020~~, the division shall, in addition to
62 the distribution authorized in subparagraph 1., from month to
63 month certify to the Chief Financial Officer the amount derived
64 from the cigarette tax imposed by s. 210.02, less the service
65 charges provided for in s. 215.20 and less 0.9 percent of the
66 amount derived from the cigarette tax imposed by s. 210.02,
67 which shall be deposited into the Alcoholic Beverage and Tobacco
68 Trust Fund, specifying an amount equal to 1.47 percent of the
69 net collections, and that amount shall be paid to the Board of
70 Directors of the H. Lee Moffitt Cancer Center and Research
71 Institute, established under s. 1004.43, by warrant drawn by the
72 Chief Financial Officer. Beginning July 1, 2013, and continuing
73 through June 30, 2045, the division shall, in addition to the
74 distribution authorized in subparagraph 1., from month to month
75 certify to the Chief Financial Officer the amount derived from
76 the cigarette tax imposed by s. 210.02, less the service charges
77 provided for in s. 215.20 and less 0.9 percent of the amount
78 derived from the cigarette tax imposed by s. 210.02, which shall
79 be deposited into the Alcoholic Beverage and Tobacco Trust Fund,
80 specifying an amount equal to 5 percent of the net collections,
81 and that amount shall be paid to the Board of Directors of the
82 H. Lee Moffitt Cancer Center and Research Institute, established
83 under s. 1004.43, by warrant drawn by the Chief Financial
84 Officer. These funds are appropriated monthly out of the
85 Cigarette Tax Collection Trust Fund, to be used for lawful
86 purposes, including the purpose of constructing, furnishing, and
87 equipping, operating, and maintaining a cancer research and

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88 clinical facilities; furnishing, equipping, operating, and
89 maintaining other properties owned or leased by facility at the
90 University of South Florida adjacent to the H. Lee Moffitt
91 Cancer Center and Research Institute; and paying costs incurred
92 for purchasing, operating, and maintaining equipment in or on
93 any of those facilities or properties. In fiscal years 2004-2005
94 and thereafter, the appropriation to the H. Lee Moffitt Cancer
95 Center and Research Institute authorized by this subparagraph
96 shall not be less than the amount that would have been paid to
97 the H. Lee Moffitt Cancer Center and Research Institute in
98 fiscal year 2001-2002, had this subparagraph been in effect.

99 Section 2. Section 210.201, Florida Statutes, is amended to
100 read:

101 210.201 Cancer research facility at the University of South
102 Florida; establishment; funding.—The Board of Directors of the
103 H. Lee Moffitt Cancer Center and Research Institute shall
104 construct, furnish, and equip, and shall covenant to complete,
105 the cancer research facility at the University of South Florida
106 adjacent to the H. Lee Moffitt Cancer Center and Research
107 Institute. Moneys transferred to the Board of Directors of the
108 H. Lee Moffitt Cancer Center and Research Institute pursuant to
109 s. 210.20 may shall be used to secure financing to pay costs
110 related to constructing, furnishing, ~~and~~ equipping, operating,
111 and maintaining the cancer research and clinical facilities;
112 furnishing, equipping, operating, and maintaining other leased
113 or owned properties; and paying costs incurred for purchasing,
114 operating, and maintaining equipment in or on any of those
115 facilities and properties as provided in s. 210.20 facility.
116 Such financing may include the issuance of tax-exempt bonds by a

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117 local authority, municipality, or county pursuant to parts II
118 and III of chapter 159. Such bonds shall not constitute state
119 bonds for purposes of s. 11, Art. VII of the State Constitution,
120 but shall constitute bonds of a "local agency," as defined in s.
121 159.27(4). The cigarette tax dollars pledged to this facility
122 pursuant to s. 210.20 may be replaced annually by the
123 Legislature from tobacco litigation settlement proceeds.

124 Section 3. This act shall take effect July 1, 2011.