

HB 961

2011

1                                   A bill to be entitled  
 2           An act relating to service charges on state trust funds;  
 3           amending s. 215.20, F.S.; reducing the service charge  
 4           applicable to the Clerks of the Court Trust Fund; deleting  
 5           obsolete provisions; providing an effective date.

6  
 7   Be It Enacted by the Legislature of the State of Florida:

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 9           Section 1. Section 215.20, Florida Statutes, is amended to  
 10   read:

11           215.20 Certain income and certain trust funds to  
 12   contribute to the General Revenue Fund.—

13           (1) A service charge of 8 percent, representing the  
 14   estimated pro rata share of the cost of general government paid  
 15   from the General Revenue Fund, is hereby appropriated from all  
 16   income of a revenue nature deposited in all trust funds except  
 17   those enumerated in s. 215.22. Income of a revenue nature shall  
 18   include all earnings received or credited by such trust funds,  
 19   including the interest or benefit received from the investment  
 20   of the principal of such trust funds as may be permitted by law.  
 21   This provision shall be construed in favor of the General  
 22   Revenue Fund in each instance. All such appropriations shall be  
 23   deposited in the General Revenue Fund.

24           (2) Notwithstanding ~~the provisions of~~ subsection (1), the  
 25   following funds or trust funds are subject to a 4 percent  
 26   service charge:

27           (a) Trust funds of the Department of Citrus and the  
 28   Department of Agriculture and Consumer Services, including funds

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29 collected in the General Inspection Trust Fund for marketing  
30 orders and in the Florida Citrus Advertising Trust Fund.

31 (b) The Clerks of the Court Trust Fund, ~~shall be subject~~  
32 ~~to a 4 percent service charge, which is hereby appropriated to~~  
33 ~~the General Revenue Fund. This paragraph does not apply to the~~  
34 ~~Conservation and Recreation Lands Program Trust Fund, the Citrus~~  
35 ~~Inspection Trust Fund, the Florida Forever Program Trust Fund,~~  
36 ~~the Market Improvements Working Capital Trust Fund, the Pest~~  
37 ~~Control Trust Fund, the Plant Industry Trust Fund, or other~~  
38 ~~funds collected in the General Inspection Trust Fund in the~~  
39 ~~Department of Agriculture and Consumer Services.~~

40 (3) Subsection (1) does not prohibit the applicability of  
41 s. 215.24 should the Governor determine that for the reasons  
42 mentioned in s. 215.24 the money or trust funds should be exempt  
43 herefrom, as it is the purpose of this law to exempt income from  
44 its force and effect when, by the operation of this law, federal  
45 matching funds or contributions or private grants to any trust  
46 fund would be lost to the state.

47 (4) There is appropriated from the proper respective trust  
48 funds from time to time such sums as may be necessary to pay to  
49 the General Revenue Fund the service charges imposed by this  
50 section.

51 Section 2. This act shall take effect July 1, 2011.