

**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 Budget Committee

**BILL:** SB 2028

**INTRODUCER:** Budget Subcommittee on Transportation, Tourism, and Economic Development  
 Appropriations

**SUBJECT:** Trust Funds

**DATE:** January 13, 2012      **REVISED:** \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Smith	Rhodes	BC	<b>Favorable</b>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

This bill deletes the Everglades Parkway Construction Trust Fund, FLAIR Number 55-2-199; the Jacksonville Transportation Authority Project Construction Trust Fund, FLAIR Number 55-2-413; and the Federal Law Enforcement Trust Fund, FLAIR Number 55-2-719, all within the Department of Transportation. The bill transfers the remaining cash balance of approximately \$540,000 of the Federal Law Enforcement Trust Fund within the Department of Transportation to the Federal Law Enforcement Trust Fund used by the Office of Motor Carrier Compliance within the Department of Highway Safety and Motor Vehicles. This bill takes effect July 1, 2012.

This bill repeals s. 339.082, F.S. and paragraph (k) of subsection (6) of s. 932.7055, F.S. This bill also repeals Ch. 2004-235, section 2(2)(b), Laws of Florida and Ch. 2004-235, section 2(2)(f), Laws of Florida.

**II. Present Situation:**

The Everglades Parkway Construction Trust Fund and the Jacksonville Transportation Authority Project Construction Trust Fund were both made exempt from termination by Ch. 2004-235, Laws of Florida pursuant to Article III, Section 19(f)(3) of the Florida Constitution. No balances remain and no future revenues will be generated by either trust fund.

The Federal Law Enforcement Trust Fund in the Department of Transportation is exempt from termination pursuant to Article III, Section 19(f)(3) of the Florida Constitution. The trust fund was used by the Office of Motor Carrier Compliance within the Department of Transportation as

a repository for receipts and revenues received as a result of federal criminal, administrative, or civil forfeiture proceedings and receipts and revenues received from federal asset-sharing programs. The Office of Motor Carrier Compliance was transferred to the Department of Highway Safety and Motor Vehicles by Ch. 2011-66, Laws of Florida. A cash balance of approximately \$540,000 remains in the trust fund.

### **III. Effect of Proposed Changes:**

The Everglades Parkway Construction Trust Fund and the Jacksonville Transportation Authority Project Construction Trust Fund will be terminated effective July 1, 2012.

The Federal Law Enforcement Trust Fund within the Department of Transportation will be terminated effective July 1, 2012. The remaining cash balance of approximately \$540,000 will be transferred to the Federal Law Enforcement Trust Fund within the Department of Highway Safety and Motor Vehicles.

### **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 remaining cash balance of approximately \$540,000 in the Federal Law Enforcement Trust Fund within the Department of Transportation will be transferred to the Federal Law Enforcement Trust Fund within the Department of Highway Safety and Motor Vehicles.

**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.)

None.

**B. Amendments:**

None.

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

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