

By Senator Book

32-02388B-19

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1 A bill to be entitled
2 An act relating to trust funds; creating s. 1010.88,
3 F.S.; creating the Marjory Stoneman Douglas High
4 School Victim Trust Fund within the Department of
5 Education; providing the purpose of the trust fund;
6 providing the funding sources for the trust fund;
7 requiring the department to administer the trust fund;
8 providing for future review and termination or re-
9 creation of the trust fund; providing an
10 appropriation; providing for uses of funds; providing
11 a contingent effective date.

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

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15 Section 1. Section 1010.88, Florida Statutes, is created to
16 read:

17 1010.88 Marjory Stoneman Douglas High School Victim Trust
18 Fund.—

19 (1) The Marjory Stoneman Douglas High School Victim Trust
20 Fund is created within the Department of Education.

21 (2) The trust fund is established for use as a depository
22 for funds to be used for the Marjory Stoneman Douglas High
23 School Victim Compensation Fund Program and the Marjory Stoneman
24 Douglas High School Victim Family Compensation Fund Program
25 established under ss. 1010.881 and 1010.882, respectively.

26 (3) The trust fund shall consist of funds appropriated by
27 the Legislature and funds paid under any applicable insurance
28 policies that provide coverage to the state or its political
29 subdivisions for claims arising out of the event, as defined in

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30 ss. 1010.881 and 1010.882. To the extent that any insurance
31 policy requires legislative approval or passage of a claim bill
32 as a condition precedent to providing coverage for a claim, this
33 act satisfies that requirement.

34 (4) The department shall administer the trust fund.

35 (5) Notwithstanding s. 216.301 and pursuant to s. 216.351,
36 any balance in the trust fund at the end of any fiscal year
37 shall remain in the trust fund at the end of the year and shall
38 be available for carrying out the purposes of the trust fund.

39 (6) In accordance with s. 19(f)(2), Art. III of the State
40 Constitution, the trust fund shall, unless terminated sooner, be
41 terminated on July 1, 2023. Before its scheduled termination,
42 the trust fund shall be reviewed as provided in s. 215.3206(1)
43 and (2).

44 Section 2. For the 2019-2020 fiscal year, there is
45 appropriated the nonrecurring sum of \$160 million from the
46 General Revenue Fund to the Marjory Stoneman Douglas High School
47 Victim Trust Fund, as created by this act, for the purposes
48 specified in ss. 1010.881 and 1010.882, Florida Statutes.

49 Section 3. From the funds in section 2 of this act, \$80
50 million shall be allocated to implement the Marjory Stoneman
51 Douglas High School Victim Compensation Fund Program pursuant to
52 s. 1010.881, Florida Statutes, and \$80 million shall be
53 allocated to implement the Marjory Stoneman Douglas High School
54 Victim Family Compensation Fund Program pursuant to s. 1010.882,
55 Florida Statutes.

56 Section 4. This act shall take effect on the same date that
57 SB ___ or similar legislation takes effect, if such legislation
58 is adopted in the same legislative session or an extension

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59 | thereof and becomes a law.