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DATE: February 14, 2002

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
CRIMINAL JUSTICE APPROPRIATIONS
TRUST FUND RE-CREATION ANALYSIS**

BILL #: HB 1875 (PCB CJA 02-29)

RELATING TO: Elections Commission Trust Fund

SPONSOR(S): Committee on Criminal Justice Appropriations and Representative Ball

TIED BILL(S):

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) CRIMINAL JUSTICE APPROPRIATIONS YEAS 11 NAYS 0
 - (2)
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

This legislation re-creates the Election Commission Trust Fund, FLAIR number 412511, without modification. The Election Commission Trust Fund is administered by the Department of Legal Affairs.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

1. MAJOR STATUTES THAT CONTROL THE TRUST FUND:

Section 106.24(6), F.S., creates the trust fund and provides for its purpose.

Sections 99.092, 99.093, 105.031, 106.141, F.S., provide for revenue for the trust fund.

2. BRIEF DESCRIPTION OF THE FUND'S USES OR PURPOSES:

The receipts of the Elections Commission Trust Fund are expended to be utilized by the Division of Elections and the Florida Elections Commission in order to carry out their duties pursuant to ss. 106.24-106.28. The trust fund may also be used by the division, pursuant to its authority under s. 106.22(11), to provide rewards for information leading to criminal convictions related to voter registration fraud, voter fraud, and vote scams.

For the 2001-2002 fiscal year, the Legislature appropriated \$1,139,652.

3. MAJOR SOURCES OF REVENUE FOR THE FUND:

The primary source of receipts for the Election Commission Trust Fund is election assessments for various activities related to office candidacy imposed pursuant to section 99.092 and 99.093, F.S. In addition, a qualifying fee is imposed upon candidates pursuant to section 105.031, F.S. Note that when compared to total receipts, these primary source receipts rise and fall precipitously in conjunction with the cyclical nature of our elections. Total receipts from these assessments and fees in the 2000-2001 fiscal year were \$76,536. Agency

estimates for the 2001-2002 fiscal year are \$79,991. Total receipts in aggregate for the 2000-2001 fiscal year were \$2,053,467. Agency estimates for the 2001-2002 fiscal year are \$2,158,191.

Other sources of receipts are fines, forfeitures, and judgments, transfers, refunds, and sales of goods and services.

B. EFFECT OF PROPOSED CHANGES:

This bill re-creates the trust fund without modification.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

IV. COMMENTS:

None.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VI. SIGNATURES:

COMMITTEE ON CRIMINAL JUSTICE APPROPRIATIONS:

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