

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 940  
 SPONSOR: Senator Smith  
 SUBJECT: Court Education Trust Fund  
 DATE: February 20, 2003      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Martin	Martin	AAV	Favorable
2.	_____	_____	AP	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

This legislation re-creates the Court Education Trust Fund without modification, effective upon becoming a law. The Court Education Trust Fund, FLAIR #22-2-146, is administered by the State Courts System. This fund was created by Chapter 98-379.

**II. Present Situation:**

Section 25.384, F.S., creates the trust fund and provides for uses.  
 Sections 28.2401 and 28.241, F.S., provide for revenue for the trust fund.

Section 28.2401(3), F.S. requires the collection of an additional service charge of \$2.50 on probate petitions seeking summary administration, family administration, formal administration, ancillary administration, guardianship, curatorship, and conservatorship. Section 28.241(1), F.S. requires collection of an additional charge of \$2.50 for each civil action brought in circuit or county court

Pursuant to Section 25.384, F.S., the receipts of the Court Education Trust Fund are expended for judicial educational programs for judges, the State Courts Administrator and his staff, trial court administrators, appellate court law clerks, and clerks of the court.

The estimated fee receipts into the trust fund for the 2002-2003 state fiscal year are approximately \$2 million, and for the 2003-2004 state fiscal year are estimated to be \$2.1 million. (Estimates provided by the courts budget office in their Schedule I of their FY 2003-2004 Legislative Budget Request).

If not re-created, this trust fund will expire on November 4, 2004.

**III. Effect of Proposed Changes:**

This bill re-creates the trust fund without modification.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

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.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.