

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: CS/SB 2644

SPONSOR: Appropriations Committee and Senator Clary

SUBJECT: Trust Funds Exempt or Terminated Administered by General Government Agencies

DATE: March 25, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Hayes</u>	<u>Hayes</u>	<u>AGG</u>	<u>Withdrawn</u>
2.	<u>Hayes</u>	<u>Coburn</u>	<u>AP</u>	<u>Fav/CS</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill makes changes to certain trust funds pursuant to section 215.3206(f), F.S., which requires a legislative review of each of the trust funds in an agency subject to the four year review cycle. The bill provides for termination, exemption or modification of specified trust funds within the Department of Environmental Protection, the Department of Financial Services, the Office of Financial Regulation, the Department of Management Services, the Department of Revenue, the Department of Business and Professional Regulation, the Department of Agriculture and Consumer Services, the State Board of Administration, and the Division of Bond Finance. The majority of the terminated trust funds are no longer in use. The exceptions are trust funds which are consolidated with other trust funds to improve management efficiencies.

This bill renames four trust funds within the Department of Financial Services and one trust fund within the Office of Financial Regulation.

The bill has an effective date of July 1, 2004.

This bill substantially amends the following sections of the Florida Statutes: 17.43, 199.292, 121.011, 121.031, 121.141, 122.12, 122.26, 122.27, 122.35, 215.20, 215.32, 253.03, 287.064, 450.155, 450.30, 450.31, 494.0017, 494.0041, 494.0072, 501.2101, 650.04, 650.05, 895.09, and 932.7055.

This bill repeals the following sections of the Florida Statutes: 29.2533, 110.151(7), 122.13, 122.30, 122.351, 440.501, 569.205, and 650.06.

II. Present Situation:

Article III, Section 19(f) of the Florida Constitution requires all agency trust funds to terminate every four years unless recreated. The Legislature has placed agency funds on a review cycle to facilitate the review and recreation. An analysis of the trust funds under the jurisdiction of the General Government Appropriations Subcommittee has revealed the following:

Department of Environmental Protection

The Forfeited Property Trust Fund, FLAIR number 37-2-267, established in s.895.09, F.S., is used for the purpose of accounting for real property forfeited to the state and interest earnings. No new confiscations have been added to this fund in several years. To streamline the accounting process, future revenues and expenditures could be accounted for in the department's Internal Improvement Trust Fund.

The Marine Resources Conservation Trust Fund, FLAIR number 37-2-467, is no longer used. The trust fund was transferred to the Fish and Wildlife Conservation Commission in 1998 pursuant to the constitutional amendment which combined the Game and Freshwater Fish Commission with portions of the Department of Environmental Protection. Section 370.0603, F.S., creates the Marine Resources Conservation Trust Fund within the Fish and Wildlife Conservation Commission to serve as a depository for funds from various marine-related and boating-related activities. The purposes of the trust fund include funding marine research, fishery enhancement, and marine law enforcement. The trust fund is no longer needed in the Department of Environmental Protection and there is no cash balance remaining in the trust fund.

The Federal Law Enforcement Trust Fund, FLAIR number 37-2-719, is no longer used. This fund was used to account for revenues received as a result of federal criminal, administrative, or civil forfeiture proceedings and received from federal assist sharing programs. There is no cash balance remaining in the trust fund. Future contributions could be deposited in the department's Grants and Donations Trust Fund.

The Project Construction Trust Fund, FLAIR number 37-2-549, is used for the purpose of accounting for state bond funds designated to finance the construction of water supply and distribution of facilities, air/water pollution control/abatement and solid waste disposal facilities. Loan repayments are received by the department and immediately transferred to the State Board of Administration.

Department of Financial Services

The Consolidated Payment Trust Fund, FLAIR number 43-2-140, is no longer in use. This fund was used to provide operating funds for planning and coordinating deferred-payment purchases for state agencies, community colleges, and state universities. The only revenue source is the

transfer of interest receipts from the state treasury. The estimated cash balance remaining in the trust fund is \$22,592.

The Self-Insurance Assessment Trust Fund, FLAIR number 43-2-630, is no longer in use. This fund was used to provide financial assistance payments to workers' compensation claimants under the Division of Workers' Compensation in the Department of Insurance. This trust fund was transferred to the Department of Financial Services under the legislation which combined the Department of Banking and Finance and the Department of Insurance. In 2002, the Legislature transferred the authority to levy assessments from the Department of Insurance to the Florida Self-Insurers Guaranty Association. The estimated cash balance remaining in the trust fund is \$45,232.

Office of Financial Regulation

The Mortgage Brokerage Guaranty Fund, FLAIR number 43-2-485, is used to account for payments made for valid claims. The only source of revenue to the trust fund is a transfer of industry fee assessments from the department's Regulatory Trust Fund. The estimated cash balance remaining in the trust fund is \$14,170.

Department of Management Services

The Motor Vehicle Operating Trust Fund, FLAIR number 72-2-486, is used to account for the operation of the statewide motor vehicle and watercraft management. The trust fund receives non-operating transfers of proceeds from vehicle auction sales from the department's Grants and Donations Trust Fund. Other revenues include a statewide assessment of \$1.50 per month per vehicle to fund the vehicle management information system. The estimated cash balance remaining in the trust fund is \$2,618,688.

The Social Security Contribution Trust Fund, FLAIR number 72-2-638, is no longer in use. The trust fund is established in s. 650.06, F.S., in the Department of Management Services for the purpose of the Division of Retirement to collect the Social Security contributions due from public employers covered by the Social Security Agreement provided under Chapter 218 of the Social Security Act. Through 1986, the Division of Retirement collected all Social Security contributions for public employees in the State of Florida (both state and local), balanced the payroll reports, and submitted the contributions and data to the Social Security Administration on a quarterly basis.

Effective January 1987, federal law was changed to require public employers covered by the 218 Agreements to submit Social Security contributions directly to the Internal Revenue Service. The Division of Retirement no longer has the responsibility of collecting and balancing the contributions and payroll reports for Social Security. The Social Security Trust Fund needed to remain in existence until adjustments for the public employers in Florida have been processed for all years prior to 1987. All adjustments have been processed and the State of Florida and the Social Security Administration have closed these payrolls. The Department of Management Services has recommended the trust fund be terminated and the estimated cash balance of \$71,583 be transferred to the General Revenue Fund.

The State Employee Child Care Revolving Trust Fund is no longer in use. This trust fund is established in s. 110.151(7), F.S., in the Department of Management Services for the purpose of assisting agencies with establishing child care centers. The trust fund was used as a means for depositing fees, paying operating costs, and making emergency repairs of state owned child care centers. Currently, the centers are operated by private sector child care providers through a competitive bid process. The Department of Management Services has not used the fund for several years and has recommended the trust fund be terminated. The estimated cash balance remaining in the trust fund is estimated to be \$13,357.

The State Employees Savings Bond Trust Fund is no longer in use. This fund was used by the Department of Management Services to receive and disburse payroll deductions for the purpose of purchasing United Savings securities for state employees as authorized in s. 215.28, Florida Statutes. The receipt and disbursement functions for managing this activity have been outsourced. Currently, the only source of revenue for this fund is investment earnings. The department has recommended the trust fund be terminated and the estimated cash balance of \$1,125 be transferred to the General Revenue Fund.

Department of Revenue

The Corporation Tax Administration Trust Fund, FLAIR number 73-2-134, is no longer in use. This fund was used to account for revenues from taxes levied upon corporations pursuant to chapters 199, 220, 221, F.S. For Fiscal Year 2003-2004, the Legislature transferred \$2,000,000 from the trust fund to the General Revenue Fund. The remaining cash balance of \$637,390 could be transferred to the General Revenue Fund.

The Drug Enforcement Trust Fund, FLAIR number 73-2-171, is no longer in use. This fund was used to account for tax collected on illegal drug sales earmarked for refund to taxpayers. The remaining cash balance of \$7,332 could be transferred to the General Revenue Fund.

The Intangible Tax Trust Fund, FLAIR number 73-2-399, is used to fund the Property Tax Administration Program, a portion of the Administrative Trust Fund which supports the Administrative Services Program, the General Tax Administration Program, and the Information Services Program. After funding the department's administrative costs, all excess funds in the trust fund are transferred to the General Revenue Fund. The administrative programs could be funded directly from general revenue funds. The department has recommended the trust fund be terminated and the estimated cash balance of \$51.9 million be transferred to the General Revenue Fund. The department's administrative costs of \$51.9 million would be funded directly from general revenue funds.

The Railroad and Private Car Tax Clearing Trust Fund, FLAIR number 73-2-571, is no longer in use. This fund was used to account for railroad property assessments pending distribution to counties pursuant to s.193.085 (4) (a), F.S. There is no cash balance remaining in the trust fund.

The Sales Tax Security Deposit Trust Fund, FLAIR number 73-2-607, is no longer in use. This fund was used to account for sales tax security deposits to meet sales tax registration requirements. There is no cash balance remaining in the trust fund.

The Working Capital Trust Fund, FLAIR number 73-2-792, is no longer in use. This fund was used to fund the Revenue Management Information Center. Revenue for the trust fund was based on non-operating transfers from the department's data processing appropriations for each program. The department could use an Administrative Trust Fund and general revenue funds for supporting the Information Services Program. There is no cash balance remaining in the trust fund.

Department of Business and Professional Regulation

The Child Labor Trust Fund, FLAIR number 79-2-106, is used to account for fines from violations of child labor laws and federal grants which are used to provide education on child labor laws to protect working youth. For accounting efficiencies, the department's Professional Regulation Trust Fund could be used to account for these revenues. The balance in the trust fund is estimated to be \$207,558.

The Crew Chief Registration Trust Fund, FLAIR number 79-2-147, is used to account for registration fees and fines related to the Federal Farm Labor Act. For accounting efficiencies, the department's Professional Regulation Trust Fund could be used to account for these revenues. The balance in the trust fund is estimated to be \$743,099.

The Tobacco Settlement Trust Fund, FLAIR number 79-2-375, is no longer in use. This fund was terminated on July 1, 2003. This fund was used to account for transfers from the Department of Financial Services. There is no cash balance remaining in the trust fund.

The Workers' Compensation Administration Trust Fund, FLAIR number 79-2-795, is used to account for transfers from the Workers' Compensation Trust Fund administered by the Department of Financial Services. The transfers are made to provide for funding a portion of the Child Labor Programs. For accounting efficiencies, the department's Professional Regulation Trust Fund could be used to account for these transfers. The balance in the trust fund is estimated to be \$546,292.

The following trust funds are currently exempt from the termination requirements of s.19 (f), Article III of the State Constitution:

Department of Environmental Protection

1. Florida Preservation 2000 Trust Fund
2. Florida Forever Trust Fund
3. Land Acquisition Trust Fund
4. Project Construction Trust Fund

Department of Management Services

1. Florida Retirement System Trust Fund
2. Florida Facilities Pool Clearing Trust Fund
3. Florida Retirement System Preservation of Benefits Plan Trust Fund
4. Institute of Food and Agricultural Sciences Supplemental Retirement Trust Fund

5. Senior Management Service Optional Annuity Program Trust Fund
6. Optional Retirement Program Trust Fund
7. Police and Firefighters' Premium Tax Trust Fund
8. State Employees Life Insurance Trust Fund
9. State Employees Health Insurance Trust Fund
10. State Employees Disability Insurance Trust Fund
11. State Employees Savings Bonds Trust Fund
12. Florida Retirement System Contributions Clearing Trust Fund

Department of Revenue

1. Additional Court Costs Clearing Trust Fund
2. Apalachicola Bay Oyster Surcharge Clearing Trust Fund
3. Child Support Clearing Trust Fund
4. Convention Development Tax Clearing Trust Fund
5. Revenue Sharing Trust Fund for Counties
6. Documentary Stamp Tax Clearing Trust Fund
7. Revenue-Fuel Tax Refund Payments Trust Fund
8. Fuel Tax Collection Trust Fund
9. Local Option Fuel Tax Trust Fund
10. Local Alternative Fuel User Fee Clearing Trust Fund
11. Local Government Half-cent Sales Tax Clearing Trust Fund
12. Discretionary Sales Surtax Clearing Trust Fund
13. Local Option Tourist Development Trust Fund
14. Communications Services Tax Clearing Trust Fund
15. Mail Order Sales Tax Clearing Trust Fund
16. Motor Vehicle Warranty Trust Fund
17. Municipal Financial Assistance Trust Fund
18. Motor Vehicle Rental Surcharge Clearing Trust Fund
19. Revenue Sharing Trust Fund for Municipalities
20. Oil and Gas Tax Trust Fund
21. Pollutant Tax Clearing Trust Fund
22. Railroad and Private Car Tax Collection Clearing Trust Fund
23. Sales Tax Security Deposit Trust Fund
24. Secondhand Dealer and Secondary Metals Recycler Clearing Trust Fund
25. State Alternative Fuel User Fee Clearing Trust Fund
26. Security Deposits Trust Fund
27. Highway Safety-Admin. Div. Security Deposits Trust Fund
28. Severance Tax Solid Minerals Trust Fund
29. Solid Waste Management Clearing Trust Fund
30. Local Communication Services Tax Clearing Trust Fund
31. Department of Revenue Premium Tax Clearing Trust Fund
32. Ninth-cent Fuel Tax Trust Fund

Department of Financial Services

1. Agents and Solicitors County Tax Trust Fund
2. Child Support Clearing Trust Fund
3. Collections Internal Revenue Clearing Trust Fund
4. Tobacco Settlement Clearing Trust Fund
5. Consolidated Miscellaneous Deductions Clearing Trust Fund
6. Deferred Compensation Trust Fund
7. Electronic Funds Transfer Clearing Trust Fund
8. Employee Refund Clearing Trust Fund
9. Federal Tax Levy Clearing Trust Fund
10. Florida Retirement Clearing Trust Fund
11. Hospital Insurance Tax Clearing Trust Fund
12. Prison Industries Trust Fund
13. State Treasurer Escrow Trust Fund
14. Social Security Contribution Trust Fund
15. Treasury Cash Deposit Trust Fund
16. Treasurer Investment Trust Fund

State Board of Administration

1. Debt Service Trust Fund
2. Florida Hurricane Catastrophe Fund
3. Florida Prepaid College Trust Fund

III. Effect of Proposed Changes:

Section 1 Terminates the following trust funds which are either obsolete or are consolidated with other trust funds:

Department of Environmental Protection

- Forfeited Property Trust Fund - balance transferred to the Internal Improvement TF
- Marine Resources Conservation Trust Fund
- Federal Law Enforcement Trust Fund - balance transferred to Grants & Donations TF

Department of Financial Services

- Consolidated Payment Trust Fund –balance transferred to the General Revenue Fund
- Self-Insurance Assessment Trust Fund–balance transferred to the General Revenue Fund

Office of Financial Regulation

- Mortgage Brokerage Guaranty Fund - balance transferred to the Regulatory Trust Fund

Department of Management Services

Motor Vehicle Operating Trust Fund – balance transferred to Grants & Donations TF
Social Security Contribution Trust Fund -balance transferred to the General Revenue
Fund

State Employee Child Care Revolving Trust Fund – balance transferred to State
Personnel System Trust Fund

State Employees Savings Bond Trust Fund – balance transferred to the General Revenue
Fund

Department of Revenue

Corporation Tax Administration Trust Fund – balance transferred to the General Revenue
Fund

Drug Enforcement Trust Fund – balance transferred to the General Revenue Fund

Intangible Tax Trust Fund – balance transferred to the General Revenue Fund

Railroad and Private Car Tax Clearing Trust Fund

Sales Tax Security Deposit Trust Fund

Working Capital Trust Fund

Department of Business and Professional Regulation

Child Labor Trust Fund - balance transferred to the Professional Regulation Trust Fund

Crew Chief Registration Trust Fund – balance transferred to the Professional Regulation
Trust Fund

Tobacco Settlement Trust Fund

Workers' Compensation Administration Trust Fund – balance transferred to the
Professional Regulation Trust Fund

Section 2 Terminates the Project Construction Trust Fund within the Department of
Environmental Protection upon the date of maturity of all bonds secured. The bond retirement
date is July 1, 2007.

Section 3 Exempts from termination the following trust funds which meet the criteria in s.19 (f),
Article III of the State Constitution:

Department of Environmental Protection

Florida Preservation 2000 Trust Fund

Florida Forever Trust Fund

Land Acquisition Trust Fund

Department of Agriculture and Consumer Services

Florida Preservation 2000 Trust Fund

Department of Management Services

Florida Retirement System Trust Fund
Florida Facilities Pool Clearing Trust Fund
Florida Retirement System Preservation of Benefits Plan Trust Fund
Institute of Food and Agricultural Sciences Supplemental Retirement Trust Fund
Senior Management Service Optional Annuity Program Trust Fund
Optional Retirement Program Trust Fund
Police and Firefighters' Premium Tax Trust Fund
State Employees Life Insurance Trust Fund
State Employees Health Insurance Trust Fund
State Employees Disability Insurance Trust Fund
Florida Retirement System Contributions Clearing Trust Fund

Department of Revenue

Additional Court Costs Clearing Trust Fund
Apalachicola Bay Oyster Surcharge Clearing Trust Fund
Child Support Clearing Trust Fund
Convention Development Tax Clearing Trust Fund
Revenue Sharing Trust Fund for Counties
Documentary Stamp Tax Clearing Trust Fund
Revenue-Fuel Tax Refund Payments Trust Fund
Fuel Tax Collection Trust Fund
Local Option Fuel Tax Trust Fund
Local Alternative Fuel User Fee Clearing Trust Fund
Local Government Half-cent Sales Tax Clearing Trust Fund
Discretionary Sales Surtax Clearing Trust Fund
Local Option Tourist Development Trust Fund
Communications Services Tax Clearing Trust Fund
Mail Order Sales Tax Clearing Trust Fund
Motor Vehicle Warranty Trust Fund
Municipal Financial Assistance Trust Fund
Motor Vehicle Rental Surcharge Clearing Trust Fund
Revenue Sharing Trust Fund for Municipalities
Oil and Gas Tax Trust Fund
Pollutant Tax Clearing Trust Fund
Railroad and Private Car Tax Collection Clearing Trust Fund
Sales Tax Security Deposit Trust Fund
Secondhand Dealer and Secondary Metals Recycler Clearing Trust Fund
State Alternative Fuel User Fee Clearing Trust Fund
Security Deposits Trust Fund
Highway Safety-Admin. Div. Security Deposits Trust Fund
Severance Tax Solid Minerals Trust Fund
Solid Waste Management Clearing Trust Fund
Local Communication Services Tax Clearing Trust Fund
Department of Revenue Premium Tax Clearing Trust Fund
Ninth-cent Fuel Tax Trust Fund

Department of Financial Services

Agents and Solicitors County Tax Trust Fund
 Child Support Clearing Trust Fund
 Collections Internal Revenue Clearing Trust Fund
 Tobacco Settlement Clearing Trust Fund
 Consolidated Miscellaneous Deductions Clearing Trust Fund
 Deferred Compensation Trust Fund
 Electronic Funds Transfer Clearing Trust Fund
 Employee Refund Clearing Trust Fund
 Federal Tax Levy Clearing Trust Fund
 Florida Retirement Clearing Trust Fund
 Hospital Insurance Tax Clearing Trust Fund
 Prison Industries Trust Fund
 State Treasurer Escrow Trust Fund
 Social Security Contribution Trust Fund
 Treasury Cash Deposit Trust Fund
 Treasurer Investment Trust Fund

State Board of Administration

Debt Service Trust Fund
 Florida Hurricane Catastrophe Fund
 Florida Prepaid College Trust Fund
 Funds of the Inland Protection Financing Corporation
 Gas Tax Fund
 Lawton Chiles Endowment Fund
 Local Government Surplus Funds Trust Fund
 Public Employee Optional Retirement Program Trust Fund

Division of Bond Finance

Bonds Proceeds Trust Fund

Section 4 Renames the following trust funds:

Department of Financial Services

- The Agents and Solicitors County Tax Trust Fund, FLAIR number 43-2-024, is renamed the County Tax Trust Fund.
- The State Treasurer Escrow Trust Fund, FLAIR number 43-2-622, is renamed the State Treasury Escrow Trust Fund
- The Treasurer Investment Trust Fund, FLAIR number 43-2-728, is renamed the Treasury Investment Trust Fund.
- The Treasurer's Administrative and Investment Trust Fund, FLAIR number 43-2-725, is renamed the Treasury Administrative and Investment Trust Fund.

Office of Financial Regulation

- The Chief Financial Officer's Federal Equitable Sharing Trust Fund, FLAIR number 43-2-719, is renamed the Federal Equitable Sharing Trust Fund.

Section 5 Revises section 17.43, F.S., to conform the renaming of the Federal Equitable Sharing Trust Fund.

Section 6 Repeals section 20.2553, F.S., which terminates the Federal Law Enforcement Trust Fund within the Department of Environmental Protection.

Section 7 Repeals subsection 110.151(7), F.S., which terminates the State Employee Child Care Revolving Trust Fund within the Department of Management Services.

Section 8 Revises section 199.292, F.S., which terminates the Intangibles Tax Trust Fund and directs all intangible personal property taxes collected, except for revenues derived from the annual tax on a leasehold described in s. 199.023(1)(d), F.S., be deposited in the General Revenue Fund. Provides that revenues derived from the annual tax on a leasehold described in s. 199.023(1)(d), F.S., be returned to the local school board for the county in which the property subject to the leasehold is situated. The department's administrative costs of \$51.9 million will be funded directly from general revenue funds.

Section 9 Revises subsection 121.011(3), F.S., which terminates the Social Security Contribution Trust Fund in the Department of Management Services.

Section 10 Revises subsection 121.031(1), F.S., to conform to the termination of the Social Security Trust Fund.

Section 11 Revises subsection 121.141, F.S., to conform to the termination of the Social Security Trust Fund.

Section 12 Repeals section 122.13, F.S., to conform to the termination of the Intangible Tax Trust Fund in the Department of Revenue.

Section 13 Revises section 122.26, F.S., to conform to the termination of the Social Security Contribution Trust Fund in the Department of Management Services.

Section 14 Revises section 122.27, F.S., to conform to the termination of the Social Security Contribution Trust Fund in the Department of Management Services.

Section 15 Repeals section 122.30, F.S., to conform to the termination of the Intangible Tax Trust Fund in the Department of Revenue.

Section 16 Revises section 122.35, F.S., to conform to the termination of the Social Security Contribution Trust Fund in the Department of Management Services.

Section 17 Repeals section 122.351, F.S., to conform to the termination of the Intangible Tax Trust Fund in the Department of Revenue.

Section 18 Revises section 199.282, F.S., to conform to the termination of the Intangible Tax Trust Fund in the Department of Revenue.

Section 19 Repeals section 213.31, F.S., which terminates the Corporation Tax Administration Trust Fund in the Department of Revenue.

Section 20 Revises section 215.20, F.S., to conform to the renaming of trust funds and termination of trust funds as related to the service charge to the General Revenue Fund.

Section 21 Revises section 215.32, F.S., to direct each state agency to use certain trust funds for day-to-day operations. If an agency does not have the trust funds required in this section, the agency is directed to recommend creation of the necessary trust fund to the Legislature no later than the next scheduled review of the agency's trust funds pursuant to s. 215.3206, F.S. The use of the same trust funds by each state agency to account for day-to-day operations should provide more consistency across agencies and improve compliance with the Governmental Accounting Standards Board (GASB) Statement 34.

Section 22 Revises section 253.03, F.S., which terminates the Forfeited Property Trust Fund in the Department of Environmental Protection and provides for utilizing the Internal Improvement Trust Fund for the same purpose.

Section 23 Revises section 287.064, F.S., to conform to the termination of the Consolidated Payment Trust Fund in the Department of Financial Services.

Section 24 Repeals section 440.501, F.S., which terminates the Workers' Compensation Administration Trust Fund in the Department of Business and Professional Regulation.

Section 25 Revises section 450.155, F.S., which terminates the Child Labor Law Trust Fund in the Department of Business and Professional Regulation; provides for the transfer of funds from the Workers' Compensation Administration Trust Fund to the Professional Regulation Trust Fund; and provides for administration of the child labor law program from the Professional Regulation Trust Fund.

Section 26 Revises section 450.165, F.S., to direct the Department of Business and Professional Regulation to maintain separate accounts in the Professional Regulation Trust Fund for child labor law enforcement and administration activities and for farm labor registration activities.

Section 27 Revises section 450.30, F.S., to conform to the termination of the Crew Chief Registration Trust Fund in the Department of Business and Professional Regulation and provide for administration of the program from the Professional Regulation Trust Fund.

Section 28 Revises section 450.31, F.S., to conform to the termination of the Crew Chief Registration Trust Fund in the Department of Business and Professional Regulation.

Section 29 Revises section 494.0017, F.S., which terminates the Mortgage Brokerage Guaranty Trust Fund in the Office of Financial Regulation and provides for the use of the Regulatory Trust Fund for administering the program.

Section 30 Revises section 494.0041, F.S., to conform to the termination of the Mortgage Brokerage Guaranty Fund in the Office of Financial Regulation.

Section 31 Revises section 494.0072, F.S., to conform to the termination of the Mortgage Brokerage Guaranty Fund in the Office of Financial Regulation.

Section 32 Revises section 501.2101, F.S., to restore a reference to the Consumer Frauds Trust Fund in the Justice Administration Commission which was inadvertently deleted last session. Chapter 2003-179, L.O.F., terminated the Consumer Frauds Trust Fund in the Department of Legal Affairs and amended four sections of the law which referred to the trust fund. One of those sections, s. 501.2101, F.S., actually referred to the fund in both the Department of Legal Affairs and the Justice Administration Commission.

Section 33 Repeals section 569.205, F.S., which terminates the Department of Business and Professional Regulation Tobacco Settlement Trust Fund.

Section 34 Revises section 650.04, F.S., to conform to the termination of the Social Security Contribution Trust Fund in the Department of Management Services.

Section 35 Revises section 650.05, F.S., to conform to the termination of the Social Security Contribution Trust Fund in the Department of Management Services.

Section 36 Repeals section 650.06, F.S., which terminates the Social Security Contribution Trust Fund in the Department of Management Services.

Section 37 Revises section 895.09, F.S., to conform to the termination of the Forfeited Property Trust Fund in the Department of Environmental Protection and provides for utilizing the Internal Improvement Trust Fund for the same purpose.

Section 38 Revises section 932.7055, F.S., to conform to the termination of the Forfeited Property Trust Fund and the Federal Law Enforcement Trust Fund in the Department of Environmental Protection and use of the Internal Improvement Trust Fund for the same purpose.

Section 39 Provides an effective date of July 1, 2004.

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:

Continuing the exempt trust funds in the Department of Environmental Protection, the Department of Agriculture and Consumer Services, the Department of Management Services, the Department of Revenue, the Department of Financial Services, the State Board of Administration, and the Division of Bond Finance allows the state to segregate funds for accountability purposes.

The termination and consolidation of the specific trust funds in the bill will not affect state operations and should increase management efficiency. Upon termination of certain trust funds, the bill transfers an estimated \$52.7 million to the General Revenue Fund. Of this amount, the termination of the Intangible Tax Trust Fund in the Department of Revenue accounts for \$51.9 million. This is the current estimated administrative cost for the General Property Tax Administration Program, the Administrative Services Program, the General Tax Administration Program, and the Information Services Program which will be funded directly from general revenue funds. Therefore, the net gain to the General Revenue Fund is \$785,254.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.