

This bill exempts voluntary contributions to the Florida Center for Nursing from the service charge required by s. 215.20 (1) F.S.

This bill clarifies the use of funds in the Rape Crisis Trust Fund.

This bill amends ss. 20.435, 215.22, 215.5601, 464.0195, and 794.055 F.S. The bill repeals s. 464.0198 F.S.

II. Present Situation:

Section 19(f), Article III of the State Constitution requires that every trust fund be created or re-created by a three-fifths vote of the membership in each house of the Legislature in a separate bill for the sole purpose of creating that trust fund. The State Constitution also provides that all newly created trust funds terminate not more than four years after the initial creation unless re-created. The trust funds in the Department of Health are scheduled for review this year.

The Florida Center for Nursing Trust Fund, Flair #64-2-283, was re-created in 2004, by chapter 2004-226, Laws of Florida, to receive funds from nurses who voluntarily contribute funds at the time of licensure and licensure renewal to support the Florida Center for Nursing and from other sources specified by law.

Unencumbered balances at the end of the fiscal year remaining in the Tobacco Settlement Trust Fund are reverted to the Department of Financial Services Tobacco Settlement Trust Fund on December 31.

The Department of Health trust funds were last reviewed and re-created in 2004 with an effective date of November 4, 2004.

No more than fifteen percent of the funds in the Rape Crisis Trust Fund can be used for statewide initiatives and no more than five percent may be used for administrative costs.

III. Effect of Proposed Changes:

Section 1. Amends s. 20.435, F.S., to terminate the Florida Center for Nursing Trust Fund Flair #64-2-283. All balances and revenues will be transferred to the Grants and Donations Trust Fund, Flair #64-2-339, administered by the Department of Health.

Section 2. Amends s. 20.435, F.S., to codify the Department of Health's administration of the following trust funds: Brain and Spinal Cord Injury Program Trust Fund, the County Health Department Trust Fund, the Donations Trust Fund, the Florida Drug, Device and Cosmetic Trust Fund, the Emergency Medical Services Trust Fund, the Epilepsy Services Trust Fund, the Maternal and Child Health Block Grant Trust Fund, the Nursing Student Loan Forgiveness Trust Fund, the Planning and Evaluation Trust Fund, the Preventive Health Services Block Grant Trust Fund, the Radiation Protection Trust Fund, the Rape Crisis Program Trust Fund, and the United States Trust Fund.

The unencumbered balances at the end of the fiscal year remaining in the Tobacco Settlement Trust Fund are reverted to the Department of Financial Services Tobacco Settlement Trust Fund on September 30.

Removes the scheduled termination date for the Welfare Transition Trust Fund.

Section 3. Amends s. 215.22, F.S., with a technical change to maintain the service charge income exemption for voluntary contributions to the Florida Center for Nursing.

Section 4. Amends s. 215.5601, F.S., to correct a cross reference.

Section 5. Amends s. 464.0195, F.S., to redirect transfers related to the licensure of nurses from the Medical Quality Assurance Trust Fund to the Grants and Donations Trust Fund.

Section 6. Repeals s. 464.0198, F.S., relating to the creation of the Florida Center for Nursing Trust Fund, to conform.

Section 7. Amends s. 794.055, F.S., capping the funds in the Rape Crisis Trust Fund available to the statewide nonprofit association for statewide initiatives at fifteen percent. Also, the Department of Health may use no more than 5 percent of the funds in the Rape Crisis Trust Fund for administrative costs.

Section 8. Provides for an effective date of July 1, 2008.

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:

None.

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.)

CS by Health and Human Services Appropriations on March 13, 2008: The committee substitute clarifies the use of funds in the Rape Crisis Trust Fund. The fifteen percent cap is applied to the statewide nonprofit association for statewide initiatives. The 5 percent cap is applied to the Department of Health for administrative costs.

- B. Amendments:

None.