

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

Prepared By: The Professional Staff of the Transportation and Economic Development Appropriations Committee

**BILL:** CS/SB 1644

**INTRODUCER:** Transportation and Economic Development Appropriations Committee and Senator Fasano

**SUBJECT:** Trust Funding within the Department of State

**DATE:** March 3, 2010      **REVISED:** \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Belcher	Noble	TA	Fav/CS
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**Please see Section VIII. for Additional Information:**

- |                              |                                     |   |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>            | Technical amendments were recommended   |
|                              | <input type="checkbox"/>            | Amendments were recommended             |
|                              | <input type="checkbox"/>            | Significant amendments were recommended |

**I. Summary:**

The bill makes changes to certain trust funds pursuant to section 215.3206, Florida Statutes, which requires a legislative review of each of the trust funds in an agency subject to the four-year review cycle. The bill terminates two trust funds within the Department of State and redirects deposits to an existing trust fund within the department.

The bill has an effective date of July 1, 2011.

This bill amends section 265.284 of the Florida Statutes.

**II. Present Situation:**

A review of trust funds is required by s. 215.3208, F.S., and s. 19(f), Art. III of the State Constitution. The Legislature, through the legislative budget instructions, has placed agencies on a review cycle to facilitate the review and recreation of trust funds.

An analysis of the trust funds under the jurisdiction of the Senate Transportation and Economic Development Appropriation Committee resulted in the following findings in the Department of State.

The **Library Services Trust Fund** is currently the depository for specific federal grants, private donations and grants, lost book fees, and copy charges. According to s. 215.32, F.S., a Federal Grants Trust Fund is the appropriate depository for federal funds. The creation of a Federal Grants Trust Fund within the Department of State is the subject of Senate Bill 1638. Non-federal receipts could be deposited into the Department's Grants and Donations Trust Fund.

The **Fine Arts Trust Fund** is currently the depository for specific federal grants. According to s. 215, F.S., a Federal Grants Trust Fund is the appropriate depository for federal funds. The creation of a Federal Grants Trust Fund within the Department of State is the subject of Senate Bill 1638.

### III. **Effect of Proposed Changes:**

The bill terminates the following trust funds within the Department of State, effective July 1, 2011.

**Library Services Trust Fund, FLAIR number 45-2-450**

**Fine Arts Trust Fund, FLAIR number 45-2-279**

All current balances remaining in the terminated trust funds will be transferred to the Grants and Donations Trust Fund within the Department of State.

### 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 the Transportation and Economic Development Appropriations Committee on March 3, 2010:**

The CS differs from the bill as filed in the following way:

- Terminates two rather than three trust funds within the Department of State by removing termination of the Operating Trust Fund.

B. Amendments:

None.