

CHAPTER 98-286

House Bill No. 3783

An act relating to the Cigarette Tax Collection Trust Fund; amending s. 210.20, F.S.; providing for a portion of the revenues from the cigarette tax to be paid monthly to the Board of Directors of the H. Lee Moffitt Cancer and Research Institute, for the purpose of financing a cancer-research facility at the University of South Florida; providing duties of the institute's board of directors; providing for uses of the transferred moneys, including the issuance of tax-exempt bonds; requiring the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute to administer funds, manage the project, provide assistance during construction, and operate the facility when complete; providing for the replacement of certain tax dollars annually; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (c) is added to subsection (2) of section 210.20, Florida Statutes, to read:

210.20 Employees and assistants; distribution of funds.—

(2) As collections are received by the division from such cigarette taxes, it shall pay the same into a trust fund in the State Treasury designated "Cigarette Tax Collection Trust Fund" which shall be paid and distributed as follows:

(c) Beginning January 1, 1999, and continuing for 10 years thereafter, the division shall from month to month certify to the Comptroller the amount derived from the cigarette tax imposed by s. 210.02, less the service charges provided for in s. 215.20 and less 0.9 percent of the amount derived from the cigarette tax imposed by s. 210.02 which shall be deposited into the Alcoholic Beverage and Tobacco Trust Fund, specifying an amount equal to 2.59 percent of the net collections and that amount shall be paid to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute, established under s. 240.512, by warrant drawn by the Comptroller upon the State Treasury. These funds are hereby appropriated monthly out of the Cigarette Tax Collection Trust Fund, to be used for the purpose of constructing, furnishing, and equipping a cancer-research facility at the University of South Florida adjacent to the H. Lee Moffitt Cancer Center and Research Institute. In fiscal years 1999-2000 and thereafter with the exception of fiscal year 2008-2009, the appropriation to the H. Lee Moffitt Cancer Center and Research Institute authorized by this paragraph shall not be less than the amount which would have been paid to the H. Lee Moffitt Cancer Center and Research Institute for fiscal year 1998-1999 had payments been made for the entire fiscal year rather than for a six-month period thereof.

Section 2. The Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute shall construct, furnish, and equip, and shall covenant

to complete, the cancer-research facility at the University of South Florida adjacent to the H. Lee Moffitt Cancer Center and Research Institute. Moneys transferred to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute shall be used to secure financing to pay costs related to constructing, furnishing, and equipping the cancer-research facility. Such financing may include the issuance of tax exempt bonds by a local authority, municipality or county pursuant to parts II and III of chapter 159. Such bonds shall not constitute state bonds for purposes of s. 11, Art. VII, of the Florida Constitution, but shall constitute bonds of a "local agency," as defined in s. 159.27(4). The cigarette tax dollars pledged to this facility shall be replaced annually by the Legislature from tobacco litigation settlement proceeds.

Section 3. This act shall take effect July 1, 1998.

Approved by the Governor May 28, 1998.

Filed in Office Secretary of State May 28, 1998.