

Senate Bill No. 516

An act relating to trust funds; re-creating the Department of Health Tobacco Settlement Trust Fund within the department without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.435(1)(g), F.S.; abrogating future termination of the trust fund; providing an effective date.

WHEREAS, the Legislature wishes to extend the life of the Department of Health Tobacco Settlement Trust Fund within the department, which is otherwise scheduled to be terminated pursuant to constitutional mandate, and

WHEREAS, the Legislature has reviewed the trust fund before its scheduled termination date and has found that it continues to meet an important public purpose, and

WHEREAS, the Legislature has found that existing public policy concerning the trust fund sets adequate parameters for its use, NOW, THEREFORE,

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

Section 1. (1) The Department of Health Tobacco Settlement Trust Fund within the department, FLAIR number 64-2-122, which is to be terminated pursuant to Section 19(f), Article III of the State Constitution on July 1, 2002, is re-created.

(2) All current balances of the trust fund are carried forward, and all current sources and uses of the trust fund are continued.

Section 2. Paragraph (g) of subsection (1) of section 20.435, Florida Statutes, is amended to read:

20.435 Department of Health; trust funds.—

(1) The following trust funds are hereby created, to be administered by the Department of Health:

(g) Department of Health Tobacco Settlement Trust Fund.

1. Funds to be credited to the trust fund shall consist of funds disbursed, by nonoperating transfer, from the Department of Banking and Finance Tobacco Settlement Clearing Trust Fund in amounts equal to the annual appropriations made from this trust fund.

2. Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any unencumbered balance in the trust fund at the end of any fiscal year and any encumbered balance remaining undisbursed on December 31 of the same calendar year shall revert to the Department of Banking and Finance Tobacco Settlement Clearing Trust Fund.

~~3. The trust fund shall, unless terminated sooner, be terminated on July 1, 2002.~~

Section 3. This act shall take effect November 4, 2000.

Approved by the Governor March 30, 2000.

Filed in Office Secretary of State March 30, 2000.