

Senate Bill No. 6-B

An act relating to the General Inspection Trust Fund; amending ss. 496.405, 496.409, 496.410, 496.419, F.S.; eliminating restrictions on the use of funds deposited into the General Inspection Trust Fund of the Department of Agriculture and Consumer Services; providing an effective date.

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

Section 1. Subsection (4) of section 496.405, Florida Statutes, is amended to read:

496.405 Registration statements by charitable organizations and sponsors.—

(4)(a) Every charitable organization, sponsor, or parent organization filing on behalf of one or more chapters, branches, or affiliates that is required to register under this section must pay a single registration fee. A parent organization filing on behalf of one or more chapters, branches, or affiliates shall total all contributions received by the chapters, branches, or affiliates included in the registration statement to determine registration fees. Fees shall be assessed as follows:

1.a. Ten dollars, if the contributions received for the last fiscal or calendar year were less than \$5,000; or

b. Ten dollars, if the contributions actually raised or received from the public during the immediately preceding fiscal year by such organization or sponsor are no more than \$25,000 and the fundraising activities of such organization or sponsor are carried on by volunteers, members, officers, or permanent employees, who are not compensated, primarily to solicit such contributions, provided no part of the assets or income of such organization or sponsor inures to the benefit of or is paid to any officer or member of such organization or sponsor or to any professional fundraising consultant, professional solicitor, or commercial co-venturer;

2. Seventy-five dollars, if the contributions received for the last fiscal year were \$5,000 or more, but less than \$100,000;

3. One hundred twenty-five dollars, if the contributions received for the last fiscal year were \$100,000 or more, but less than \$200,000;

4. Two hundred dollars, if the contributions received for the last fiscal year were \$200,000 or more, but less than \$500,000;

5. Three hundred dollars, if the contributions received for the last fiscal year were \$500,000 or more, but less than \$1 million;

6. Three hundred fifty dollars, if the contributions received for the last fiscal year were \$1 million or more, but less than \$10 million;

7. Four hundred dollars, if the contributions received for the last fiscal year were \$10 million or more.

(b) A charitable organization or sponsor which fails to file a registration statement by the due date may be assessed an additional fee for such late filing. The late filing fee shall be \$25 for each month or part of a month after the date on which the annual renewal statement and financial report were due to be filed with the department.

(c) All registration fees must be paid to the department and deposited into the General Inspection Trust Fund ~~to be used to pay the costs incurred in administering and enforcing ss. 496.401-496.424. Money deposited in the fund and allocated for the purposes of ss. 496.401-496.424 must be disbursed by the department for the funding of activities conducted by the department pursuant to ss. 496.401-496.424, inclusive.~~

Section 2. Subsection (7) of section 496.409, Florida Statutes, is amended to read:

496.409 Registration and duties of professional fundraising consultant.—

(7) All registration fees must be paid to the department and deposited into the General Inspection Trust Fund ~~to be used to pay the costs incurred in administering and enforcing ss. 496.401-496.424. Money deposited in the fund and allocated for the purposes of ss. 496.401-496.424 shall be disbursed by the department for the funding of activities conducted by the department pursuant to ss. 496.401-496.424, inclusive.~~

Section 3. Subsection (15) of section 496.410, Florida Statutes, is amended to read:

496.410 Registration and duties of professional solicitors.—

(15) All registration fees must be paid to the department and deposited into the General Inspection Trust Fund ~~to be used to pay the costs incurred in administering and enforcing ss. 496.401-496.424. Money deposited in the fund and allocated for the purposes of ss. 496.401-496.424 must be disbursed by the department for the funding of activities conducted by the department pursuant to ss. 496.401-496.424, inclusive.~~

Section 4. Subsection (9) of section 496.419, Florida Statutes, is amended to read:

496.419 Powers of the department.—

(9) All fines collected by the department under subsection (5) must be paid into the General Inspection Trust Fund ~~to be used to pay the costs incurred in administering and enforcing ss. 496.401-496.424 or s. 496.426. Money deposited in the fund and allocated for the purposes of ss. 496.401-496.424 or s. 496.426 must be disbursed by the department for the funding of activities conducted by the department pursuant to ss. 496.401-496.424 or s. 496.426, inclusive.~~

Section 5. This act shall take effect January 1, 2002.

Approved by the Governor November 30, 2001.

Filed in Office Secretary of State November 30, 2001.