

Senate Bill No. 816

An act relating to trust funds; amending s. 1013.63, F.S.; creating the University Concurrency Trust Fund within the Department of Education; providing for sources of funds and purposes; exempting the trust fund from service charges; providing for an annual carryforward of funds; providing for future legislative review and termination or re-creation of the trust fund; providing legislative intent with respect to identifying the trust fund and its source of revenue; providing a contingent effective date.

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

Section 1. Section 1013.63, Florida Statutes, is amended to read:

1013.63 University Concurrency Trust Fund.—

(1) The University Concurrency Trust Fund is created within the Department of Education.

(2) Notwithstanding any other provision of law, the general revenue service charge deducted pursuant to s. 215.20 on revenues raised by any local option motor fuel tax levied pursuant to s. 336.025(1)(b), as created by chapter 93-206, Laws of Florida, shall be deposited in the University Concurrency Trust Fund, which is administered by the State Board of Education. Moneys in such trust fund shall be for the purpose of funding university offsite improvements required to meet concurrency standards adopted under part II of chapter 163. In addition, in any year in which campus master plans are updated pursuant to s. 1013.30, but no more frequently than once every 5 years, up to 25 percent of the balance in the trust fund for that year may be used to defray the costs incurred in updating those campus master plans.

(3)(a) The trust fund is exempt from the service charges imposed by s. 215.20.

(b) Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of the fiscal year shall remain in the trust fund and shall be available for carrying out the purposes of the trust fund.

(4) In accordance with s. 19(f)(2), Art. III of the State Constitution, the University Concurrency Trust Fund shall, unless terminated sooner, be terminated on July 1, 2007. Before its scheduled termination, the trust fund shall be reviewed as provided in s. 215.3206(1) and (2).

Section 2. The University Concurrency Trust Fund created by this act shall be identified by FLAIR number 48-2-682. The existing University Concurrency Trust Fund, FLAIR number 49-2-682, within the Division of Colleges and Universities of the Department of Education is not affected by this act. It is the intent of the Legislature to clarify that the trust fund created by this act shall receive the revenues identified in section 1013.63,

Florida Statutes, and that the trust fund within the Division of Colleges and Universities shall be retained for the purpose of completing previously authorized projects.

Section 3. This act shall take effect July 1, 2003, but it shall not take effect unless it is enacted by at least a three-fifths vote of the membership of each house of the Legislature.

Approved by the Governor June 23, 2003.

Filed in Office Secretary of State June 23, 2003.