

Committee Substitute for Senate Bill No. 8-A

An act relating to trust funds; amending s. 215.20, F.S.; revising the formula for contribution by certain trust funds to the General Revenue Fund; amending s. 215.22, F.S.; exempting certain trust funds and revenues from the appropriation required by s. 215.20, F.S.; amending s. 18.10, F.S.; appropriating certain earnings on investments to the General Revenue Fund; amending s. 18.125, F.S.; providing for the method of investment, and the disposition of interest earned on such investment, of certain trust fund moneys of specified agencies; amending s. 14.2015, F.S.; revising disposition of certain interest earned by the Office of Tourism, Trade, and Economic Development; amending s. 1009.66, F.S.; revising disposition of interest earned on Nursing Student Loan Forgiveness Trust Fund moneys; amending s. 385.207, F.S.; revising disposition of interest earned on Epilepsy Services Trust Fund moneys; amending s. 938.01, F.S.; revising disposition of interest earned on specified trust funds of the Department of Law Enforcement and Department of Children and Family Services; reenacting s. 215.32, F.S., relating to segregation of state funds; providing for construction of the act in pari materia with laws enacted during the Regular Session of the Legislature; providing an effective date.

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

Section 1. Section 215.20, Florida Statutes, as amended by section 61 of chapter 2002-402, Laws of Florida, is amended to read:

(Substantial rewording of section. See s. 215.20, F.S., for present text.)

215.20 Certain income and certain trust funds to contribute to the General Revenue Fund.—

(1) A service charge of 7 percent, representing the estimated pro rata share of the cost of general government paid from the General Revenue Fund, is hereby appropriated from all income of a revenue nature deposited in all trust funds except those enumerated in s. 215.22. Income of a revenue nature shall include all earnings received or credited by such trust funds, including the interest or benefit received from the investment of the principal of such trust funds as may be permitted by law. This provision shall be construed in favor of the General Revenue Fund in each instance. All such appropriations shall be deposited in the General Revenue Fund.

(2) Notwithstanding the provisions of subsection (1):

(a) The trust funds of the Department of Citrus and the Department of Agriculture and Consumer Services, including funds collected in the General Inspection Trust Fund for marketing orders and in the Florida Citrus Advertising Trust Fund, shall be subject to a 3-percent service charge, which

is hereby appropriated to the General Revenue Fund. This paragraph does not apply to the Conservation and Recreation Lands Program Trust Fund, the Florida Quarter Horse Racing Promotion Trust Fund, the Citrus Inspection Trust Fund, the Florida Forever Program Trust Fund, the Florida Preservation 2000 Trust Fund, the Market Improvements Working Capital Trust Fund, the Pest Control Trust Fund, the Plant Industry Trust Fund, or other funds collected in the General Inspection Trust Fund in the Department of Agriculture and Consumer Services.

(b) The Save the Manatee Trust Fund in the Fish and Wildlife Conservation Commission shall be subject to a 3-percent service charge, which is hereby appropriated to the General Revenue Fund.

(3) A service charge of 0.3 percent is hereby appropriated from income of a revenue nature deposited in the trust funds enumerated in subsection (4). Income of a revenue nature shall include all earnings received or credited by such trust funds, including the interest or benefit received from the investment of the principal of such trust funds as may be permitted by law. This provision shall be construed in favor of the General Revenue Fund in each instance. All such appropriations shall be deposited in the General Revenue Fund.

(4) The income of a revenue nature deposited in the following described trust funds, by whatever name designated, is that from which the appropriations authorized by subsection (3) shall be made:

(a) Within the Agency for Health Care Administration:

1. The Florida Organ and Tissue Donor Education and Procurement Trust Fund.

2. The Health Care Trust Fund.

3. The Resident Protection Trust Fund.

(b) Within the Agency for Workforce Innovation:

1. The Employment Security Administration Trust Fund.

2. The Special Employment Security Administration Trust Fund.

(c) Within the Department of Agriculture and Consumer Services:

1. The Conservation and Recreation Lands Program Trust Fund.

2. The Florida Quarter Horse Racing Promotion Trust Fund.

3. The General Inspection Trust Fund and subsidiary accounts thereof, unless a different percentage is authorized by s. 570.20.

4. The Division of Licensing Trust Fund.

(d) Within the Department of Business and Professional Regulation:

1. The Administrative Trust Fund.
2. The Alcoholic Beverage and Tobacco Trust Fund.
3. The Cigarette Tax Collection Trust Fund.
4. The Division of Florida Land Sales, Condominiums, and Mobile Homes Trust Fund.
5. The Hotel and Restaurant Trust Fund, with the exception of those fees collected for the purpose of funding of the hospitality education program as stated in s. 509.302.
6. The Professional Regulation Trust Fund.
7. The trust funds administered by the Division of Pari-mutuel Wagering.
 - (e) Within the Department of Children and Family Services:
 1. The Administrative Trust Fund.
 2. The Child Welfare Training Trust Fund.
 3. The Children and Adolescents Substance Abuse Trust Fund.
 4. The Domestic Violence Trust Fund.
 5. The Grants and Donations Trust Fund.
 6. The Operations and Maintenance Trust Fund.
 - (f) Within the Department of Citrus, the Florida Citrus Advertising Trust Fund, including transfers from any subsidiary accounts thereof, unless a different percentage is authorized in s. 601.15(7).
 - (g) Within the Department of Community Affairs, the Operating Trust Fund.
 - (h) Within the Department of Education:
 1. The Educational Certification and Service Trust Fund.
 2. The Phosphate Research Trust Fund.
 - (i) Within the Department of Elderly Affairs:
 1. The Administrative Trust Fund.
 2. The Federal Grants Trust Fund.
 3. The Grants and Donations Trust Fund.
 4. The Operations and Maintenance Trust Fund.

(j) Within the Department of Environmental Protection:

1. The Administrative Trust Fund.
2. The Air Pollution Control Trust Fund.
3. The Conservation and Recreation Lands Trust Fund.
4. The Ecosystem Management and Restoration Trust Fund.
5. The Environmental Laboratory Trust Fund.
6. The Florida Coastal Protection Trust Fund.
7. The Florida Permit Fee Trust Fund.
8. The Forfeited Property Trust Fund.
9. The Grants and Donations Trust Fund.
10. The Inland Protection Trust Fund.
11. The Internal Improvement Trust Fund.
12. The Land Acquisition Trust Fund.
13. The Minerals Trust Fund.
14. The Nonmandatory Land Reclamation Trust Fund.
15. The State Park Trust Fund.
16. The Water Quality Assurance Trust Fund.
17. The Working Capital Trust Fund.

(k) Within the Department of Financial Services:

1. The Agents and Solicitors County Tax Trust Fund.
2. The Insurance Regulatory Trust Fund.
3. The Special Disability Trust Fund.
4. The Workers' Compensation Administration Trust Fund.

(l) Within the Department of Health:

1. The Administrative Trust Fund.
2. The Brain and Spinal Cord Injury Program Trust Fund.
3. The Donations Trust Fund.
4. The Emergency Medical Services Trust Fund.

5. The Epilepsy Services Trust Fund.
6. The Florida Drug, Device, and Cosmetic Trust Fund.
7. The Grants and Donations Trust Fund.
8. The Medical Quality Assurance Trust Fund.
9. The Nursing Student Loan Forgiveness Trust Fund.
10. The Planning and Evaluation Trust Fund.
11. The Radiation Protection Trust Fund.

(m) Within the Department of Highway Safety and Motor Vehicles, the DUI Programs Coordination Trust Fund.

(n) Within the Department of Legal Affairs, the Crimes Compensation Trust Fund.

(o) Within the Department of Management Services:

1. The Administrative Trust Fund.
2. The Architects Incidental Trust Fund.
3. The Bureau of Aircraft Trust Fund.
4. The Florida Facilities Pool Working Capital Trust Fund.
5. The Grants and Donations Trust Fund.
6. The Motor Vehicle Operating Trust Fund.
7. The Police and Firefighters' Premium Tax Trust Fund.
8. The Public Employees Relations Commission Trust Fund.
9. The State Personnel System Trust Fund.
10. The Supervision Trust Fund.
11. The Working Capital Trust Fund.

(p) Within the Department of Revenue:

1. The Additional Court Cost Clearing Trust Fund.
2. The Administrative Trust Fund.
3. The Apalachicola Bay Oyster Surcharge Clearing Trust Fund.
4. The Certification Program Trust Fund.
5. The Fuel Tax Collection Trust Fund.

6. The Land Reclamation Trust Fund.
7. The Local Alternative Fuel User Fee Clearing Trust Fund.
8. The Local Option Fuel Tax Trust Fund.
9. The Motor Vehicle Rental Surcharge Clearing Trust Fund.
10. The Motor Vehicle Warranty Trust Fund.
11. The Oil and Gas Tax Trust Fund.
12. The Secondhand Dealer and Secondary Metals Recycler Clearing Trust Fund.
13. The Severance Tax Solid Mineral Trust Fund.
14. The State Alternative Fuel User Fee Clearing Trust Fund.
15. All taxes levied on motor fuels other than gasoline levied pursuant to the provisions of s. 206.87(1)(a).

(q) Within the Department of State:

1. The Records Management Trust Fund.
2. The trust funds administered by the Division of Historical Resources.

(r) Within the Department of Transportation, all income derived from outdoor advertising and overweight violations which is deposited in the State Transportation Trust Fund.

(s) Within the Department of Veterans' Affairs:

1. The Grants and Donations Trust Fund.
2. The Operations and Maintenance Trust Fund.
3. The State Homes for Veterans Trust Fund.

(t) Within the Division of Administrative Hearings, the Administrative Trust Fund.

(u) Within the Fish and Wildlife Conservation Commission:

1. The Conservation and Recreation Lands Program Trust Fund.
2. The Florida Panther Research and Management Trust Fund.
3. The Land Acquisition Trust Fund.
4. The Marine Resources Conservation Trust Fund, with the exception of those fees collected for recreational saltwater fishing licenses as provided in s. 372.57.

(v) Within the Florida Public Service Commission, the Florida Public Service Regulatory Trust Fund.

(w) Within the Justice Administrative Commission, the Indigent Criminal Defense Trust Fund.

(x) Within the Office of Financial Regulation of the Financial Services Commission:

1. The Administrative Trust Fund.
2. The Anti-Fraud Trust Fund.
3. The Financial Institutions' Regulatory Trust Fund.
4. The Mortgage Brokerage Guaranty Fund.
5. The Regulatory Trust Fund.

The enumeration of the foregoing moneys or trust funds shall not prohibit the applicability thereto of s. 215.24 should the Governor determine that for the reasons mentioned in s. 215.24 the money or trust funds should be exempt herefrom, as it is the purpose of this law to exempt income from its force and effect when, by the operation of this law, federal matching funds or contributions or private grants to any trust fund would be lost to the state.

(5) There is appropriated from the proper respective trust funds from time to time such sums as may be necessary to pay to the General Revenue Fund the service charges imposed by this section.

Section 2. Subsection (1) of section 215.22, Florida Statutes, as amended by section 63 of chapter 2002-402, Laws of Florida, is amended to read:

215.22 Certain income and certain trust funds exempt.—

(1) The following income of a revenue nature or the following trust funds shall be exempt from the appropriation deduction ~~deduction~~ required by s. 215.20(1):

- (a) Student financial aid or prepaid tuition receipts.
- (b) Trust funds administered by the Department of the Lottery.
- (c) Departmental administrative assessments for administrative divisions.
- (d) Funds charged by a state agency for services provided to another state agency, by a state agency for services provided to the judicial branch, or by the judicial branch for services provided to a state agency.
- (e) State, agency, or political subdivision investments by the Chief Financial Officer ~~Treasurer~~.
- (f) Retirement or employee benefit funds.

(g) Self-insurance programs administered by the Chief Financial Officer Treasurer.

(h) Funds held for the payment of citrus canker eradication and compensation.

(i) Medicaid, Medicare, or third-party receipts for client custodial care.

(j) Bond proceeds or revenues dedicated for bond repayment, except for the Documentary Stamp Clearing Trust Fund administered by the Department of Revenue.

(k) Trust funds administered by the Department of Education.

(l) Trust funds administered by the Department of Transportation.

(m) The following trust funds administered by the Department of Agriculture and Consumer Services:-

1. The Citrus Inspection Trust Fund.

2. The Florida Forever Program Trust Fund.

3. The Florida Preservation 2000 Trust Fund.

4. The Market Improvements Working Capital Trust Fund.

5. The Pest Control Trust Fund.

6. The Plant Industry Trust Fund.

(n) The Motor Vehicle License Clearing Trust Fund.

(o) The Solid Waste Management Trust Fund.

(p) The Coconut Grove Playhouse Trust Fund.

(q) The Communications Working Capital Trust Fund of the Department of Management Services.

(r) The Camp Blanding Management Trust Fund.

~~(s) The Indigent Criminal Defense Trust Fund.~~

~~(s)(t)~~ That portion of the Highway Safety Operating Trust Fund funded by the motorcycle safety education fee collected pursuant to s. 320.08(1)(c).

~~(u) The Save the Manatee Trust Fund.~~

~~(t)(v)~~ Tobacco Settlement Trust Funds administered by any agency.

~~(u)(w)~~ The Save Our Everglades Trust Fund.

~~(v)(x)~~ The Florida Center for Nursing Trust Fund.

Section 3. Subsection (4) of section 18.10, Florida Statutes, as amended by section 65 of chapter 2002-402, Laws of Florida, is amended to read:

18.10 Deposits and investments of state money.—

(4) All earnings on any investments made pursuant to this section are hereby appropriated ~~shall be credited~~ to the General Revenue Fund, except that earnings attributable to moneys made available pursuant to s. 18.125(3)(a) and (b) ~~s. 18.125(3)~~ shall be credited pro rata to the funds from which such moneys were made available.

Section 4. Subsection (3) of section 18.125, Florida Statutes, as amended by section 67 of chapter 2002-402, Laws of Florida, is amended to read:

18.125 Treasurer; powers and duties in the investment of certain funds.—

(3)(a) Except as otherwise provided in this subsection, it is the duty of each state agency, and of the judicial branch, now or hereafter charged with the administration of the funds referred to in subsection (1) to make such moneys available for investment as fully as is consistent with the cash requirements of the particular fund and to authorize investment of such moneys by the Chief Financial Officer ~~Treasurer~~.

(b) Monthly, and more often as circumstances require, such agency or judicial branch shall notify the Chief Financial Officer ~~Treasurer~~ of the amount available for investment; and the moneys shall be invested by the Chief Financial Officer ~~Treasurer~~. Such notification shall include the name and number of the fund for which the investments are to be made and the life of the investment if the principal sum is to be required for meeting obligations. This subsection, however, shall not be construed to make available for investment any funds other than those referred to in subsection (1).

(c) Except as provided in this paragraph and except for moneys described in paragraph (d), the following agencies shall not invest trust fund moneys as provided in this section, but shall retain such moneys in their respective trust funds for investment, with interest appropriated to the General Revenue Fund, pursuant to s. 18.10:

1. The Agency for Health Care Administration, except for the Tobacco Settlement Trust Fund.

2. The Department of Children and Family Services, except for:

a. The Alcohol, Drug Abuse, and Mental Health Trust Fund.

b. The Community Resources Development Trust Fund.

c. The Refugee Assistance Trust Fund.

d. The Social Services Block Grant Trust Fund.

e. The Tobacco Settlement Trust Fund.

- f. The Working Capital Trust Fund.
 3. The Department of Community Affairs, only for the Operating Trust Fund.
 4. The Department of Corrections.
 5. The Department of Elderly Affairs, except for:
 - a. The Federal Grants Trust Fund.
 - b. The Tobacco Settlement Trust Fund.
 6. The Department of Health, except for:
 - a. The Federal Grants Trust Fund.
 - b. The Grants and Donations Trust Fund.
 - c. The Maternal and Child Health Block Grant Trust Fund.
 - d. The Tobacco Settlement Trust Fund.
 7. The Department of Highway Safety and Motor Vehicles, only for:
 - a. The DUI Programs Coordination Trust Fund.
 - b. The Security Deposits Trust Fund.
 8. The Department of Juvenile Justice.
 9. The Department of Law Enforcement.
 10. The Department of Legal Affairs.
 11. The Department of State, only for:
 - a. The Grants and Donations Trust Fund.
 - b. The Records Management Trust Fund.
 12. The Executive Office of the Governor, only for:
 - a. The Economic Development Transportation Trust Fund.
 - b. The Economic Development Trust Fund.
 13. The Florida Public Service Commission, only for the Florida Public Service Regulatory Trust Fund.
 14. The Justice Administrative Commission.
 15. The state courts system.
- (d) Moneys in any trust funds of the agencies in paragraph (c) may be invested pursuant to the provisions of this section if:

1. Investment of such moneys and the retention of interest is required by federal programs or mandates;
2. Investment of such moneys and the retention of interest is required by bond covenants, indentures, or resolutions;
3. Such moneys are held by the state in a trustee capacity as an agent or fiduciary for individuals, private organizations, or other governmental units; or
4. The Executive Office of the Governor determines, after consultation with the Legislature pursuant to the procedures of s. 216.177, that federal matching funds or contributions or private grants to any trust fund would be lost to the state.

Section 5. Paragraph (f) of subsection (2) of section 14.2015, Florida Statutes, as amended by section 69 of chapter 2002-402, Laws of Florida, is amended to read:

14.2015 Office of Tourism, Trade, and Economic Development; creation; powers and duties.—

(2) The purpose of the Office of Tourism, Trade, and Economic Development is to assist the Governor in working with the Legislature, state agencies, business leaders, and economic development professionals to formulate and implement coherent and consistent policies and strategies designed to provide economic opportunities for all Floridians. To accomplish such purposes, the Office of Tourism, Trade, and Economic Development shall:

(f)1. Administer the Florida Enterprise Zone Act under ss. 290.001-290.016, the community contribution tax credit program under ss. 220.183 and 624.5105, the tax refund program for qualified target industry businesses under s. 288.106, the tax-refund program for qualified defense contractors under s. 288.1045, contracts for transportation projects under s. 288.063, the sports franchise facility program under s. 288.1162, the professional golf hall of fame facility program under s. 288.1168, the expedited permitting process under s. 403.973, the Rural Community Development Revolving Loan Fund under s. 288.065, the Regional Rural Development Grants Program under s. 288.018, the Certified Capital Company Act under s. 288.99, the Florida State Rural Development Council, the Rural Economic Development Initiative, and other programs that are specifically assigned to the office by law, by the appropriations process, or by the Governor. Notwithstanding any other provisions of law, the office may expend interest earned from the investment of program funds deposited in the ~~Economic Development Trust Fund, the Grants and Donations Trust Fund and, the Brownfield Property Ownership Clearance Assistance Revolving Loan Trust Fund, and the Economic Development Transportation Trust Fund~~ to contract for the administration of the programs, or portions of the programs, enumerated in this paragraph or assigned to the office by law, by the appropriations process, or by the Governor. Such expenditures shall be subject to review under chapter 216.

2. The office may enter into contracts in connection with the fulfillment of its duties concerning the Florida First Business Bond Pool under chapter 159, tax incentives under chapters 212 and 220, tax incentives under the Certified Capital Company Act in chapter 288, foreign offices under chapter 288, the Enterprise Zone program under chapter 290, the Seaport Employment Training program under chapter 311, the Florida Professional Sports Team License Plates under chapter 320, Spaceport Florida under chapter 331, Expedited Permitting under chapter 403, and in carrying out other functions that are specifically assigned to the office by law, by the appropriations process, or by the Governor.

Section 6. Subsection (7) of section 1009.66, Florida Statutes, as amended by section 71 of chapter 2002-402, Laws of Florida, by section 3 of chapter 2002-400, Laws of Florida, and by chapter 2003-1, Laws of Florida, is amended to read:

1009.66 Nursing Student Loan Forgiveness Program.—

(7)(a) Funds contained in the Nursing Student Loan Forgiveness Trust Fund which are to be used for loan forgiveness for those nurses employed by hospitals, birth centers, and nursing homes must be matched on a dollar-for-dollar basis by contributions from the employing institutions, except that this provision shall not apply to state-operated medical and health care facilities, public schools, county health departments, federally sponsored community health centers, teaching hospitals as defined in s. 408.07, family practice teaching hospitals as defined in s. 395.805, or specialty hospitals for children as used in s. 409.9119. An estimate of the annual trust fund dollars shall be made at the beginning of the fiscal year based on historic expenditures from the trust fund. Applicant requests shall be reviewed on a quarterly basis, and applicant awards shall be based on the following priority of employer until all such estimated trust funds are awarded: state-operated medical and health care facilities; public schools; county health departments; federally sponsored community health centers; teaching hospitals as defined in s. 408.07; family practice teaching hospitals as defined in s. 395.805; specialty hospitals for children as used in s. 409.9119; and other hospitals, birth centers, and nursing homes.

~~(b) All Nursing Student Loan Forgiveness Trust Fund moneys shall be invested pursuant to s. 18.125. Interest income accruing to that portion of the trust fund not matched shall increase the total funds available for loan forgiveness and scholarships. Pledged contributions shall not be eligible for matching prior to the actual collection of the total private contribution for the year.~~

Section 7. Subsection (3) of section 385.207, Florida Statutes, as amended by section 73 of chapter 2002-402, Laws of Florida, is amended to read:

385.207 Care and assistance of persons with epilepsy; establishment of programs in epilepsy control.—

(3) Revenue for statewide implementation of programs for epilepsy prevention and education pursuant to this section shall be derived pursuant to

the provisions of s. 318.21(6) and shall be deposited in the Epilepsy Services Trust Fund, which is hereby established to be administered by the Department of Health. ~~All funds deposited into the trust fund shall be invested pursuant to the provisions of s. 18.125. Interest income accruing to such invested funds shall increase the total funds available under this subsection.~~

Section 8. Subsection (1) of section 938.01, Florida Statutes, as amended by section 77 of chapter 2002-402, Laws of Florida, is amended to read:

938.01 Additional Court Cost Clearing Trust Fund.—

(1) All courts created by Art. V of the State Constitution shall, in addition to any fine or other penalty, assess \$3 as a court cost against every person convicted for violation of a state penal or criminal statute or convicted for violation of a municipal or county ordinance. Any person whose adjudication is withheld pursuant to the provisions of s. 318.14(9) or (10) shall also be assessed such cost. In addition, \$3 from every bond estreature or forfeited bail bond related to such penal statutes or penal ordinances shall be remitted to the Department of Revenue as described in this subsection. However, no such assessment may be made against any person convicted for violation of any state statute, municipal ordinance, or county ordinance relating to the parking of vehicles.

(a) All costs collected by the courts pursuant to this subsection shall be remitted to the Department of Revenue in accordance with administrative rules adopted by the executive director of the Department of Revenue for deposit in the Additional Court Cost Clearing Trust Fund. These funds and the funds deposited in the Additional Court Cost Clearing Trust Fund pursuant to s. 318.21(2)(c) shall be distributed as follows:

1. Ninety-two percent to the Department of Law Enforcement Criminal Justice Standards and Training Trust Fund.
2. Six and three-tenths percent to the Department of Law Enforcement Operating Trust Fund for the Criminal Justice Grant Program.
3. One and seven-tenths percent to the Department of Children and Family Services Domestic Violence Trust Fund for the domestic violence program pursuant to s. 39.903(3).

~~(b) The funds deposited in the Department of Law Enforcement Criminal Justice Standards and Training Trust Fund, the Department of Law Enforcement Operating Trust Fund, and the Department of Children and Family Services Domestic Violence Trust Fund may be invested. Any interest earned from investing such funds and any unencumbered funds remaining at the end of the budget cycle shall remain in the respective trust fund.~~

~~(b)(e)~~ All funds in the Department of Law Enforcement Criminal Justice Standards and Training Trust Fund shall be disbursed only in compliance with s. 943.25(9).

Section 9. Paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

(2) The source and use of each of these funds shall be as follows:

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys shall be responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer ~~Comptroller~~ may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established within a trust fund, the Chief Financial Officer ~~Comptroller~~ may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

2. In order to maintain a minimum number of trust funds in the State Treasury, each state agency or the judicial branch may consolidate, if permitted under the terms and conditions of their receipt, the trust funds administered by it; provided, however, the agency or judicial branch employs effectively a uniform system of accounts sufficient to preserve the integrity of such trust funds; and provided, further, that consolidation of trust funds is approved by the Governor or the Chief Justice.

3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the State Treasury.

4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the Budget Stabilization Fund and Working Capital Fund in the General Appropriations Act.

b. This subparagraph does not apply to trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or resolutions whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements of any debt obligations of the state or any public body; the State Transportation Trust Fund; the trust fund containing the net annual proceeds from the Florida Education Lotteries; the Florida Retirement System Trust Fund; trust funds under the management of the Board of Regents, where such trust funds are for auxiliary enterprises, self-insurance, and contracts, grants, and donations, as those terms are defined by general law; trust funds that serve as clearing funds or accounts for the Chief Financial Officer ~~Comptroller~~ or state agencies; trust funds that account for assets held by the state in a trustee capacity as an agent or fiduciary for individuals, private organizations, or other governmental units; and other trust funds authorized by the State Constitution.

Section 10. If any law that is amended by this act was also amended by a law enacted at the 2003 Regular Session of the Legislature, such laws shall be construed as if they had been enacted during the same session of the Legislature, and full effect should be given to each if that is possible.

Section 11. This act shall take effect July 1, 2003.

Approved by the Governor June 25, 2003.

Filed in Office Secretary of State June 25, 2003.