

House Bill No. 5-E

An act relating to the Biomedical Research Trust Fund; providing legislative findings and intent; re-creating the Biomedical Research Trust Fund within the Department of Health; carrying forward current balances and continuing current sources and uses thereof; providing for future review and termination; amending s. 20.435, F.S.; respecting a future termination provision; providing a contingent effective date.

WHEREAS, the Legislature wishes to extend the life of the Biomedical Research Trust Fund within the Department of Health, which is otherwise scheduled to be terminated pursuant to the 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 Biomedical Research Trust Fund, administered by the Department of Health, FLAIR number 64-2-245, which is to be terminated pursuant to s. 19(f), Art. III of the State Constitution on July 1, 2004, 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 as provided by law.

(3) Pursuant to the provisions of s. 19(f)(2), Art. III of the State Constitution, the trust fund shall, unless terminated sooner, be terminated 4 years from the effective date of this act. Prior to its scheduled termination, the trust fund shall be reviewed as provided in s. 215.3206(1) and (2).

Section 2. Paragraph (h) 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:

(h) Biomedical Research Trust Fund.

1. Funds to be credited to the trust fund shall consist of funds deposited pursuant to s. 215.5601. Funds shall be used for the purposes of the James and Esther King Biomedical Research Program as specified in s. 215.5602. The trust fund is exempt from the service charges imposed by s. 215.20.

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

3. The trust fund shall, unless terminated sooner, be terminated on July 1, 2008 2004.

Section 3. This act shall take effect July 1, 2004, if House Bill 1E or similar legislation is adopted in the same legislative session or an extension thereof and becomes law.

Approved by the Governor November 3, 2003.

Filed in Office Secretary of State November 3, 2003.